

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 SHRIMP MANAGEMENT COMMITTEE

4  
5 Hilton Riverside Hotel New Orleans, Louisiana

6  
7 August 10, 2015

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 Randy Pausina).....Louisiana  
14 Lance Robinson (designee for Robin Riechers).....Texas

15  
16 **NON-VOTING MEMBERS**

17 Kevin Anson.....Alabama  
18 Martha Bademan (designee for Nick Wiley).....Florida  
19 Doug Boyd.....Texas  
20 Glenn Constant.....USFWS  
21 Pamela Dana.....Florida  
22 Dale Diaz.....Mississippi  
23 John Greene.....Alabama  
24 Kelly Lucas (designee for Jamie Miller).....Mississippi  
25 Campo Matens.....Louisiana  
26 John Sanchez.....Florida  
27 Greg Stunz.....Texas  
28 Ed Swindell.....Louisiana  
29 David Walker.....Alabama  
30 Roy Williams.....Florida

31  
32 **STAFF**

33 Assane Diagne.....Economist  
34 John Froeschke.....Fishery Biologist/Statistician  
35 Doug Gregory.....Executive Director  
36 Karen Hoak.....Administrative and Financial Assistant  
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 Charlotte Schiaffo.....Research & Human Resource Librarian  
43 Carrie Simmons.....Deputy Director

44  
45 **OTHER PARTICIPANTS**

46 Anna Beckwith.....SAFMC  
47 Theo Brainerd.....SEFSC  
48 Steve Branstetter.....NMFS

1 Eric Brazer.....Reef Fish Shareholder's Alliance  
2 J.P. Brooker.....Ocean Conservancy  
3 Shane Cantrell.....Galveston, TX  
4 Eden Davis.....Louisiana Wildlife Federation, Baton Rouge, LA  
5 Michael Drexler.....Ocean Conservancy, St. Petersburg, FL  
6 Julie Falgout.....Louisiana Sea Grant, Houma, LA  
7 Chad Hanson.....Pew  
8 Matt Hill.....MS DMR, Biloxi, MS  
9 Scott Hickman.....Galveston, TX  
10 Peter Hood.....NMFS  
11 Joe Jewell.....MS DMR, Biloxi, MS  
12 Mark Kinsey.....NOAA OLE, Galveston, TX  
13 Paul Mickle.....Biloxi, MS  
14 Ashford Rosenberg.....Audubon Nature Institute  
15 Bill Tucker.....Dunedin, FL  
16 Jim Zurbrick.....Steinhatchee, FL

17  
18 - - -  
19

20 The Shrimp Management Committee of the Gulf of Mexico Fishery  
21 Management Council convened at the Hilton Riverside Hotel, New  
22 Orleans, Louisiana, Monday afternoon, August 10, 2015, and was  
23 called to order at 2:15 p.m. by Chairman Leann Bosarge.  
24

25 **ADOPTION OF AGENDA**  
26 **APPROVAL OF MINUTES**  
27 **ACTION GUIDE AND NEXT STEPS**  
28

29 **CHAIRMAN LEANN BOSARGE:** We lost two of our most valuable  
30 assets, Corky and Harlon, but, of course, they have been  
31 replaced by even more valuable assets. They are just not on the  
32 committee yet and so we have a small committee today. I will be  
33 the Acting Chair and we have Dr. Crabtree and Dave Donaldson,  
34 Mr. Fischer, and Lance. That's going to be our committee today,  
35 guys, and so hopefully we can have some good discussion.  
36

37 If you look at our agenda, it's pretty streamlined. We are  
38 going to spend the bulk of our time going through Amendment 17  
39 and hopefully get some good direction to staff on do we like  
40 what we see or do we want to add anything or change anything and  
41 then we will have a quick update from Myron on some changes that  
42 have taken place in his neck of the woods. With that, are there  
43 any additions to the agenda from anyone? If not, do I have a  
44 motion to approve the agenda?  
45

46 **MR. DAVE DONALDSON:** So moved.  
47

48 **CHAIRMAN BOSARGE:** So moved by Dave and can we get a second?

1  
2 **MR. LANCE ROBINSON:** It's seconded by Lance. The agenda is  
3 approved. Are there any revisions that need to be made to the  
4 minutes that anybody noticed? Seeing none, can I get a motion  
5 to approve the minutes? It's moved by Dave and seconded by  
6 Lance. All right.

7  
8 If you look at our Action Guide and Next Steps, we will be  
9 turning it over to Dr. Kilgour or excuse me, Dr. Kilgour is in  
10 the hospital or just got out of the hospital and so she's not  
11 with us today. She is taking care of much more important  
12 things, two babies, and so we are going to turn it over to  
13 Carrie and she is going to lead us through the latest version of  
14 Shrimp Amendment 17.

15  
16 As you know, we're on a pretty tight timeline as far as the  
17 expiration of the original permit moratorium and so we have to  
18 stay focused on this document and make sure that we give staff  
19 plenty of direction to add or change anything that we want in  
20 the document and so as she leads us through it, please don't  
21 hesitate to raise your hand and stop us at any point. Myron.

22  
23 **MR. MYRON FISCHER:** To that, of the critical timeline, could  
24 Carrie explain where we're going to have to be, meeting-by-  
25 meeting, until we get a final document approved?

26  
27 **DR. CARRIE SIMMONS:** I will try to explain that, probably with  
28 the help of Dr. Branstetter, since I am sitting in here for  
29 Morgan today, but you are looking at a revised options paper.  
30 We've tried to get additional analysis from the last time you  
31 reviewed the document and work towards a public hearing draft,  
32 as much as we can, for the October meeting.

33  
34 After October, we plan to take it out to public hearings and  
35 have the Shrimp AP review it again and then hopefully take final  
36 action, my understanding is, at the January council meeting and  
37 if we can't take final action in January, I think the absolute  
38 latest we could take final action is the April council meeting,  
39 but I will let Steve or anybody else step in.

40  
41 **MR. FISCHER:** I was just trying to see where we are and how fast  
42 we have to roll. That's sufficient. Thank you or Steve can  
43 comment.

44  
45 **REVISED DRAFT OPTIONS PAPER FOR SHRIMP AMENDMENT 17 - ADDRESSING**  
46 **THE EXPIRATION OF THE SHRIMP PERMIT MORATORIUM**

47  
48 **DR. SIMMONS:** All right and so I think we'll start on page 2.

1 This is Shrimp Amendment 17 and the current permit moratorium  
2 will expire on October 26, 2016, and right now, the council is  
3 looking at various options. They could allow the moratorium to  
4 expire and revert all federal shrimp permits to open access.  
5 They could extend the moratorium for another period of time,  
6 which we're looking at five and ten years. You could establish  
7 a permanent limited access system for the commercial Gulf shrimp  
8 permits and the other thing the council is looking at is  
9 considering a target number of permits for the moratorium and  
10 creating a reserve instead of allowing those permits to expire  
11 and you are also looking at removing the royal red shrimp  
12 endorsement. That's just an overview of the actions and it's on  
13 page 2.

14  
15 The purpose and need, I don't know what exactly has changed, if  
16 anything, from the last time you reviewed it, but you can see  
17 the purpose of this amendment is to determine if limiting access  
18 to federal permits is necessary to prevent overcapacity, promote  
19 economic efficiency and stability, and maintain high catch per  
20 unit effort and to protect federally-managed Gulf shrimp stocks.

21  
22 Another purpose is to determine if the endorsement to harvest  
23 royal red shrimp is still necessary to monitor participation and  
24 activity in that component of the fishery.

25  
26 The need for this action is to maintain increases in catch  
27 efficiency while preventing overfishing and to obtain the best  
28 available information with which to manage the fishery. I will  
29 stop there and see if anybody wants to talk about the purpose  
30 and need.

31  
32 **CHAIRMAN BOSARGE:** Any feedback for Carrie or staff? Okay.

33  
34 **DR. SIMMONS:** Okay. We will start with the management  
35 alternatives. Action 1 starts on page 6 of the document.  
36 Action 1 addresses the expiration of the federal shrimp permit  
37 moratorium in the Gulf of Mexico.

38  
39 Alternative 1 is the no action alternative. You do have a  
40 preferred alternative for this action. You have Preferred  
41 Alternative 2, which is to extend the moratorium on the issuance  
42 of federal Gulf commercial shrimp vessel permits and you have  
43 two options so far. The moratorium would be extended for,  
44 Option a, five years, or your current preferred, Option b, ten  
45 years.

46  
47 The third alternative would create a federal limited access  
48 permit for commercial shrimp vessels in the Gulf and it would

1 make it permanent and it has the necessary criteria in order to  
2 do that in the rest of the alternative and so I will stop there.

3  
4 **CHAIRMAN BOSARGE:** Any feedback on the first action for staff?  
5 All right. Go ahead.

6  
7 **DR. SIMMONS:** Just for the record, we did note there was some  
8 problems with Figure 2.1.1 as far as the labeling goes and so  
9 we'll fix that in the next draft. On page 9, it begins Action 2  
10 and there is two subparts of this action, Action 2.1 and Action  
11 2.2.

12  
13 Action 2.1 would set up a target number of Gulf shrimp vessel  
14 permits and create a pool for those permits. Alternative 1 is  
15 the no action alternative, do not set a target number of  
16 commercial shrimp vessel permits and any shrimp vessel permit  
17 not renewed within one year of the expiration date on the permit  
18 will be terminated and no longer available for purchase or use,  
19 whereas the other alternatives would set up various targets.

20  
21 Alternative 2 would set a target number of vessel permits based  
22 on an aggregate maximum sustainable yield and I believe that's  
23 all penaeid species and royal red shrimp and that estimated  
24 number is over 2,000 permits.

25  
26 Alternative 3 would set a target number of Gulf shrimp vessel  
27 permits based on the number of valid permits issued at the  
28 beginning of the moratorium, which was 1,933 permits.  
29 Alternative 4 would set a target number of permits based on a  
30 number of valid or renewable permits at the end of 2014, which I  
31 believe is what the Shrimp AP recommended originally, or before  
32 this document was very far along, as their preferred. That was  
33 1,470 permits. The number of permits currently is a little bit  
34 lower. As of August 6, 2015, currently we have 1,463 shrimp  
35 permits.

36  
37 Alternative 5 would set a target number based on the number of  
38 valid or renewable permits at the end of the initial moratorium,  
39 which is the October 26, 2016. Then we have two Alternative  
40 6's. One of them you have seen before and I'm sorry that I  
41 don't know which one that is right.

42  
43 The first Alternative 6 would set a target number of vessel  
44 permits based on the effort needed to maintain the gains in  
45 catch per unit effort during the moratorium and I think that's  
46 based on the 2008 year, which is around 882 permits, or  
47 estimated to be.

