

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 DATA COLLECTION COMMITTEE

4
5
6 Battle House Renaissance Mobile Mobile, Alabama

7
8 October 20, 2014

9
10 **VOTING MEMBERS**

11 Harlon Pearce Louisiana
12 Kevin Anson (designee for Chris Blankenship) Alabama
13 Martha Bademan (designee for Nick Wiley) Florida
14 Myron Fischer (designee for Randy Pausina) Louisiana
15 John Greene Alabama
16 Campo Matens Louisiana
17 Robin Riechers Texas
18 John Sanchez Florida

19
20 **NON-VOTING MEMBERS**

21 Leann Bosarge Mississippi
22 Doug Boyd Texas
23 Jason Brand USCG
24 Pamela Dana Florida
25 Dale Diaz (designee for Jamie Miller) Mississippi
26 Dave Donaldson GSMFC
27 Corky Perret Mississippi
28 Phil Steele (designee for Roy Crabtree) NMFS
29 Greg Stunz Texas
30 David Walker Alabama
31 Roy Williams Florida

32
33 **STAFF**

34 Stephen Atran Population Dynamics Statistician
35 John Froeschke Fishery Biologist
36 Doug Gregory Executive Director
37 Beth Hager Financial Assistant/IT Coordinator
38 Mara Levy NOAA General Counsel
39 Charlene Ponce Public Information Officer
40 Ryan Rindone Fishery Biologist/SEDAR Liaison
41 Charlotte Schiaffo Research & Human Resource Librarian
42 Carrie Simmons Deputy Executive Director

43
44 **OTHER PARTICIPANTS**

45 Luiz Barbieri GMFMC SSC
46 Jeff Barger Ocean Conservancy, Austin, TX
47 Randy Boggs Orange Beach, AL
48 Steve Branstetter NMFS

1 Gregg Bray GSMFC
 2 Gib Brogan Oceana
 3 JP Brooker Ocean Conservancy
 4 Michael Drexler Ocean Conservancy
 5 Cynthia Fenyk NOAA
 6 Benny Gallaway LGL Ecological, TX
 7 Sue Gerhart NMFS
 8 Chad Hanson PEW
 9 Ben Hartig SAFMC
 10 Margaret Henderson Gulf Seafood Institute
 11 Mike Jennings Freeport, TX
 12 Robert Jones EDF
 13 Kristen McConnell EDF
 14 Herb Murphy
 15 Laurie Picariello Audubon Nature Institute
 16 Bonnie Ponwith SEFSC
 17 Katie Semon LDWF
 18 Steve VanderKooy GSMFC

19
 20 - - -
 21

22 The Data Collection Committee of the Gulf of Mexico Fishery
 23 Management Council convened at the Battle House Renaissance
 24 Mobile, Mobile, Alabama, Monday afternoon, October 20, 2014, and
 25 was called to order at 3:15 p.m. by Chairman Harlon Pearce.

26
 27 **ADOPTION OF AGENDA**
 28 **APPROVAL OF MINUTES**
 29 **ACTION GUIDE AND NEXT STEPS**
 30

31 **CHAIRMAN HARLON PEARCE:** I am calling the Data Collection
 32 Committee to order. Please take your seats. We've got a lot to
 33 do. I am going to call the Data Collection Committee to order.
 34 We have Kevin Anson is here and Johnny Greene is here and Camp
 35 is here, but I like Camp's replacement sitting next to me
 36 better, and Myron is here and Robin is here and John Sanchez is
 37 here and Martha is here from Florida. Is there any changes or
 38 additions to the agenda? Yes, John.

39
 40 **DR. JOHN FROESCHKE:** Andy Strelcheck is going to give the
 41 Calibration Summary Presentation and he's not here. His flight
 42 is delayed and so that's either going to have to go later in the
 43 committee, somewhere tomorrow, or in full council.

44
 45 **CHAIRMAN PEARCE:** I was going to get to that, too. Andy
 46 Strelcheck is not here and so Tab E, Number 3, the Calibration
 47 Workshop, we will have to take up tomorrow, maybe before Reef
 48 Fish or in Reef Fish. That won't happen and so that is a change

1 to the agenda. I don't know if we need a motion for that, but
2 he's just not here. Any other changes or additions to the
3 agenda? Hearing none, we will keep going.

4
5 Minutes, has everyone read the minutes and are there any changes
6 or additions to the minutes? If not, I would like to hear a
7 motion to approve the minutes.

8
9 **MR. KEVIN ANSON:** So moved.

10
11 **CHAIRMAN PEARCE:** We have a motion and do we have a second? We
12 have a motion and a second and any opposition to the approval of
13 the minutes? Hearing or seeing none, the minutes are approved.
14 The Calibration Workshop will be tomorrow and next on deck is
15 our South Atlantic Council member with the Discussion of South
16 Atlantic Council Recommendations for Electronic Charter Boat
17 Reporting. Have you got it?

18
19 **DISCUSSION OF SOUTH ATLANTIC COUNCIL RECOMMENDATIONS FOR**
20 **ELECTRONIC CHARTER BOAT REPORTING**

21
22 **MR. BEN HARTIG:** Well, no. I don't have that and I am very
23 sorry to say that I did not look for that on this agenda and I
24 am not ready to give that presentation, but if you allow me to
25 do that at full council, I will do that.

