GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

INTERIM COUNCIL MEETING

FULL COUNCIL SESSION

Via Webinar

May 12, 2020

VOTING MEMBERS

Kevin Anson (designee for Scott Bannon).....Alabama
Patrick Banks.....Louisiana
Susan Boggs.....Alabama
Leann Bosarge.....Mississippi
Roy Crabtree.....NMFS
Dale Diaz.....Mississippi
Jonathan Dugas.....Louisiana
Phil Dyskow.....Florida
Tom Frazer.....Florida
Martha Guyas (designee for Jessica McCawley).....Florida
Lance Robinson (designee for Robin Riechers).....Texas
John Sanchez.....Florida
Bob Shipp.....Alabama
Joe Spraggins.....Mississippi
Greg Stunz.....Texas
Ed Swindell.....Louisiana
Troy Williamson.....Texas

NON-VOTING MEMBERS

Dave Donaldson.....GSMFC
Lt. Nicholas Giancola.....USCG

STAFF

John Froeschke.....Deputy Director
Beth Hager.....Administrative Officer
Mara Levy.....NOAA General Counsel
Carrie Simmons.....Executive Director

OTHER PARTICIPANTS

Eric Brazer.....Reef Fish Shareholders Alliance
Bob Zales.....SOFA, Panama City, FL

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The Full Council of the Gulf of Mexico Fishery Management Council convened via webinar on Tuesday morning, May 12, 2019, and was called to order by Chairman Tom Frazer.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN TOM FRAZER: Welcome to the 278th meeting of the Gulf Council. My name is Tom Frazer, Chair of the council. The Gulf Council is one of eight regional councils established in 1976 by the Fishery Conservation and Management Act, known today as the Magnuson-Stevens Act. The council's purpose is to serve as a deliberative body to advise the Secretary of Commerce on fishery management measures in the federal waters of the Gulf of Mexico. These measures help ensure that fishery resources in the Gulf are sustained, while providing the best overall benefit to the nation.

The council has seventeen voting members, eleven of whom are appointed by the Secretary of Commerce and include individuals from a range of geographical areas in the Gulf of Mexico with experience in various aspects of fisheries.

The membership also includes the five state fishery managers from each Gulf state and the Regional Administrator from NOAA's Southeast Fisheries Service, as well as several non-voting members.

Public input is a vital part of the council's deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process. Anyone wishing to speak during public comment for this meeting needs to register on the council website by 11:00 on Tuesday, May 12. We accept only one registration per person.

This webinar is open to the public and is being streamed live and recorded. A summary of the meeting and verbatim minutes will be produced and made available to the public via the council's website. Please remember to mute yourself when you do not wish to speak, so that background noise is limited during presentations and discussions. Please remember to identify yourself before speaking. For the purpose of voice identification, I will ask each council member to introduce themselves, beginning with Kevin Anson from Alabama.

MR. KEVIN ANSON: This is Kevin Anson from Alabama.

MR. PATRICK BANKS: This is Patrick Banks from Louisiana.

CHAIRMAN FRAZER: Is Susan Boggs on the line? Okay. Moving forward, Ms. Bosarge.

MS. LEANN BOSARGE: This is Leann Bosarge, present.

DR. ROY CRABTREE: This is Roy Crabtree. I'm here.

MR. DALE DIAZ: Dale Diaz from Mississippi.

MR. J.D. DUGAS: J.D. Dugas, Louisiana.

MR. PHIL DYSKOW: Phil Dyskow from Florida.

CHAIRMAN FRAZER: Tom Frazer, Florida.

MS. MARTHA GUYAS: Martha Guyas, Florida.

MR. LANCE ROBINSON: Lance Robinson, Texas.

MR. JOHN SANCHEZ: John Sanchez, Florida.

DR. BOB SHIPP: Bob Shipp, Alabama.

MR. JOE SPRAGGINS: Joe Spraggins, Mississippi.

DR. GREG STUNZ: Greg Stunz, Texas.

CHAIRMAN FRAZER: Mr. Swindell, are you on the line?

MR. ED SWINDELL: Ed Swindell, Louisiana.

CHAIRMAN FRAZER: Mr. Williamson, are you on the line?

MR. TROY WILLIAMSON: Troy Williamson, Texas.

CHAIRMAN FRAZER: Okay, and so do we have any of the non-voting council members on the line?

MR. DAVE DONALDSON: Dave Donaldson, Gulf States Marine Fisheries Commission, is here.

CHAIRMAN FRAZER: Okay.

LT. NICHOLAS GIANCOLA: Lieutenant Nicholas Giancola, U.S. Coast Guard, is here.

CHAIRMAN FRAZER: Thank you. I just want to circle back, if I can, for Ms. Boggs.

MS. SUSAN BOGGS: Susan Boggs, Alabama.

CHAIRMAN FRAZER: Okay. We have a relatively short agenda today, but, before we get started, I want to go through a couple of announcements. First of all, I would like to welcome Lieutenant Nicholas Giancola as the Coast Guard representative on the council. We're glad to have you here, Nicholas.

Also, as many of you know, Ms. Gerhart from SERO recently retired, and, unfortunately, we didn't get to see her at our last meeting, but she has moved on, and hopefully she is enjoying retirement. Peter Hood has been named the Gulf Branch Chief, and so, Peter, we're glad to have you as part of the group, and so I'm sure we'll see you in person soon, and then, finally, I would like to say congratulations, and I guess we should all say congratulations to Ms. Leann Bosarge and her new baby, Miss Eleanor Frances Foots. Congratulations, Leann.

MS. BOSARGE: Thank you, sir.

CHAIRMAN FRAZER: How are you doing, by the way?

MS. BOSARGE: I'm just so good that I don't know what to do. I was up all night, and I'm here with you all this morning, and I'm actually enjoying this.