48

1 I believe the second Alternative 6 was the original alternative  
2 and that would set a target number of vessel permits based on  
3 effort needed to maintain the gains in catch per unit effort in  
4 the offshore fishery during the moratorium without substantially  
5 reducing landings between 909 and over 1,000 permits, 1,133  
6 permits, depending on the year chosen. Madam Chair just  
7 confirmed that was the original, is the one I just read.

8  
9 Then we have an Alternative 7 which would set the target number  
10 of Gulf shrimp vessel permits based on the number of active  
11 permits when effort was highest during the moratorium in the  
12 area monitored for red snapper juvenile mortality, but without  
13 reaching the bycatch reduction target and triggering closures.  
14 That was based on 2011, around 938 permits.

15  
16 Under each of the alternatives currently you have two options  
17 and those were repeated under each one. Option a, if you  
18 selected that, that would -- Once the target number of permits  
19 is reached, then any of those permits that were not renewed  
20 within one year of the expiration date would go into the pool.

21  
22 Then Option b would be if the number of those target permits is  
23 reached, the council would review the status of the fishery to  
24 determine if action is needed.

25  
26 Currently, as drafted, Action 2 through 4, if you select any of  
27 those as preferred, you're already below that target and,  
28 therefore, Option b would encompass the review currently in this  
29 document. You would be doing the review currently if you  
30 selected that as preferred. With that, I will stop there and I  
31 may need some help answering questions from Assane or Steve  
32 Branstetter.

33  
34 **CHAIRMAN BOSARGE:** All right. Hopefully we can have some good  
35 discussion on this action. Are there any volunteers? Dr.  
36 Crabtree.

37  
38 **DR. CRABTREE:** Carrie, there are some numbers in here, like in  
39 Alternative 2, the number of vessel permits needed to attain  
40 aggregate MSY, 2,018 permits, and there is another one later  
41 down that has the number of permits needed to match the gains in  
42 CPUE, that 882. It's in Alternative 6. Where is -- Maybe I  
43 just haven't read this carefully enough, but do we have reports  
44 and analyses that have been reviewed and gone through the SSC  
45 and everything that support those numbers of permits?

46  
47 **DR. SIMMONS:** We have some analysis. It has not been reviewed  
48 by the SSC is my understanding, but Assane may know more.

1  
2 **DR. ASSANE DIAGNE:** Like you mentioned, Dr. Simmons, we have  
3 some analysis from the Science Center, but it hasn't been  
4 formally reviewed. That will be done at a later time.  
5

6 **CHAIRMAN BOSARGE:** I was going to ask a question about that  
7 timing. Myron, was that your question or -- No? I will ask  
8 that real quick, if you don't mind. As far as timeframe and  
9 keeping this thing on schedule, number one, with the  
10 restructuring of the SSCs, who would this go before and are they  
11 meeting? Can we get this reviewed and when?  
12

13 **EXECUTIVE DIRECTOR DOUG GREGORY:** The Special Shrimp SSC meets  
14 with the Standing SSC. We could also convene the Socioeconomic  
15 Special SSC and have them meet at the same time. We are  
16 planning for the SSC to meet -- Typically they meet three or  
17 four weeks before each council meeting. We didn't have a  
18 meeting this past time, because we didn't have enough material  
19 to cover, but we're planning to have a meeting in September and  
20 I don't know if we -- I know Reef Fish is always on the agenda,  
21 but I don't recall if we had planned to put Shrimp on the agenda  
22 for September, but we're also planning to have an SSC meeting  
23 maybe in December, the first part of December, of this year and  
24 we certainly can put it on that agenda.  
25

26 **CHAIRMAN BOSARGE:** Okay and I think we should probably leave  
27 that up to staff as to maybe when the SSC looks at it, because I  
28 know, and correct me if I'm wrong on this, but I believe there  
29 will be some more economic analysis that we put in this  
30 document, some further analysis, and so I don't want to be  
31 premature in having them review it at the SSC and then say, oh,  
32 but look at it again, because we weren't really done with it at  
33 that point. Whatever the appropriate time is, we do want to  
34 make sure that happens. Myron.  
35

36 **MR. FISCHER:** Thank you, Madam Chair. Maybe this is for Assane.  
37 It's the numbers in these various options. I just happen to be  
38 on the new 6 or both 6's, where you see an 882 or a 902 or 1,133  
39 and are these numbers based on 100 percent participation or is  
40 it based on the fact that we probably have 30 or 40 percent of  
41 our fishermen who hold permits, but they don't all fish in a  
42 given year and they fish as needed?  
43

44 **DR. DIAGNE:** I think these numbers are based on what I would say  
45 active participation, but the extent to which a vessel  
46 participates, that is, of course, subject to discussion. We  
47 cannot say that everybody participated at the maximum level of  
48 effort, meaning you could take a smaller number of vessels and

1 given the opportunity, or meaning under the right set of  
2 conditions, meaning price of shrimp, fuel, and environmental  
3 conditions, they would be able to achieve that.

4  
5 Maybe the committee has an opportunity here to simplify this  
6 action and significantly narrow down the range of alternatives  
7 that are here. Just, for example, I mean Dr. Crabtree mentioned  
8 Alternative 2 and talking about MSY. If we look at the net  
9 number is 2,018 permits, even without reviewing it, which will  
10 come at some point, if you look at Alternative 3, which has a  
11 date certain, you have 1,933 permits.

12  
13 Those two numbers are practically the same and so maybe there is  
14 an opportunity, just looking at those three, to put Alternative  
15 2, for example, in the considered but rejected, because whatever  
16 it would achieve would be done by Alternative 3, for example,  
17 and we have similar examples, I think, throughout this action,  
18 but I will just stop there.

19  
20 **CHAIRMAN BOSARGE:** Myron.

21  
22 **MR. FISCHER:** Thanks and these different alternatives give a  
23 different amount of permits required to fulfill the reason in  
24 the first sentence of the permit and would it be easier, Assane,  
25 if we had a document that would go from no action to set a  
26 target number and we have just an a, b, c, d, e of maybe four or  
27 five selections under that? The discussion would have to state  
28 why we came up with those numbers, possibly, but we wouldn't  
29 have all these alternatives and it would just be a to d and a to  
30 e under one alternative.

31  
32 **DR. DIAGNE:** Depending on the range, the final range of options  
33 that the committee would recommend, that would be feasible. For  
34 example, if you identified some reference dates, the number of  
35 permits at the beginning of this moratorium, the number of  
36 permits when we initiated these amendments, or the number of  
37 permits on the day of implementation, just for example, those  
38 would fit in the structure that you mentioned, Mr. Fischer, but  
39 if the reasons given here range from I guess some biological  
40 considerations to other, then we can't help but have separate  
41 alternatives. It will depend on your final range of  
42 alternatives, if you decide to pare this down a bit.

43  
44 **CHAIRMAN BOSARGE:** Does that answer your question, Myron?

45  
46 **MR. FISCHER:** Also, Assane, if we were to create a pool -- Maybe  
47 this would be for Roy, but if we were to create a pool, could  
48 this pool be governed with different criteria for getting into



1 it, meaning that we treat the 1,460 permits as they've been, but  
2 if we put a pool of any number, 150 or 200 permits, those have  
3 different criteria, where they maybe have to have shrimp  
4 landings of a certain amount every year or different qualifiers  
5 for those pool permits.  
6

7 **DR. DIAGNE:** I think I would defer to Ms. Levy on this one, but,  
8 as you specified, we can create conditions under which two  
9 entities holding the same permit are subject to different  
10 conditions and that may potentially be a problem, but I will  
11 defer to Ms. Levy to further elaborate on this, if needed.  
12

13 **MR. FISCHER:** I could give examples. It would be to qualify you  
14 would have to have a certain income or certain sales, so many  
15 pounds of sales, and sort of the more charter boat moratorium  
16 historical captain permit, where it's treated slightly  
17 differently. It could be non-transferable and only sticks with  
18 that one vessel or whatever criteria the council would come up  
19 with.  
20

21 It would allow new entrants into the fishery, but they would  
22 have to be fishermen and they would have to show income or  
23 whatever other qualifying factors we come up with.  
24

25 **CHAIRMAN BOSARGE:** Okay and, Myron, just so that everybody is on  
26 the same page, because you asked a question and it was answered,  
27 but I want to make sure everybody understood your question and  
28 understood what some of these alternatives are saying.  
29

30 When you were looking at Alternative 6 or Alternate Alternative  
31 6 and you look and that particular alternative, the rationale  
32 behind it is maintaining the catch per unit effort gains that  
33 were realized in the recent past in the shrimp fishery and so  
34 take the first one, the first Alternative 6.  
35

36 It references a number of 882 permits. If you went with  
37 Alternative 6, Option a, essentially what you would be saying  
38 is, all right, when the number of permits on the books, whether  
39 latent, active, whatever, when that number of permits on the  
40 books with NMFS reaches a level of 882 -- In other words, when  
41 it decreases to that 882 level, at that point that will be a  
42 trigger.  
43

44 That trigger could possibly make one of two things happen.  
45 Option a, it would trigger the formation of a vessel pool and  
46 any permits after that point in time that are not renewed and  
47 that become terminated, that would have normally exited the  
48 fishery and not been available to get again, they will go into

1 the pool and they will sit there and be available for someone at  
2 some future date in time.

3  
4 Option b would be that soft target, which you weren't talking  
5 about, but essentially at that point it would trigger us as a  
6 council to say, okay, we need to look at this again and see what  
7 we want to do and is it at a good level or not, but the part I  
8 really want to be clear about is Option a.

9  
10 That's permits on the books, 882, and the reason we put that in  
11 there that way is because we knew that in that year, where the  
12 catch per unit effort gains had been realized, that's how many  
13 boats were out there actually shrimping. There were way more  
14 permits on the books than that, but if we started a vessel pool  
15 at that whatever it was, nineteen-hundred-and-something permits,  
16 then we know if those people come back into the fishery, which  
17 we would be allowing if we started a vessel pool at nineteen-  
18 hundred-and-something permits, we just screwed all those guys  
19 that are in the fishery, because we know they're not sustainable  
20 at that level.

21  
22 They are not profitable and they cannot make a go of it and the  
23 whole point of the moratorium was to stabilize the fishery and  
24 get it to a point where hopefully when it became profitable  
25 again we wouldn't have another one of these boom-and-bust  
26 cycles, where people rush into it and usually it's artificially  
27 stimulated by whatever the case may be, easy financing through  
28 big corporations, like Caterpillar, or right now we could even  
29 be in an artificial stimulation, because of BP money.