26
27 **CHAIRMAN PEARCE:** That means we get out of here sooner tonight
28 and that's fine with me. All right and so we're going to have
29 to have that during full council. You had an email of Tab E-4
30 that you should have gotten, but we're not going to go into
31 that.

32
33 Next, we're going into Discussion of Species Reporting
34 Requirements for the Joint Electronic Dealer Reporting Amendment
35 and (a) is Modifications to Federally-Permitted Seafood Dealer
36 Reporting Requirements and, Kevin, this has got your name next
37 to it and is that correct?

38
39 **MR. ANSON:** It appears to have my name next to it, yes, sir.

40
41 **CHAIRMAN PEARCE:** So are you ready?

42
43 **DISCUSSION OF SPECIES REPORTING REQUIREMENTS UNDER THE JOINT**
44 **ELECTRONIC DEALER REPORTING REQUIREMENT**
45 **MODIFICATIONS TO FEDERALLY-PERMITTED SEAFOOD DEALER REPORTING**
46 **REQUIREMENTS**

47
48 **MR. ANSON:** Yes, I am ready. Thank you, Mr. Chair. You should

1 have in front of you Tab E, Number 5(a) and that is
2 Modifications to Federally-Permitted Seafood Dealer Reporting
3 Requirements and we had dealt with this not too long ago, this
4 issue, and we came up with some codified text for a framework
5 action to change some of the way that the dealers were to
6 report, those dealers that had federal permits, consolidate the
7 reporting, if you will, and some of those things that were in
8 there were more timely reporting elements, requirements for use
9 of electronic data reporting methods, and those types of things.

10
11 One other thing that was also included in there was some mention
12 of the species that were to be included in regards to the
13 reports and so the codified text went through. I will give you
14 some background.

15
16 The text went through and so National Marine Fisheries Service
17 went ahead and implemented the reporting requirements for the
18 dealers and had some outreach and such and so they went ahead
19 and were working with the states, the trip ticket folks within
20 each of the states that had trip ticket programs that were
21 functioning, and tried to work with the various states to have
22 as streamlined a process for those dealers that had to report
23 those federal landings, as was required under the new language.

24
25 During the process of those talks, to try to streamline that
26 process, it became apparent that the Service was going down a
27 path that the state folks didn't think they should be going in
28 regards to what species should be reported to the Service and on
29 what time basis.

30
31 It comes back to the language in the text, whereby those dealers
32 that had the federal permits had to report -- I am condensing
33 this down at this point in time and certainly Dr. Ponwith was
34 involved with these discussions, or her staff were, and she can
35 jump in at any time, but, essentially, it was the types of fish
36 that were to be reported and those timelines and such.

37
38 We have some in Alabama that had some particular umbrage with
39 what NMFS was requiring of those dealers and, again, trying to
40 funnel this all through the trip ticket system to make it as
41 efficient a process as possible and smooth of a transition for
42 those dealers to report their landings.

43
44 NMFS wanted to get all of the data essentially that those
45 dealers -- The transactions of the dealers and so that includes
46 federally-managed species as well as fish that are not
47 considered to be federally-managed under an FMP. For instance,
48 that would be spotted seatrout for one state or another and

1 oysters and those types of things.

2
3 We tried to, through various conference calls and such and
4 meetings through the commission and the FIN Committee meeting
5 there, tried to work this out and come to some understanding
6 relative to the timing of when the reports were due to NMFS and
7 trying to parse out those species, again, that the states felt
8 were not included. Although they were handled by that
9 federally-permitted dealer, they weren't necessarily federally-
10 managed species.

11
12 It didn't work out and essentially the Service believed that if
13 anything needed to be changed or if that was the intent of the
14 council that it needed to be more specifically worded that those
15 species were not to be included in the reporting requirements
16 for the federal dealers and it's kind of the reporting
17 requirements, but also the timeliness of the data for those
18 species and so it has to be specific to say all species under
19 the FMP need to be reported on a timely basis and that type of
20 thing.

21
22 That's the majority of it, the problem, if you will. It does
23 precipitate -- I think, programmatically, there are some other
24 issues there that might need to be worked out still with the
25 Service and the states in regards to the actual information and
26 how it's stored and how it's accessible and how it's available
27 back to the dealer to access if they want to make a change,
28 whether or not these tickets remain open, is what they're
29 called.

30
31 The states would like to have more control, if you will, as to
32 when the tickets are closed and no longer available for editing
33 by the seafood dealer, because that helps them in trying to
34 process the information and do some QA/QC on that, as they have
35 been doing for years.

36
37 Those are some more technical issues that I don't think the
38 council necessarily needs to address, but certainly I think what
39 the council needs to address, and has been put on the agenda for
40 discussion, is going back and looking at the framework action,
41 the codified text that was issued the last time, and then, if
42 the council so chooses, to go ahead and modify that so it's much
43 clearer as to what species are to be required to be reported by
44 the federal dealers.

45
46 As I understand it, that's in the document, Modifications to the
47 Federally-Permitted Seafood Dealer Reporting Requirements, and,
48 again, that's Tab E, Number 5(a) and -- Actually, that's what

1 was provided and so, Carrie, if you wouldn't mind, did you do
2 this one?

3

4 **DR. JOHN FROESCHKE:** I did.