ADOPTION OF AGENDA

CHAIRMAN FRAZER: All right. We're going to just get moving, and so the first order on the agenda here is the Adoption of the Agenda. Are there any modifications to the agenda? Seeing none, or hearing none, can I get a motion to adopt the agenda?

MR. DIAZ: Motion to adopt the agenda.

CHAIRMAN FRAZER: Motion by Mr. Diaz. Is there a second to that motion?

MR. BANKS: Second.

CHAIRMAN FRAZER: It's seconded by Mr. Banks. Thank you, Patrick. We will go ahead and work through the agenda. The first item will be the Scope of Work. Dr. Simmons, would you like to walk us through that?

SCOPE OF WORK

EXECUTIVE DIRECTOR CARRIE SIMMONS: Yes, thank you, Mr. Chairman. Good morning, everyone. The first agenda item is Agenda Item IV, Discussion of the SOPPs, and that's Section 3.0 and 3.22.

The Gulf Council can hold virtual meetings or in-person meetings. However, when the council meets in person, the SOPPs currently state the council members must be physically present at council meetings in order to present a motion or a vote, and so the council may want to consider modifying this portion of the SOPPs, since there's uncertainty with travel and holding large meetings for the remaining part of this year. If the council chooses to modify the SOPPs, a motion would be needed.

If the council moves forward with modifying that portion of the SOPPs, they also may want to consider cleaning up Section 3.2.2, Quorum and Roll Call Voting. The words "present in the meeting room" would no longer apply if the council would allow virtual meetings or in those in-person meetings, and so the council may also want to consider this modification to the SOPPs.

The second agenda item is Agenda Item V, Discussion of the June Council Meeting. We're going to provide some information, Dr. Frazer and myself, on logistics and planning for the June council meeting, and we would like to get some indication from council members of high-priority items in fisheries and the fishing industry that may be impacted from COVID-19, so that we can be more prepared for these discussions during the June council meeting. Thank you, Mr. Chair.

DISCUSSION OF SOPPS: SECTION 3.0-COUNCIL MEETINGS

CHAIRMAN FRAZER: All right. Thank you, Dr. Simmons. If everybody could look at Tab A, Number 4, this is Section 3.0 from the SOPPs, and what you will see is a highlighted area here, and, as Dr. Simmons pointed out, we need to address this issue.

Specifically, it has to do with physical presence at the meetings, and so one option, in the short term, would be to simply remove the highlighted phrase, or sentence, from Section 3.0, and so that section, for those of you who may not be able to see the screen, reads: Council members must be physically present at council meetings in order to present a motion or a

vote.

Again, because we're handling this particular meeting virtually, it's a bit difficult to start these discussions, but I'm going to suggest that one option, moving forward, would be to simply remove that highlighted sentence from the SOPPs, and so, having said that, I will open the floor for discussion.

DR. SHIPP: I move that we delete the highlighted section from the SOPPs.

CHAIRMAN FRAZER: Okay. So we've got a motion from Dr. Shipp that we remove the sentence from Section 3.0 specific to council meetings that reads: Council members must be physically present at council meetings in order to present a motion or a vote. Do we have a second to that motion?

MR. SANCHEZ: I would like to second that and chime in during discussion.

CHAIRMAN FRAZER: Thank you, John. It's seconded by John Sanchez. We'll get it up on the board, and then we'll get back for discussion. We have a motion on the board by Bob Shipp, seconded by John Sanchez, and we'll open it up for discussion, and the first person on the list would be John Sanchez. Go ahead, John.

MR. SANCHEZ: Thank you, Mr. Chairman. I'm going to support this, so we can handle the matter, the task at hand today, which is to be able to go through and revise our SOPPs as we agree as a body, but I also would like to voice my support for how or have some discussion on how we're going to handle perhaps a hybrid meeting going forward, because my personal opinion is that, at some point, the business of the council -- It works, and it's transparent, and it does work because of the interaction with the public, and so I don't like, going forward for a potentially prolonged period of time, just with these video-type meetings.

I would suggest, or hope, that, depending on how this COVID virus unfolds, at some point we can elect to maybe have hybrid meetings, where the part of the council that feels they need to stay at home, and they're not comfortable traveling, they can do so and participate by webinar, and the rest, that do feel comfortable traveling, maybe can participate in this hybrid fashion by physically attending a meeting and availing themselves to the public.

I understand that there will be some limitations to this, being hotel accommodations and extra distancing guidelines and all this, but, if all of those things can be accomplished, at some point I would like to see the business of the council proceed with the public interaction. Thank you.

CHAIRMAN FRAZER: Thank you, John. Next on the list would be Patrick Banks.

MR. BANKS: Thank you, Mr. Chairman. I agree with the sentiments that John was speaking of. For this particular situation today, and maybe in June, I can see how this is definitely an appropriate way to move forward, but I don't want us to get into a situation where we just open council meetings up to being half attended in-person, because I don't think, just like John mentioned, that that serves the purpose to the public, and so I feel like that we should have some sort of a review of requests to not be at council meetings in person by maybe the Administrative Committee or something like that, and have that committee --

CHAIRMAN FRAZER: Patrick, I think we might have lost you for the time being, but I think we get the gist of your sentiments, and we'll circle back with you if we can get you reestablished, but, in the short term, we'll go ahead and move to Dr. Stunz.

DR. STUNZ: Thanks, Tom. Both John and Patrick I think captured my thoughts well, but I just wanted to add to that. Obviously, we needed to do this, and I support this motion, so we can carry out our business, but I would go a little step further than I think what Patrick was just mentioning, that, if we suspend this, and, obviously, in a situation like this, it needs to be rare, and I think it needs to be region, Gulf-region, wide, and where it's affecting everyone in a very independent way.

