

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
SUSTAINABLE FISHERIES COMMITTEE

Beau Rivage Resort Biloxi, Mississippi

October 2, 2017

VOTING MEMBERS

- 10 Greg Stunz.....Texas
- 11 Patrick Banks.....Louisiana
- 12 Dale Diaz.....Mississippi
- 13 Tom Frazer.....Florida
- 14 John Sanchez.....Florida
- 15 Andy Strelcheck (designee for Roy Crabtree).....NMFS
- 16 Ed Swindell.....Louisiana

NON-VOTING MEMBERS

- 19 Kevin Anson (designee for Chris Blankenship).....Alabama
- 20 Leann Bosarge.....Mississippi
- 21 Doug Boyd.....Texas
- 22 Dave Donaldson.....GSMFC
- 23 Phil Dyskow.....Florida
- 24 John Greene.....Alabama
- 25 Martha Guyas (designee for Nick Wiley).....Florida
- 26 Campo Matens.....Louisiana
- 27 LCDR Stacy McNeer.....USCG
- 28 Paul Mickle (designee for Jamie Miller).....Mississippi
- 29 Robin Riechers.....Texas
- 30 Bob Shipp.....Alabama

STAFF

- 33 Steven Atran.....Senior Fishery Biologist
- 34 Douglas Gregory.....Executive Director
- 35 Morgan Kilgour.....Fishery Biologist
- 36 Mara Levy.....NOAA General Counsel
- 37 Emily Muehlstein.....Public Information Officer
- 38 Bernadine Roy.....Office Manager
- 39 Charlotte Schiaffo....Administrative & Human Resources Assistant
- 40 Carrie Simmons.....Deputy Director

OTHER PARTICIPANTS

- 43 Pam Anderson.....Panama City Beach, FL
- 44 Charlie Bergmann.....NOAA, Pascagoula, MS
- 45 Ryan Bradley.....MS Commercial Fisheries United, MS
- 46 Eric Brazer.....Reef Fish Shareholders Alliance
- 47 J.P. Brooker.....Ocean Conservancy, St. Petersburg, FL
- 48 Shane Cantrell.....CFA

1 Matt Dornbach.....Stennis Space Center, MS
2 Traci Floyd.....MDMR, MS
3 Troy Frady.....Orange Beach, AL
4 Susan Gerhart.....NMFS
5 Tim Griner.....SAFMC
6 Chris Horton.....Congressional Sportsmen's Foundation
7 Joe Jewell.....MDMR, MS
8 Julian Lartigue.....NOAA, Ocean Springs, MS
9 Jesse Leslie.....NOAA, St. Petersburg, FL
10 Bruce McCormack.....Cape Coral, FL
11 Jack McGovern.....NMFS
12 Frank Parker.....Biloxi, MS
13 Rusty Pittman.....MDMR, MS
14 Bonnie Ponwith.....SEFSC
15 Thao Vu.....MS
16 Mark Zanowicz.....USCG, New Orleans, LA
17 James Zurbrick.....Steinhatchee, FL
18 Patricia Zurbrick.....Steinhatchee, FL
19
20 - - -
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[PAGE 16](#): Motion to make Alternative 3c and Alternative 4 the preferred alternatives. [The motion failed on page 20](#).

[PAGE 20](#): Motion to recommend staff stop working on Framework Action to Require either Descending Devices or Venting Tools Onboard Vessels Possessing Reef Fish and instead develop a policy statement and include the development of an outreach program. [The motion carried on page 22](#).

- - -

1 The Sustainable Fisheries Committee of the Gulf of Mexico
2 Fishery Management Council convened at the Beau Rivage Resort,
3 Biloxi, Mississippi, Monday afternoon, October 2, 2017, and was
4 called to order by Chairman Greg Stunz.

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

10 **CHAIRMAN GREG STUNZ:** We will call to order the Sustainable
11 Fisheries Committee meeting. These materials are located on Tab
12 F, if you're looking. As far as the committee members, the
13 Chair position is vacant, and I am the Vice Chair. Patrick
14 Banks, Andy Strelcheck is sitting in for Roy, Dale Diaz, Tom
15 Frazer, John Sanchez, and Ed Swindell.

16
17 With that, the first order of business is Adoption of the
18 Agenda. If everyone has had a chance to look at the agenda, is
19 there any items that we need to modify or add to the agenda?
20 Seeing none, if I could get a motion to approve the agenda.
21 It's so moved. If there is no opposition, we will move to the
22 next item of business.

23
24 The next item of business is Approval of the Minutes, if
25 everyone has had a chance to look at the minutes. Are there any
26 edits or suggestions or changes to the minutes? Seeing none,
27 could I get a motion to approve the minutes? It's so moved. If
28 no one is in opposition, we will move to the next.

29
30 Steven Atran is going to talk us through the Action Guide and
31 Next Steps of what we want to accomplish for this committee
32 meeting. We've got a pretty full agenda with a lot of things,
33 and so, Steven, do you want to talk us through that?

34
35 **MR. STEVEN ATRAN:** Just very briefly, there is four action items
36 on the agenda. We're going to start out and Carrie Simmons is
37 going to review the options paper on adding some allowable gear
38 for sea turtle release and adopting a protocol for future
39 editions of sea turtle gear.

40
41 I will review an options paper on a framework action to require
42 descending devices or venting tools, which you actually reviewed
43 once before, but we need to get guidance as to where we're going
44 to go with that.

45
46 Glenn Constant was supposed to be here to give a presentation on
47 activities that could be done under the RESTORE Act or the
48 National Resource Damage Assessment process toward mitigating

1 the dead zone, and he's not here. Leann Bosarge will explain
2 what's going on with that when we get to that item.

3
4 Then the last item, which I guess is the main feature of this
5 committee meeting, is we're going to get a presentation from Mr.
6 Bruce McCormack, who would like to have a device that he has
7 developed to catch lionfish added to the list of allowable gear
8 for lionfish harvest, and so we will get his presentation. The
9 council, if they want to allow it, doesn't need to do anything.
10 If they wish not to allow it, then we would have to request
11 either an emergency or an interim action to prohibit it, and so
12 that's really all we've got.

13
14 **CHAIRMAN STUNZ:** Thanks, Steven. Not seeing anything else
15 around the room, we'll go ahead and move into the agenda. The
16 first is Item Number IV, and so, Dr. Simmons, are you ready to
17 give the presentation on the sea turtle release gear?

18
19 **DR. CARRIE SIMMONS:** Yes.

20
21 **CHAIRMAN STUNZ:** Go ahead, when you're ready.

22
23 **OPTIONS PAPER - DRAFT MODIFICATIONS TO THE SEA TURTLE RELEASE**
24 **PROTOCOL AND GEAR FOR THE REEF FISH FISHERY**

25
26 **DR. SIMMONS:** Thank you. I am going to through Tab E, Number 4.
27 As you recall, at the last council meeting, you asked staff to
28 start working on this after you received a presentation and
29 update from Mr. Charlie Bergmann regarding the protocols for
30 release with minimum injury for sea turtles and other protected
31 resources, based on a 2015 NOAA Technical Memo.

32
33 This is the first stage. It's draft options, and there is two
34 actions that we're currently looking at. What this document is
35 considering, there is two different actions, and it's to add in
36 three additional sea turtle release gear types that were
37 approved by the Science Center.

38
39 In addition to additionally potentially adding these three new
40 gears, this document also considers modifying the reef fish
41 framework protocol, so that, in the future, these modifications
42 could be made more quickly and not completed in a full plan
43 amendment, which this actually will be a full plan amendment in
44 order for us to do that.

45
46 With that, let's go to page 2 and look at the purpose and need
47 here. We can always come back to the purpose and need if we
48 need to after we review the actions, but I just wanted to point

1 this out, if anybody had any suggestions right now.

2
3 The purpose is to allow the use of three new sea turtle release
4 gear types and streamline the processes for allowing reef fish
5 permit holders to use additional sea turtle and other protected
6 species release gear types and handling procedures after they
7 are approved by the Southeast Fisheries Science Center.

8
9 The need is to provide flexibility to participants in the
10 federal commercial and charter/headboat reef fish fishery in
11 complying with regulations and to develop a process that allows
12 changes in release gear requirements and handling procedures for
13 sea turtles and other protected species to be implemented more
14 quickly. I will stop there and see if anybody has any questions
15 or concerns about the purpose and need, or we can come back to
16 this after we go through the actions.

17
18 **CHAIRMAN STUNZ:** Carrie, if we could stop there. Captain Greene
19 has his hand up.

20
21 **MR. JOHNNY GREENE:** Thank you. I'm not on your committee, but
22 I've had several people ask me specifically who all these
23 regulations are being -- Who all this involves. Basically, it's
24 people from the private recreational community are not included
25 in this, but this is just charter/for-hire and commercial, and
26 so I just wanted to get it on the record, just to kind of let
27 people know that that is the case.