5

6 **MR. ANSON:** John, if you could kind of help us through. I mean
7 these two documents are -- This is what was already presented,
8 correct, and so this is just background, further background,
9 information for us for a discussion as to how go about
10 discussing the problem that we're having, correct?

11

12 **DR. FROESCHKE:** Yes, that's correct and so the discussion was
13 asked to put the codified text in the document in the briefing
14 book and so we've done that and the idea is that if there is
15 specific language that you want to review or suggest that we
16 modify through a framework action or something that we could
17 begin this process.

18

19 **CHAIRMAN PEARCE:** Bonnie, do you want to make a comment at this
20 time?

21

22 **DR. BONNIE PONWITH:** Yes, that would be helpful, Mr. Chairman,
23 and so thank you for recognizing me. Obviously I'm not a member
24 of the committee and I think Kevin did a really good job of
25 outlining the situation.

26

27 There are many different angles to this issue and I think two of
28 the really important ones are the legal read of the regulation
29 as it stands right now and what does the regulation say we must
30 do to be in compliance and then second piece is the council's
31 intent and what was the council's intent in the way that
32 regulation was written in the first place?

33

34 I am not really going to talk about either of those, because my
35 interest in this, of course, is the science. I will be
36 approaching this exclusively from the science perspective and
37 our stake in the discussion is the quality and the timeliness of
38 the information that we are using to generate the projections of
39 when we think a commercial fishery needs to be closed.

40

41 The thumbnail sketch, again, of how that's done, using this
42 electronic reporting -- First of all, let me step back and
43 congratulate the council for what I think is a really
44 exceptional advance in our ability to monitor those commercial
45 ACLs.

46

47 This electronic dealer reporting is phenomenal in that it gets
48 that information to the commercial landings system on a weekly

1 basis and our expectation is we see one of two things. We
2 either see a report of all fish that were landed for federally-
3 permitted commercial dealers or we get the other alternative,
4 which is a no-purchase report.

5
6 By getting one of those two things, it's our assurance that we
7 have got the whole enchilada there and then when we use that to
8 determine what data are missing and then once we're aware of
9 what data are missing, we have about six or seven algorithms
10 that can be used to generate values for those missing data and
11 those algorithms poach information from past years and from past
12 weeks for those dealers that we don't have reports. It
13 basically builds a picture of what could be on those tickets
14 that are missing and uses that in the estimate to project the
15 future. Based on these burn rates, when do we think that
16 fishery is going to be closed?

17
18 I think we could all agree, right down to the dealers and the
19 commercial fishers themselves and certainly the council in
20 fulfilling its mandate, the closer we can come to projecting
21 when the fishery truly needs to be closed, the better
22 economically and just in terms of disruptions the system is
23 running.

24
25 Our concern is, from the science perspective, is if we put into
26 the hands of the commercial dealers judgment calls that it
27 creates the potential for errors to be made, an accidental
28 miscoding of a species as being state versus federal. It could
29 result in us getting report for some of those species and not
30 realize that we're missing some of the others.

31
32 That then runs the risk that we would be not projecting based on
33 the fullest suite of information available and put us in
34 jeopardy of underestimating what actually has been landed. Our
35 interest in having all of the data is we think that that gives
36 us the best chance of doing really, good sound projections and
37 nailing those closure dates as close as can be possible.

38
39 Now, I recognize that that causes some challenges for the states
40 and I have heard both from the Gulf states as well as now from
41 the South Atlantic states that they are concerned about
42 reporting these state-managed species in these federal reports,
43 but I just wanted to make it clear, again, why we think that
44 that strengthens the system and in our mind may be worth some of
45 the challenges that we would have to work through from the
46 states' perspective to make that possible.

47
48 The other thing is I don't -- Our goal is not to put an undue

1 burden on the dealers as well and if we did trim down the
2 species that were reported, the obvious ones that are state
3 managed to drop out of the system could be things like oysters
4 and crabs, because there is probably a less probability of
5 something like that being miscoded and being in completely
6 category, taxonomic category, than some of the finfish.

7
8 It's just that those finfish lists, they can be dynamic. Almost
9 every other meeting we're talking about changing the designation
10 of a stock as to whether it's federally managed or not and we
11 just feel like that takes some of the uncertainty out of the
12 system and so I will stop at that.

13
14 **CHAIRMAN PEARCE:** Bonnie, one quick question. What do you do
15 with speckled trout landings when you get them? Do you just
16 discard it?

17
18 **DR. PONWITH:** We do not use those and so our intent is we would
19 not be using them, but it would be a way for us just to increase
20 the probability that we're getting all of the species that we
21 are supposed to get and help us to be able to troubleshoot when
22 we think we see a miscoding.

23
24 **CHAIRMAN PEARCE:** Mara and then I want to hear from our South
25 Atlantic friend about how they feel about it.

26
27 **MS. MARA LEVY:** I was just going to say, to sort of help you
28 focus in on the issue, if you look at Tab E-5(b), which is the
29 actual rule, and you go to page 20, under (c) it has the
30 requirements for dealers that hold the Gulf and South Atlantic
31 dealer permit and it's the first sentence that says: A person
32 issued a Gulf and South Atlantic dealer permit must submit a
33 detailed electronic report of all fish first received for a
34 commercial purpose within the time specified in this paragraph.

35
36 That's the language that you're looking at and the "all fish
37 first received for a commercial purpose" is what's driving the
38 requirement that dealers submit all of the information,
39 regardless of whether it's federally managed or state managed.
40 I just thought that might help you focus on the issue.