Obviously, we don't want this to turn into I'm going on a ski vacation and I want to make a motion from Colorado or something, to where it's a very special circumstance that we're weighting this, and so I don't know, Tom, and this would be a question to you, what the next step would be. Do we go ahead and go through this motion and then come back later and explain that this is not a -- I wouldn't want to have a committee evaluate everybody's personal requests, but these are very rare, extenuating circumstances that we suspend the in-person rules.

CHAIRMAN FRAZER: Thanks, Greg. I will go ahead and try to get

the comments from all of the council members at this point, and then I will circle back and provide a little perspective on that question. The next person will be Kevin Anson.

MR. ANSON: Thank you. I certainly understand and agree that there's a need to have a situation where we can allow members to attend remotely, or conduct our meetings remotely, but I too, as John had mentioned and Patrick had mentioned and Greg had mentioned, am a little concerned about just removing that requirement without some sort of a review process or if the motion were to include some sort of date certain.

I know we're in uncertain times here to possibly do that, but that's what I would look to, because there is the value in having folks there present at the meetings and for the public to attend and be able to talk to them directly, and so I don't know -- I am still debating whether or not to support this motion as it's written, but certainly I would be interested in maybe some further discussion about some language that would include, again, some sort of date certain or some idea of the committee to review after a certain date, and that's what I would be in favor of, but I look forward to hearing further discussion. Thank you.

CHAIRMAN FRAZER: Thank you, Kevin. The next person on the line would be Roy Crabtree.

DR. CRABTREE: Thanks, Tom. It sounds like what we're looking for is some sort of a process to allow us to deal with this, and I'm going to suggest some language that actually comes out of the South Atlantic Council's handbook, and I will read it to you.

It says: The council welcomes the use of webinar meetings to increase transparency and efficiency, while reducing costs of conducting meetings in-person. The council prefers in-person meetings with the ability to freely discuss and exchange information. However, budget and time constraints may require more use of webinar meetings. The council supports the continued use of webinar meetings for council meetings and committee meetings, if needed, primarily to address specific issues that are time sensitive. The council supports a limited exception for council members to participate and vote during an in-person meeting if they are participating via webinar. The Council Chair, Vice Chair, and Executive Director will evaluate requests for an exemption for council members to participate and vote during an in-person meeting if they are participating via

webinar.

I think we're good today, because it's a virtual meeting where we're conducting it remotely, but, the way things are, it is easy for me to conceive of a meeting where some council members may not feel comfortable attending, for various reasons, and they might want to participate remotely, and this kind of gives a way to go about that, and so I would suggest that for your consideration.

CHAIRMAN FRAZER: Thank you, Dr. Crabtree. Next on the line would be Ms. Levy.

MS. MARA LEVY: Thank you. I was just going to reiterate what Roy said, and so you don't need to take this language out for the purpose of conducting a webinar meeting. We might want to clean it up a bit, because it's not clear from the express language that this only applies to the meetings that are physical meetings.

When you put this in the SOPPs, there was a lot of discussion about it, and it was very clear from that discussion that this was talking about when the council has a physical meeting that people need to be there to present a motion or vote. If you have a webinar meeting, if you're all participating by webinar, that's perfectly fine.

I am not sure that you just want to take it out and put nothing in its place, because that's how it was before, and then we had a lot of situations where you would have in-person meetings and someone wouldn't be able to attend, and you would have to talk about whether they should be allowed to vote or make motions, and there was a lot of debate about that, and so I would suggest that you at least have some kind of process, if you want to, for deciding when people can participate remotely if there actually is an in-person meeting, and the South Atlantic Council's language is one way to do that. Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Levy. The next person would be Mr. Diaz.

MR. DIAZ: Thank you, Mr. Chair. I thought the language that Roy just read makes a lot of sense, and I support the way the South Atlantic has it. For a substantial amount of time, I think people that are potentially compromised may feel uncomfortable coming to meetings, and there could be a decision process that the Chair, the Vice Chair, and the Executive

Director could review that and make a decision on allowing it, and so I like moving in that direction, and I don't know that we have to move that far today, and it might be something for us to take up at a committee meeting in the future and try to hammer it out, but I do like the language that Roy read. Thank you, Mr. Chair.

CHAIRMAN FRAZER: Thank you, Mr. Diaz. I am going to circle back right now to Patrick Banks, just to make sure that you were able to finish your thoughts.

MR. BANKS: Thank you, Mr. Chairman. I think I'm fine. I was listening to all of the conversation, once I got back on the line, and pretty much the thoughts of most of the speakers covered what I was saying to apparently nobody.

CHAIRMAN FRAZER: You're all good. Is there anybody else out there at this point who would like to contribute to the discussion?

MR. SPRAGGINS: I was trying to put my hand up, but I guess I'm not doing it correctly.

CHAIRMAN FRAZER: You're up now. Go ahead, General.

MR. SPRAGGINS: I agree with what Roy said. I think that is a great idea, and I think being able to put that in some form, if not exactly the way it's written by the Atlantic area, but also just being able to adopt something that says pretty much exactly what they're talking about, because it does -- There are going to be times that we're going to -- We don't know what's going to happen in the near future, and, because of what's going to happen, we could have a second wave of this, and, if that's the case, we might get started back and then have to come back to doing this.

I think it would give us an opportunity for me to be able to, and maybe yourself and the Vice Chairman, to be able to approve someone to be by webinar, and I just think that would be a perfect way to do it, and I like the idea of making it you have to come if you can, but, if there's a circumstance that it makes it awkward, to be able to do it.

CHAIRMAN FRAZER: Go ahead, Susan.

MS. BOGGS: I agree with what Dale said. I would like to see -- I know the agenda has already been put out for the June meeting,

but, if there's a way that we could get this on the June meeting agenda, where we could discuss and look at what the Atlantic Council has done -- As Mara said, clean up this language and, you know, if it's not necessary to remove this language, I don't know if I will support or not support the motion, but I think it's important that, at the June meeting, that we try to do something that is a little more clear, again with all the uncertainties that we're facing. Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Boggs. Ms. Bosarge.