28
29 There were some private recreational guys thinking they had to
30 go get tires to put on their boat and all the stuff that goes
31 along with it, but I just wanted to make sure that that was
32 brought up, so that everybody understood who all was really
33 affected here.

34
35 **CHAIRMAN STUNZ:** Thank you, Johnny. Is there any other comments
36 regarding the purpose and need? I am not seeing any, Carrie.
37 Go ahead.

38
39 **DR. SIMMONS:** Okay, and so let's go to Action 1, and it's on
40 page 4. Again, just to reiterate what Captain Greene said, this
41 would impact commercial fishermen with Gulf reef fish permits
42 and charter vessel/headboat Gulf reef fish permits, and that is
43 explicit in the alternatives on page 4.

44
45 Right now, we have two alternatives in this action that are
46 considered, and we can consider these a reasonable range, since
47 the primary goal of this action is to allow these additional new
48 gears, increasing flexibility by putting these gears in the

1 regulations, and there are other regulations already in place,
2 and those are detailed in Appendix A.

3
4 These requirements differ by freeboard height in Appendix A. If
5 it's less than or equal to four feet, if the vessel freeboard
6 height is less than or equal to four feet, or if the freeboard
7 height is greater than four feet, and so, in Appendix A, it has
8 those differences in the regulations regarding these permits and
9 your freeboard height.

10
11 The purpose is to add these three new gears in, and it's
12 expected to result in increased flexibility for fishermen, as
13 these three gears are considered more compact and have been
14 tested by the Science Center staff, as well as by captain and
15 crews.

16
17 Alternative 1 is the no action alternative. It would not modify
18 the regulations to allow the use of these new approved sea
19 turtle release gears for vessels with those permits, commercial
20 or charter vessel/headboat Gulf reef permits. Alternative 2
21 would modify the regulations for vessels with commercial or
22 charter vessel/headboat Gulf reef permits to allow the use of
23 this new collapsible hoop net, which we'll go to the picture
24 next, a de-hooking device, and a small hoist to release
25 incidentally-hooked sea turtles.

26
27 If you go to page 5, Figure 2.1.1 has the collapsible hoop net
28 that can be used onboard, and that's an example. Figure 2.1.2
29 is an example of the small sea turtle hoist, and then Figure
30 2.1.3 is an example of the new hook-out or de-hooking device. I
31 will stop there and see if there's any questions, and, also, I
32 should mention that we have Mr. Bergmann here in the audience,
33 and he can help me answer any questions that I might not be able
34 to answer.

35
36 **CHAIRMAN STUNZ:** Any comments or questions from the committee
37 regarding Action 1? I am not seeing any, Carrie. I do have a
38 question, for me at least, and maybe other committee members.
39 You briefly mentioned, at the beginning, the timeline for this,
40 selecting preferreds, if we need to do that with two
41 alternatives, or what is the general plan for moving this
42 forward?

43
44 **DR. SIMMONS:** Right now, this is just draft options, and so it's
45 really just giving us feedback on the purpose and need and that
46 the range of alternatives in the two actions are what you guys
47 are looking for. Any changes you want to see made in those
48 would be helpful at this time, and we will bring back a public

1 hearing draft probably to the January council meeting, unless
2 other priorities come up, and try to move this along quickly.

3
4 There's been a lot of workshops that have already been done, and
5 I was going to bring this up at the end, so we can talk about
6 whether there is a need for public hearings. I would like to
7 talk about that later on, but the idea is to bring a public
8 hearing draft is the next step, and so you certainly don't have
9 to select preferred alternatives right now, but just give us
10 some feedback on if this is where you would like to go with
11 this.

12
13 **CHAIRMAN STUNZ:** Okay. Thanks, Carrie, and so we'll do that at
14 the next meeting then, but is there any other comments regarding
15 Action 1? Mr. Diaz.

16
17 **MR. DALE DIAZ:** My only comment is I read through Action 1, and
18 I think the range of alternatives that we have here are
19 sufficient for Action 1.

20
21 **CHAIRMAN STUNZ:** Anything else regarding Action 1? Carrie, it
22 sounds like that one is pretty straightforward then, if you want
23 to go on to Action 2.

24
25 **DR. SIMMONS:** Great. Then we'll go to Action 2, and it's on
26 page 7, and this would modify the reef fish framework protocol.
27 Again, this only has two alternatives. The no action
28 alternative is Alternative 1, and then Alternative 2 would
29 modify the reef fish framework procedure to include changes to
30 release gear requirements and handling protocols for sea turtles
31 and other protected resources through the abbreviated document
32 process for open framework actions. The release gear
33 requirements and handling protocols that could be implemented or
34 changed would include: Option a, release gear requirements for
35 sea turtles and other protected resources; Option b, handling
36 requirements for sea turtles and other protected resources.

37
38 There is a note in there that, for Alternative 2, you can select
39 both Option a and Option b as a preferred alternative, if you
40 wish, and, again, this is just adding flexibility to the current
41 setup and trying to get things moving along more quickly, so we
42 don't have to do a full plan amendment, potentially, if these
43 new gears or new protocols or procedures come out in the future.
44 Then the council can implement something more quickly, such as
45 through a framework action.

46
47 If you go to page 10, you can see Roman numeral xvi and xvii,
48 and there is two highlighted items that we're suggesting for

1 Alternative 2 that would be added into the framework protocol
2 for reef fish. Then there is some examples, and I think it's in
3 Table 2.1.1 of the release gear and handling requirements that
4 could be changed through a framework action, and so I will stop
5 there and see if there is any questions.

6
7 **CHAIRMAN STUNZ:** This Action 2 is sort of speeding up this
8 process to facilitate a framework action for these kinds of
9 things in the future. Is there any questions or comments
10 regarding Action 2? Seeing none, Carrie, do you have anything
11 else regarding this?

12
13 **DR. SIMMONS:** No, but I just wanted to bring up the fact that
14 there has been a lot of outreach done by the Science Center
15 staff regarding these new gears, and so I guess what we're
16 asking the council and committee is, at this time, for this
17 document, we were planning on doing a video, an online video,
18 and potentially a webinar public hearing, and not actually go
19 out to in-person public hearings, since there's been so much
20 outreach work done on this, and I just wanted to make sure that
21 the committee was okay with that, and that is the staff's
22 current thinking on this document.

23
24 **CHAIRMAN STUNZ:** Any comments? Captain Greene.

25
26 **MR. GREENE:** I am not on your committee, again, but Charlie has
27 done a good job. He has reached out to all of the major fishing
28 associations that I know of in my part of the world and made
29 himself available to come talk to everybody and come explain
30 everything, and I don't think there would be any reason to do
31 anything other than what Dr. Simmons is suggesting at this
32 point. I mean, he is basically an email or a text message away,
33 for that matter, if anybody has any questions.

34
35 As far as I know, I don't think there would be any problem with
36 that. If there is, I guess somebody at public testimony could
37 speak to it, but I think this would be kind of a quick process
38 here.

39
40 **CHAIRMAN STUNZ:** Good. Chairman Bosarge.

41
42 **MS. LEANN BOSARGE:** I just wanted to say thanks to staff for
43 getting this together so quickly. We had that presentation by
44 Mr. Charlie, and it sounds like this has been a vetted process
45 already, and there's been a lot of outreach with the fishermen,
46 and we're sort of the last link in the chain to make sure this
47 gets implemented, because it does have some benefits and some
48 efficiencies for the fishermen.

1
2 I appreciate you all bring proactive and going ahead and putting
3 an action in here so that this would be a more streamlined
4 process in the future, as technology continues to improve and we
5 have new devices that we can use, and I just wanted to say
6 thanks. Between meetings, you managed to pull all of this
7 together, and it's very clear and concise. Thanks.

8
9 **CHAIRMAN STUNZ:** Anything else? Thanks, Carrie. There's a lot
10 of head-nodding around the room that I think we're on the right
11 track here. This seems pretty straightforward, and so you'll
12 just bring this back to us at the next committee meeting to
13 select preferreds and go out for public comment, is my
14 understanding, and so, if we're good with that, is there
15 anything else regarding this?

16
17 **DR. SIMMONS:** No, that's all. Thank you so much.

18
19 **CHAIRMAN STUNZ:** All right. Moving down to our next agenda
20 item, Item V is the options paper regarding the framework action
21 to require descending devices or venting tools onboard vessels
22 possessing reef fish, and so, Steven, are you talking us through
23 this one?

