GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

260TH MEETING

FULL COUNCIL SESSION

Astor Crowne Plaza New Orleans, Louisiana

AUGUST 17-18, 2016

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Leann Bosarge ........................................... Mississippi
Doug Boyd .................................................. Texas
Roy Crabtree ..................... NMFS, SERO, St. Petersburg, Florida
Pamela Dana ............................................ Florida
Dale Diaz ................................................. Mississippi
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Tom Frazer .............................................. Florida
Johnny Greene ......................................... Alabama
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14 Jim Zurbrick..................................................Steinhatchee, FL
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PAGE 29: Motion in Action 3 to select Alternative 2, Options a and b, as the preferred. The motion carried on page 33.

PAGE 33: Motion in Action 3 to select Alternative 3, Options a and b, as a preferred. The motion carried on page 37.

PAGE 40: Motion in Action 4 to select Alternative 4, Options a and b, as the preferred. The motion carried on page 40.

PAGE 112: Motion to adopt the regional operating agreement with the changes discussed in full council. The motion carried on page 112.

PAGE 112: Motion to change the SOPPs to indicate that members or designees of the Gulf Council cannot simultaneously serve on the SSC. The motion carried on page 113.

PAGE 113: Motion to recommend that the council merge the Habitat and Artificial Reef Committees into a single Habitat Protection and Restoration Committee. The motion carried on page 113.

PAGE 113: Motion to recommend that the council divide the current Sustainable Fisheries and Ecosystem Committee, and form a Sustainable Fisheries Committee and an Ecosystem Committee that contains the subject areas of Marine Reserves, Ad Hoc Restoration, and the current Ecosystem Committee. The motion carried on page 114.

PAGE 115: Motion to add the revised paragraph in Section 2, Page 3 of the Administrative Handbook. Section 2, Page 3 is “The Council seeks to resolve workplace conflicts in a prompt, impartial, confidential, nondiscriminatory, and constructive manner, and without fear of reprisal. Any issues that arise should be brought to the attention of one’s supervisor. If the supervisor is unable to resolve the situation then the supervisor should consult with the Council’s officers (Executive Director, Deputy Executive Director, and Administrative Officer). The final decision regarding personnel issues rests with the Executive Director, after consulting with the Council Chair, Council Vice-Chair, Personnel Committee Chair, and Personnel Committee Vice-Chair to determine a course of action. If deemed necessary, the Council Chair may convene the Personnel Committee to review the issue.” The motion carried on page 115.
PAGE 115: Motion to accept the language as proposed in the Administrative Handbook, 3.0 Compensation Policies, Section 3.4, Merit Awards. The motion carried on page 116.

PAGE 117: Motion to change the word “should” to “shall” or “must” in Section 2, page 3. The motion carried on page 118.

PAGE 121: Motion to set up scoping meetings after the October 2016 council meeting for the recommended coral HAPCs in the following locations: Brownsville, Texas; Galveston, Texas; Palacios, Texas; Houma, Louisiana; the D’Iberville/Biloxi area, Mississippi; Mobile, Alabama; Madeira Beach, Florida; Panama City, Florida; and Key West, Florida. The motion carried on page 121.

PAGE 121: Motion to redraw the boundaries of Viosca Knoll 862/906 with input from Steve Ross, Erik Cordes, and Johnny Nelson. The motion carried on page 123.

PAGE 123: Motion to convene a working group to discuss the Pulley Ridge site made of the following people: Walter Jaap, Sandra Brooke, Rob Ruzicka, Robert Spaeth, Jay Lucas, Scott Daggett, and J.P. Brooker or Joseph Weatherby. The motion carried on page 123.

PAGE 124: Motion to approve and send the letter on the Flower Garden Banks National Marine Sanctuary Expansion Draft Environmental Impact Statement. The motion carried on page 124.

PAGE 126: Motion in Action 1 to accept the IPT-proposed changes to remove Alternatives 2, 3, and 5 and add Alternative X. The motion carried on page 126.

PAGE 127: Motion in Action 2 to accept the IPT-Proposed changes to add Alternative 4 and remove Alternative 2. The motion carried on page 127.