30  
31 The point being we didn't want to keep going through that  
32 vicious cycle again and so I just wanted to make sure that  
33 people understood what the 882 means. That's permits on the  
34 books, whether they are active or inactive. When it hits that  
35 level, that would be a trigger.

36  
37 **MR. FISCHER:** But that's not what Assane said. He said that  
38 it's 882 active boats for this criteria and we know not 100  
39 percent of the boats fish and we know it right now. Out of the  
40 1,463 boats, they're not all fishing and maybe only 700 or 800  
41 of them are fishing.

42  
43 That's why I feel this number has to be higher, because in any  
44 year you just won't have -- Now, Assane might correct me, but  
45 that's what I understood. He has got his hand up.

46  
47 **DR. DIAGNE:** Maybe I didn't express it clearly. What I said is  
48 these are active vessels, but their level of activity, and I put

1 that in quotes, we cannot guarantee is 100 percent for all of  
2 them and so what I said is consistent with what Ms. Bosarge just  
3 said, but we cannot assume that they were all active to the  
4 maximum of their ability. That's what I meant.

5  
6 **MR. FISCHER:** But we know we have many boats that are harvesting  
7 zero right now and you know you will always have boats at zero  
8 and so maybe I just don't understand, but I think we need a  
9 sizeable amount more than this, knowing we're going to have  
10 boats not fishing, to maintain the catches. I will let NOAA --

11  
12 **CHAIRMAN BOSARGE:** NOAA.

13  
14 **DR. CRABTREE:** I guess, Myron, I am having a hard time seeing  
15 why we need any more vessels than we have now. I mean CPUEs are  
16 high and we're catching close to what we've historically caught  
17 and we're doing it with much less effort, which means less  
18 bycatch of red snapper and less bycatch of turtles, and we still  
19 have, I don't know, 300 or 400, or maybe more, latent permits  
20 out there.

21  
22 I have a difficult time seeing why we would do anything that  
23 would increase the number of permits in the fishery. If  
24 anything, the high proportion of latent permits would tend to  
25 indicate there are more permits than we need at this point and  
26 so I have a hard time seeing why we would even keep Alternative  
27 2 and 3 in the document, because I just can't see why we would  
28 want to take an action to increase the number of the permits,  
29 because we seem to have more permits now than are needed to  
30 catch the shrimp that can be caught. Clearly the key to keeping  
31 these vessels economically viable is high CPUEs and that's what  
32 I am struggling with this.

33  
34 **MR. FISCHER:** The reason, even if it's a small pool, is just to  
35 allow new entrants in, just to get a few more people that --  
36 It's not as easy to purchase a permit from a fisherman retiring  
37 as it may seem and that's why we do have permits expiring every  
38 year. Like I say, just in case they have a few entrants that  
39 want to get in, it's to create a pool to allow them and, in some  
40 cases, it's also to allow what is happening now. When boats are  
41 transiting and when they're moving around, they do go into  
42 federal waters and to allow these boats to have permits so they  
43 could go from A to B and they do cross into federal waters.

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

46  
47 **DR. CRABTREE:** Well, I mean the way you become a new entrant is  
48 to buy a permit from someone and I don't know and Leann might

1 know better, but my understanding is shrimp permits, as far as  
2 permits go, aren't particularly expensive. Do you know what --

3  
4 **CHAIRMAN BOSARGE:** No, they're not that expensive in the big  
5 scheme of things. It's going to depend on who you're buying it  
6 from, you know. It's going to vary, but in the big scheme of  
7 things, that particular expense is going to be minimal compared  
8 to the expense that will be incurred simply to get your vessel  
9 ready to go into federal waters, from a regulatory standpoint,  
10 the things that you have to have on that vessel, per Coast  
11 Guard, and the things that you're going to have to do for that  
12 vessel to qualify to step out into federal waters. The permit  
13 is negligible compared to the rest of the expense.

14  
15 **DR. CRABTREE:** Yes and so it just doesn't seem, to me, that  
16 that's that big of a hurdle here and the level of attrition in  
17 the fishery -- I mean we lost a good many permits early on, at  
18 the beginning of this thing, but the level of attrition is not  
19 that high anymore and we have -- Every permit that we have under  
20 moratorium right now has all these same issues and we have never  
21 gone in and done this in any of those and I don't know why we're  
22 doing it here.

23  
24 We probably have more issues with bycatch, particularly turtles  
25 and things, in this fishery than anything else and so we have a  
26 significant public interest in not having any more effort in  
27 this fishery than is necessary to catch the available shrimp and  
28 I think we have a responsibility to make sure that we don't  
29 allow excess capacity in this fishery.

30  
31 I just think that the issue of the new participants -- It just  
32 doesn't make sense to me. If you've got a permit that is \$6,000  
33 or \$7,000, you've got to buy a shrimp boat and you've got to buy  
34 the nets. A lot of these boats put \$10,000 or \$20,000 worth of  
35 fuel in them to go make a fishing trip and so it just doesn't  
36 seem, to me, that buying a permit is that high of a hurdle.

37  
38 **CHAIRMAN BOSARGE:** Myron.

39  
40 **MR. FISCHER:** We do have an industry that's not overfished and  
41 not undergoing overfishing. It's an annual crop, those not  
42 harvested, unlike the reef fish, that we need them for future  
43 years. What is not harvested dies and we are nowhere near MSY.  
44 We are not fishing MSY and so we just feel that a small pool and  
45 not going back to the numbers of the 1,900 or the numbers at the  
46 beginning of the inception of the moratorium. Somewhere in the  
47 middle and just trying to get a few more permits in the pool to  
48 allow some new entrants into the fishery.

1  
2 If not, you're going to have a dying fishery, through attrition.  
3 We are slowly eating away at it. We're losing too much  
4 infrastructure on our coastline. Grand Isle, where our lab is,  
5 once had eight fish houses and we now have one fish house. It's  
6 not healthy for the industry to be losing this much  
7 infrastructure for this argument. We just feel that a couple  
8 more permits in the pool would actually be healthy in getting  
9 new entrants in.

10  
11 **CHAIRMAN BOSARGE:** Dr. Branstetter, did you have a comment?

12  
13 **DR. STEVE BRANSTETTER:** Yes and I think maybe, Myron, some of  
14 your answers are in Table 2.2.1 of the document. At the most,  
15 when permits first came in, there were about almost 2,000  
16 permits that were active. When we underwent the moratorium,  
17 there was less than 1,550 active, large and small, vessels in  
18 2006. As Dr. Crabtree mentioned, there is an attrition rate  
19 going down from there, while the CPUEs are going up.

20  
21 **CHAIRMAN BOSARGE:** Myron.

22  
23 **MR. FISCHER:** Also recall the shrimp biomass is very  
24 environmentally influenced. It's highly environmentally  
25 influenced as compared to the other reef fish and species we  
26 manage. I do agree about the CPUE. However, when you have a  
27 year that the various environmental factors, temperature and  
28 salinity in the estuarine areas pushing the shrimp out -- When  
29 it's a good year, they have a bumper crop and we would like just  
30 to have boats out there to harvest them.

31  
32 **CHAIRMAN BOSARGE:** Dr. Lucas.

33  
34 **DR. KELLY LUCAS:** Thank you, Madam Chair. I am not on your  
35 committee, but I did have a question and it's possibly for you,  
36 being in the business, or maybe for NOAA, but how easy is it for  
37 people who may wish to be in the commercial shrimping business  
38 to find out about a permit that may be coming available? I mean  
39 is there a way to connect these people who might potentially be  
40 looking at a permit that's in the grace period or whatever? I  
41 mean if I was the person who wanted to get into it, could I find  
42 that information easily?

43  
44 **CHAIRMAN BOSARGE:** I think that that is an excellent question,  
45 because some of the issues or concerns that I hear people  
46 raising, some of it could be alleviated simply by communication,  
47 open communication, and access to the information that they need  
48 in order to get in the fishery.

1  
2 Now, of course, if you're a businessperson, that's also a part  
3 of business. You have to do the legwork, but that doesn't mean  
4 we can't make it easier. If we see that as an issue, as a  
5 hindrance or a hurdle, maybe we can do something about that.  
6 Dr. Crabtree or Mara may correct me and this may be private  
7 information that cannot be released, but you get one of these  
8 permits and a year later it expires, right?

9  
10 But then you have a year from that expiration date before it's  
11 actually terminated and leaves the fishery and so I guess for  
12 any other kind of circumstance you would call that your grace  
13 period, kind of like your mortgage is due on the first, but they  
14 give you until the tenth before they hit you with a fee or  
15 something like that.

16  
17 While you're in that year grace period, after it's expired, but  
18 it hasn't been terminated yet, would it be possible for it to  
19 show up on the NMFS/NOAA website somewhere that these particular  
20 permits are in their grace period, but haven't been terminated  
21 yet, and this is the name associated with the permit or the port  
22 associated with the permit? In other words, let's not give out  
23 Social Security numbers and phone numbers, but at least some  
24 information that might could direct you to those people as a way  
25 to allow those new entrants to more easily gain access to the  
26 fishery.

27  
28 The difference between that a pool -- I am trying not to speak  
29 too much, because I'm the Chairman and so I am trying to not  
30 voice my opinion, but then I'm also from the shrimp industry and  
31 so it's tough and bear with me. The difference, in my opinion,  
32 between that and a pool is that you still let the market control  
33 itself.

34  
35 It's not the government or the council or NOAA or NMFS  
36 interfering with the market and tailoring itself to where it  
37 needs to be for these boats to be profitable. When we create  
38 the pool, then those permits are there indefinitely and when  
39 things finally get better -- Who knows? There may be 500  
40 permits in that pool and we may have only 1,000 boats in the  
41 industry at that point and so you're going to allow at that  
42 point, once things get better and these guys are profitable, for  
43 it to shoot right back up by 500 permits.

44  
45 Then you get into that boom-and-bust cycle and this would not be  
46 that. What I was speaking to, you would still have a private  
47 person that owns the permit and another private person that  
48 wants to get into the fishery and they get together and they

1 decide what the price of the permit would be and if it's  
2 worthwhile to get in it at that point in time and not five years  
3 down the road, but right then. Is this something I want to get  
4 into or not? Dr. Crabtree.

5  
6 **DR. CRABTREE:** Part coming to Kelly's question, I mean you can  
7 go on our website and we have posted a list of all the permit  
8 holders and so you can find the vessel ID and the vessel name  
9 and the permit number and the name of the company or the  
10 individual and their address on our website.

11  
12 I guess, in theory, if you were looking for a shrimp permit, you  
13 could start on this list and just go down and contact all of  
14 them until you found someone willing to sell.

15  
16 **CHAIRMAN BOSARGE:** A follow-up, Dr. Lucas, and then David  
17 Walker.