24
25 **OPTIONS PAPER - FRAMEWORK ACTION TO REQUIRE EITHER DESCENDING**
26 **DEVICES OR VENTING TOOLS ONBOARD VESSELS POSSESSING REEF FISH**

27
28 **MR. ATRAN:** Yes, but I am going to try to be brief. As I said,
29 this is essentially the same document that you had reviewed in
30 June, but you didn't provide advice to the staff on how to
31 proceed with it. This version of it just corrects some typos,
32 and the only substantial change in it is on the purpose and
33 need, if we could quickly go to that.

34
35 The original purpose and need was rather wordy, and so I didn't
36 think that we needed all those words, and so I tried to simplify
37 it and reduced it to simply saying the purpose of this action is
38 to encourage the use of venting tools and descender devices,
39 while giving fishermen the flexibility to decide if and when
40 they are appropriate to use. The need is to reduce discard
41 mortality, to the extent practicable. That captures the essence
42 of what we had before, but I think in fewer words.

43
44 **CHAIRMAN STUNZ:** I don't quite recall the one we had before, but
45 are there any questions regarding the purpose and need? I had
46 one comment, Steven, and I don't know if this requires a motion
47 or just a comment, and maybe you could add it in if you're going
48 to bring this to us next time, but I think this is good, what

1 you've done here, but I'm not quite seeing the end-game of why
2 we're going through all of this, I guess is what it's missing,
3 maybe one more sentence or something.

4
5 At least in my mind, the reason we're going down this path is
6 the net reduction in mortality that would get built into the FMP
7 process and that anglers would benefit from having those reduced
8 mortality rates, such as more catch and that kind of thing, and
9 so I'm not seeing what that says, and, maybe somebody else, feel
10 free to jump in, but maybe something to the effect of -- I am
11 trying to find my notes here.

12
13 After maybe like "to the extent practicable", something like
14 "and build these reductions into the current FMPs" or something
15 to that effect. I mean, I am not stuck on the exact words, but
16 it would be nice to have one other sentence in there explaining
17 why we're going through this process.

18
19 **MR. ATRAN:** Okay. We'll see what we can do. I may need to get
20 some suggestions from our IPT members, but I think I understand
21 basically what you're trying to get at.

22
23 **CHAIRMAN STUNZ:** Also, I want to make sure that -- That was my
24 personal opinion and not speaking on behalf of the committee,
25 and so I don't know if we need a motion or if everyone is fine
26 with that or not, but I just thought that it needed one little
27 bit more clarification.

28
29 **MR. ATRAN:** I will have it in my report that that was suggested,
30 a little bit of expansion on the need to include how this is
31 going to benefit the anglers, although it does say to give the
32 fishermen the flexibility, but I guess you want a little bit
33 more than that.

34
35 **CHAIRMAN STUNZ:** Yes, and sort of what the flexibility means,
36 and Mr. Diaz has a comment.

37
38 **DR. DIAZ:** I mean, where we're at today, and you all help me
39 out. If we don't pick a preferred, then what is going to happen
40 with this document? Either we pick a preferred today, or where
41 are we going? What is going to happen with this document?

42
43 **CHAIRMAN STUNZ:** Steven, do you want to comment on that?

44
45 **MR. ATRAN:** Yes, and that's just getting to the next item that I
46 was going to go through. If we're through with the purpose and
47 need, then if we could go to Action 1, which is on page 4, and,
48 actually, I believe the only other action item on here.

1
2 We had four alternatives, the no action of don't require or
3 recommend venting tools or descender devices be present on
4 vessels where reef fish are present. Option 2 would be to
5 establish a policy that the council recommends vessels fishing
6 for reef fish possess either a descending device or venting
7 tools onboard, and that would not be a mandatory requirement.
8 It would just be a recommendation.

9
10 Alternative 3 would require that vessels where reef fish are
11 onboard possess, and then Option a is venting tools, Option b is
12 descending devices, and Option c is either venting tools or
13 descending devices, and Option d is both venting and descending
14 devices.

15
16 I added that descending devices should be rigged and ready for
17 use while fishing is occurring. I was thinking of things like
18 the Seaqualizer, which, if it's sitting in a tackle box
19 somewhere, is not going to do much good, because it's going to
20 take a while to attach it to a rod-and-reel, but I guess there
21 are some descender devices that, by their nature, are going to
22 be ready to go as soon as the fish comes up.

23
24 Then Alternative 4, rather than either recommend or require
25 these devices, is to develop an outreach program, in conjunction
26 with Sea Grant, to educate fishermen on the availability and
27 correct use of venting tools and descending devices, including
28 best handling techniques to minimize the stress to fish.

29
30 What we have is no action, don't do anything -- By the way, our
31 previous venting tool requirement, and I forget when we
32 implemented it. It was in place for about three or four years,
33 and we removed it because it required the use of venting tools,
34 even if they weren't necessary and even if fishermen would
35 prefer to use a descending device. The thought was that it was
36 interfering with the use of alternative methods, and so we had
37 removed that as a requirement.

38
39 No action would leave us where we are right now, no
40 recommendation and no requirement to use the tools. Alternative
41 2 is to officially recommend the use, but not require them, and
42 Alternative 3 would require either one or both of these tools to
43 be onboard when reef fish are present, and that wording is for
44 enforceability. You can enforce requiring the tool if there is
45 a reef fish onboard, but you can't really enforce the
46 requirement to use it, because the enforcement officer would
47 have to catch somebody in the act. Then Alternative 4 would be
48 to develop an outreach program.

1
2 Now, one issue that came up in June is that, at the moment, and
3 I think, Dr. Stunz, this was something that you brought up,
4 under the RESTORE program, you're able to get some actual
5 devices to hand out to fishermen.

6
7 It was pointed out that activities under the RESTORE program
8 could include distribution of the devices, but only if they are
9 not required by regulation. If there was a regulation requiring
10 the devices, the RESTORE funds could not be used to distribute
11 the devices. It could be used to help develop the outreach
12 program, but not to purchase and distribute the devices.

13
14 There seemed to be, at the June meeting, a lot of support on the
15 committee for some sort of an outreach program, but there wasn't
16 any consensus, that I recall, and no motions made, as to whether
17 or not to proceed with this options paper into a framework
18 action to actually require it, and so, if you wanted to go with
19 only Alternative 4, develop an outreach program, at that point
20 we probably wouldn't have to develop this framework action any
21 further. We would just work on what that means as far as
22 developing an outreach program, and I imagine that Emily would
23 have to be deeply involved in that.

24
25 Alternative 1, obviously, we wouldn't continue, and so, if you
26 think that you would want to proceed with either Alternative 2
27 or 3, then we would have to proceed with a framework action,
28 but, in June, we didn't get any guidance as to how to proceed,
29 and so we're trying to figure out where we want to go right now
30 with this framework action.

31
32 **CHAIRMAN STUNZ:** I seem to recall, just to clarify, and please
33 correct me if I'm wrong, but I think that we were a little short
34 on time during the committee meeting, and I wasn't chairing it
35 at the time, and so I don't remember exactly, but then we took a
36 lot of this to Full Council, and so we did have a lot of that
37 discussion towards the very end at Full Council, and my
38 understanding was that there was some -- Maybe it wasn't as
39 clear as you needed, Steven, and hopefully we can clear that up
40 today, about where we want to move with this document. Anyway,
41 with that, I will open it up, to see if -- Andy.

42
43 **MR. ANDY STRELCHECK:** Steven, can you clarify something that you
44 just said? I am confused by why a framework action would be
45 needed for Alternative 2. Why couldn't the council itself just
46 establish a policy outside of an amendment process or a
47 framework process?

48

1 **MR. ATRAN:** Actually, I was thinking about that, and
2 establishing a policy would not require a framework action.

3

4 **MR. STRELCHECK:** Right.

5

6 **MR. ATRAN:** It's only if we were actually going to implement a
7 regulation that we would need the framework action, and so
8 Alternative 3, I guess, is the only alternative that would
9 actually require us to develop this into a framework action.

10

11 **CHAIRMAN STUNZ:** Leann.

12

13 **MS. BOSARGE:** I seem to remember the other sort of rabbit hole
14 that we went down was, if we make it where it's a requirement,
15 if we do a framework action and we have it be a requirement that
16 you have these onboard, there is this discussion about, well,
17 the council is going to get into the process of saying which
18 devices you can use and vetting those devices.

19

20 If we choose to go down that Alternative 3 route, can we add an
21 action item to this document that's very similar to the one we
22 just looked at, where we have a streamlined process that, as
23 new descending devices come onto the market, that they can be
24 vetted through NMFS and implemented that way?

25

26 **CHAIRMAN STUNZ:** I think that's a good idea, Steven.

27

28 **MR. ATRAN:** That's one solution, but I was trying to get around
29 that. If we could go to the next page, I had a couple of
30 proposed definitions of venting tools and descending devices,
31 and, rather than explicitly allow certain devices to be used,
32 just try to describe what constitutes a venting device and what
33 constitutes a descending device, because one issue we have, that
34 we may not have so much with the sea turtle release gear, is
35 that these devices could also be homemade devices, and so I
36 don't know how you would handle that if you were actually going
37 to develop a list of what's allowed, but we can go either way.