MS. BOSARGE: Thank you, Dr. Frazer. I was going to pretty much say what Susan said. I think I'm going to support the motion that's on the board to remove this for now, because I sort of disagree with Mara. I was under the impression that we could not have a webinar meeting and all make motions and vote, based on how our SOPPs currently reads, to me.

I think I will support the motion to take this out, so that that's clear that we can do that, but I very much like the language that the South Atlantic has in their SOPPs, and I would hate to vote on that today without really having a chance to read through it and make sure we don't want to tweak it a little, but I would support bringing that to the council during our meeting in June, even if we need to add it to Other Business in order to get it on the agenda, so that we could look at that and go ahead and have that in place, because I do worry that, in the future, we may be in a situation where we're going to have a hybrid meeting, due to the fact that, currently, our healthcare leadership in this country is saying, yes, it's okay for you to go back to work, but, if you're in a high-risk category or a high-risk demographic, and some of that's based on age, then you need to try to stay at home still and work remotely, and I want to make sure that we have something in place for anybody that may fit into that demographic, where they don't feel like they have to make a choice to come to that meeting and put themselves at risk in order to be able to participate fully. Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. Give me one second. I just want to talk to staff for a second, and I will be right with you. Okay. Great. I just was making sure that I understood where we are with regarding to noticing the June meeting, and so I feel that there is a fair amount of sentiment from all the people that contributed to the discussion so far to go ahead and consider adopting some new language that would provide us greater flexibility moving forward that would, at the same time, kind of embody the intent to have people around the

table for in-person meetings, but, again, allow some discretion and flexibility, moving forward.

Having said that, I think that, because we have not noticed the June meeting yet, we can add that to the agenda under the Administrative and Budget Committee. We can work to do that, and we can provide, as templated language, or example language, that from the South Atlantic Fishery Management Council as meeting materials. I think that's a good plan, moving forward, and thank you, Dr. Crabtree, for providing that example language.

In the short-term, there is this discussion about whether or not we would like to remove the highlighted language from our SOPPs. I don't really see any disadvantage to doing that in the short-term, because I do think, if there was something that happened in the next month or so, we would have more flexibility, moving forward, and so my suggestion, perhaps, would be that we entertain the motion that's on the board, and we can vote that up or down, but then move forward in June with a very specific agenda item dealing with this issue in the SOPPs. Having said that, I would ask if there is any further discussion on the motion on the board.

MR. SANCHEZ: I would like to chime in. As I mentioned earlier, I was viewing this as an interim measure, so we could move forward, given the present situation with this pandemic, but I would want to go on record saying that I do feel strongly that -- I don't know what the future brings, as far as resurgences of pandemics and such, but I do feel strongly about being physically present at council meetings, because of the interaction with the public.

I would strongly try to support, given this uncertain, uncharted waters that we're in, maybe addressing, in some fashion, where we could have a hybrid meeting, so those that choose to attend, for health reasons, considerations, can, and those that don't can still participate remotely, but I don't want to maybe potentially go to a series of just online meetings, where, to me, it disenfranchises the public, and so I would like to find some kind of -- In June, that we address that, to where hopefully we can accommodate that concern of mine, and I do feel very strongly about that, and thank you.

CHAIRMAN FRAZER: Thank you, John. Yes, I think there will be plenty of opportunity at that June meeting to make sure that, whatever language we adopt, that it's sensitive to those types

of concerns. Ms. Levy.

MS. LEVY: Thank you. I don't have any objection to you removing it. I'm just sort of -- I just don't want the reason to be because it means that, as it's currently written, you can't have webinar meetings, because, if that's true, then you can't remove it through this meeting, and I know what it says, but, if you look at the minutes when it was put in place, and I think Shep was at that meeting, and it was very clear, during that discussion, and I think he specifically said that this is only going to apply to in-person meetings, and you could always have a webinar meeting where everyone participates virtually.

That's really the only way it makes sense, and so, again, I don't really have an objection to removing it, if that's what you want to do, but I don't want the reason to be because it's prohibiting you from actually having this meeting.

CHAIRMAN FRAZER: Point well taken, Mara. Dr. Crabtree.

DR. CRABTREE: Just along with what Mara said, I mean, I was at the meeting and there when we did this, and it was specific to circumstances surrounding an in-person meeting, but it's easy, at least for the rest of this year, to envision circumstances where we might have an in-person meeting, but it might be that one of our members feels a need to quarantine themselves for some reason, and I think we need to make that allowance.

Then we may also find ourselves, in the future, in a circumstance where we need to have a meeting very quickly to vote on an issue that has some urgency, in terms of timing, and that may make it difficult for everyone to travel and everyone to get there, and so I think that -- I think, to John's comments, I think the language in the South Atlantic handbook makes it clear that our preference is for in-person meetings with everyone attending, and so I'm fine with removing this for now, but, when we come back in June and have that language in front of us, we can tweak it however you want, but I think it grasps the gist of what we're trying to do.

CHAIRMAN FRAZER: Thank you, Dr. Crabtree. Mr. Banks.

MR. BANKS: Thank you, Mr. Chairman. **Because of the concerns that I had, and I think I've heard from several other folks, including Mr. Sanchez, I sent a substitute motion to the staff that just simply says that, in order to not be physically present and present motions and vote, that you have to be**

approved to do so by the Chairman, Vice Chairman, and Executive Director, and I would like to have folks consider that as a substitute motion, and maybe that would clean all of this up and we wouldn't have to really go much further. If I can get a second, I will talk some more about it.

CHAIRMAN FRAZER: Okay, Patrick. We've got that up on the board. John Sanchez, real quick.