18  
19 **DR. LUCAS:** To that point though, is it identified in some way  
20 of where it may be, like the permit has either been reactivated  
21 versus they're kind of in that lag period or whatever? I mean  
22 we just had seven -- I think you identified seven that exited as  
23 of last year and if somebody was looking to get into the  
24 commercial shrimp business, was there a way to kind of connect  
25 that before that occurred?

26  
27 **DR. CRABTREE:** I don't think that is available on the website.  
28 I think it just has a list of the permit holders, but does it  
29 have the expiration date? Okay. It does have the expiration  
30 date of the permit on it. Now, I don't know if this is only of  
31 non-expired permits or if it includes -- You can see the  
32 expiration date.

33  
34 **CHAIRMAN BOSARGE:** David.

35  
36 **MR. WALKER:** I am not on your committee, but I was just going to  
37 add that it seems to me that it makes more sense to keep your  
38 CPUEs up and your discards down. I mean intensifying effort is  
39 not the solution.

40  
41 **CHAIRMAN BOSARGE:** Okay. We've had some good discussion thus  
42 far and it does look like we do have certain public access to  
43 this information and maybe that can be enhanced and we can  
44 overcome some of these hurdles for new entrants that currently  
45 have an avenue to get into with the situation we have now, where  
46 we still have permits that are tapering off and being terminated  
47 on their own every year.

48

1 That's a possibility to help the situation. It sounds like -- I  
2 am going to get to whoever raised their hand just a second ago.  
3 Roy, but I want to have some clarification for staff on things  
4 we've discussed.

5  
6 For staff, it sounded like we had a little confusion on what  
7 some of these alternatives mean, because I think Myron and I  
8 were thinking that Alternative 6 said two different things. We  
9 may need to have some more discussion and clarify that in the  
10 discussion that comes after these alternatives, so that we  
11 understand what, for example, that 882 permits means, if that is  
12 permits on the books, whether active or inactive.

13  
14 I don't think thus far we have had any discussion about actively  
15 trying to eliminate latent permits. I don't think that's been  
16 one of our goals thus far and so if it reads as such in the  
17 document, we may need to have a little clarity on that. All  
18 right, Roy.

19  
20 **MR. ROY WILLIAMS:** You're kind of getting at my question, and  
21 I'm not on your committee, but I appreciate your indulgence.  
22 That 882 that's referenced in Alternative 6, where does that  
23 come from? That 882 number doesn't appear in Table 2.2.1, nor  
24 do any of those -- You sum the last two columns on the right and  
25 they don't come out to that 882 and so do you know, Carrie,  
26 where that's derived from?

27  
28 **CHAIRMAN BOSARGE:** If you look on page 17 of the document, at  
29 Table 2.2.2, that's the table that goes into your actual CPUE  
30 numbers, your catch per unit effort numbers, and then out beside  
31 that, it actually gives you landings and so you can compare  
32 landings to changes in CPUE to changes in active permitted  
33 vessels, estimated active permitted vessels, and so if you look  
34 at 2008, that's where your expected active permitted vessels,  
35 882, number comes from.

36  
37 **MR. WILLIAMS:** Could I have a follow-up question, too? So if we  
38 reduce to 882 permits, active permits, I guess the expected  
39 landings -- I see that now too and it's just under seventy-five-  
40 million pounds. Is that approaching the yield in this fishery?  
41 I don't know what the potential theoretical yield in this  
42 fishery -- Are we forsaking a lot of yield if we reduce to 882  
43 permits?

44  
45 **CHAIRMAN BOSARGE:** That's an excellent question and there are  
46 several facets to that question and I think this is something  
47 that we probably need to have more discussion in the document  
48 about as well and I am going to speak a lot on this, even though



1 I'm the Chairman, and so jump in if anybody wants to.

2  
3 In the document, we need to have some discussion as to what  
4 drives landings. Is it -- What is it that determines if we have  
5 an excellent landings year or an average landings year or a  
6 below average landings year?

7  
8 As we know, environmental conditions are very important in this  
9 fishery, but there still are other criteria that affect it and  
10 so is it primarily driven -- Outside of the environmental  
11 factors, is it primarily driven by the number of boats, aka the  
12 number of active permits, in the fishery or is it driven more so  
13 by the economic constraints in that particular year that those  
14 vessels have to deal with?

15  
16 In other words, is it the price of imports which drives the  
17 market price for domestic shrimp and the price of fuel? Are  
18 those the things that will constitute whether a boat leaves the  
19 dock to go land these shrimp or it doesn't or is it purely  
20 driven by whether there is a thousand boats at the dock to leave  
21 versus 2,000 boats at the dock to leave? Which one is  
22 controlling that level of landings or is having the greatest  
23 effect on that level of landings? Assane.

24  
25 **DR. DIAGNE:** Thank you, Ms. Bosarge. In fact, I mean you  
26 mentioned some of the things that I wanted to mention. In some  
27 ways, maybe we are putting more emphasis than needed on the  
28 number of permits, per se, because if we look at the literature,  
29 what are the drivers of the shrimp industry in general?

30  
31 We can mention three main things: the price of shrimp, the price  
32 of fuel, and, in general, environmental conditions which would  
33 affect shrimp abundance, if you would. In the literature, there  
34 is a term that people use and it's the cost price squeeze,  
35 essentially the cost of harvesting. The major one, of course,  
36 is price of fuel and the price of shrimp.

37  
38 As mentioned, you have a worldwide market, really. Price of  
39 imports are significant drivers when it comes to price of shrimp  
40 and so you can have whatever number of permits and if the  
41 economic conditions are not right, some of those, or many of  
42 those, would stay at the dock, because when they look at the  
43 numbers, it would not make sense for them to go fishing.

44  
45 We could have let's say these 900 permits and if you have a  
46 bumper crop, they are more than capable of harvesting that,  
47 because the economic conditions would make it right. Unless we  
48 reach a very, very low number of permits, a bottom threshold,

1 number of permits would not be a concern.

2  
3 The major factor here would be your bioeconomic conditions and,  
4 again, the abundance and the differential between the cost and  
5 the price of shrimp.

6  
7 **MR. WILLIAMS:** So if we targeted -- Let's say we changed the  
8 moratorium to target 900 permits in the future, to allow them to  
9 deteriorate or to decline to 900 through attrition, would we  
10 still be able, at that 900 permits, to catch most of the  
11 potential yield out there? My feeling is we probably could.  
12 That's the drift I get from this. Each boat would have a much -  
13 - The active boats would have a much better catch per effort,  
14 but are we only going to be catching half the potential yield or  
15 would we be catching 75 or 80 percent of the potential yield?  
16 Do you know? I mean I know that's a difficult figure to come up  
17 with, but can you give me any sense of how the number of permits  
18 is going to affect the potential yield, in terms of MSY?

19  
20 **DR. DIAGNE:** I think around that number, without any study, and  
21 those will come from the Science Center, because they are doing  
22 additional work for this amendment. Provided that the economic  
23 conditions are right, they would be more than capable of  
24 harvesting the shrimp for the Gulf of Mexico.

25  
26 The main, main driver really would be that, how much you can  
27 sell it for, essentially, and there is another factor here,  
28 which I guess we can add to this, and that's the behavior of the  
29 shrimpers themselves.

30  
31 Because they behave in a very, I guess, narrow set of  
32 preferences and by that, I mean that when they go out fishing,  
33 they have a certain revenue target in mind. If they don't hit  
34 that target, some of them will prolong the trip and try to make  
35 it, because they know how much they spent before going in fuel,  
36 et cetera, to make it, but the sooner they make that, the sooner  
37 then they return to port and so there are -- These numbers would  
38 allow you to harvest the shrimp available at this time, yes.

39  
40 **CHAIRMAN BOSARGE:** Dr. Lucas.

41  
42 **DR. LUCAS:** A clarification. Which Alternative 6 -- It says  
43 "or" and which one was the original and which one is the  
44 current?

45  
46 **CHAIRMAN BOSARGE:** I believe the second Alternative 6 was the  
47 original and they are both currently in the document. I mean  
48 they're open for discussion and that's part of what we need to

1 do today, is look at it and tailor these things and narrow it  
2 down for staff and tell them what we're thinking and what we  
3 want them to analyze further.

4  
5 **DR. LUCAS:** The 6 that was added, you did some analysis to  
6 arrive at 882, because I look at Table 2.2.2 and see the  
7 expected active permit vessels, the last column, and then you  
8 start looking at the observed and the expected CPUE and there  
9 seems to be a whole range in there that anything could have been  
10 picked from. Assane, how was the 882 --

11  
12 **CHAIRMAN BOSARGE:** Yes and actually, the IPT -- I don't know if  
13 they are conferenced in or if they can email somebody on this,  
14 but I know they're listening in and maybe they can give --  
15 Morgan is very familiar with this, but obviously there is  
16 important things she needs to focus on right now and she  
17 shouldn't be here, but they are the ones that have done a lot of  
18 this analysis.

19  
20 If you remember in the last draft, we had relatively no  
21 information on truly active vessels in the fishery. All we had  
22 was permits on the books with NOAA, whether they were latent or  
23 active.

24  
25 That's what we asked for and so that's where this analysis has  
26 come from and if you read in the description after these  
27 alternatives, and I don't have it highlighted, but there is  
28 somewhere in here that they go into using this expected number  
29 of active permitted vessels versus the actual, which usually  
30 there is only a handful of permits difference between the two,  
31 and so the difference between Table 2.2.1, active permitted  
32 vessels, and Table 2.2.2, expected active permitted vessels,  
33 because of some sort of modeling and using more than one year  
34 versus only one year -- It goes into detail and it get a little  
35 over my head, but that's where that 882 number is coming from.  
36 That's because that is the year where you saw the peak in CPUE.

37  
38 **DR. LUCAS:** I thought on that description though that it starts  
39 talking about using a number other than the 2008 or 2010 to  
40 achieve it and it says that setting a target higher than the  
41 target based on 2008, but the 2008 number seems to be what's in  
42 there and so I'm sorry, but I was just a little confused.

43  
44 **CHAIRMAN BOSARGE:** In the second Alternative 6, they give you  
45 essentially a range that you could pick from pretty much any  
46 year since the initiation of the permit moratorium and figure  
47 out which one of those years you want to use in order to  
48 maintain landings where you want them to be and that's why I

1 said we need to have some discussion in the document as to  
2 whether landings is in fact driven by the level of permits or if  
3 it's not, if they're not highly correlated, then that may not be  
4 the best route to go, but it may be, but we need some  
5 discussion, because obviously there is questions about that.  
6 Kevin.