38

39 We can either go with some generalized definitions, like I have
40 here, or try to establish a protocol, as you suggested, to make
41 it relatively easy to add new devices to some allowable venting
42 tools or allowable descending devices as they come to market.

43

44 **CHAIRMAN STUNZ:** To add one clarifying point that I meant to say
45 earlier when Steven was going through this, the discussion about
46 the RESTORE and whether this might prevent that process from
47 handing out a lot of these devices and that sort of thing, I
48 recall that the discussion, and maybe we need to formalize this

1 sooner than later, to prevent these kind of memory-type things,
2 was that we decided to move this along as far as we could, and
3 then we could make those decisions later down the line, as those
4 things may or may not develop, and not wait until we know what
5 happens there and then go through all this process to implement
6 these, and so that was my recollection of the discussion late in
7 that meeting, but it would be nice to move this forward and give
8 Steven some clear guidance, so we can figure out what we want to
9 do with this situation. Mr. Diaz.

10
11 **MR. DIAZ:** Thank you, Dr. Stunz. I am trying to recall those
12 discussions that we had too, and I do believe us trying to do
13 something proactively to try to reduce dead discards is a worthy
14 thing for us to try to do, and the timing on those RESTORE Act
15 funds, and, I mean, I'm not sure how long down the road that
16 would be.

17
18 **Some of this stuff is not terribly expensive either, and so, to
19 get some discussion going, I am going to make a motion to make
20 Alternative 3c and Alternative 4 the preferred alternatives, if
21 I can get a second.**

22
23 **CHAIRMAN STUNZ:** We have a motion on the board. Dr. Frazer
24 seconded that motion. Is there any discussion on the motion?

25
26 **MR. DIAZ:** Well, like I said earlier, for us to try to get some
27 improvement in our dead discards, I think it's a worthy thing
28 for us to consider. Option c is either a venting tool or a
29 descending device.

30
31 I think the venting tools are very inexpensive, and the
32 descending devices, when I read through the definition that
33 Steven has got, and I've seen some of the pictures of things
34 that folks are using, I don't think that's a real expensive
35 option either, and so, anyway, I think one of the things that I
36 am concerned about is, if we try to wait on this RESTORE Act
37 money, how long it will be and what opportunity we will have not
38 done anything, how much time we would have wasted. Thank you.

39
40 **CHAIRMAN STUNZ:** Carrie, go ahead.

41
42 **DR. SIMMONS:** Thank you, Mr. Chairman. I think it's fine if you
43 guys want to select preferred alternatives right now, but you
44 don't have to. I think what staff really wants to know is if
45 you do want to proceed with this type of requirement or if you
46 just wanted to make it a policy and an outreach statement, and
47 that's why the document hasn't been further developed, and so,
48 if we know that, then we can further develop it, including the

1 purpose and need and all those other things. We just weren't
2 sure what direction the council was going.

3

4 We have been side-note discussing with the RESTORE Act folks
5 about some funding and opportunities and council priorities and
6 things like that, and this did come up as one of the priorities,
7 but, Doug, do you remember? I think they said something like in
8 two years that they would distribute the money and it would take
9 about two years to complete any type of research and testing on
10 those devices after distribution, and so we were looking at
11 about three years before we would know anything about those
12 devices that were potentially distributed, if they get the
13 funding in place for this type of release device.

14

15 **EXECUTIVE DIRECTOR DOUG GREGORY:** 2019 is when they're going to
16 start putting money out on the street, and one of the things we
17 talked to them about, in addition to just distributing these, is
18 to actually fund some follow-up studies to see how effective
19 they may be, so that we can get some more definitive information
20 on what the release mortality reductions are for our stock
21 assessments, and so that would be the one advantage of the
22 RESTORE program, is they were inclined to fund follow-up studies
23 as well.

24

25 **CHAIRMAN STUNZ:** Ms. Guyas.

26

27 **MS. MARTHA GUYAS:** Thanks. I'm not on your committee, but, if
28 we move forward with requiring them, could that money still be
29 used for the follow-up study, or there is no study at all? I
30 understand that the distribution wouldn't happen, but you're
31 saying no go either way?

32

33 **CHAIRMAN STUNZ:** Mr. Gregory.

34

35 **EXECUTIVE DIRECTOR GREGORY:** Their goal is to restore something,
36 and, when you look at fisheries, there is very few things you
37 can do to restore fisheries that we're not already doing, and
38 this was the one thing they came up with that was a restoration,
39 reducing mortality, and so they were kind of stymied, I think,
40 with other ideas. The one thing they have funded, to date, is
41 to -- I think with pelagic longlines, and it's to pay fishermen
42 not to fish, and therein restore the population.

43

44 **CHAIRMAN STUNZ:** Well, to me, that seems a long way down the
45 line. There is a lot of studies going on right now that are
46 addressing this very thing with a variety of fisheries that we
47 have FMPs for, and we sort of had this discussion last time,
48 several of us around the table, to move this forward and then

1 worry about that later down the line, should we have to, but I
2 guess, Carrie, a question I would have for you.

3
4 We've got a motion on the floor that we need to take care of,
5 but would that motion give you what you need, Steven, I guess to
6 move this along then of the direction of where the committee is
7 going, or do you want to take care of that motion and -- I am
8 trying to figure out where we need to go from here.

9
10 **MR. ATRAN:** Well, if this motion passes that you want to make
11 this a preferred alternative, then we would continue to develop
12 this into a full framework action, and I would have to check
13 with our IPT to see on their time availability, but I think it
14 may be possible to come back with a final action document in
15 January. If not January, definitely in April, and put this
16 away.

17
18 **CHAIRMAN STUNZ:** Andy, go ahead.

19
20 **MR. STRELCHECK:** Just speaking to the motion, I'm certainly
21 supportive of Alternative 4. We just talked about sea turtle
22 release protocols and the effective outreach that's been done
23 there. Certainly, I think that goes a long way with descending
24 devices and venting tools.

25
26 With Alternative 3, I'm not seeing much of a difference between
27 Alternative 2 and Alternative 3, other than we're going to
28 mandate that they have the tools onboard, but it doesn't get at,
29 I think, your main issue with the purpose and need, which is a
30 quantifiable reduction in release mortality, because we won't
31 know how many people are using it, and we won't know whether or
32 not they're properly using it.

33
34 We're just telling people that they have to have it onboard,
35 which, to me, can be accomplished in the same way with a policy
36 at this stage. We're not mandating their use, and so that's the
37 flaw that I see with Alternative 3, is we're going to put a
38 regulatory burden and have people go out and have to purchase
39 more gear and, ultimately, not necessarily get that quantifiable
40 benefit, because they may or may not use it.

41
42 **CHAIRMAN STUNZ:** Dr. Frazer.

43
44 **DR. TOM FRAZER:** To Andy's point, and Dale's as well, I think
45 the goal, a goal, is to reduce the dead discards, but if you can
46 do that in a way that is quantifiable, you're actually going to
47 increase the number of fish that are going to be accessed, and
48 so it's certainly -- If you go down the path of Alternative 3,

1 it's a regulation, again, and we don't want more regulation,
2 necessarily, but the result of this regulation is access to
3 fish, and so maybe there's kind of an economic analysis that
4 might help us make this decision.

5
6 **CHAIRMAN STUNZ:** I think it just puts a little more teeth in it,
7 and I hear what you're saying, Andy, but, anyway. Mara.

8
9 **MS. MARA LEVY:** I apologize if I missed this while I was out of
10 the room, but did anyone talk about what "vessels" means in
11 Alternative 3, meaning are you talking any vessel with reef fish
12 onboard, permitted or not permitted, private recreational, or is
13 it supposed to be limited in some way? I just wanted to make
14 sure that was clear.

15
16 **CHAIRMAN STUNZ:** Steven.

17
18 **MR. ATRAN:** As written, it would apply to any vessel that has
19 reef fish onboard. If you think it's important, I suppose we
20 could add some options to say that this would apply to either
21 private recreational vessels, charter vessels, or commercial
22 vessels, but, as it's written right now, it would apply to all
23 vessels.

24
25 **CHAIRMAN STUNZ:** We had just a brief discussion about this the
26 last time, and we went through it pretty fast, but I think the
27 understanding of the committee was that it applied to all
28 vessels.

29
30 **MS. LEVY:** Okay. I just wanted to make sure that that was
31 clear, because then we're just talking about anybody who is on -
32 - I just wanted to make sure that it was clear that it included
33 all private recreational as well, but I don't think you need to
34 add options if you don't want to consider options.

35
36 **CHAIRMAN STUNZ:** Mr. Swindell.