PAGE 127: Motion to take CMP Amendment 29 out to public hearings after the October 2016 council meeting to the following locations: Brownsville, Texas; Galveston, Texas; Port Aransas or Corpus Christi, Texas; Houma, Louisiana; Pascagoula, Mississippi; Mobile, Alabama; Tampa area, Florida; Panama City, Florida; and Key West, Florida. The motion carried on page 131.

PAGE 131: Motion in Action 2.1 to move Alternative 4 to considered but rejected. The motion carried on page 132.

PAGE 132: Motion in Action 2.2 to amend Alternative to 5 to
read: redistribute the shares from each share category to the allocation only account holders with a commercial reef fish permit and landings, but not related to other accounts with shares in that category. The motion carried on page 132.

PAGE 132: Motion in Action 2.2 to move Alternative 6 to considered but rejected. The motion carried on page 132.

PAGE 135: Motion to add another Action to Amendment 36A for a dealer notification of intent to off load requirement. The motion carried on page 141.

PAGE 146: Motion in Action 2 to move Alternative 3 to Considered but Rejected. The motion carried on page 146.

PAGE 147: Motion to move Action 6, Modify the Commercial Fixed Closed Season for Gray Triggerfish, to considered but rejected. The motion carried on page 147.

PAGE 151: Motion in Action 7 to add an alternative to establish a seventy-five-pound whole weight commercial trip limit per vessel for gray triggerfish. The motion carried on page 155.

PAGE 156: Motion to move Action 13.1, Distribution of Quota Increases, to the considered but rejected section. The motion carried on page 156.

PAGE 168: Motion in Action 1 to move Alternative 3 to Considered but Rejected. The motion carried on page 170.

PAGE 170: Motion in Action 1 to move Alternative 4 to considered but rejected. The motion failed on page 173.

PAGE 173: Motion in Action 1, Alternative 4, to add options to calculate annual allocation every three years and every five years. Option 4a is every three years and Option 4b is every five years. The motion carried on page 174.

PAGE 175: Motion in Action 2 to move Alternative 2, Option 2b, to considered but rejected. The motion carried on page 175.

PAGE 175: Motion in Action 3 to move Alternative 2, which is to distribute quota equally among charter permit holders, to considered but rejected. The motion carried on page 175.

PAGE 176: Motion in Action 3 to move Alternative 3, which is to distribute quota based on passenger capacity of charter vessels, to considered but rejected. The motion carried on page 176.
Motion to instruct staff to add an action in Amendment 41, similar to Amendment 42, that includes the addition of the following species: gray triggerfish, greater amberjack, red grouper, and gag grouper. The motion failed on page 185.

Motion to combine the regions of Alabama and Mississippi in Table 1.1.1. for the purpose of quota distribution based on geographic regions. The motion carried on page 188.

Motion to recommend that NMFS approve the exempted fishing permit request submitted by the Florida Keys Commercial Fisherman’s Association titled “Cooperative Lionfish Containment Device Testing Program in the Southeastern United States”. The motion carried on page 208.

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The Full Council of the Gulf of Mexico Fishery Management Council convened at the Astor Crowne Plaza, New Orleans, Louisiana, Wednesday morning, August 17, 2016, and was called by Chairman Kevin Anson.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN KEVIN ANSON: I will call to order the full council session. Welcome to the 260th meeting of the Gulf Council. My name is Kevin Anson, Chairman of the Council. If you have a cell phone, pager, or similar device, we ask that you keep them on silent or vibrating mode during the meeting.

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 and with experience in various aspects of fisheries.

The membership also includes 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 should sign in at the iPad registration station located near the back of the room. We accept only one registration per person. A digital recording is used for the public record. Therefore, for the purpose of voice identification, each member is requested to identify him or herself, starting on my left.

MS. LEANN BOSARGE: Leann Bosarge, Mississippi.

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

MR. JOHNNY GREENE: Johnny Greene, Alabama.
MR. DAVID WALKER: David Walker, Alabama.

MR. ED SWINDELL: Ed Swindell, Louisiana.

MR. PATRICK BANKS: Patrick Banks, Louisiana.

MR. MYRON FISCHER: Myron Fischer, Louisiana.

MR. CAMPO MATENS: Camp Matens, Louisiana.

DR. TOM FRAZER: Tom Frazer, Florida.