7  
8 **MR. KEVIN ANSON:** Thank you, Madam Chair. I am not on your  
9 committee, but going back to your discussion earlier about the  
10 going rate for a permit, you didn't answer the question or give  
11 a range and I know it depends on where the boat may -- The size  
12 of the boat or whatever are the things that go in with buying a  
13 boat, potentially, but generally is it \$2,000 or it is \$5,000 or  
14 \$10,000 or \$20,000, I mean just kind of a ballpark average?

15  
16 **CHAIRMAN BOSARGE:** I would hate to speak for the entire fleet,  
17 but I would say that I haven't heard of anything getting above  
18 the \$10,000 level and I have heard it being closer to the \$5,000  
19 or less. The reason I didn't want to put a particular range on  
20 it is because there are some people in the fishery that may sell  
21 it to you for less than \$1,000, because it's a small fishery and  
22 because these people are connected and have long histories with  
23 each other.

24  
25 It really just depends on who you approach. I mean these people  
26 are essentially letting them expire and making nothing off of  
27 them and so you have to infer from that that it couldn't be too  
28 extremely expensive. Don't ask me any more questions, so I  
29 don't have to put my opinion out there as Chairman, so I can be  
30 quiet. Myron.

31  
32 **MR. FISCHER:** Madam Chair, so we have a document that's going  
33 out to the public and we want the public to comment on all of  
34 these items and so I think I just see something in here that I  
35 would like changed and so what I will do is -- I like the Table  
36 2.2.2 and it does look like the CPUE did increase as permits  
37 declined and around the 2007 or 2008 range, the same --  
38 Actually, we had better CPUE in 2008 than we did in 2013.

39  
40 **I would like to make a motion that under Alternative 3 of Action**  
41 **2.1, where we have the 1,933 permits, that we use it as an a and**  
42 **have an a, b, and c and use the amount of permits that were in**  
43 **the 2010, 2012, and 2014. Well, 2014 would be status quo and**  
44 **maybe go to 2009, 2011, and 2013, which would be for 1,933**  
45 **permits, as is in the document, because I would like to hear**  
46 **what the fishermen have to say also about 1,722 and 1,582 and**  
47 **1,501 and using those as the ceilings.**

48

1 It would be the amount of permits that were in the years 2013,  
2 2011, and 2009, working backwards. That way, we will get some  
3 comments, because people may not like the 1,933 number, but are  
4 willing to find some target in between where we are today and  
5 where the moratorium went into effect.

6  
7 I don't have this -- I am not on any kind of email right now.  
8 Every device I have is dead and I keep asking when they're going  
9 to get my password fixed and so I can't email staff, but what I  
10 would like to do is under that 1,933, go with a b, c, and d  
11 which would be 1,722, 1,582, and 1,501, which would be the  
12 amount of permits that were corresponding to the years 2009,  
13 2011, and 2013, which, going back to Table 2.2.2, we had pretty  
14 high CPUE.

15  
16 **CHAIRMAN BOSARGE:** He is in Action --

17  
18 **MR. FISCHER:** Action 2.1, Alternative 3. Madam Chair, I could  
19 walk over to the table and assist, if they choose.

20  
21 **MR. ANSON:** Let's go ahead and take about a ten-minute break at  
22 this time, while we resolve the motion.

23  
24 (Whereupon, a brief recess was taken.)

25  
26 **MR. FISCHER:** My motion would be in Action 2.1, Alternative 3,  
27 to set the target number of shrimp vessel permits based on the  
28 number of valid permits issued at the beginning of the  
29 moratorium, which was 1,933, or to use the number that was in  
30 2009, 1,722, or the number in 2011, which was 1,582, or the  
31 number in 2013, 1,501. Option a and Option b remains the same.  
32 It might need a slight bit of wordsmithing in that first  
33 sentence, just to make it grammatically correct. I am not  
34 certain. I am from Louisiana.

35  
36 **CHAIRMAN BOSARGE:** Okay and so you're good with what we have on  
37 the board, Myron, right?

38  
39 **MR. FISCHER:** Yes.

40  
41 **CHAIRMAN BOSARGE:** We have a motion on the board. Is there a  
42 second to this motion for discussion?

43  
44 **MR. DAVE DONALDSON:** I will second it.

45  
46 **CHAIRMAN BOSARGE:** It's seconded by Dave. Is there discussion  
47 about this motion? Dr. Crabtree.

1 **DR. CRABTREE:** It seems to me, one, that adding these three  
2 options -- It's all within the range of what's already in the  
3 document and so I don't know that it gives the public anything  
4 and it bothers me to just be pulling years out and saying that's  
5 the number of permits, because there doesn't seem to be any  
6 justification behind that, other than that's how many there just  
7 happened to be at some point in time.

8  
9 But how does that mean it's the appropriate number of permits,  
10 that it's the optimal number of permits? I just don't see that  
11 and so I don't really think we gain anything by adding this in.

12  
13 **CHAIRMAN BOSARGE:** Myron.

14  
15 **MR. FISCHER:** Where some of the other alternatives are tied to  
16 CPUE or tied to other events, this was tied to how many permits  
17 were at the beginning and then it reduces coming up to today's  
18 date, which would be status quo. Someone may not like the  
19 1,933, but they wouldn't mind settling somewhere in between and  
20 we have to remember this is just an options paper going out for  
21 the public to comment and this is far from our final review.

22  
23 The public might get here and don't want any part of this and  
24 that's what it's about. It's to give them opportunities to  
25 comment on something and by us isolating just the 1,933 with no  
26 other choices, they may say this isn't a solid option, because  
27 we don't want 1,933. It shows them the flexibility if we were  
28 to choose to go somewhere in between.

29  
30 **CHAIRMAN BOSARGE:** Mara.

31  
32 **MS. MARA LEVY:** My concern with just the way it's set up from a  
33 practical standpoint is that we now have an alternative that I  
34 guess is asking you to select 1, 2, 3, or 4 and then an Option a  
35 or b. It's really four different alternatives, each with an  
36 Option a and b under it, and the way that the rest and the  
37 action and alternatives are structured is really -- They should  
38 be separate, right, so it's either at the beginning of the  
39 moratorium or all these other numbers should really be separate  
40 alternatives, each with an a and b under it.

41  
42 If staff is actually going to have to analyze all of these,  
43 that's how, in a practical sense, they're going to have to  
44 analyze them, because it's going to get extremely messy to be  
45 Alternative 3, Option 1 or Number 1, Option a. Do you see what  
46 I'm saying in terms of how it's set up versus how the other  
47 alternatives are set up in the action?

1 I do agree with Roy that if you decide to go down this path that  
2 there would have to be a lot more discussion about why any one  
3 of these years is appropriate just because it happens to be the  
4 number of permits that ended up at the end of the year.

5  
6 **CHAIRMAN BOSARGE:** Okay, Myron. I have a question for Myron.  
7 All right. So we had a discussion earlier about where we're at  
8 right now in the fishery with the level of permits that we're at  
9 and essentially all of the options in this motion would increase  
10 permits from where they are currently and if you look at active  
11 boats in the fishery, it increases them considerably from where  
12 they are right now.

13  
14 What is our rationale for wanting to make drastic increases  
15 available to the fleet size in this fishery that I am concerned  
16 about, the fishery itself having a long-term future?

17  
18 **MR. FISCHER:** I share those concerns. That's why I am trying to  
19 reduce the number from 1,933 and give options that would be less  
20 than the 1,933 number.

21  
22 **CHAIRMAN BOSARGE:** I guess that's where you and I differ in how  
23 we look at the fleet, because you look at the fleet as  
24 sustainable at approximately 1,500 permits right now and what I  
25 see is no, there is far fewer than 1,500 boats working right  
26 now. If we actually had all those boats working and we had  
27 1,500 boats working, we would not be a sustainable fishery.

28  
29 We have closer to that 900 range actually working right now and  
30 those people are barely surviving. They are not coming ahead  
31 and profiting. They can only go forward at that 900 level if  
32 economic conditions improve from here and so it scares me that  
33 we're putting in even more options that increase the fleet from  
34 the active number of boats that we have right now barely  
35 sustaining.

36  
37 I feel like we're doing them an injustice and we already have  
38 two of those options in the paper. We asked for those to be in  
39 there so that we would have a reasonable range of alternatives  
40 and I just don't -- I have to speak up for this, because there  
41 is only five of us on the committee and so if you can convince  
42 me, give it a shot.

43  
44 **MR. FISCHER:** I didn't think I had to convince the chairperson  
45 to allow the motion. I know I won't get your vote, but I think  
46 it's a viable range of alternatives in this action to allow it  
47 to go to the public to hear what the people have to say. That's  
48 what I am trying to do, is spur the public comment.

1  
2 **CHAIRMAN BOSARGE:** So you want the current Alternative 2 and 3  
3 and then add this to the one that speaks to -- Is it Alternative  
4 4 that speaks to the 1,933?

5  
6 **MR. FISCHER:** Alternative 3.

7  
8 **CHAIRMAN BOSARGE:** Just for the record, I was getting you to  
9 convince me of voting for it, Myron. All right. Any more  
10 discussion on this motion? We have a question from Dr. Lucas.

11  
12 **DR. LUCAS:** Myron said that when you -- I guess this could be in  
13 the discussion somewhere, but you picked those numbers based, I  
14 guess, on catch per unit effort in those given years and I mean  
15 would you add that somewhere for clarity, so that when the  
16 public is commenting on it that they may note why you chose  
17 those years or why those years were chosen?

18  
19 **MR. FISCHER:** Sure and in discussion of the 882, when Steve  
20 Branstetter referred us to Table 2.2.2, it appeared that the  
21 CPUE in the year 2008 was actually higher than it was in 2013,  
22 the last year in the table. It appears that the amount of boats  
23 we had in 2008, everyone could survive, that the fleet could  
24 survive. It was to take some calendar years between 2015 and  
25 that date and I was just staggering the years. It was  
26 definitely not because they highlighted higher CPUEs, but it was  
27 just staggering the years to give like a full range.

28  
29 **CHAIRMAN BOSARGE:** Assane, for clarification on that Table  
30 2.2.2, and I don't know if it was you or Sue Gerhart that would  
31 answer this, but those CPUE numbers that you see there, like for  
32 2008, that's based -- That is based and correlated to that 882  
33 boats actually working and not the 1,930 boats that were  
34 permitted that year.

35  
36 That's how many boats had permits attached to them, but that  
37 CPUE is only attainable if 882 of those boats actually work the  
38 fishery actively.

39  
40 **DR. DIAGNE:** Yes, that is correct. If you use the 1,900 plus,  
41 that CPUE would shrink roughly by half and a little bit more,  
42 yes, and so it is attached to the 882, which are assumed to be  
43 active permits, yes.

44  
45 **CHAIRMAN BOSARGE:** David.