37
38 **MR. ED SWINDELL:** The only thing with all vessels is it would
39 also apply then to shrimp vessels, would it not, that may have a
40 reef fish come up in their trawl.

41
42 **CHAIRMAN STUNZ:** I am not sure how that would apply. I guess we
43 would have to get clarification on that, and maybe staff could
44 look at that for the next meeting. Obviously, I think the
45 intent is those that are actively fishing for reef fish.

46
47 We have a motion on the floor that we need to take care of. Is
48 there any other last-minute comments regarding the discussion on

1 the motion? I don't have a feel for around the room, and so I
2 guess we'll just ask for a show of hands. **Those in favor of the**
3 **motion, please raise your hand.**
4
5 **EXECUTIVE DIRECTOR GREGORY:** Three.
6
7 **CHAIRMAN STUNZ:** Those opposed to the motion.
8
9 **EXECUTIVE DIRECTOR GREGORY:** Three. **The motion fails three to**
10 **three.**
11
12 **CHAIRMAN STUNZ:** All right. Steven, does that give you any
13 direction, or do we need to have a little more discussion on
14 this?
15
16 **MR. ATRAN:** Do you want staff to still develop this into a full
17 framework action with no preferred alternatives or, if you're
18 pretty sure you would want to adopt one of the other
19 alternatives, then we could just work on what we need to do for
20 that particular alternative.
21
22 **CHAIRMAN STUNZ:** I don't want to answer on behalf of the
23 committee, but, Ms. Bosarge, you had your hand up. Did you --
24
25 **MS. BOSARGE:** No, but I was just going to make sure that we gave
26 some direction to staff, so we didn't leave it in limbo again.
27 It would have been my preference to go with what was on the
28 board, but I'm not on your committee, but I may bring that up at
29 Full Council.
30
31 **CHAIRMAN STUNZ:** Well, we can revisit this at Full Council. My
32 preference -- I voted for the motion, but the other half of the
33 committee didn't feel the same, and so we're kind of split here,
34 and so I'm not real sure how to move that forward, unless maybe
35 perhaps someone wants to make a suggestion. Andy.
36
37 **MR. STRELCHECK:** I will go ahead and make a motion, and I would
38 recommend that the committee or council stop working on this
39 amendment and develop a policy recommending vessels fishing for
40 reef fish possess either descending devices or venting tools.
41
42 **CHAIRMAN STUNZ:** While they're typing that motion up, and it's a
43 rather long one, is there a second to the motion? I will let
44 her finish typing that up, since I'm not seeing a second on the
45 motion. Mr. Banks seconds the motions. We will wait for a
46 second for her to -- Is that your motion, Andy?
47
48 **MR. STRELCHECK:** Yes.

1
2 **CHAIRMAN STUNZ:** Okay. Any discussion on the motion? Mr. Diaz.
3
4 **MR. DIAZ:** I guess this is a question for Andy. Would you
5 consider modifying your motion and include the development of an
6 outreach program in addition to your recommendation?
7
8 **MR. STRELCHECK:** I would accept that as a friendly amendment.
9
10 **CHAIRMAN STUNZ:** Is that it, Dale? Andy, you're good with that?
11 It seems so. Andy, could you maybe clarify to the committee --
12 I am not real clear on this, and so we have one alternative that
13 is requiring versus a policy, and what exactly is -- What does a
14 policy mean, versus if we have a real regulatory requirement?
15
16 **MR. STRELCHECK:** The main difference I was seeing between
17 Alternatives 2 and 3 is Alternative 3 mandated anglers go out
18 and purchase descending devices and venting tools and have them
19 onboard their boat. A policy would certainly encourage that,
20 but there wouldn't be any legal mandate that would require them
21 to have those devices onboard their boats, and so, to the extent
22 the council can develop a policy and outreach program that
23 promotes their use and explains why it's important and
24 ultimately builds capacity interest by anglers to use those
25 devices more regularly, then that would be what it would
26 accomplish, versus a regulatory requirement, which physically
27 mandates them to have that onboard their vessels.
28
29 **CHAIRMAN STUNZ:** The key word, I guess, is "encouragement", and
30 so, to me, that sort of adds an unknown into the science side of
31 this equation a little bit, in terms of when you start really
32 looking at reduction in mortality and that sort of thing.
33
34 **MR. STRELCHECK:** Right, but keep in mind that Alternative 3 just
35 says that you're required to have them onboard your boat, and it
36 doesn't say anything about using them.
37
38 **CHAIRMAN STUNZ:** Right. Mr. Banks.
39
40 **MR. PATRICK BANKS:** I would agree with the concerns that Andy
41 brought up, but my question here is just trying to understand
42 the difference between just simply choosing Alternative 2 and 4
43 as the preferred, instead of the way you voiced your motion. It
44 seems like, to me, that it's effectively the same thing, and is
45 that right?
46
47 **MR. STRELCHECK:** Based on the conversation earlier, we don't
48 view that Alternative 2 and 4 would require an amendment, and so

1 we wouldn't have to develop an amendment at this point. We
2 could dismiss with this amendment and do those independent of an
3 amendment process.

4

5 **MR. BANKS:** Okay.

6

7 **CHAIRMAN STUNZ:** Other discussion on this motion? Seeing none,
8 we have a motion on the -- Leann.

9

10 **MS. BOSARGE:** No, but I was just going to say that I was going
11 to reach out to some of the people in the audience to please, if
12 you have a preference which way we go on this, let us know
13 during public comment, because this is something that was
14 brought to us by the private angling community as something that
15 they did want to try and implement in the fishery, and I want to
16 make sure that, if you have any feedback on whether you want
17 this to be a policy or a regulation, please tell us that during
18 our public comment session and help us know which way you would
19 like to see it as well.

20

21 **CHAIRMAN STUNZ:** That's a good point, because we're obviously
22 split on this situation, and so the motion on the floor is to
23 recommend staff to stop working on the framework action to
24 require either descending devices or venting tools onboard
25 vessels possessing reef fish and instead develop a policy
26 statement and include the development of an outreach program.
27 **All those in favor of the motion, please raise your hand.**

28

29 **EXECUTIVE DIRECTOR GREGORY:** Four.

30

31 **CHAIRMAN STUNZ:** All those not in favor of the motion.

32

33 **EXECUTIVE DIRECTOR GREGORY:** Three. The motion passes four to
34 three.

35

36 **CHAIRMAN STUNZ:** All right, Steven. Is there any other
37 discussion or points we need to make regarding this amendment?

38

39 **MR. ATRAN:** No, and I think it's clear that, instead of
40 developing the framework action, assuming this is also approved
41 at Full Council, we will work on developing that policy
42 statement and an outreach program.

43

44 One thing I would like to say is we need to make sure how we get
45 that policy statement out to the fishermen. I remember, many
46 years ago, before we required the use of circle hooks, we had
47 adopted a policy that reef fish fishermen should use circle
48 hooks, and, aside from a brief mention in our newsletter, that

1 never got out to anyone, and so I think, if we're going to adopt
2 a policy statement, we need to make sure that we advertise it to
3 make sure that it gets out to the fishermen.

4
5 **CHAIRMAN STUNZ:** That is exactly my concern as well, and so, if
6 that takes care of Item Number V, we are moving on to Item
7 Number VI, and that is the Discussion on Dead Zone Regarding
8 RESTORE Activities. Mr. Constant was going to present that, but
9 he's not here today, due to some other obligations, and Leann
10 has offered to give a summary of that. Leann.

11
12 **DISCUSSION ON DEAD ZONE REGARDING RESTORE ACT ACTIVITIES**
13

14 **MS. BOSARGE:** Well, essentially, all I'm going to do is tell you
15 that we're going to punt it to the next meeting, but I will just
16 give you a brief synopsis. You remember that I brought up, in
17 Other Business at our last meeting, the dead zone article that I
18 had read in the newspaper talking about how this year was going
19 to be the largest on record for the dead zone in the Gulf.

20
21 I was asking Mr. Constant about the BP RESTORE Act monies and
22 was any of this being focused and driven towards possibly
23 addressing, or at least minimizing, the dead zone, to some
24 extent, and, to me, that's a great way to restore fisheries.

25
26 He was very sweet, and he followed up after that meeting, and we
27 set up a conference call to kind of educate staff, and he
28 invited myself as well to be on the call, to let us know what
29 activities had taken place in the past, as far as mitigating
30 some of the agricultural runoff into the Mississippi River, and,
31 if the council wanted to send a letter to the RESTORE Act
32 people, whoever those people may be, who we would direct that to
33 and maybe what we would want to ask for, to make sure that we
34 get the most bang for our buck there.