MR. JOHN SANCHEZ: John Sanchez, Florida.

DR. PAMELA DANA: Pam Dana, Florida.

MS. MARTHA GUYAS: Martha Guyas, Florida.

MR. CHESTER BREWER: Chester Brewer, South Atlantic Fishery Management Council liaison.

MS. MARA LEVY: Mara Levy, NOAA Office of General Counsel.

DR. ROY CRABTREE: Roy Crabtree, NOAA Fisheries.

MS. SUSAN GERHART: Susan Gerhart, NOAA Fisheries.

DR. BONNIE PONWITH: Bonnie Ponwith, NOAA Fisheries.

MR. LANCE ROBINSON: Lance Robinson, Texas.

MR. DOUG BOYD: Doug Boyd, Texas.

DR. GREG STUNZ: Greg Stunz, Texas.

DR. KELLY LUCAS: Kelly Lucas, Mississippi.

MR. DALE DIAZ: Dale Diaz, Mississippi.

LCDR LEO DANAHER: Lieutenant Commander Leo Danaher, United States Coast Guard.

EXECUTIVE DIRECTOR DOUG GREGORY: Doug Gregory, council staff.

LAW ENFORCEMENT OFFICER OF THE YEAR AWARD

CHAIRMAN ANSON: Thank you. The first item of our agenda is we
have the Law Enforcement Officer of the Year Award. I just want
to make a couple of comments to that first. This is our
inaugural, our first, Officer of the Year Award. It is similar
to other councils, in regards to recognizing law enforcement
officials, officers, within our region that go above and beyond.

They are there to protect the natural resources that we talk
about here every time we meet, but they are also there to
provide a service, a public safety service, to their respective
communities, and today we have a very large event going on in
our host state, here in Louisiana, with the floods.

The floods are impacting many people, and those people are going
to go through life-changing events, and our Officer of the Year
has been able to break away from his assistance with those
people and those communities to accept this award. With that
said, I would like to recognize Sergeant Nick Guillory. Nick,
if you can come up here to the front of the table.

Again, our criteria is based on recognizing those officers that
go above and beyond, and Nick, last year, assisted people within
Louisiana with the headboat troubles and were in jeopardy, their
lives were in jeopardy and property was in jeopardy, and Nick,
again, exemplifies everything we expect, I guess. It can be
difficult to do, but Nick went above and beyond, and he is the
recipient of the Gulf Council’s first Officer of the Year Award.
Sergeant Nick Guillory, thank you for your service, and thank
you for being here today.

I forget to mention that with the award comes a memento there, a
box, that has his name on it and everything and a short little
statement in there regarding the Officer of the Year Award.
Again, Sergeant Guillory, thank you for coming and thank you for
your service. Go ahead, Myron.

MR. FISCHER: Thank you, Mr. Chairman. While Nick is still
here, because I know he has to run, he would have loved to have
the Colonel here to witness this. He would have loved to have
his fellow officers and staff with him.

It’s a struggle that’s taking place right now, and this is the
kind of that Nick solves. He gets involved. He doesn’t only
enforce the regulations we create, but he truly works for the
people. Thank you.

CHAIRMAN ANSON: Thank you, Myron. That will take us to our
next item, which is Induction Council Members and Dr. Crabtree.
INDUCTION OF COUNCIL MEMBERS

(Whereupon, new and reappointed council members were inducted.)

CHAIRMAN ANSON: That takes us to the third item on the full council agenda, and that’s Adoption of the Agenda. Is there anyone that would like to make any changes to the agenda? Dr. Crabtree.

ADOPTION OF AGENDA AND APPROVAL OF MINUTES

DR. CRABTREE: I have one item to add to Other Business. I would like to give you a brief update on the aquaculture amendment and things going on relative to aquaculture.

CHAIRMAN ANSON: Is there anyone else that would like to add an item to the agenda? Seeing none, is there any opposition to accepting the agenda with the one addition under Other Business? Seeing none, the agenda is adopted.

Approval of the last full council minutes, are there any changes to the minutes from the last council meeting? Seeing none, is there any opposition to accepting the minutes as they are written? With no opposition, the minutes are approved. That will take us to Item Number IV, Review of Exempted Fishing Permit Applications and Dr. Crabtree.