46  
47 **MR. WALKER:** I was just going to add to that. Probably the  
48 CPUE, but if you go from 882 to 1,500 or 1,600 or whatever, you



1 also have the potential to double the discards too, increase the  
2 discards, and I don't think that's something that's going to go  
3 too well with a lot of people.

4  
5 **CHAIRMAN BOSARGE:** Dr. Crabtree.

6  
7 **DR. CRABTREE:** I think David makes a very good point and I would  
8 remind you we're mired in litigation now over the shrimp  
9 fishery, based on turtle takes, and the proxy we use for turtle  
10 takes in this fishery is effort and if effort goes up, it's  
11 going to create a lot of problems for us and so I don't know.

12  
13 To me, there is a balance here, but we want to maintain these  
14 high CPUEs and we want to keep bycatch down and low, which means  
15 effort down as low as we can and still catch the fish, and I  
16 just don't think these alternatives that increase the number of  
17 permits beyond what we have now do that. They just seem to  
18 create these problems and they are going to reduce CPUE and they  
19 don't make sense to me in this fishery. I just don't think it's  
20 a good balance.

21  
22 **CHAIRMAN BOSARGE:** Any further discussion on this motion? I  
23 think we've had a good discussion. All those in favor of the  
24 motion say aye; all those opposed. Do we need to raise our  
25 hands? **All those in favor please raise your hand; all of those**  
26 **opposed please raise your hands. The motion passes three to**  
27 **two.**

28  
29 Do you want to continue on with this action or -- Was there  
30 anything else that we want to discuss on this action? Is there  
31 anything that we can streamline? We have added some things and  
32 I think staff wanted us to streamline it and delete some things,  
33 but is there anything that we're not considering that staff does  
34 not need to further analyze or is there any more discussion that  
35 we want to clarify certain things in these tables or anything  
36 else that the committee would like to see in the document? All  
37 right. Hearing no discussion, you can carry on, please, ma'am.

38  
39 **DR. SIMMONS:** Okay. Thank you, Madam Chair. That means we have  
40 essentially eleven alternatives, I believe, in this action. I  
41 think we may have to reorganize the motion that just passed a  
42 little bit more for the next draft and so remember we're going  
43 to bring this back to the council before it goes out to public  
44 hearings, but that's a lot of alternatives and so if there's  
45 anything else the committee could whittle down, we would  
46 appreciate it, especially if Alternative 2 -- I think there was  
47 some question about MSY and how those species were combined to  
48 attain MSY and if Alternative 2 should stay in the document at

1 this time. I don't know if you had a chance to discuss that or  
2 not yet.

3  
4 **CHAIRMAN BOSARGE:** Is there any discussion on Alternative 2 from  
5 the committee? This is the alternative that addresses MSY. Go  
6 ahead, Dr. Crabtree.

7  
8 **DR. CRABTREE:** I will try a motion to remove it to the  
9 considered but rejected, based on the comments and what I have  
10 already spoken to. This seems to be the highest number of  
11 permits in here. I will make that motion.

12  
13 **CHAIRMAN BOSARGE:** Okay. Is that your motion, Dr. Crabtree, on  
14 the board?

15  
16 **DR. CRABTREE:** Yes, Alternative 2 in Action -- That's it.

17  
18 **CHAIRMAN BOSARGE:** All right. We have a motion on the board.  
19 Do we have a second? Second by Ms. Bosarge. Any discussion on  
20 the motion?

21  
22 **MR. FISCHER:** If you wanted a friendly motion to add 4, 5, 6,  
23 and 7 to it and is that what you're looking for?

24  
25 **CHAIRMAN BOSARGE:** No, Myron, no. All right. We now have the  
26 language that's associated with that Alternative 2 on the board,  
27 so that we know what we're voting on here. Myron.

28  
29 **MR. FISCHER:** Are we sending a message that we do not want to  
30 fish at MSY if do something like this?

31  
32 **CHAIRMAN BOSARGE:** That's a good point. I think that there  
33 probably does need to be further discussion in the document  
34 definitely about MSY and levels that we currently fish at. I  
35 think it is touched on some in the document, Myron, but it may  
36 need to be elaborated on, especially if we do pass this motion,  
37 because that is one of the mandates, obviously, that we all live  
38 with.

39  
40 If this motion was to pass, I would think that there needs to be  
41 some discussion in the document that in a purely commercial  
42 fishery such as the shrimp fishery that the maximum sustainable  
43 yield curve is ultimately reduced by the maximum economic yield  
44 curve, meaning the economics of the fishery may dictate that you  
45 cannot reach MSY, no matter what you do, in a purely commercial  
46 fishery. If this passes, then yes, you're right that we would  
47 need to have some sort of discussion to that extent, to make  
48 sure that it's still addressed in the document. Dr. Crabtree.

1  
2 **DR. CRABTREE:** I don't -- We almost never fish at MSY. The  
3 statute tells us we're supposed to fish at optimum yield, which  
4 is reduced from MSY. Given all the bycatch issues in this  
5 fishery and the need to maintain high CPUEs, we have lots of  
6 reasons why we wouldn't want to fish at MSY and so that doesn't  
7 bother me.

8  
9 **CHAIRMAN BOSARGE:** Okay. Any further discussion on the motion?  
10 We might as well raise our hands, since there is only five of  
11 us. **All of those in favor of the motion raise your hand; all**  
12 **opposed raise your hands. The motion fails.**

13  
14 I would like to -- If we're past that, I would like to have a  
15 little discussion about the biological alternatives that we have  
16 in the document. I think our original goal, we wanted some  
17 alternatives that had to do with maintaining CPUE. We have  
18 those and we wanted some alternatives that were possibly  
19 biologically based, because you have to have rationale for what  
20 you pick.

21  
22 We do have one biological alternative in there, but today we  
23 seem to have had a lot of discussion about the turtle  
24 interactions and the industry. Dr. Crabtree, do you think it  
25 would behoove us to have a biological alternative that addresses  
26 those thresholds?

27  
28 **DR. CRABTREE:** Well, if you wanted to do something like that,  
29 you could put something in here that was aimed at maintaining  
30 effort at or below the level that was specified in the  
31 incidental take statement in the last biological opinion. Now,  
32 how well we can translate that into permit numbers and things is  
33 not entirely clear to me, but that would seem to be the way that  
34 would make sense with it, if you wanted to do something like  
35 that.

36  
37 **CHAIRMAN BOSARGE:** Okay. So that's a possibility and it does  
38 address it a little bit in the document. I noticed in the  
39 discussion portion, when it's addressing some of the other  
40 bycatch issues, it does talk about the biological opinion and  
41 certain thresholds that we need to stay below and I believe it  
42 even -- It may give a target, at least a target year, that maybe  
43 could be somehow related to a certain level of permits and so  
44 that may be something that we're looking at. Are there any  
45 alternatives that we don't need, that we are ready to remove  
46 from the document for staff? All right. Dr. Crabtree is on a  
47 roll and he gives us and so let's move on then. Myron.

48

1 **MR. FISCHER:** When you talk about language in the document, even  
2 though they may have an inference to what I'm going to say, I  
3 think we have to get a little deeper in the fact that the shrimp  
4 crop is an annual crop and it's really based on environmental  
5 factors and it's definitely not based on any kind of overfishing  
6 the previous years.

7  
8 It's based on salinity and temperature and rainfall and  
9 everything coming out of the estuarine areas and I think that  
10 has to be in the document and just highlighted somewhere more  
11 than just mentioning environmental factors, because that is what  
12 controls the size of the biomass.

13  
14 It's one of the main factors controlling the size of the biomass  
15 and, therefore, that's what has a lot of play on CPUE and a lot  
16 of play on just what's going to be harvested in general and what  
17 our total landings are going to be. I just don't want staff to  
18 have to do much more research, but I think something should be  
19 mentioned in the document to that.

20  
21 **CHAIRMAN BOSARGE:** So noted and I'm glad you brought that up.  
22 There was one other thing that I was hoping to get a little more  
23 discussion on in the paper. As far as the Option b listed under  
24 all of the alternatives in the vessel pool action, we discuss it  
25 a little bit in the paper following these alternatives, but I  
26 think maybe we should get a little more specific in the sense  
27 that, okay, if we go that route, if we have this soft target  
28 instead of forming the pool immediately when we hit some certain  
29 level of permits, it will instead trigger us to take a look at  
30 this and say are we where we need to be and what do we need to  
31 do, but we need to know what is encompassed in that?

32  
33 Is this going to be a plan amendment that would have to be done  
34 at that point to examine that? Is it a framework action? You  
35 know what kind of timeline are we looking at? We don't want to  
36 narrow it down to the point that if we go that route we don't  
37 have many options or flexibility, but we at least want to know  
38 kind of what we're looking at if we were to go that route, from  
39 a timeframe perspective. If staff could maybe elaborate on a  
40 little bit of the logistics involved there in the paper, I would  
41 appreciate that.

42  
43 **DR. SIMMONS:** Okay. We will move on, but I guess, hopefully by  
44 full council, maybe we could think a little bit more about the  
45 current two Alternative 6's. The second Alternative 6, we have  
46 the CPUE and the landings combined, but we don't really talk  
47 about a year or provide any justification for using that Table  
48 2.2.2 and so we probably should get some guidance by full

1 council about that alternative and how we want to move forward  
2 with that one, at least as far as years go and why we would  
3 choose a specific year, potentially, if we leave that in,  
4 instead of the range. Still back on the same action, 2.1, but  
5 we're moving on.

6  
7 Page 20, Issuance of Reserve Gulf Shrimp Vessel Permits, page  
8 20, Alternative 1 is no action, individuals must submit a  
9 completed application to NMFS to be issued from this reserved  
10 vessel permit pool.

11  
12 Eligible applicants will receive a Gulf shrimp vessel permit,  
13 reserve permit, if it's available. Alternative 2 would allow  
14 the reserved vessel permits to be available from NMFS and will  
15 be issued to the eligible applicants in the order in which the  
16 applicants are received.

17  
18 Alternative 3 would allow this reserve permit pool to be  
19 available from NMFS once per year and those would be eligible in  
20 the order in which the applicants are received, but it would be  
21 only completed once a year.

22  
23 Alternative 4 would take the reserve pool and it would allow --  
24 Those permits would be available from NMFS once per year. If  
25 the number of applicants is greater than the number of the  
26 reserve Gulf shrimp vessel permits, NMFS would conduct a lottery  
27 to determine which individuals may be issued the available  
28 permits.

29  
30 Under each of these alternatives, we have various criteria.  
31 Option a is to be U.S. citizen or business and Option b is to  
32 assign the permit to a vessel that is of at least X length on  
33 the application. Option c would assign the permit to a vessel  
34 with a U.S. Coast Guard certificate of documentation on the  
35 application. Those are the current same options we have under  
36 each of the alternatives.