35
36 Anyway, because of Hurricane Irma and Harvey, his staff is kind
37 of pulled in a multitude of directions right now, and he wasn't
38 able to come to this meeting, but he is actually going to give
39 us a presentation on that summary and what we can do in the
40 future, if we want to try and aim some of those funds towards
41 the dead zone and what we maybe can do as a council to say, hey,
42 this is important to us, and so he will be coming back in
43 January and giving us that presentation. I just wanted to let
44 you all know that he did follow up and it is still on the
45 agenda.

46
47 **CHAIRMAN STUNZ:** Thank you, Madam Chair. Anything else
48 regarding the dead zone discussion? Seeing none, up next on the

1 agenda is a presentation regarding some lionfish gear
2 modification, and the presentation by Mr. Bruce McCormack.
3 There is a letter that describes this, which is Tab E-7(a), and
4 the presentation will be Tab E-7(b).

5
6 **PROPOSED LIONFISH GEAR AND MODIFICATION TO THE LIST OF ALLOWABLE**
7 **GEARS**

8
9 **MR. ATRAN:** Mr. Chairman, also, there is a third document that I
10 included, which is an extract of the Federal Register notice on
11 authorized fisheries and gear, and it just contains the relevant
12 section of that that talks about if somebody wishes to use a
13 gear that's not on that list. Then they have ninety days to
14 inform of their intent to use, and the council doesn't need to
15 do anything if they want to allow it. It will automatically
16 become a useable gear. If the council decides they don't want
17 to allow it, then they would have to request either an interim
18 or an emergency rule to prohibit its use.

19
20 I also included the current list of allowable gears in
21 authorized fisheries. It's in that Federal Register notice.
22 That notice was last updated in 1999, and that list is a little
23 bit out of date, but that's where all of this protocol came
24 from.

25
26 **CHAIRMAN STUNZ:** Thank you, Steven. Mr. McCormack, whenever
27 you're ready.

28
29 **MR. BRUCE MCCORMACK:** My name is Bruce McCormack, and we were
30 invited by the State of Florida to talk about how we can help
31 mitigate the lionfish problems. I have a company called Gulf
32 Unmanned Systems Center, and we develop unmanned gear, from
33 aerial systems to marine systems, or underwater systems, and so
34 it was easy for us to come up with a solution, I believe, to be
35 able to help mitigate these problems by using a remotely-
36 operated vehicle.

37
38 A remotely-operated vehicle was designed by us and built by a
39 different company, and then we also developed a boat using
40 Stamas Boat Works in Tarpon Springs, Florida, and so it's kind
41 of a system-of-systems approach to make this work to go out and
42 basically harvest lionfish, and we're doing this because, after
43 we studied the problem, and the lionfish are good to eat, and we
44 decided, well, we'll just harvest the fish and send them to
45 market, where they should be, on somebody's table.

46
47 That's what we're doing here. We're not doing this because
48 we're just getting rid of a fish, but we're making a -- I think,

1 if I'm using the proper terminology, we're developing a fishery
2 along with what we're doing. This presentation is built around
3 the Magnuson-Stevens Act of how you have to promote your gear to
4 NOAA and you all.

5
6 The description of the gear is a harvesting vessel. It's a
7 forty-foot harvesting vessel designed specifically for handling
8 the ROV and the launch and recovery system. The ROV is a small
9 ROV that has an umbilical, a control station, cameras, and we
10 have a very sophisticated acoustic sonar, a slurper system, and
11 a corral, which holds the fish after we actually slurp them.
12 Then we have to recover or launch the system, and so we have a
13 special system for that as well.

14
15 The boat, as you can see, the harvesting vessel, is just a
16 forty-foot off-the-shelf boat that we're modifying for the
17 commercial use. The unique part of it, I believe, is the
18 dynamic positioning system, because, as we're fighting these
19 fish and harvesting these fish, we do it with what we call live
20 boating, and so we're following the ROV. We could be out on a
21 reef, say in 150 feet of water, with the umbilical out, and
22 that's how we follow it and make this thing work.

23
24 It's pretty interesting. We started our proof of concept on
25 September 18 with that boat and with our ROV and with all of
26 that gear, and it's been working out very well. We had little
27 issues at the beginning, because of, after Irma, the water was
28 pretty bad. We're operating anywhere from that hundred foot out
29 to about 150 foot right now, just with the proof of concept.

30
31 Our software, of course, you're always making your software
32 work, and so we're always catching up on that, and so, like I
33 said, this is proof of concept testing, but it's all in
34 waterproof concept.

35
36 This is our ROV. The ROV is actually built by Deep Ocean
37 Engineering. They've been in this business since 1982, and
38 that's exactly what it looks like. That thing protruding out
39 from the forward section of the ROV is our slurper. That is
40 actually six inches in diameter. It doesn't look like six
41 inches, but it's a six-inch piece of PVC with another thruster
42 that creates a Venturi effect that sucks the fish, the lionfish,
43 through that slurper into the corral.

44
45 You can see the parts of the harvesting gear. Inside that van
46 is the umbilical. We carry about 300 meters, because we can
47 fish down to 1,000 feet. The control station, as you can see,
48 it's flat-screen monitors, and the operator is looking at these

1 things and controlling the slurper by a foot pedal. Our camera
2 and our acoustics are high-definition cameras with lighting, and
3 it's a very sophisticated sonar.

4
5 This picture is depicting the aft-end, the backend, of the ROV,
6 and, as you can see, there is a white circle in there, and that
7 is the aft-end of the slurper, and that deposits the fish into
8 that corral. That corral will only hold about seventy-five
9 pounds of lionfish right now. When we're in production, it will
10 hold about 400. That's what our goal is.

11
12 We have a davit that mounts on the boat. It's basically a yacht
13 davit that picks up small boats off of yachts, and it's
14 lightweight, and we can reach all around the boat on it, and so,
15 anyway, all off-the-shelf stuff.

16
17 The fishery, we have no directed fishery in the Gulf of Mexico
18 right now, and so the landings are, as you well know, they're
19 either by spear fishermen, or some are caught by hook-and-line,
20 and I think they must be trying to commit suicide, and then, of
21 course, there is some caught by trawlers, but we intend to
22 harvest the lionfish using the ROV approach and then taking
23 those fish to market.

24
25 We have actually even changed the way that we're working the
26 market approach, and, if anybody would like to talk to me about
27 that, I would be glad to answer questions after this
28 presentation.

29
30 The season in which we want to harvest the fish is twelve months
31 a year. We would like to be able to fish, and we think that we
32 can fish 200 days a year per boat, and there is always the
33 weather problems, and there is always problems beyond our
34 control with boats and people. We would begin operations with
35 one vessel, which we have right now, and we're getting ready to
36 start number two, and the projection is to increase the number
37 of vessels to ten within five years. This is all for the Gulf
38 of Mexico right now. We intend to look at different areas, but
39 the Gulf of Mexico is what we're focusing on at this time.

40
41 This picture, this Slide 11, is a bad slide. It does show the
42 east coast, but it's intended just to show the Gulf of Mexico,
43 the entire Gulf of Mexico. Those dots are nothing more than
44 artificial reefs and known areas that people are fishing right
45 now.

46
47 The anticipated bycatch species associated with the gear, we
48 designed this gear to only catch lionfish. This lionfish, we

1 know that that lionfish is going to weigh somewhere between six
2 to eight ounces to a pound-and-a-half. A big one is two pounds,
3 and so we designed our corral with inch-and-a-half mesh, so if
4 we do catch anything less than an inch-and-a-half, it will be
5 able to escape, and so that's what we want to be able to do. We
6 have kept a lot of this in mind.

7
8 The operator identifies the fish on the flat-screen TVs, and he
9 is sitting right next to the boat captain, and then he actuates
10 a foot pedal to engage the slurping device, which sucks the fish
11 into the six-inch pipe, which puts it into the corral.

12
13 We do this with strict operational procedures, and we're working
14 on the operational procedures right now, whether they're
15 operational of how we handle the boat, how the operator and the
16 captain communicate, and the third is operator in training, and
17 we use hand signals, and we talk, and we come from a military
18 background, and so we function like a military, whether it's
19 standard operational procedures, emergency procedures, clothing
20 that we wear.

21
22 Everything is rote, and so we do everything by the book, and
23 this is real important, because you can get hurt doing this, if
24 you get stung, and you lose a day of operation, and so the gear
25 that you wear, the handling, the communication, it's all very
26 important to us.

27
28 I think I know what I'm talking about. I grew up in a
29 commercial fishing business on Clearwater Beach, Florida. We
30 did this for many, many years before I went into the Navy, and
31 so this is real important to me, just because we're taking care
32 of the Gulf of Mexico and our natural resources.

33
34 How the gear will be deployed and fished, I hope you all can
35 read that. Anyway, the harvesting vessel and the ROV are
36 designed to work together, and so it's a team. It's a team
37 effort between the vessel, the ROV, and the operators, the
38 captain and the ROV operator. They sit next to each other on
39 the bridge.