REVIEW OF EXEMPTED FISHING PERMIT APPLICATIONS

DR. CRABTREE: We do have one to go over, and Ms. Gerhart is going to take you through that.

MS. GERHART: Thank you. Yes, we have an application from the Florida Keys Commercial Fisheries Association. This is a proposal to test the efficiency and efficacy of several different trap designs for trapping lionfish. They expect to test these four designs as well as discover some life history, do some outreach about the invasiveness of lionfish, and promote lionfish as seafood.

It’s a one-year project with monthly sampling. There’s only one area that’s in the Gulf. I believe it’s off the Tampa Bay area. There are three other areas, one in the Keys, one off of the east coast of Florida, and one off of South Carolina. There will not be any retention of federally-managed species allowed, but it is, again, to test for the lionfish.

We published yesterday a request for comments in the Federal
Register, and that comment period is open until September 15. If you have any other questions, Bill Kelly is in the audience, and he could answer those questions.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: This would be your opportunity if you want to take a position either supporting approval of the exempted fishing permit or opposing it. This would be the time to do that, through a motion and then a letter from the Executive Director.

CHAIRMAN ANSON: Chester.

MR. BREWER: I do have a question for Bill about this, if he could maybe come up to the podium. Bill, you and I have some time to discuss this EFP, and I’ve got to say that I am 100 percent in favor of it, but I’ve heard some concerns out in the community about this potentially be a way to back-door fish traps coming back in, which a lot of people are concerned about. Could you maybe tell us what steps have been taken or how the plan is structured in such a way that maybe that shouldn’t be a concern?

MR. BILL KELLY: Yes, sir, and I would be glad to do that. In 2013, the Florida Fish and Wildlife Conservation Commission held a lionfish summit over in Cocoa Beach, Florida. The consensus of the nearly 100 people that were there was the most viable opportunity to contain lionfish, with eradication no longer in the foreseeable future, would be a viable commercial fishing program.

We already knew that trapping lionfish was viable, because one of our fishermen, Gary Nichols, was harvesting in excess of 10,000 pounds strictly as bycatch in the spiny lobster traps. Based on that information, the anecdotal evidence, and just the information that we had regarding geographical distributions and population densities, we felt that we could put together a viable package to prove the concept of trap testing or lionfish containment devices, as we call it, for lionfish.

We put together the proposal here, testing in four different areas, because the population has grown exponentially here, and it is not a precursor to a blanket trap deployment program in the Gulf of Mexico or the South Atlantic. What we want to do is, through the use of observers and this program, is prove the concept that you can viably catch lionfish by trap with minimal bycatch.
The four types of traps that we’re utilizing are all currently approved by NOAA and state jurisdictions for harvest of other species, for example a standard wood lobster trap with a modified funnel to minimize bycatch. There’s also the wire/wood combination that’s approved in federal waters, because it’s less resistant to current movement and so forth, things of that nature.

The end result would be accumulation of data and information, a distribution of that through Johnson Communications, who would partner with us in this program, and then, at the end of it, if we have proven the concept, we would approach the various states through their mitigation funds. For example, South Carolina’s Department of Natural Resources is very interested in it. That’s Mel Bell, and you know him, who also sits on the South Atlantic Council.

We would then work with state mitigation funds, which are substantial, for controlling invasive species. Maybe each state might develop a team of two or three boats that are adept at handling perhaps 100 traps per vessel. They would target known areas where we have extensive population densities and geographical distribution. Then that could be done seasonally or on whatever basis was appropriate, to address infestations in these particular areas.

MR. BREWER: I think the question really is what has been done to minimize bycatch and is there going to be any sale of product connected with this EFP?

MR. KELLY: I’m sorry, but I am having problems hearing you, Chester.

MR. BREWER: Yes, and there’s something going on over here. I can’t hear half the time either. Really, the question is, number one, is will there be sale of the product that’s caught, the lionfish, under this EFP? What steps have been taken to minimize bycatch and would there be sale of bycatch allowed?

MR. KELLY: Under our program, the sale of any harvested lionfish would be very carefully controlled and harvested to HACCP standards, and the monies would be reinvested in the lionfish containment device testing program. The second part of your question was what are we doing to minimize the bycatch. Minimizing bycatch, that’s fairly easy to do.