MR. SANCHEZ: I would like to second that, to see where Patrick is going with this.

CHAIRMAN FRAZER: Okay. It's seconded by Mr. Sanchez. Let's put it on the board. We have a substitute motion on the board. **The motion reads: Council members must be physically present at council meetings in order to present motions or vote, unless approved to do so remotely by a unanimous decision of the Chairman, Vice Chairman, and Executive Director.**

MR. SANCHEZ: Mr. Chairman, if I may I guess explore this a little further with some comments.

CHAIRMAN FRAZER: Go ahead, John.

MR. SANCHEZ: Thank you. What I'm trying to get at is obviously I'm supporting a hybrid meeting, which accomplishes perhaps this. Members that have a valid reason, as deemed by the Chairman, Vice Chairman, and Executive Director, then certainly they can participate remotely, but, every time I have filled out a council application, they have always asked me, have you missed any meetings, and so, apparently, it's real important to be physically present, and I do feel strongly about that, and so, if this substitute motion allows for these hybrid meetings that I've been referring to, then I would be in full support of it, if it gives a mechanism to accomplish that.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. General Spraggins.

MR. SPRAGGINS: Thank you, Mr. Chairman. The only thing I have with this is I support it, but the only word is "unanimous". I think that, if something was to come up to a point to where the Chairman or Vice Chairman or Executive Director wasn't available to give them the information, is there a way that we could change the wording just a little bit and take "unanimous" out of it and have it to where it could be decided by the Chairman or the Vice Chairman or the Executive Director, or two of the three or something, because, if one of them was to be out of the

country or something, or anything could happen, and it could be anything that could change, and I'm just curious about that, and thank you, Mr. Chairman.

CHAIRMAN FRAZER: Thank you, General. I've got a couple of other folks, and we're going to circle back to that. First, we have Kevin Anson and then Patrick Banks. Go ahead, Kevin.

MR. ANSON: I kind of agree with the General's comments there, and I would also agree with what John had said regarding attendance and some threshold, whereby there would be a certain number of meetings that the person couldn't attend, or would not be able to attend physically, if the meetings were held such that there was to be a physical presence.

I guess I would prefer this motion, substitute motion, before the other one, but, as Mara said, if we keep the language in the original SOPPs, or as it's currently written, it still gets us to where I think we need to --

CHAIRMAN FRAZER: Kevin, I think we've lost you, and we'll circle back, if necessary. I am going to move on to Mr. Banks.

MR. BANKS: Thank you, Mr. Chairman, and I'm fine with the General's suggestion of removing "unanimous" and replacing it with whatever word we need, like two of the three, but I just don't want it to be one person, and a rotating one person, saying yes, you council member, you can skip and do it remotely, but this other council member can't.

I have a little bit of concern about that occurring, and so I would like for it to be reviewed and approved by at least two of the three, and the intent is exactly what Mr. Sanchez was requesting, and the intent of my motion here is that it be clear that we want people at the meetings, if at possible, but folks who have legitimate concerns, and don't just have, oh, well, I don't feel like making the trip to wherever, they can certainly stay home, but still be present at the meeting and still vote and all of that good stuff, but this just, I think, puts a little bit of a sidebar on the situation. Thank you.

CHAIRMAN FRAZER: Thank you, Patrick, and, again, we'll probably have to circle back again to the wording in the substitute motion, but I'm going to take a couple other comments, real quick, and we'll first go to Mr. Diaz.

MR. DIAZ: Thank you, Mr. Chair. I agree with the General also,

and I would suggest adding the word "majority" before "decision", if that's okay with the maker of the motion and the seconder. Thank you, Mr. Chair.

CHAIRMAN FRAZER: Thank you, Mr. Diaz. Mr. Banks, is that --

MR. BANKS: I am certainly fine with that. Thank you, Mr. Diaz.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: I'm fine with that, and, in fact, I was going to suggest that very word. Thank you.

CHAIRMAN FRAZER: Thanks to both of you. Moving back to Mr. Anson.

MR. ANSON: I don't have anything else to say. Thank you.

CHAIRMAN FRAZER: Okay. Thanks, Kevin. Mr. Swindell.

MR. SWINDELL: Mr. Chairman, I agree with the motion as it's written. Having gone through the time of being unable to vote or make a motion at the meeting, because I was ill and couldn't make it, and Dr. Shipp was probably in the same position, and Ms. Bosarge couldn't easily have been there, having a baby, and so I support this motion for us to get it along, so that we can at least participate more fully in the council meeting. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Swindell. Is there any further discussion on the substitute motion? **Hearing none, is there any opposition to this motion? Hearing none, the motion passes.**

We will go ahead and adopt the substitute motion, and it will be reflected in the SOPPs, but we will, at the June meeting, put it on the agenda as part of the Budget and Administrative Committee. Okay. Now we're going to move on to Agenda Item Number V, which is further discussion, I guess, of the June council meeting, and I will go ahead and let Dr. Simmons take it over.

DISCUSSION OF JUNE COUNCIL MEETING

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I think we sent around the draft agenda to everyone, and it was so noted by Dr. Mickle that we did have the incorrect dates in there for August, and so we've corrected that and re-posted it on the

website, and thank you for that, Dr. Mickle.

We are planning, as you all know, to hold a virtual meeting, a webinar meeting, and we are looking at using webcams, and so that's to be determined, and we'll be reaching out to all of you to practice that and make sure you have the hardware and software to do that.

We don't know exactly what platform we're going to use right now, and we're looking at several, Cisco Webex, and also Adobe Connect, and so that is to be determined, and we will work with you on that before the June council meeting, but that is our goal. We're going to have to do some changing around, potentially, of that draft agenda, to add in an Admin/Budget Committee, and so we'll make those changes and distribute it to all the council members here in the next day or so and submit the Federal Register notice for that.