41
42 **CHAIRMAN PEARCE:** How is the South Atlantic handling this?

43
44 **MR. HARTIG:** Harlon, I believe that we're going to do exactly
45 what the lawyers said. We want to have all fish reported so we
46 can get a handle on everything that comes into the dealer so
47 that we don't have these loopholes that arise that are possible
48 that things that have been done like that in the past.

1
2 **CHAIRMAN PEARCE:** Thank you. Kevin.
3

4 **MR. ANSON:** A couple of things I want to address regarding Dr.
5 Ponwith's comments. During our discussions, we had talked
6 about, again, some of the technical things that could be done
7 for the individual, the permitted dealer, to still comply with
8 the reporting requirements and yet not get into a situation,
9 again, where the states were interpreting the dealer reporting
10 requirements to report everything and so we were trying to come
11 to some middle of the road.
12

13 Technically, the dealer can be set up to submit the reports
14 within the seven-day period, the end of the week, and they can
15 push a button and all of those species that have been identified
16 as being federally managed that are stored in their side of the
17 database or on their computer, when they press a button and say
18 "submit", all those species can go through, at least in the Gulf
19 case, in my understanding, through the Commission. You all have
20 immediate access to the data, the Commission's computers, or it
21 gets packaged up and sent to the Science Center.
22

23 That's an immediate fix. Again, there's already been discussion
24 with counsel from Louisiana and Alabama and NOAA's counsel
25 regarding what is in the codified text and the codified text, in
26 NOAA's interpretation, is that they need to report all the
27 species.
28

29 Again, the issue comes back to, and I understand what Bonnie
30 just said about the miscoding issue, but she just answered,
31 Harlon, your question about what they do with the data if it
32 comes in all spotted seatrout and they just put it aside.
33 There's nothing that they do that we've understood, through a
34 check and a balance -- That's what the states do, is they do
35 their QA/QC work to make sure the species are being recorded
36 accurately.
37

38 There is no new process that they can identify that that spotted
39 seatrout is really a red snapper and so, again, there's more
40 technical issues to this, because it kind of snowballs once all
41 the data is transferred, but I think some of the confusion comes
42 in in the intent, and that's what we're here to have some
43 discussion about, what the intent of the council is relative to
44 the federal dealer reporting requirements as it's now
45 interpreted in the codified text that was sent up to the
46 Secretary.
47

48 I guess where we have some problems and the misunderstanding

1 comes is on page 2 of the codified text and it says: This final
2 rule modifies the permitting and reporting requirements for
3 seafood dealers who first receive species managed by the
4 councils through the previously mentioned FMPs. These revisions
5 create a single dealer permit for dealers who first receive fish
6 managed by the councils, require both purchase and non-purchase
7 reports to be submitted online on a weekly basis, prohibit
8 dealers from first receiving fish from federally-permitted
9 vessels if they are delinquent in submitting reports, and change
10 the sale and purchase provisions based on the new dealer
11 permitting requirements.

12
13 Again, it's first-received species managed by the councils
14 through the FMPs that are identified and that's where this goes
15 and so there is some changes in what Mara had pointed out on
16 page 20, but it's my understanding, when I communicated with our
17 staff folks and I think in Louisiana there was similar
18 communications, was the way that NMFS wants the data, all of the
19 data for all of the species, was not the intent, because it does
20 create some problems for us in trying to process the data and
21 make sure that we have some controls in the data the way that
22 the discussions further went out. Thank you.

23
24 **CHAIRMAN PEARCE:** All right and is there discussion? I would
25 like to hear from the other states.

26
27 **MS. LEVY:** I don't have any issue with if you all decide as a
28 policy matter -- Bonnie has the science reasons and you all
29 decide as a council what you want to do with the reporting
30 requirement.

31
32 I will say though that there is a difference between when the
33 federal permit is required, which is for those federally-managed
34 species that are identified in the FMP, and what's then required
35 once you have the permit, which is that you report all species
36 first received.

37
38 To me, that is not inconsistent with what's in the codified
39 text. There's the idea that you need a permit and you only need
40 this permit if you want to first receive those identified
41 federally-managed species, but once you have the permit, the
42 reporting requirement says that you have to report all species
43 and so, again, it's the council's prerogative if you want to go
44 back and modify those regulations, but I don't necessarily think
45 that there's an inconsistency between what's identified on the
46 board and then what's actually required for reporting.

47
48 **DR. PONWITH:** Here's a question and it's something that hadn't

1 come to me in some of our earlier conversations and that is if a
2 dealer prepares their report and the report includes all species
3 and when they push that "send" button, those data go through a
4 splitter and the splitter is electronic code that the fed and
5 the state data people work out, and it takes the state species
6 and shunts them to you and we never see them and it takes the
7 federal species and shunts them to us, that would be another way
8 of doing it.

9
10 It doesn't preclude there being errors on the state side and, in
11 other words, a species was identified as state, but it does take
12 away that sort of black-box mystery of was there the potential
13 of a federal species that got into the wrong bin. It's another
14 thing to think about as we contemplate what the council's intent
15 was in that original language.

16
17 **MR. DAVE DONALDSON:** I am not your committee and, Bonnie, that
18 is exactly the process that we talked with our contractor with
19 that does the electronic reporting tool, is that it would simply
20 be that, that there would be a list of species that would go to
21 the state and a list of species that would go to the feds.