37  
38 Staff has provided some analysis on page 22 about vessel length  
39 for the committee to think about, Table 2.2.3, the proportion of  
40 vessels with valid or renewable commercial shrimp permits in  
41 each size class as of January 6, 2015.

42  
43 Method 1 takes the vessel length and the proportion of vessels  
44 that are less than sixty feet, which is approximately 24.3  
45 percent of the vessels in the fleet, and the number that are  
46 greater than sixty feet is 75.7 percent.

47  
48 Method 2 takes the vessel length and the proportion of vessels

1 within the various lengths and divides it up into twenty-five-  
2 feet increments. Approximately 2.8 percent of the fleet is less  
3 than twenty-five feet. Twenty-five to fifty feet is 13.6  
4 percent of the fleet and fifty to seventy-five feet is 42.8  
5 percent of the fleet and greater than seventy-five feet is 40.8  
6 percent of the fleet.

7  
8 Staff is looking for some feedback regarding Option b as far as  
9 the length of the vessel that would be needed for the  
10 application. Also, some IPT questions for the council are would  
11 each individual be limited to one application and how long would  
12 the applications be valid and would these permits be  
13 transferable?

14  
15 **CHAIRMAN BOSARGE:** Discussion on this action? Myron.

16  
17 **MR. FISCHER:** Just a question. A vessel has to be a U.S. Coast  
18 Guard documented vessel to obtain a permit, because this does  
19 not seem to allow state vessels to have permits.

20  
21 **CHAIRMAN BOSARGE:** That was listed as an option, if I remember  
22 correctly, Myron. It came into discussion at the AP meeting,  
23 when they were trying to come up with a length category, so that  
24 people didn't put these permits on -- Go and get them for  
25 speculation and put them on a skiff.

26  
27 There seemed to be some gray area with the length, which staff  
28 is trying to work out for us with these tables, but the  
29 alternative to that was saying, okay, then what about tonnage?  
30 The discussion was around the five net tons and that essentially  
31 anything below that was not going to be a Gulf boat and that  
32 that was a good threshold.

33  
34 The reason it mentions the documentation is because fishing  
35 vessels, and I think it clarifies this in the discussion, but  
36 fishing vessels that are five net tons have to be documented and  
37 so that's where that comes from. It's really the five-net-ton  
38 threshold, which therefore kicks in documentation.

39  
40 Is there any discussion around the length, since it has a big  
41 "X" by it that is highlighted? Do we want to put a length in  
42 there or at least have some discussion? We don't necessarily  
43 need to make a decision, but let's have some discussion about  
44 lengths and what that may or may not entail.

45  
46 Does the fact that you have the net tonnage, does that alleviate  
47 the length problem? Staff did provide us with some lengths in a  
48 table and they said that boats that were sixty feet or greater,

1 that was essentially 75.7 percent of the permitted vessels and  
2 boats that were greater than seventy-five, that's 40.8 percent  
3 and the fifty to seventy-five range is 42.8 percent and so there  
4 are some decent percentages there to guide us or maybe we can  
5 just leave it for public comment and let them tell us if they  
6 want that or not. Dale.

7  
8 **MR. DALE DIAZ:** I am not on your committee, but I think, to me,  
9 length is not a good way to go. I mean it depends on where  
10 you're at whether length is important, probably, but in certain  
11 areas of the Gulf, you can be three miles off the coastline of a  
12 state that might only have a three-mile boundary recognized by  
13 the feds now and the depth of water tapers off gradually and  
14 it's very conceivable that these smaller boats would be out  
15 beyond three miles. That's not a big stretch in a lot of areas.  
16 Anyway, I have not thought that was a good idea since the first  
17 time I heard it, but I'm not on your committee.

18  
19 **CHAIRMAN BOSARGE:** Mara, did you have a chance to research the  
20 be a U.S. citizen or business? I think we had questions about  
21 that and are we okay putting that in the document or no?

22  
23 **MS. LEVY:** I apologize, but I did not research anything and now  
24 I am trying to struggle as to what I was supposed to research.  
25 Was the question whether we could limit it to U.S. citizens, the  
26 permit, and that's what I was supposed to be looking at?

27  
28 **CHAIRMAN BOSARGE:** I believe that's correct and you can get back  
29 to us on it. It's okay. I didn't mean to put you on the spot.  
30 Myron, was there something else we had a question about with  
31 that?

32  
33 **MR. FISCHER:** Right and I don't know if mine is Mara or Morgan  
34 or I'm not certain who, but I just want to make certain that the  
35 document on a vessel over five tons is mandatory. I don't want  
36 to have this in our document and we find out that it's not  
37 mandatory. I don't know that a vessel over five tons has to be  
38 U.S. Coast Guard documented.

39  
40 **CHAIRMAN BOSARGE:** If you look on page 22, it says vessel which  
41 engage in either coast-wide trade or fisheries on navigable  
42 waters of the U.S., on or in the EEZ, must be documented subject  
43 to certain exclusion or exemption provisions. Vessels of less  
44 than five net tons are excluded from such documentation. I  
45 can't think, off the top of my head, of a Gulf boat that's not  
46 documented.

47  
48 We have discussed, in the last action, certain issues that

1 actually probably pertain to this action item. Myron, you  
2 mentioned would these permits be transferable or not  
3 transferable and we mentioned possible landings requirements to  
4 be attached to these new entrants and I guess you would call  
5 vessel pool permits, so that someone doesn't buy them on  
6 speculation and sit there and hold them and that there may be a  
7 certain timeframe attached to if you get this permit that you  
8 have to have landings on it within a certain period of time,  
9 whether that be a year or whatever the case may be. That may be  
10 something that is a viable option.

11  
12 Based on the support for the last few motions, going down the  
13 vessel pool avenue, in committee at least, I don't know that I  
14 might not want to see a little more added to this particular  
15 action item as well. I guess what scares me is we don't have  
16 any timeframe on these permits that go into this vessel pool.

17  
18 Almost everything that we do at this council has some sort of  
19 expiration to it. I mean if you look at that possible borrowing  
20 of allocation between recreational and commercial for king  
21 mackerel, we had to set a timeframe that that would expire and  
22 if you look at sunset provisions on all the other documents that  
23 we've done recently, there is always some sort of timeframe and  
24 it does not happen indefinitely into the future.

25  
26 I don't know that I may want to see something added to this that  
27 as these permits go into this pool they don't sit there  
28 indefinitely and that we don't end up where we have a fleet of  
29 900 vessels out there actively fishing and we've got 500 or 600  
30 permits or more in a pool.

31  
32 I don't think that that's conducive to stabilizing the fishery  
33 and so maybe we could have something in here that if the pool is  
34 formed, the permit would go into the pool and it will  
35 essentially have a time clock associated with it and it will  
36 stay in that pool for a certain length of time and if it has not  
37 been claimed within that whatever it may be, a year or two  
38 years, it drops out of the pool, so that you don't have a  
39 continuously growing pool and it's all dependent on how many are  
40 going in and falling off. Myron.

41  
42 **MR. FISCHER:** You could have a pool -- You could put a cap on  
43 the size of the pool and that pool can't exceed whatever we  
44 think it is today and so what we vote today -- Not today, but  
45 when we vote this up, if that's the route we go and we're going  
46 to have 250 boats in a pool or 150 boats, you could set that as  
47 a cap and the other permits expire and that's the most the pool  
48 could get up to. That's one alternative.



1  
2 Another alternative would be I know there was discussion, a  
3 sidebar discussion, about entities purchasing up these permits  
4 to secure them, so they can't go to boats trying to fish. Then  
5 you could have a qualifier, such as a harvest rate, so many  
6 pounds necessary, in order to maintain the permit. That way, I  
7 can't go buy up the entire pool to avoid other people from using  
8 it. You could add different qualifiers that probably solve your  
9 problem.

10  
11 **CHAIRMAN BOSARGE:** I don't know that it's customary for the  
12 Chairman to make a motion. Can I make a motion?

13  
14 **MR. FISCHER:** I will make it for you, Leann. I will make it for  
15 you.

16  
17 **CHAIRMAN BOSARGE:** Let me tell you what it is. I don't think I  
18 want to leave it open to your interpretation. **I would like to**  
19 **see some alternatives or they would be options under each**  
20 **alternative which address the timeframe that each permit would**  
21 **be allowed to remain in the vessel pool, as well as issues**  
22 **relative to transferability of the permits to go into the pool.**  
23 Mr. Fischer.

24  
25 **MR. FISCHER:** I will tell you how I could support it.

26  
27 **CHAIRMAN BOSARGE:** Tell me, Myron.

28  
29 **MR. FISCHER:** Instead of a timeframe, is create a cap, because  
30 what a timeframe is going to do, it's just going to terminate  
31 the pool. If you have so many permits -- All these original  
32 permits that are in the pool and you say you have a five-year  
33 timeframe, the permits not issued -- There will no longer be a  
34 pool and they are cut off and so even if twenty people took  
35 permits, then all these unused permits are going to cut off and  
36 so that really ends the pool. What I would rather do is see a  
37 cap, a maximum amount that could be in the pool, and other  
38 qualifiers.

39  
40 **CHAIRMAN BOSARGE:** I wanted to avoid a cap, because we have so  
41 many issues trying to pick a number as it is with the action  
42 item before this and we really can't seem to come around to  
43 justification for what we're trying to accomplish as far as  
44 picking that number. We are just picking numbers.

45  
46 I would rather see there be some timeframe attached to the  
47 permit as it goes into the pool, so that if there are no  
48 entrants that want to come into the fishery, it doesn't sit

1 there forever, but we let the fishery determine where it's  
2 going, as opposed to us picking the level of this is where you  
3 need to be and we're going to leave it here so that this is  
4 where you will go, even though that may or may not be the right  
5 avenue for the fishery. I would rather let the fishery  
6 determine that.

7  
8 **MR. FISCHER:** I see if you put a five-year timeframe and there  
9 is 200 permits in the pool and the word spreads after four  
10 years, those 200 permits will be snapped up. People are going  
11 to -- They will just want to sit on them. I think other  
12 qualifiers is what is necessary, such as a harvest rate and cap  
13 the pool.

14  
15 **CHAIRMAN BOSARGE:** But if that were true, we wouldn't have any  
16 permits falling off now, because people would just sit on them,  
17 but they're not. Let me remind you this is simply to add it for  
18 discussion into the document. This isn't picking a preferred or  
19 anything else and so, Myron, do you want to ask if there's a  
20 second to my motion? Is there a second to the motion? Lance  
21 seconds the motion for discussion.