One of the items, or a couple of items, on that agenda deal with some of the impacts and discussion the council would want to have in June regarding COVID-19 and the economic impacts to the industry, and so, if there are certain items right now that council members would like us to explore, perhaps bring more information, and they may want to request an emergency rule or, Dr. Crabtree, to maybe reopen various fisheries, if possible, and, if we could get an idea of that beforehand, both for our staff and the Regional Office staff, that would be wonderful. I don't know, Dr. Frazer, how you want to handle that, but we're looking for some feedback on that.

CHAIRMAN FRAZER: Great. Thanks, Dr. Simmons. I am just going to go ahead and let Mr. Diaz -- His hand is up. Dale, do you have something?

DR. DIAZ: Tom, let's finish this agenda item, but I do want to circle back to the previous agenda item when we get done with this, just to clarify something. Thank you.

CHAIRMAN FRAZER: I think, Dale, I apologize, and I think we might just -- We will circle back to it, and I see the mistake. Sorry about that. In the short-term, with regard to this particular agenda item, as Dr. Simmons pointed out, we just would like to be prepared, moving into the June meeting, if there are any particular types of issues that council members want to have discussed that are related to any of the things that are going on with regard to the pandemic, any emergency orders, or changes in rules, et cetera, et cetera, and so,

again, I'm just going to see if there are any thoughts out there before we circle back to Agenda Item Number IV.

MR. SANCHEZ: Given the fact that, obviously, this has had some impacts to fishing seasons, recreational perhaps, charter/for-hire, and perhaps commercial impacts, I would like to see if, where appropriate, we can address maybe snapper season extensions and what have you, as appropriate, given if they are unable to fish or they're not catching the ACT, if we have mechanisms that we can discuss to have in place to address such an eventuality.

CHAIRMAN FRAZER: Thanks, John, for that suggestion. We'll kind of add it to the list of things, so folks here in the office, as well as SERO and other folks might be prepared to weigh-in on that in June. Dr. Crabtree.

DR. CRABTREE: I have put a few things on the agenda, in some discussions with Carrie, and some things, for example the for-hire red snapper season that will start in June, we have announced the closure date on that, but that can be changed, if we have reason to believe the quota is not caught, and that wouldn't require any sort of action by the council, because we already have authority to reopen a fishery if we determine that the quota hasn't been caught.

There are things to think about, and one that has come up has been carryover in the IFQ fishery, if they're unable to catch up their allocation, and I guess you could consider if it would make sense to raise some trip limits, and I don't know that it would, but, if fishing is going to be compressed into the second half of the year, you might want to allow more fish to come in.

Then we also talked, and Carrie put on the agenda, about a discussion of the private recreational fishery and season that we have delegated to the states, but, right now, it's not clear how many of the state catch estimation programs are functional. The MRIP program is not fully functional at this time, and I don't know for sure when it will be again, and so we're likely going to have a gap in the catch estimates that we have for some of these fisheries, and how are we going to deal with that?

We could speculate about what effort is doing, but it's hard to know, and I have had discussions with the MRIP folks, and I believe they have had discussions with the Gulf States Commission about trying to get some more timely estimates of overall for-hire effort, so that we can at least get some feel

for how many trips are going out relative to last year, and it may be possible for us to get some idea where private recreational effort is relative to past years, because the mail survey is still taking place, but the dockside intercepts are not.

Some of those kinds of things are on the agenda, and some don't require any action by the council, and other things, for example a carryover provision, would likely require an emergency rule of some sort, and, if we wanted to make adjustments to any of the trip limits, that would require some sort of emergency rule. Thank you, Mr. Chairman.

CHAIRMAN FRAZER: Thank you, Dr. Crabtree. Is there any other discussion out there? Okay. Seeing none, I think -- Excuse me. Ms. Bosarge.

MS. BOSARGE: Thank you, Dr. Frazer. I was just going to mention that, if we get into carryover -- I agree that we do need to have that discussion, in case the markets don't unfreeze on finfish and our guys are not able to land their fish, and we need to have that discussion, but it seems to get complicated really quickly when we talk about carryover, and so I just wanted to throw something out there for staff now that I don't think was in any of our previous documents.

We may need to look at doing something simple for the elephant in the room, red snapper, anyway, and the IFQ participants that allow, on December 31, whatever allocation is in those accounts, and it could be allocation that was leased by somebody, and the lessee, or lessor, and I don't know what the appropriate word is, but, anyway, he has the fish in his account, and he has paid to lease them.

On December 31, normally that would disappear for January 1, and those fish need to reappear in that same account on January 1, so that that individual can go catch the fish that he leased the previous year, if we end up in a situation where he just wasn't able to catch them, as opposed to I think most of our documents right now, on January 1, whatever allocation there was, it would go back to that shareholder.

We need to make sure that we have a mechanism that allows it to go back in the account that it's currently in, even if that's just somebody that purely leases, and I just wanted to throw that out there.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. Dr. Crabtree.

DR. CRABTREE: Leann, that's an issue that I'm aware of, and I've gotten some emails raising that issue, and I have had discussions with Jessica Stephen and folks that are managing the IFQ program about how we might do that, and it is more complicated than it first seems, but we are looking at ways that we might do that, and we can talk about those at the June meeting and see where the council wanted to go with it, and then maybe we could come in in August and decide whether we felt like it was needed or not.

One thing I would ask for them to be prepared to present to us in June would be to show us how far down are landings relative to where they typically have been in past years, so that -- With the IFQ, we can get a pretty real time idea of what's being landed, and we can look at that again in August and decide if there's really a need to do this, but it does require a lot of reprogramming and a lot of thought, in order to make it happen, but I'm aware that it's an issue that we do need to discuss.