One, we modify the size of the funnels, which would restrict the
size of the fish that can go in there. Lionfish are very social animals. They have high site fidelity. We already know, from other evidence and interns that have ridden along with Gary Nichols, you can bait in various methods. For example, if there’s a lionfish in there, other animals are reluctant to go in, and so that’s cool.

If you bait with a live lionfish, you’re probably going to get more lionfish. They have site fidelity, and so they hang around there and they attract the males and ultimately develop a harem, and it doesn’t take long, with the population densities that are out there.

You can bait your traps with female gonads and so forth, which is a very aspiring attractant, and so there’s a number of different methods that we can utilize to minimize that bycatch potential, and that would be documented through observers, which is part of this program.

CHAIRMAN ANSON: Ms. Guyas.

MS. GUYAS: Thanks, Bill. Just to follow up on Chester’s question, do you have a soak time in mind? My other question was with funding. I think, at the time this was written, you didn’t have a funding source yet. Are you still working towards that end?

MR. KELLY: I am sorry. Whatever it is -- One, I’m old and I don’t hear so well, but I need it louder.

MS. GUYAS: The first question is what your soak time for the traps?

MR. KELLY: Soak time varies by region, of course. We have the right whale issues that we need to deal with up in north Florida and the Carolinas and so forth, and so traps cannot be left overnight. Soak time would probably be -- There is a hundred traps tested in each area, and so there would probably be 100 traps deployed twice each day, a total of two deployments per month. That would generally be the characteristic.

In the Florida Keys, soak time could go up to two weeks, based on the knowledge and experience that Gary Nichols has. With his experience, he feels that he can target lionfish and lionfish only. Bob Spaeth, over off the Tampa area, he’s got to travel probably greater distances, sixty or seventy miles, and he would deploy the gear and recover it that evening and maybe make a second deployment the second day and then return to port, but
we’re expecting that we would have two samplings per month, for a total of twelve months.

MS. GUYAS: My other question was have you secured funding for this yet? I think, at the time this was written, you did not have the funding to do it.

MR. KELLY: We have a number of interested partners in this. We have a national chain of food stores and so forth that’s very interested. We have some internationally known nonprofit organizations that are supporting this concept. We’ve been at it for three years here, working to secure the exempted fishing permit.

While we have verbal commitments from them, we have been reluctant to request any money until we’ve actually had the EFP, because you don’t want to get into their funding cycle and they commit funds and you can’t use them that year, when they could have used it through their foundations and so forth for other purposes. The answer is yes, they’re standing by. Hopefully, if we have the council’s approval, we can move forward rapidly here and begin testing in January.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: Are these wire traps?

MR. KELLY: There is four different traps. There is a standard spiny lobster wood trap, there is the combination wire/wood, which is also approved, there is a black sea bass trap with modified funnels on it, and there is a wire pinfish trap that is dual-ported. All of these traps are approved by state and federal agencies for uses in other fisheries.

MR. SWINDELL: Are they on the bottom? Are you suspending them or are they on the bottom?

MR. KELLY: No, they would all be placed on the bottom and fished on trawls.

MR. SWINDELL: How far are you having to fish from shore or depth of water?

MR. KELLY: That will vary by region, but this is a deepwater testing program. The evidence that we have accumulated indicates clearly that the lionfish populations are far greater in deeper water. When I say deep, we are talking water in excess of 100 feet.
CHAIRMAN ANSON:  Mr. Diaz.

MR. DIAZ:  Thank you, Mr. Chairman. I certainly don’t want to stop discussion, but I am prepared to make a motion.

DR. CRABTREE:  Carrie pointed out to me that this is actually on our agenda tomorrow, after public comment, and so I don’t know if you want to withhold your motions until after we hear public comment. That’s up to you.

MR. DIAZ:  It’s up to you, Mr. Chair.

CHAIRMAN ANSON:  I think that would be best, if we wait.

MR. DIAZ:  Thank you, sir.

CHAIRMAN ANSON:  Thank you. Dr. Frazer.

DR. FRAZER:  I have a couple of questions. If you only set the traps out during the day, lionfish are mainly nocturnal in their movements, and so I was wondering if you had any preliminary data on the effectiveness of those traps if they only have a daily kind of soak period.