22  
23 Is there any further discussion on the motion to add these  
24 options to the document for evaluation? All right. All in  
25 favor of the motion say aye; all opposed to the motion say aye.  
26 Let's do a show of hands. **All in favor of the motion raise your**  
27 **hand; all opposed to the motion raise your hand. It's a tie and**  
28 **therefore, the motion fails.** Is there any further discussion on  
29 this action in the document? Yes, sir.

30  
31 **DR. BRANSTETTER:** I am being informed by the lead of the IPT  
32 that this document has already become so complicated from this  
33 afternoon's committee that you will not have a public hearing  
34 draft by October. The analyses that are required for this just  
35 cannot be completed in time for the October council meeting to  
36 take it out to public hearings.

37  
38 **CHAIRMAN BOSARGE:** Well that's a definite issue, because we are  
39 on a tight schedule with this document. What are our options to  
40 address that issue, besides removing things from the document?  
41 Myron, do you have a suggestion?

42  
43 **MR. FISCHER:** I think, due to the time constraints, we will wait  
44 until Thursday, but we take a serious look at deleting some of  
45 these alternatives.

46  
47 **CHAIRMAN BOSARGE:** All right. We need to have some probably  
48 serious discussion in full council about where we're headed with

1 this and make sure we stay on track and what some possible  
2 options are to make sure that we stay on track and we have a  
3 very small committee, as you see right now. We only have five  
4 of us and so it may be that we can make some progress in full  
5 council, when we get everybody around the table and see where  
6 we're headed. Maybe we can get some more feedback from the IPT  
7 as well before full council to help us. Let's move on to the  
8 royal red fishery, which surely must be a little less  
9 convoluted.

10  
11 **DR. SIMMONS:** Thank you, Madam Chair. Action 3, the royal red  
12 shrimp endorsement, begins on page 23. You have two  
13 alternatives right now. The first alternative is no action,  
14 continue to require the royal red shrimp endorsement to the  
15 federal Gulf shrimp vessel permit to harvest royal red shrimp  
16 from the EEZ. Endorsements are open access for entities with a  
17 federal Gulf shrimp vessel permit.

18  
19 Alternative 2 would discontinue the endorsement and only the  
20 Gulf shrimp vessel permit would be required. In Amendment 13,  
21 the endorsement was required for royal red shrimp fishing and  
22 the purpose was primarily to help inform data collectors about  
23 who the royal red shrimpers were and collect better information  
24 about the fishery. However, it's unclear if the establishment  
25 of the endorsement has helped with this. Madam Chairman.

26  
27 **CHAIRMAN BOSARGE:** Any discussion around Action 3? We only have  
28 two alternatives and are we good with our two alternatives? Is  
29 there any other clarification or discussion that we want to see  
30 from staff regarding this action item? Seeing none, I believe  
31 we can move on.

32  
33 **DR. SIMMONS:** I will just get with Morgan and the Regional  
34 Office staff and we will draft the committee report and try to  
35 be ready for full council and help inform the discussion for  
36 full council.

37  
38 **CHAIRMAN BOSARGE:** That concludes the Amendment 17 discussion  
39 agenda item and, Myron, if you are still in the room -- Myron is  
40 coming back to join us and he has a very brief, quick update on  
41 TEDs.

42  
43 **OTHER BUSINESS**  
44 **UPDATE ON CHANGES IN TED REGULATIONS IN LOUISIANA**

45  
46 **MR. FISCHER:** Thank you, Madam Chair. I was requested to update  
47 the council on changes in Louisiana regarding the enforcement of  
48 TEDs. In Baton Rouge at our last legislature, House Bill 668

1 was passed and it was signed into law on July 1. It goes into  
2 effect on August 1 of this year.

3  
4 What it does is it repeals all Louisiana laws that prohibit the  
5 enforcement of the federal TED and BRD laws by the Louisiana  
6 Department of Wildlife and Fishery enforcement agents. Federal  
7 TED regulations, they have always been in effect in Louisiana  
8 and they have just been enforced by NOAA Enforcement officers  
9 and the U.S. Coast Guard.

10  
11 The passage of this gives our enforcement agents authority to  
12 enforce the law also and we are moving into that phase as we  
13 speak. August 1 just took place and there is educational  
14 classes taking place and enforcement agents are being trained in  
15 various TED regulations, the angles and what's necessary. They  
16 can't use zip strips to tie them shut and just everything  
17 necessary in the enforcement of TEDs and I am certain they are  
18 going to do a bang-up job.

19  
20 **CHAIRMAN BOSARGE:** Excellent. It sounds like a continued focus  
21 on sustainability in the fishery and so that's good news and we  
22 like that. A gold star for Louisiana. Dr. Crabtree, I have  
23 heard that there may be other upcoming changes with TEDs and do  
24 we foresee any other changes in the future?

25  
26 **DR. CRABTREE:** Well, you may recall -- I guess it's been  
27 probably two years ago now, but we did put out a proposed rule  
28 that would have required TEDs in skimmer trawls and during the  
29 comment period on that, we reviewed the observer data that we  
30 had and it was apparent that most of the turtles that were being  
31 taken were very small Kemp's ridley turtles that were able to  
32 pass between the bars in the currently certified TEDs that we  
33 had.

34  
35 We withdrew that proposed rule, because we felt like we didn't  
36 have a good TED solution that would work in the skimmer trawl  
37 fishery. Since then, we have been doing TED testing to look at  
38 closer bar spacing and a TED that would work with smaller  
39 turtles.

40  
41 That work is still going on and we'll need to do shrimp loss  
42 estimates for those TEDs. That is underway, but I think that  
43 it's possible that we will be back to reconsidering that if we  
44 have a TED that looks like it will work with acceptable shrimp  
45 loss. We would reevaluate the issue of whether or not to  
46 require TEDs in skimmer trawls and so that's an issue that I  
47 think we will come back to at some point.

48

1 **CHAIRMAN BOSARGE:** Thank you for the update. In light of that,  
2 when Ms. Lee was here several meetings back and she gave us the  
3 biological review as far as turtles are concerned with the  
4 shrimp fishery and those interactions, I believe Dale and myself  
5 asked her a couple of questions about the voluntary inspections  
6 that we have from enforcement, where you can call and ask  
7 enforcement to come and check your TEDs before you leave the  
8 dock, to ensure that they meet the requirements, and were those  
9 voluntary inspections, because they are written up on the same  
10 form as a violation would be and being submitted, were they  
11 being counted as violations.

12  
13 She was under the impression that yes, they were and so in light  
14 of a lot of these changes that are being made and that may be  
15 coming, I would, in the near future, like to maybe revisit the  
16 TED enforcement boarding form and obviously this is a NMFS form  
17 and so the council doesn't create this document, but I would  
18 like maybe the council to take a look at it and if we have any  
19 recommendations for things that we would like to see added to  
20 this form so that we have the data that we need to know which  
21 inspections were voluntary and which are actual violations.

22  
23 I say this because if TEDs do indeed become required in skimmer  
24 trawls -- We are looking at a fleet of otter trawl boats right  
25 now and just at the federal level it's 1,500 boats and I believe  
26 -- Myron can correct me if I'm wrong, but I think you all have  
27 about 3,500 skimmer gear permits in Louisiana and so we're  
28 talking about a substantial increase in the number of vessels  
29 that are going to have TEDs and therefore be subject to possible  
30 boardings.

31  
32 Even if only a handful of them have something wrong with their  
33 TEDs, it's going to look like a huge spike in violations and so  
34 I think, if nothing else, we need to look at the form and make  
35 sure that we get all the data that we need to analyze it  
36 properly and have options and flexibility going forward, to make  
37 sure that the fishery remains sustainable. Maybe we can get  
38 staff to work on lining something up in that respect.

39  
40 I am glad to hear that there's a lot of outreach and training  
41 going on in Louisiana for the officers and I hope that maybe at  
42 our next meeting we can have some more discussion about training  
43 and outreach for the fishermen, in light of these upcoming  
44 changes. Maybe even a certification program. We will see. If  
45 there is no other business to come before the Shrimp Committee -  
46 - Dale, do you have anything?

47  
48 **MR. DIAZ:** I guess I do want to -- Dr. Crabtree, is there

1 anything that you can do to help with that situation? It's my  
2 understanding that if somebody asks voluntarily to come inspect  
3 my TEDs and an agency like Mississippi Marine Patrol goes out  
4 and as a public service goes out -- They want to be compliant  
5 and they're asking us to come inspect them at the dock and for  
6 that to count against the shrimp industry, it just seems to me  
7 like the wrong way to go about it and it's my understanding that  
8 it does and so I mean is there anything you can do to intervene  
9 and help with the fact that on these voluntarily requested  
10 things and the things that we do as a public service to help the  
11 industry to make sure that those do not penalize the shrimp  
12 industry, because it's a dockside thing.

13  
14 People are trying to be complaint and I think if they know it's  
15 going to count against them that it's a deterrent for them being  
16 compliant.

17  
18 **DR. CRABTREE:** We can look at that and we are working on a  
19 compliance policy now that addresses how we're going to do some  
20 of these things and gets at the form and things and it's posted  
21 on our website and we could talk about it at a future council  
22 meeting if you like. We have shared this with I think all of  
23 the state law enforcement panels.

24  
25 We can look at that, but I don't agree with you that it's been a  
26 deterrent, because, in fact, compliance has improved  
27 dramatically over the last few years from the efforts and the  
28 things that we've done and so the fact is that the policies  
29 we've adopted and what we're doing right now with TED  
30 enforcement and all of this is working, because the compliance  
31 has been good and well within where we're trying to get with the  
32 biological opinion.

33  
34 I am open and we can look at how we're going to treat those  
35 kinds of things, but we're trying to get a picture of what is  
36 the actual compliance rate in the fisheries and there are  
37 problems with all the different ways that you do that and we  
38 would have to look and see what proportion of the information  
39 we're using comes from those voluntary type things versus what  
40 comes from law enforcement and I don't know how those numbers  
41 would come out, but that's something we can come back and take a  
42 look at.

43  
44 **CHAIRMAN BOSARGE:** I think, Dale -- I brought a copy of the form  
45 with me and I think just simply putting something on the form,  
46 which it sounds like they are already discussing in Dr.  
47 Crabtree's group, but if we can put out some things, a wish list  
48 essentially, that we would like to see on the form going

1 forward, then maybe it will happen, but I think we have to make  
2 it clear and at least say these are the things we would like to  
3 see and so hopefully we can accomplish that. All right. Any  
4 other business to come before the Shrimp Committee? Seeing  
5 none, the committee is adjourned.

6  
7 (Whereupon, the meeting adjourned at 4:15 p.m., August 10,  
8 2015.)

9  
10 - - -  
11