22
23 The dealers wouldn't be filling out two separate forms, but they
24 would just fill out the electronic trip ticket form and it would
25 send the appropriate information to you all and the appropriate
26 information to the states.

27
28 **MR. ANSON:** I agree and I think I touched upon that in the prior
29 discussions here today and I thought that had been discussed in
30 previous meetings and maybe not with you on a phone call,
31 Bonnie, but with members of your staff and the state's trip
32 ticket staff as an option.

33
34 That was not talked about for very long and that's certainly
35 been offered at that level of discussion and I think it has been
36 offered as a potential fix, if you will, for this particular
37 issue.

38
39 **CHAIRMAN PEARCE:** So where does that leave us? Kevin, are you
40 satisfied with that type of a fix?

41
42 **MR. ROBIN RIECHERS:** Bonnie, when you all get the data and you
43 keep talking about them being characterized in the wrong bucket,
44 if you will, or characterized wrongly, I mean that can always
45 happen and that can be a coding error.

46
47 We obviously have QA/QC procedures that hopefully catch that
48 before it would get to you, but, really, even if you identify

1 there's a problem, you're going to have to come back to us
2 anyhow, because we're going to be the ones who are going to have
3 the residential raw data that might be able to go back in time
4 enough to look at and determine what was miscoded, possibly, and
5 obviously at some point, when all you have is a digital record,
6 you may not even have enough information to figure that out,
7 other than maybe looking at size of fish and some quantities and
8 poundage and so forth that might give you some inkling.

9
10 I mean I guess I'm just stuck in a process of even if you get it
11 and you can tell that something is amiss, I mean that's at, the
12 very best, all you're going to be able to tell.

13
14 **CHAIRMAN PEARCE:** Okay and where are we, guys? Any other
15 comments on this any actions on this?

16
17 **MR. PHIL STEELE:** There's a lot of discussion here of what the
18 council's intent was and there might have been some
19 misunderstanding all the way around, but look at it, folks. It
20 took us almost three years to develop what I consider one of the
21 best data collection programs on the Earth.

22
23 It's helping us monitor our ACLs and stay within our limits and,
24 personally, I think we ought to just leave it the way it is and
25 go on down the road. To go back and change it now I think would
26 add even more confusion to the system. It's a good system and
27 it works and it's not adding that much more workload on the
28 states and to go back and change it now I think would add more
29 confusion and I suggest we just leave it the way it is.

30
31 **MR. ANSON:** Going back to Dr. Ponwith's question or your
32 question, I guess, as to whether or not this could work,
33 certainly we would want to try to go the path of least
34 resistance, if you will, and try to come to some agreement and I
35 guess if we have an understanding that that's the intent of the
36 Science Center to go ahead and accept that form of splitting and
37 we can get the contractor to do it and you're happy with that
38 and if you want those spotted seatrout landings, you can get
39 them at the end of the month.

40
41 That's where my next issue comes in, is it's the timing. Again,
42 with what the states -- We're all trying to make this as
43 efficient as possible and that was the original goal when we had
44 this discussion, was that we were going to try to work together,
45 utilizing the states' existing trip ticket programs, to make it
46 as least burdensome on the seafood dealers to comply.

47
48 It does come back to the issue, the one other issue that's

1 outstanding, and that's maybe something that we could discuss or
2 be able to come to some agreement as well, is the issue of the
3 weekly reporting and then the states have on their books the
4 thirty days.

5
6 The federal reporting might supersede the states' timeliness or
7 that thirty-day -- By the 10th of the month for the preceding
8 month is essentially how the states have it written for their
9 timeliness.

10
11 Maybe if that could be resolved, in that they just press that
12 button at the end of the week and it kind of gets stored each
13 week off to the side and then they submit it by the 10th for that
14 week or something. I mean that might be something that we just
15 -- Because they are sending in all the information, essentially,
16 they're not going to be holding back or withholding the state
17 landings and they're just going to press the "submit" and then
18 it will go to the Commission and then, from there, it gets
19 parsed out and you all get the federally-identified species that
20 stays and the rest is retained within the Commission and then
21 it's just a de facto -- It's not a problem anymore and they just
22 comply with the federal and then, by doing that, pressing that
23 button, they also send the state landings in as well and by the
24 end of the month, they get it submitted because they have the
25 seven-week or the weekly reporting requirement for the federal
26 species.

27
28 I guess it's not an issue, but it just might be, again,
29 something that we have to be aware of on the programming side,
30 or the contractor side, with how that data is stored once the
31 dealer does hit "submit".

32
33 **CHAIRMAN PEARCE:** Okay, Kevin. You're satisfied a little bit
34 right now?

35
36 **MR. ANSON:** Yes and I think we've got some pretty good
37 indication from Dr. Ponwith that that's a reasonable or a way
38 out of this and so I think that's -- That's doable technically
39 and it's been communicated or the contractor has been asked that
40 question and he says it's a simple fix.

41
42 **CHAIRMAN PEARCE:** I just want to make sure Alabama is happy and
43 that's all.