CHAIRMAN FRAZER: Thank you, Dr. Crabtree. Are there any other folks wanting to weigh-in at this point? Okay. I am not seeing anybody out there, and so I think we've had a number of topical issues that need to be thought about prior to the June meeting, and I think there are four on my list for sure, and Roy pointed out that the for-hire red snapper season -- The closure date could be modified, and that's probably fairly easy. That just requires information to do that.

People should be prepared to talk about carryover in the IFQ fishery, and Leann provided some good comment there, and Roy contributed as well, and so I think we'll be in a good position of getting some numbers from SERO to address that.

We'll also deal with the idea of potentially increasing some trip limits, or at least what the problems might be surrounding that, if we bring that up, and then, finally, we'll talk about the private recreational fishery and some of the consequences of limited effort data and catch estimates, and so we might think about having the MRIP folks weigh-in as well, and so we'll explore that here on the staff side of things. Is there any other discussion on this particular agenda item? Dr. Crabtree.

DR. CRABTREE: I think it would be useful for the states to let us know what the status of their state data programs are, Snapper Check, Tails 'n Scales, Texas Parks and Wildlife, LA

Creel, and the GRFS survey, if they're functional and how much of a gap was there, and then sort of get some notion as to how the states intend to deal with all this in the setting of their seasons.

CHAIRMAN FRAZER: Thank you, Roy. We had already planned, for sure, for the states to contribute, but just kind of factoring these things into the presentation would be helpful, and so another good suggestion. I am not seeing anything else on this particular agenda item, and so Dale wanted us to circle back to Agenda Item IV, and that was discussion of the SOPPs, and I think, Dale, if I'm not mistaken, we had some issue with the language in Section 3.2.2, which was quorum and roll call voting, and is that correct?

MR. DIAZ: That's correct, Tom. That's what I was referring to. Thank you.

CHAIRMAN FRAZER: Again, related, and so you all have this Tab A, Number 4, and it's up on the screen, and the suggestion there was to simply strike the language at the end of the text there, "present in the meeting room", and so let me read that sentence, so people know what we're looking at here.

The last sentence reads: A vote may not be taken until the motion before the council is recorded in written form visible to each council member and the public present in the meeting room. The suggestion is, again, to be consistent with the broader language in Section 3.0, that we simply strike that language "present in the meeting room". Can I get perhaps a motion to strike that language?

MR. DIAZ: So moved, Mr. Chairman.

CHAIRMAN FRAZER: It's moved by Mr. Diaz. Can I get a second?

MR. SPRAGGINS: Second.

CHAIRMAN FRAZER: Seconded by General Spraggins. Is there any further discussion on the motion? **Seeing none, or hearing none, is there any opposition to the motion? Hearing none, the motion passes.**

I guess, at this point, I will go ahead and open up if there is any other business. Hearing none, I think we will take just a five-minute break, and then we will move into public testimony. I will see you guys in five minutes.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: Welcome back, everybody. We're about ready to get started with the public testimony section, but I see that Dr. Crabtree has his hand up, and so, Dr. Crabtree, do you have something to add, real quick?

DR. CRABTREE: Just one other thing for you to think about that we ought to talk about in June that has been brought up to me is whether any of what's going on affects the timing of SEFHIER, which is the electronic for-hire reporting, and our plan has been to have mandatory reporting start on September 1, and I think some discussion then as to whether you would entertain any thoughts of postponing that or do you want to move forward with would be good.

CHAIRMAN FRAZER: Great. Thank you, Roy. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. We do have that on the agenda, Dr. Crabtree, and I think we're working with your staff to get a presentation for the June council meeting, so we can discuss those items.

DR. CRABTREE: Okay. Thank you.

CHAIRMAN FRAZER: Okay. We will move on into the public testimony section, and so good morning, everyone. Public input is a vital part of the council's deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process.

Oral or written communications provided to the council, its members, or its staff that relate to matters within the council's purview are public in nature. Knowingly and willfully submitting false information to the council is a violation of federal law. Written comments can be submitted by emailing gulfcouncil@gulfcouncil.org, and written comments will be posted on the council's website for viewing by council members and the public and will be maintained by the council as part of the permanent record.

Persons wishing to give public testimony need to register on the council website by 11:30 a.m. this morning, and we accept only one registration per person. Each speaker will have three minutes, unless we have additional time constraints, which will be determined by the Chair. Your name will appear on a

displayed list on the screen. When it's your turn to speak, we will unmute you. Once we have established a successful connection, your time will begin.

Please note the countdown timer on the screen. It will be green first, yellow for the next forty-five seconds, and red for the final seconds of testimony. The timer will end on zero and will be read, indicating your time is up. Time allowed to dignitaries providing testimony is extended at the discretion of the Chair.

If you have any trouble during this commenting process, please contact Emily by emailing gulfcouncil@gulfcouncil.org or by calling (813)317-6220. Okay. With that said, we will open up public testimony, and we will start with Captain Bob Zales. We can't hear Bob Zales, and so we will move on to Eric Brazer.

PUBLIC COMMENT

MR. ERIC BRAZER: Thanks, Dr. Frazer. Eric Brazer, Deputy Director, Gulf of Mexico Reef Fish Shareholders Alliance. Thank you for the chance to participate. First and foremost, I hope everybody is healthy and you and your families are doing well.

With regards to what you are discussing today, first, we support the track you're taking regarding the SOPPs, and it's important to us to maintain the ability for council members to not be penalized for prioritizing their health and the health of others, but, as you're probably aware, public participation and the personal interaction with council members is a priority, and it's critical for the public, and so we would like for you to prioritize that, to the extent you can.

With regard to carryover, we support looking at it. We know that it can be complicated, but we really would like the council to consider it and discuss it as a relief mechanism for the industry. Thank you for your time.

CHAIRMAN FRAZER: Thank you, Eric. We're going to go back and see if we can capture Bob Zales. Okay. We don't have any additional registered speakers at this time, and so is there any further business to come in front of the council today? Seeing none, we're going to try one last time to try to get Captain Zales.