40
41 They identify the fish, and they slurp the fish into the corral,
42 and the third operator is basically manning the umbilical and
43 also keeping a close watch on the horizon and other areas, as
44 that third set of eyes for the crew. If we have dolphins in the
45 area, we want to recover our umbilical. If we have any turtles
46 or those types of things, we're very sensitive to those issues,
47 and so we can recover gear and then put the gear back out.

48

1 I don't have my laptop with me, because it crashed last night,
2 and so, anyway, I am trying to do this with old eyes. Anyway,
3 LFI is dedicated to harvesting lionfish, an invasive species
4 that is not recognized as a fishery. LFI has dedicated private
5 investment dollars for the design and engineering of a system-
6 of-systems approach to the harvest and monitoring of the
7 lionfish to help insure keeping your natural populations of
8 fish, shrimp, spiny lobster and underwater habitat that lionfish
9 prey on. In addition, we will help you help rid our waters and
10 put these invasive fish in restaurants, grocery stores and on
11 dining room tables.

12
13 We are doing this right now. We haven't done it with a
14 lionfish, but we're doing all of the background proof of concept
15 work on -- Actually, we stopped yesterday on that. Next week,
16 actually next Thursday, we start harvesting lionfish. Do you
17 all have any questions?

18
19 **CHAIRMAN STUNZ:** Are there questions for Mr. McCormack? Dr.
20 Frazer.

21
22 **DR. FRAZER:** I really enjoyed the presentation.

23
24 **MR. MCCORMACK:** Thank you.

25
26 **DR. FRAZER:** That intake pipe is six inches in diameter, right?
27 I gave a presentation, I think at the last meeting, a little bit
28 about how groupers learn how to manipulate lionfish, so that,
29 when they consume them, they're essentially consuming them from
30 the head first and those fins fold down.

31
32 When you start to get bigger lionfish, if you don't orient that
33 ROV right and you just slurp them from the side or from the back
34 or something like that, one of the things they're going to do is
35 extend those pectoral fins and the dorsal fins as well and those
36 spines, and I'm not sure that they're going to fit in your tube.

37
38 **MR. MCCORMACK:** Actually, we were thinking about that, and,
39 actually, this week, we came up with a lot of the what-ifs, and
40 that was one of them, and so what we're doing is we have five
41 thrusters on the ROV. Four of them are horizontal, and one is
42 vertical, and so what we're going to do with our four horizontal
43 is we're going to extend them out more, and that gives us room
44 for a larger piece of PVC, and so we're going to go through this
45 next process for the next ten days and see if we do run into
46 that problem.

47
48 People tell us that the fish are larger in that 200 to 300 feet

1 of water, and so we want to be ready for that, and so we can
2 make these adjustments by changing brackets and be able to do
3 that, and so we're trying to outthink these problems that may
4 occur and come up with the remedy.

5
6 **CHAIRMAN STUNZ:** Dr. Shipp.

7
8 **DR. BOB SHIPP:** Thank you, Mr. McCormack. Does your business
9 model include the actual cleaning and marketing of lionfish, or
10 is it just the capture?

11
12 **MR. MCCORMACK:** Actually, everybody that we're talking to about
13 distribution -- We're not talking to -- We changed it a little
14 bit, the paradigm in the selling of fish. We are selling to
15 larger wholesalers and restaurants that have multiple stores all
16 over the United States, and so we're selling them in the round,
17 and so we're not taking the fins off, and we're not gutting
18 them. That's the way they want them.

19
20 One of the other things that we've had to do is that I have a --
21 Our Gulf Unmanned Systems Center is located in Carrabelle,
22 Florida, because of the vastness of the areas that we use for
23 testing grounds up there. Here, we looked at the Lee County
24 area on the Gulf Coast, the Fort Myers area, but we've really
25 settled on the Johns Pass area, because in order -- There is a
26 huge amount of the big fish companies that are distributing to
27 say Whole Foods, and they're located in Orlando, and so we have
28 to be close to the interstate system and aerial. Tampa Bay is
29 really our best area to be able to do this here on this part of
30 the Gulf of Mexico. I don't know if that answered your
31 question.

32
33 **CHAIRMAN STUNZ:** Steven.

34
35 **MR. ATRAN:** How close do you have to get to the lionfish to be
36 able to capture it, and what kind of a catch rate are you
37 looking at?

38
39 **MR. MCCORMACK:** Well, I want to be -- We speculate, and we know
40 that we can take a fish the size of the lionfish, and we've
41 bought a bunch of lionfish and used them as -- Anyway, we can
42 pull one in -- This thing is so powerful that it can pull one in
43 from about eighteen inches away, about a 0.8-pound lionfish, and
44 so it has a lot of slurping power.

45
46 What we would like to be able to do is we would like to be able
47 to harvest 1,000 pounds of lionfish a day, every eight hours,
48 and so that's you have to fill that corral up and bring it to

1 the surface. The mechanism opens at the bottom, and it goes
2 into the chilling box, and then you get it back down into the
3 water column.

4

5 **CHAIRMAN STUNZ:** Mr. Diaz.

6

7 **MR. DIAZ:** You touched on bycatch just a little bit. Have you
8 done any studies -- I mean, what type of bycatch are you
9 generally catching and how much of it? I know you've got the
10 one-and-a-half-inch squares for the smaller stuff to escape, but
11 what about things that are bigger? Can you talk about that a
12 little bit more?

13

14 **MR. MCCORMACK:** I think that our camera -- Actually, we were
15 fishing or actually testing in about 125-foot of water last
16 Thursday, and we were able to -- We were working up on top of
17 this wreck, and I don't know if you're familiar with the
18 Sunshine Skyway. It spans Tampa Bay, but we're working on some
19 old bridge spans there.

20

21 It was full of fish, but we could go up to a fish, and this
22 thing is not slurping all the time either. It's not sucking all
23 the time. You have to activate it. Actually, if you've ever
24 used a welder, like an electric welder, you have to hit a foot
25 pedal, and that's how that works.

26

27 We identify the fish through our HD camera and through the
28 sonar, and so we have a perfect identification of the fish, and
29 we know exactly where that slurper nozzle is, that six-inch
30 aperture, and so we won't catch something else that will come up
31 to it. Now, if we catch a -- Let me put it this way. We're not
32 going to catch a grouper or a snapper, because they're going to
33 be right there in front of us, and we will know that we can't
34 catch that fish.

35

36 If we catch some bait fish, that's why we designed that corral
37 with a one-and-a-half-inch mesh, and there may be some smaller
38 fish that we're trying not to catch, and so we're doing our best
39 to only catch lionfish, because it kind of goes against the
40 principles of why you're catching lionfish, is we want to
41 protect our habitat and put something out there, and we don't
42 want to have a lot of bycatch in the back of the boat. That's
43 been going on for eons and eons and eons, and so we're designing
44 it and working it, and we have operational procedures to guard
45 against that. We've given it a lot of thought, and a lot of
46 work.

47

48 **CHAIRMAN STUNZ:** Are there other questions? Mr. Swindell.

1
2 **MR. SWINDELL:** Mr. McCormack, you're going to be pulling in
3 quite a volume of water in order to get that fish -- If you're
4 going to pull it from eighteen inches away, you're going to have
5 to suck a lot of water into this unit. Where is this water
6 discharged to?
7
8 **MR. MCCORMACK:** It goes right back out into the Gulf of Mexico.
9
10 **MR. SWINDELL:** But does it go back out forward of the unit or
11 behind the unit?
12
13 **MR. MCCORMACK:** Behind.
14
15 **MR. SWINDELL:** Are you going to be working in coral reef areas?
16
17 **MR. MCCORMACK:** Yes, if we have permission to work in coral reef
18 areas. Right now, we're working on basically the hard bottom
19 areas and not coral, because of where we're located, but
20 hopefully we will be working on the coral reef areas.
21
22 **MR. SWINDELL:** Then I would encourage you to be very cautious,
23 because that kind of suction power is going to draw fan coral
24 and stuff like this, and you could damage some of the corals,
25 and so --
26
27 **MR. MCCORMACK:** Yes, sir, and we will be very cautious of that.
28 That's part of our testing right now.
29
30 **MR. SWINDELL:** That's part of the bycatch. Thank you.
31
32 **MR. MCCORMACK:** Yes, sir. Thank you.
33
34 **CHAIRMAN STUNZ:** Mr. Strelcheck.
35
36 **MR. STRELCHECK:** Thank you, Bruce, for being here, and thank you
37 for making yourself available last week to have NOAA staff see
38 the equipment. You made a comment during your presentation
39 about I guess the hold that you would have is around seventy-
40 five pounds currently, but your goal would be to expand it out
41 to about 400 pounds of lionfish, and so you have some design
42 modifications in mind, and I'm just curious to hear more about
43 that.
44
45 **MR. MCCORMACK:** Well, we have to take our baby steps, and we
46 have to make sure everything is working, working properly, and
47 holding that fifty to seventy-five pounds of lionfish. It's one
48 thing about holding them, and then it's a matter of getting them

1 back aboard and how the gear holds up, and so those are the
2 design criteria that we're going through right now as we keep
3 growing.