MR. KELLY:  We have not done any data accumulation with regard to daytime or nocturnal activities. There are some studies that have been done by more than thirty interns that have ridden along with Gary Nichols, where we are starting to document trends and so forth in bycatch, as to whether or not, if there’s lionfish in there, what other animals might go into the trap and so forth, but we’ve been accumulating science on a regular basis.

DR. FRAZER:  A quick follow-up. Because the lionfish are also primarily associated with structural habitat and that kind of affects where you’re going to deploy your traps, and so is there a plan to deploy them, for example, in hard-bottom areas or are you planning to put them in soft-bottom areas?

MR. KELLY:  Our experience, to date, has shown that the lionfish are very structurally-oriented, and we have, of course, deepwater reef projects and so forth that extend throughout the Keys. We have already detailed that information for the Protected Resources Division, and we would clearly not deploy in hard-bottom reef areas, but the sheer number of lionfish that have accumulated out there and their propensity to accumulate around any type of relief or structure is uncanny.
We have had, through reef.org and some other organizations, they have said that just the relief from a wooden lobster trap, even though it's only a couple of feet, lionfish quickly aggregate to them. As I mentioned, you will get a dominant male, and he will develop a harem very rapidly, and then they are attracted to baits that are in those traps. They information is ongoing, and we hope that we can develop some more specific patterns in a much broader area, to prove the concept of the trap program.

**CHAIRMAN ANSON:** I had Mr. Matens, followed by Dr. Dana and Johnny Greene.

**MR. MATENS:** Bill, as usual, it’s always a pleasure. I am curious as to much deeper than a hundred feet. Is part of your program -- Does it have the capability to test in say 300 or 400 or 500 feet and deeper? I don’t know how you would retrieve the traps either, but, nonetheless, I am really curious about that. Can you talk about that a little bit?

**MR. KELLY:** Yes, sir, and a very good question. 450,000 lobster traps are deployed in the Florida Keys. Better than 90 percent of them are in less than a hundred feet of water, yet they catch only about 1 percent of the lionfish we encounter. That 10 percent that’s out deep gets the 99 percent. The spiny lobster fishery moves throughout the course of the season, and the fishermen move with it.

It starts up close to the mainland and works its way south and west out beyond the reef, and we see fluctuations in the deepwater bycatch of lionfish, because what happens is these guys are targeting lobster. The lionfish are strictly as bycatch.

The deeper we go, the more lionfish we encounter, but the maximum depth range on those lobsters is about 300 feet, because, when you’re putting your traps on a trawl and so forth, you have issues with the hydraulic haulers having a number of traps in suspension and so forth.

Again, most of our deepwater experience, deepwater meaning more than 100 feet, and that’s beyond the coral reef tract up and down the Keys, out to 300 feet, that’s where, the deeper we go, the greater the population densities, and we have seen that very clearly with Gary Nichols. While he hit a peak of more than 10,000 pounds in 2013, in 2014 and 2015, where he did not have to fish as deep, because lobsters didn’t go deep, the volume of lionfish dropped to 7,000 one year and about 8,000 the other.
There are some interesting things that Gary has developed and found out. For example, lionfish are cannibalistic, and the big concern there is are they cannibalistic or have they become that way because they have exhausted forage fish and other products that they would prey on and then, out of necessity, have they turned to cannibalism? These are a number of different things that need to be explored.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: Are these traps hooked together in succession or are they put out independently?

MR. KELLY: They would be fished on trawls exclusively, and that would reduce up and down buoys and so forth and any concerns about entanglement issues, and that would be especially true up in the Murrells Inlet, South Carolina and off of New Smyrna and so forth, where we would willingly comply with all trip requirements.

MR. GREENE: Explain to me what you mean by fished on trawls. What do you mean by fished on trawls? I am not understanding what you mean.

MR. KELLY: You have two types of fisheries with traps, primarily. You have a trawl fishery and then you have a vertical, or up and down, fishery. On a vertical up and down, each trap is marked independently with a vertical line to the surface and a buoy. When you fish a trawl, these traps are connected one to the other.