44
45 **DR. PONWITH:** What I would like to do then is circle back with
46 my folks, because I was unaware that that the notion of a
47 splitter, let's call it that for code, to keep it short, has
48 already been discussed and so I will circle back with them and

1 find out what their concerns with that approach was, but, to me,
2 I think one of the obvious ones is that if doing so creates a
3 situation where we're looking at the data on a weekly basis and
4 the other is pooling up and not being looked at until the end of
5 the month, we still run into the potential then that we end up
6 using the data that we have in hand to generate projections and
7 then find out, after the fact, that we were missing a boatload
8 because of entry error or something like that. I will touch
9 bases with them and get some more clarity on that.

10
11 **DISCUSSION OF STRATEGIES TO IMPROVE PRIVATE RECREATIONAL DATA**
12 **COLLECTION AND MANAGEMENT**
13

14 **CHAIRMAN PEARCE:** Okay and so we're ready to move on. I think
15 we finished most of the agenda and we have one more item on the
16 agenda. Kevin, you're finished with that? Okay. Next is
17 Discussion of Strategies to Improve Private Recreational Data
18 Collection and Management. I will lead this.

19
20 I guess I'm just following up on some of the discussions we had
21 at the last council meeting. I asked them to pull up an Ad Hoc
22 Private Recreational Data Collection Panel meeting we had in
23 February of 2013 and I think that was all sent to your emails
24 and it's just for discussion, to bring up ideas, so we can try
25 to think.

26
27 Even if we do regional management, we have to have ideas to
28 manage the private fishery in the Gulf and so I wanted to just
29 kind of start some discussions and see where we go. We had
30 almost thirty people at this ad hoc committee meeting and we
31 came up with some ideas and came up with some pretty good
32 rationales for them.

33
34 One of the motions that we passed was, first off, to implement a
35 private recreational boat permit to improve the data collection
36 and one of the other ones that we passed was to require daily
37 permits for the daily bag limit for the private recreational
38 boat owner to be issued for red snapper to be filled out with
39 the necessary information as required by the Gulf Council in
40 order to receive more permits that are unlimited in nature until
41 the quota is caught.

42
43 Some of the rationale for that is that we would get real-time
44 data, data from private docks, data can be species-specific,
45 enable panel surveys, better define sample frame, improve
46 discard data, reduce recall error, and the mechanism could be in
47 place for a species-by-species program down the road, electronic
48 internet-based sales points, create personal angler logs, data

1 can be used for multiple purposes like creating historical
2 records and so on, create buy-in for the system for every
3 angler, confidence in data, and may provide another source of
4 angler contact data for MRIP.

5
6 I just want to kind of open it up to the committee to see if
7 there's any other ideas or just follow up, because I know we'll
8 be talking about management and I think that private
9 recreational fishermen, we need to consider how to help them.
10 It's our job to do that and I just want to open it up for
11 discussion.

12
13 Any other ideas or discussion from this committee? Gregg, I
14 know you're not on my committee, I don't think yet, but you've
15 got the iSnapper program and that would fit easily into one of
16 these type of thought processes we're talking about as well and
17 so feel free to come up with anything you could think about. I
18 don't see a whole lot of discussion.

19
20 **DR. GREGG STUNZ:** Not being on the committee, I will be happy to
21 comment after I let the committee members go, but I have a few
22 comments.

23
24 **DR. FROESCHKE:** I wonder if we could break this down into two,
25 because there are two fundamental issues here. One is the
26 improving the data, which we all support and we understand
27 that's a process, but, two, I think what I hear so much, and you
28 all as well, is the management side and what's the primary goal.

29
30 If the primary goal is to figure out some way to extend the
31 recreational season, then perhaps we could think about what
32 tools are available in that context and if some data collection
33 system, in addition to maybe improving the data, would
34 ultimately have a role in slowing the harvest such that the
35 season could be extended. I guess we could either talk about it
36 separately or figure out if the management is really the
37 priority and how to go about that.

38
39 **CHAIRMAN PEARCE:** If we start with the first one, improving
40 data, one of the things we could improve is our in-season quota
41 monitoring. I think that's very important.

42
43 We have sort of been under a lawsuit that says we have to keep
44 all of our fisheries within their allocation and so I think
45 improving data is a big thing and, of course, extending seasons
46 is definitely one of the things that we would like to do, is to
47 make it a better fishery.

48

1 One of the things that's very obvious to me is that if we have
2 three-million recreational fishermen in the Gulf, if 25 percent
3 of them catch one eight-pound snapper, the quota is caught and
4 so we've got to figure out a way to make sure that everyone gets
5 their access, but not go over the allocation.
6

7 **MR. JOHNNY GREENE:** If you remember the last public testimony
8 session we had that went until 10:30 or 11:00 at night, one of
9 the guys that stayed toward the end was a gentleman, Gary Smith,
10 from Mississippi, which we were in Biloxi, as you recall.
11

12 He was pretty adamant about the fact that all of these people
13 had went and made all these recommendations and put time and
14 effort in it and nothing had been done since and I think the
15 following day we tried to pass a motion to start something to do
16 that and I believe it failed.
17

18 Whether it fails again or not, I think this is a path that we're
19 going to have to go down and do something somewhere. It's not
20 going to be easy and it's not going to be popular and it's going
21 to be fun, but we've got to do something somewhere.
22

23 We've got a lot of hope and faith in a couple of amendments
24 right now, but there is no guarantees that any of them will pass
25 at the rate we've been going and so I think that this is
26 something that we've got to address and look at. I think
27 they've got several good ideas.
28