4
5 I think, the way the frame is built on the ROV, it's that we're
6 limited to 400 pounds at that point, and so the building of the
7 ROV, and I built the -- Actually, what I've really done for most
8 of my life, after I got out of the Navy, is I built what they
9 call SEAL delivery vehicles, which are small combat
10 submersibles, and so we understand the dynamics of building
11 things for underwater use, and so this is what we're taking into
12 consideration. Like I said, once again, we don't want to damage
13 anything that we're trying to protect to begin with.

14
15 **CHAIRMAN STUNZ:** All right. Any other questions for Mr.
16 McCormack? Mr. McCormack, I have one, if no one else does.
17 One, I am kind of envisioning that the marketing might be
18 selling this to someone in Wisconsin in their basement that gets
19 to drive it and suck up all the lionfish for a fee or something,
20 as a video game, but, anyway, that's not my question. My
21 question is, is this -- You don't have to reveal some
22 proprietary secret or something, but is this just your business,
23 or are you planning to upscale these to sell to people?

24
25 I guess what I'm wondering is ROVs aren't cheap, and lionfish
26 bring a pretty good price, but I don't know if that price -- I
27 am just wondering if you're envisioning a situation where you
28 have a lot of these ROV operators around, or is this just your
29 group doing this?

30
31 **MR. MCCORMACK:** Right now, it -- Actually, that's an excellent
32 question, because my crew -- We talk about this all the time.
33 It's a business, and so how do you do this? I envision Lionfish
34 International to grow to ten vehicles for this part of the Gulf
35 of Mexico, what I'm going to say is the eastern side of the Gulf
36 of Mexico, pretty quickly. I say five years, but I think it
37 will probably happen quicker than that.

38
39 We also have Mississippi and Alabama and Texas and Louisiana to
40 work on. People in Mexico have already been talking to us about
41 using them in the Anegada Reef already, and also in Costa Rica
42 and Nicaragua, where they are really hurting for protein, is
43 what it amounts to, and they've got lots of lionfish.

44
45 Do we want to do that? I am not sure. I mean, we haven't made
46 a determination on that. I personally would like to keep it
47 under our wraps for the conceivable future, just so it doesn't
48 get out of hand, and we have to go out there and make -- You're

1 going to go out there and make design changes, and you're going
2 to go out there and do -- There's got to be a different way to
3 do it maybe let's say in Cuba than you're doing it in Anegada
4 Reef in Mexico or off of Tampa Bay.

5
6 We want to be -- We would like to be in control of making this
7 thing really perfect. If it goes out to a lot of different
8 people, and people are going to -- I mean, if this is
9 successful, and I'm not fooling myself. Everybody is going to
10 want -- People are just going to go out there and figure out how
11 to build one or buy one. It isn't rocket science, but it's a
12 way to get rid of an invasive species that we don't want, but
13 without harming the environments that we're going after them
14 for.

15
16 **CHAIRMAN STUNZ:** Thank you, Mr. McCormack. Any other questions?
17 Captain Greene.

18
19 **MR. GREENE:** Just a comment. Thank you for your presentation.
20 I didn't hear anything about working with the Coast Guard. Have
21 you spoke with them? Certainly, when you're operating under a
22 dynamic positioning sensor with an umbilical and an ROV over the
23 side, then you're limited in your ability to move as well, and
24 so you're operating under restricted maneuverability.

25
26 There is also some commercial fishing regulations for the vessel
27 that will be required, and I don't know to what degree.
28 However, I would encourage you to reach out to your local Coast
29 Guard Marine Safety office and ask them any questions that may
30 be pertinent with this.

31
32 **MR. MCCORMACK:** Actually, I have, yes, sir, but our dynamic
33 positioning is pretty -- We're using a bow thruster, and we're
34 using our engines, that have GPS attached to the engines, and so
35 the captain of the vessel is operating the vessel at all times,
36 and he can take that thing out of dynamic positioning
37 immediately and then go to manual. That isn't a major problem,
38 I don't think.

39
40 From the Coast Guard point of view, we have a person up in the
41 Commandant's office that's been working with us and who happens
42 to be a -- He came up from a local fishing family, and he
43 thought this was a great thing, and he actually works for the
44 Commandant of the Coast Guard, and they have discussed it,
45 because we have worked with the Coast Guard with some other
46 issues with unmanned systems as well.

47
48 **CHAIRMAN STUNZ:** Okay. Thank you, Mr. McCormack. That was an

1 interesting presentation, and so we have some decisions to make,
2 and I need to look at my notes real quick, or maybe, Steven, you
3 can tell us. If we don't approve this method of fishing, we
4 need to take some action. If we are fine with that, then we
5 don't really need to do anything, and is that correct, my
6 understanding?

7
8 **MR. ATRAN:** That is correct. If you don't wish to allow this,
9 you would need to request either an interim rule or an emergency
10 action, I presume to be followed up by some permanent action to
11 not allow it. If you do want to let this device be used, we
12 don't have to do anything.

13
14 **CHAIRMAN STUNZ:** Then my next question would be, and then I will
15 let the committee chime in, if we allow this, but let's say,
16 down the line, we see issues or problems with that, is there the
17 ability to come back at that point, or how does that work?

18
19 **MR. ATRAN:** It would be like if you wanted to modify any other
20 gear. It could be done through a framework action, but you
21 would need a framework action and council deliberations and at
22 least one public hearing before taking final action.

23
24 **CHAIRMAN STUNZ:** Okay, committee. You heard the presentation.
25 Chairman Bosarge.

26
27 **MS. BOSARGE:** Just one more question. Did we talk about
28 reporting your landings, because I don't guess there is really a
29 permit that's associated with this, but obviously it's something
30 we would want to probably keep up with, to see where we stand on
31 this as a fishery.

32
33 **MR. MCCORMACK:** Actually, I am glad you brought that up, because
34 we didn't mention it, but the one thing that we're doing all the
35 time is we're recording what we're doing, and so every fish that
36 we take or every fish that we don't take that is in our field of
37 view, we are recording all of that, plus we're recording all the
38 GIS information.

39
40 The different narratives that I have submitted to NOAA or to the
41 council, that information is available, and so, if we give you
42 more information on biomass that you may not have at a
43 geographical location, that's yours, but we are required -- I
44 know that we're required by law in Florida to record everything
45 that we sell to the market, and so, yes, you will be getting a
46 catch report.

47
48 **MS. BOSARGE:** Thank you, sir. Maybe, Andy and Sue, if he's

1 offloading at a federal dealer, somebody that is federally
2 permitted, I don't know if we have any capacity for them to
3 enter lionfish, but maybe we could keep that in mind for the
4 future.

5

6 **CHAIRMAN STUNZ:** Mr. Atran.

7

8 **MR. ATRAN:** One thing in my response that I gave you a moment
9 before, and I might need Mara to chime in. If we wanted to
10 modify this in the future, since we don't have a lionfish
11 management plan, and so, if we wanted to modify a gear that's
12 being used to catch lionfish, I don't know if we would have the
13 authority to do so or not. That might be something for NMFS to
14 chime in on.

15

16 **CHAIRMAN STUNZ:** Any other comments or questions?

17

18 **MS. SUSAN GERHART:** I just want to point out that, if you choose
19 to not prohibit the gear, there will be rulemaking that will go
20 through to put this onto the list of allowable gears, with the
21 proposed rule with comment period as well.

22

23 **CHAIRMAN STUNZ:** All right. Thank you for the clarification.
24 Committee, we need to make a decision. If we're fine with this,
25 there is no action needed. If any members of the committee have
26 an issue, obviously now would be the time to discuss that, and
27 so is there any questions or any comments?

28

29 Seeing none, I am not sure. Maybe I need a little guidance to
30 take no action and just move on in the agenda at this point. I
31 am not seeing anything, and we still can bring it up, I guess,
32 at Full Council, but, not seeing anything, we will take no
33 action on the lionfish gear modifications, and we'll move
34 further into the agenda. Thank you, Mr. McCormack.

35

36 **MR. MCCORMACK:** Thank you, all, for having me. Thank you.

37

38 **CHAIRMAN STUNZ:** That brings us to the Other Business section of
39 the agenda. Is there any other business to bring before this
40 committee? Seeing no other business, Sustainable Fisheries
41 stands adjourned.

42

43 (Whereupon, the meeting adjourned on October 2, 2017.)

44

45

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