Based on depth of water, the distance, you set one that’s appropriate for the weight of the trap and the number of traps that are in the trawl. It’s probably no more than twenty to twenty-five per trawl, and the reason for adjusting the rope length between the traps is because, when the hydraulic hauler brings these up, say you’re in 300 feet of water, and you don’t want a half-dozen traps in suspension, because it could have negative safety impacts on the hauler, the mechanical equipment, and the vessel itself with that amount of weight in suspension.

MR. GREENE: Thank you. I appreciate you taking the time to clarify that. Do you have a plan in place, should you lose a trap, to recover it?

MR. KELLY: Yes, sir. In this day and age, with the accuracy of GPS and so forth, the fishermen that are involved in this
program are rather adept at trawl fishing, and a grapple hook is -- You can easily recover these traps. They would have biodegradable panels on them as well, and very typical, for example in the golden crab fishery, in 1,800 to 2,000 feet of water, the eleven fishermen that engage in that fishery in the South Atlantic were able to grapple those trawls up on their first drop routinely. That’s a credit to their skills and abilities, but also to the accuracy of the GPS these days.

**MR. GREENE:** How big are these traps? Are they the size of a lobster trap that I see on *Deadliest Catch* or are they smaller or bigger? I have no idea.

**MR. KELLY:** I would be happy to show them to you on a break, unless you would like to see them right now. I have pictures, printed pictures, of them. We are taking standard wooden lobster traps, two-and-a-half-feet wide by a foot-and-a-half high or so forth, and all of these are preapproved by both the federal and state agencies. All we’re doing to them is basically altering the funnel size so that we can restrict bycatch there.

**MR. GREENE:** Thank you.

**CHAIRMAN ANSON:** Anyone else? Bill, I just have one question. You answered, I think, all of it, or most of it at least, describing the gear and the trawl fishery or trawl traps, but those buoys, particularly up in the Tampa area, from my little knowledge, but my knowledge, there isn’t much of any fisheries out there, except maybe some longline maybe, but are those buoys going to be easily recognizable?

I suspect up there off of Tampa that there aren’t many fisheries that employ buoys just for navigational purposes, for the day boater that’s out there, and are these going to be relatively large buoys?

**MR. KELLY:** Yes, sir. We would have distinctive markings on there with the identification information and the exempted fishing permit number, et cetera. Those buoys in that area, as I mentioned earlier, with regard to soak time and so forth, because of the distances traveled, they would probably be -- They would be deployed two successive days in a row. They would most likely be recovered each afternoon and kept onboard through the nighttime hours and then redeployed the following day, unless there is any preliminary evidence to suggest that nighttime harvest was more productive.
CHAIRMAN ANSON: Thank you. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Just as a note, on the last two pages of the EFP, page 22 to 24, there are descriptions of the different gear and dimensions. The only comment I would have to Bill is, since you’re fishing traps maybe in areas that aren’t normally fished with traps, to try to get in touch with the local shrimp industry to make sure you’re not putting your gear during the daytime and then a shrimper comes by at night and pulls them up. That’s the only gear conflict I could imagine.

MR. KELLY: Right, and, if it would be beneficial to the council, we could, of course, contact the Coast Guard with a local notice to mariners and so forth, but, in certain areas -- For example, the Florida Keys, there are areas to be avoided by ship traffic and so forth. We’ve got a half-a-million or more lobster and stone crab traps deployed at any given time as well.

There would be no overnight soak time off the Carolinas or northeast Florida, because it’s restricted under right whale issues. Then, in the Gulf of Mexico, I would think that the frequency of deployment would be two days in a row, because of distances traveled, and the vessel that’s deploying them would be in that area, if they were kept overnight, and appropriately anchored and lighted.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: Thank you, Mr. Chairman. Bill, I just wanted to compliment you and your organization on the detail and professional approach to presentations and to requests that you bring to this council. You are always someone that I feel I can trust totally to give us full disclosure and to present the facts. Thank you.

MR. KELLY: Thank you, sir. I appreciate the compliment.

CHAIRMAN ANSON: I don’t see any other questions from council members. Mr. Kelly, thank you very much. I am sure you will be available sidebar if someone else has another question for you. Thank you.

MR. KELLY: Mr. Chairman, thank you. Council members, thank you as well. I would be remiss if I didn’t take one second to just thank Steve Branstetter, and, unfortunately, he’s not here, for the work and the effort that he has put in to help guide us through this process here. As you know, it’s a lengthy one, and it’s very technical. If Steve is listening in, thank you very
much. It’s much appreciated.