29 The one thing that does jump out at me is that this was an AP of
30 all recreational fishermen, every one of them. I don't see a
31 charter boat guy on there and I don't see a commercial guy.
32 This was a group of just recreational guys locked in a room and
33 it looks like they came out with some really, good, viable,
34 well-thought-out ideas and I think that we should expand on
35 this.
36

37 Now, how we go from there, I don't know. I understand that Dr.
38 Froeschke wanted to break it into two pieces and I don't know
39 that I'm really ready to get my head around that at just this
40 point, but I think that that's the direction that we need to go
41 and so if you want to try to break it down into the items that
42 Mr. Froeschke had mentioned and perhaps we should have them look
43 at that and maybe give him more direction in how to do that.
44

45 **CHAIRMAN PEARCE:** I understand and you know it's not the
46 recreational anglers' job. It's our job to help them manage
47 their fishery and it's our job to come up with some ideas and
48 all I'm trying to do is stimulate some interest here that even

1 if we go to regional management could follow under regional
2 management, but I think that we can't just let it lie and so I
3 just brought this up for discussion and if we don't have any
4 other discussion, we can always think about it and bring it back
5 up in full council, but other than that, I am just trying to
6 stimulate interest in the development of some sort of a fishery
7 management plan or some sort of a fishery management program for
8 the private recreational. Gregg, did you have anything else you
9 wanted to add?

10
11 **DR. STUNZ:** Yes, sure. I will be happy to comment here and
12 maybe take my council hat off for a minute and put on my
13 researcher hat. MRIP has funded us for a significant electronic
14 data collection program and I want to say pilot, but that's not
15 the right word. We are well beyond that, obviously. We are
16 very big supporters of electronic data collection in my research
17 program and some successes that we've had with the for-hire
18 guys.

19
20 We've taken that to the next level and it will be Gulf-wide.
21 It's iPhone-based apps, although this time it will run on 99
22 percent of the platforms of Smartphones. We've been through that
23 creation process and we're just about done and at the end of the
24 month here, I think we'll be ready to go and pilot this in state
25 waters starting as early as the first of the year, around that
26 realm, but then obviously be ready for what's going on with the
27 next season and, of course, what happens there will influence
28 some of the data collection likely, but we think that that shows
29 some real promise.

30
31 It's going to go along a panel-type approach of anglers that we
32 identify as part of these panels that will enter the data as
33 well as anyone that wants to enter it Gulf-wide and we have been
34 working closely with teams of statisticians to make sure this is
35 developed appropriately so the data will be usable.

36
37 Working with Robin and of course being out in Texas, a lot of
38 this will happen through his shop and his crew and partnering
39 with those guys to do a lot of validation work, through creels
40 and a variety of techniques like that. We are confident that
41 we're going to see some real promise in this starting as early
42 as next year.

43
44 Let me look at my notes here and see if I forgot anything else I
45 wanted to hit. Anyway, if you guys had any questions kind of on
46 where we are or what the plans -- Probably by the January
47 meeting, I will even have examples of it for you guys to see and
48 so, anyway, that's where we are, Harlon.

1
2 **CHAIRMAN PEARCE:** Got you. Well, either we're getting long in
3 the day or we just don't have a whole lot of comments about this
4 today.

5
6 **MR. GREENE:** I would like to ask a question of Dr. Stunz, if I
7 may. Gregg, one of the things when I talk to recreational
8 fishermen is that they want to go fishing whenever they can go
9 and I think that's the lure of a lot of what the charter boat
10 guys want to do, is when they can sell a trip.

11
12 I don't think that the charter and the recreational guys are
13 that different in that respect, but when you look at a charter
14 guy, he's willing to buy a VMS and put it on his boat. It's
15 something that's tamper-proof and it's something that works all
16 the time.

17
18 Has there been any development, thoughts or strategies, on what
19 you guys have done that would make a tamper-proof deal? In
20 other words, oh, man, I forgot to turn my phone on today and
21 they didn't catch me and so I didn't go fishing type of a
22 prevention mode. Have you looked at anything like that?

23
24 **DR. STUNZ:** Could you ask me that again? The sound cut out
25 right at the last minute there and I couldn't quite get the last
26 part.

27
28 **MR. GREENE:** The biggest concern that I think a lot of people
29 would have is that when you're dealing with the Smartphone type
30 of deal, if it's not turned on, then it can't create a signal or
31 a GPS coordinate or whatever. Is there anything that you all
32 have looked at that would prevent that from happening, similar
33 to a VMS that's on basically all the time? Maybe I need to talk
34 to you more about it later in private, but it was just something
35 that's been brought to my attention several times and without
36 some type of a failsafe, that's where it seemed to stop.

37
38 **DR. STUNZ:** First, what we're most interested with iSnapper is
39 the actual catch data and not necessarily like in the for-hire,
40 where they had a hail-in and hail-out function and know when
41 they're actually out fishing and it was also georeferenced to
42 know where they are.

43
44 That technology is there and it's actually built into this new
45 version and it likely won't be turned on for the private angler,
46 because of some concerns that they have. They will have a hail-
47 in and a hail-out function, but even if they don't do that, the
48 advantage of electronic data collection, some of the points that

1 you were just talking about behind me there, was reducing error
2 and having instant feedback. You don't have to go home and log
3 into a webpage and so you can still do that even when your phone
4 is off.