MR. SANCHEZ: Mr. Chairman, while we wait for Mr. Zales, is there anyone else from the public on the line?

CHAIRMAN FRAZER: There are a number of folks on the line, John, and we're -- As you pointed out, public participation is critical moving forward, and this is part of our challenge, and so we will certainly have to revisit this in any discussion of how we handle our web-based meetings moving forward, but we'll talk about that in June, but we have Captain Zales on the line now, and so we'll go ahead and hear what Captain Zales has to say.

MR. BOB ZALES, II: This is Bob Zales, II, representing NACO and SOFA. Basically, I just wanted to try to give you a brief update on the status of the fishing industry, as I understand it. On behalf of NACO and SOFA, I have been working with Eric and the Shareholders and Gary Jarvis with CFA and several other groups in the Gulf and across the country, Southeastern Fisheries and the whole bit, on all this stuff during this disaster time.

We have been working with Congress on a bunch of issues, and we have gotten the CARES Act and gotten people included in the CARES Act that weren't initially there. Unfortunately, with some PPP loans, and that's based on payroll, most people in our businesses don't have a lot of payroll, because most of them are sole proprietors or self-employed people who use independent contractors, and so we're working on trying to get that rectified in the next round of legislation.

There is also, as you all know, an effort by several senators and representatives across the country to provide a lot more money to Commerce in this next round of legislation to help fishermen. $300 million is a help, but it's not near enough to keep these fisheries viable.

The charter industry in the Gulf has been pretty much at a standstill. Some areas are not fishing at all. In Florida, we're fortunate to where some places in Florida they are allowed to fish, and there is a limited number of charter trips happening.

On the private rec side, in my area of Panama City, the past two Saturdays, the private rec effort has been almost like a state opening season for those two days, and it's just been a phenomenal number of boats that's been out there for those few days. The rest of the weeks have been almost non-existent, and so you've got one or two days a week where people are fishing and others they're not.

On the charter side, there's a handful of boats operating, and we still don't have -- In Florida, hotels and restaurants and condos and houses can't be rented, and so there's still limited places for people to stay, even though restaurants have opened up on a limited basis, which is helping out. We're beginning to see -- With the beaches opening up, we're beginning to see more people come out, and so we're hopeful that things are going to improve over the next month or so, but, as all of you all know, especially in the charter fishing business, it's seasonal.

Our season is pretty much -- We have missed the beginning of the season, and our primary season is in July, and we don't know what that's going to be, and our season -- We make our money in five or six months out of the year to last all year long, and we have lost two months already, and we may miss a substantial amount of the next round, and so it's going to be a tough winter for a lot of the charter guys across the Gulf of Mexico, and so hopefully anything that comes up, which I'm sure you all will support any effort you all can, but to help us financially, the commercial side and the charter side and the processors and the markets.

The guys that have been fishing just a little bit are providing more, because the restaurants have begun to open up, and so they've had a market to go to, but the markets are still limited, and so everybody is having a tough time, and hopefully most of us are going to survive this, but my fear is that some are not, and so that's just kind of where we are, and so, if anybody has any questions, I will be glad to try to answer them.

CHAIRMAN FRAZER: Thank you, Captain Zales. We don't have any other registered speakers, and I see that Mr. Diaz has his hand up.

MR. DIAZ: Tom, while we're in the public comment section, I just wanted to mention that I did have a call from a concerned citizen, about a week-and-a-half ago, and they were very adamant that it's very important for us to, in every way possible, have, live, in-person meetings. They did not like the idea of webinars, and they were really hoping that we could have the June meeting as a live, in-person meeting, and I just wanted to make sure and relay that, because that person made an effort to call me. Thank you, Tom.

CHAIRMAN FRAZER: Thank you, Dale, for that input, and, again, I think, listening to some of the sentiment around the virtual

table this morning, I think people all value public participation and every effort to make sure that we include it in the process, and I don't think that there's any intent to move these council meetings to a virtual platform moving forward, at least on a permanent basis, and so I appreciate the concern from the citizen, and I think it's one that we all share. Are there any other additional items to discuss, any other business to be brought forward before the council? Mr. Sanchez.

MR. SANCHEZ: If Bob Zales is still on the line, I would like to see if it's possible to ask him a question.

CHAIRMAN FRAZER: He is not on the line anymore, John, but, if you want to ask the question, I can certainly get in touch with Bob and figure out how best to get the answer to you.

MR. SANCHEZ: I know he does a lot of work with a lot of the charter/for-hire associations throughout the Gulf, and I wanted to see what would be the charter/for-hire's preference, an increase in bag limit or an extension in seasons, because I am inclined to think extension in seasons equals more charters, rather than increasing the bag limit, which, again, they've been hurt dramatically by this COVID virus, and I am thinking that I would like for them to weigh-in. I appreciate that.

CHAIRMAN FRAZER: Sure. Thank you, Mr. Sanchez, and I believe, when we get to those issues in the June meeting, that certainly falls under factors that might influence both the for-hire sector and the private recreational fishermen, and so we will make sure that we bring that up in June. Dr. Crabtree.

DR. CRABTREE: Just bear in mind that extending the season we could do without rulemaking, but I don't believe that a -- If you wanted to change the bag limit, that would require an emergency rule, and so that would take some time to put in place, and so an increase in the bag limit, at best, would be in place at the very tail-end of the season.

CHAIRMAN FRAZER: Thanks, Roy. Okay. Are there any other comments or thoughts out there before we move to adjourn the meeting? Okay. Seeing none, we will go ahead and adjourn the meeting, and I want to thank everybody for their patience as we worked through the process, and I look forward to talking with all of you in June. Thank you very much.

(Whereupon, the meeting adjourned on May 12, 2020.)