5
6 I mean obviously you have to turn it on to do it, but that
7 georeferencing wasn't as important as just entering the data.
8 Now, should they forget or get home, we still have web portals
9 and working with Robin and his group and doing something similar
10 along those lines, where anybody at any time can get onto a
11 computer and enter that data is fully available.

12
13 What we have found is that most anglers on the recreational side
14 don't want to do that at all and it's recreational fishing and
15 so the easier we make it for them, the better. Having it on or
16 off in this next version won't be that critical, because we're
17 not that interested in where they are.

18
19 Having talked with the groups at NMFS in terms of their data
20 collection, there will be some resolution, but very wide grids
21 of let's say drop a pen where you fished today and there's a
22 bunch of ins and outs and I would be happy to talk with you
23 privately on how we're dealing with that, but that's how we're
24 getting around what we saw the need from the original pilots
25 were, the most efficient, streamlined, least cumbersome way to
26 enter the data as efficiently as possible, and that's what this
27 next version will look like.

28
29 **CHAIRMAN PEARCE:** Okay. Any other discussion?

30
31 **DR. PONWITH:** I am sure a big fan of innovation and I think
32 we've spent a lot of time talking about how to improve things on
33 the private angler side and I think one of the biggest
34 challenges is building some empathy for how big the challenge is
35 and I think that barrier is that if you look from the individual
36 standpoint, it feels like a no-brainer.

37
38 If people are willing to donate information about what they
39 caught and how they caught it, what's not to love? That does
40 all the things that's on that list. It builds a sense of
41 ownership over those numbers and it provides real-time
42 information.

43
44 The flip side of that is, instead of thinking of them as
45 individual anglers and thinking of them as the population and
46 that is if you have a population of three-million, how do you
47 figure out what they did?

48

1 That's where the challenge comes in, is getting this thinking
2 about it from a population standpoint and thinking about it from
3 an individual standpoint to meet in the middle and, to me,
4 that's the place that's interesting and, to me, that's where the
5 problem is actually going to get solved, when we can get to that
6 meeting in the middle piece. It includes things like the
7 ability of understanding volunteered data, data that are
8 provided on a voluntary basis, and mathematically understanding
9 how they relate to what otherwise would have been a
10 statistically established sampling frame or something like that.

11
12 I am convinced mathematically there is a way to build those
13 relationships. It's just it's one of the challenges of that
14 meeting in the middle and then, secondarily, as we've already
15 heard about, the issue of validating those data to make sure the
16 self-reported data are reflecting sort of the cross-section of
17 the population out there, but these are interesting
18 conversations and, to me, that's the dynamic piece.

19
20 **DR. STUNZ:** Bonnie, I think you make some very, very key points
21 and I think this next round of iSnapper is really going to
22 address some of that. We've been working very, very closely
23 with the MRIP statisticians that are on retainer for consulting
24 and they understand fisheries and validation and user-entered
25 data and a whole variety of things very, very well and they are
26 very confident we can deal with this in this kind of format.

27
28 Now, is this going to be the end-all? Certainly not, but I
29 think the benefits will far outweigh the costs and so I will be
30 happy to talk to you even more if you want, but I think we will
31 have some very good, concrete validation.

32
33 They are not at all worried about if you say you have three-
34 million anglers and not all are reporting -- In the way we're
35 designing this, which is essentially like a large mark and
36 recapture study for fish, you will know what that non-reporting
37 rate is like, based upon catch rates of others. You will know
38 what that should be and you can extrapolate that back out just
39 like you would do anything.

40
41 Now, we will see how it goes and that kind of thing, but the
42 statisticians are very confident that the robustness of this
43 next design will be able to handle some of those concerns.

44
45 **CHAIRMAN PEARCE:** Thank you. We are working on a reporting
46 system for the for-hire sector and I guess the last frontier is
47 the private recreational and so I think we really need to take
48 some serious consideration of how we do this and all I wanted

1 was to try to stimulate some conversation here today and see how
2 we move forward with that process. If I don't see any other
3 hands and no other discussion, Mr. Chairman, I think I am done.

4
5 **MR. HARTIG:** Wait, Harlon. I can give you a little bit of
6 information. We're early in the process. I did look at our
7 summary minutes from the Data Collection Committee and there
8 were two items that pertained to the charter boat logbook
9 reporting in those items.

10
11 Number one was to direct staff to continue working on the
12 charter boat logbook technical subcommittee to complete the
13 report for the December 2014 meeting. A final report will be
14 presented at the December meeting.

15
16 Number two was direct staff to begin working on a joint charter
17 boat logbook amendment with the Gulf Council and so we are early
18 in the process. It's early and if you would like me to give you
19 an outline of what's in the subcommittee report so far, I can do
20 that at full council.

21
22 **CHAIRMAN PEARCE:** That would be great. I see John is waving at
23 me back there.

24
25 **DR. FROESCHKE:** Just to add to that, the subcommittee report, we
26 presented that to you at the August meeting, I think, and so
27 that's the draft we're working on and we are on schedule to have
28 the final report completed by December and so we're on track.

29
30 **CHAIRMAN PEARCE:** Thank you, John. With that, Mr. Chairman, I
31 think I'm done. I am not finished, but I'm done.

32
33 (Whereupon, the meeting adjourned at 3:40 p.m., October 20,
34 2014.)

35
36 - - -
37