CHAIRMAN ANSON: No other exempted fishing permits? Okay. That concludes that item on the agenda, and we have scheduled in our lunch recess, but let’s go until twelve. Let’s do some presentations. Greg is ready. Dr. Stunz.

DR. STUNZ: Mine will just take a minute or two, unless there is some discussion.

CHAIRMAN ANSON: You’re up next then, Dr. Crabtree.

PRESENTATIONS

SUMMARY OF ARTIFICIAL REEF SUMMIT

DR. STUNZ: On behalf of the council, I attended the National Artificial Reef Workshop, as well as professionally too, from my research side, and that was in early June in Alexandria. There was a lot of our representatives there. All of the leadership from our respective region’s artificial reef programs were there.

It was a very productive and a very good meeting. There were a lot of folks there. Russ Dunn, who is in the audience here, largely put this on. It was hosted by the Atlantic States Commission, and it was professionally facilitated, and so it was really well done.

The main goals of the meeting were to really update on where we are with the current science on a regional basis. By the way, this was national, and so there were people from all over the place. We identified what are key knowledge gaps in terms of artificial reefs and then developed state and federal partnerships to facilitate reefing objectives.

One of the interesting things that came out of this, which may be a discussion point for us here at some point, and maybe Russ could comment if needed, was that there was a little bit of question of all of the participants of what group within NOAA, who was running the meeting, is really in charge of artificial reefs or really running with it and taking the leadership role, and it seems like that wasn’t real clear, and maybe Bonnie or Roy might want to comment to that, and I don’t know, but that was sort of a question some of the participants had.

What was very interesting that I gleaned from this is that artificial reefs are perceived very, very differently by different councils. To give you an example, in California,
where there is a lot of natural structure and boulders, they are putting out those types of reefs, and that’s very different than what we have in the Gulf, particularly west of the river. That’s characterized by sandy mud bottom, where a little bit of structure goes a long way, versus let’s say someone in Hawaii, and they were less engaged in the process.

It was largely driven, in a very positive way, by our Gulf groups. There was clear consensus building around this whole issue of attractant production. Largely, I think that’s going away, but a consensus forming among the scientific community that there is definite production coming from these structures, in many instances. That’s showing a lot of promise as a management tool, particularly that we would have in the Gulf.

I guess my recommendation from this would be, if we choose this as a management tool and want to go down this route, that we really would be the lead group and council and region doing that, because we’re a long way ahead of these other groups that are really just in the infancy and formative stages.

Collectively, our artificial reef leads did a great job of representing what we do in the Gulf and how we have used that in a variety of aspects, and so you may want to give some kudos to your guys back home. They did a real good job, and so the outcome of this is a report that Russ tells me could literally be out today or tomorrow, at any time, and I will forward that to you, Doug, to post up for the council, if they want to read that. They are waiting for final leadership at NOAA approval on that, but I think it’s almost there.

Then, also, because of the elevated nature of artificial reefs, the American Fisheries Society is going to be having -- It's largely the fisheries meeting for all the fisheries professionals, and it's going to have a special large symposium at their meeting coming up here in about a year. That will be specifically addressing artificial reefs, and a lot of folks around the table here and other of your colleagues will be involved in that, and so that will be a positive benefit as well, in terms of the state of the science. It’s been several decades since that information was updated, and so that should be fairly enlightening. With that, Mr. Chairman, that’s the brief report of what went on at that meeting.

CHAIRMAN ANSON: Thank you for that report. Any questions for Dr. Stunz? All right. Thank you. Dr. Crabtree, do you want to talk about the aquaculture update?
AQUACULTURE UPDATE

DR. CRABTREE: Yes, and it will be very quick. As you know, the new offshore aquaculture permitting program took effect earlier this year, and this was an outcome of the Gulf aquaculture plan that this council put together. Since then, we have worked with other federal agencies that have various authorities and roles in the permitting process to help streamline the review and approval of applications, to the extent possible.

We recently signed a federal interagency memorandum of understanding, which commits all of the agencies to work cooperatively with each other and with applicants toward that goal, and the signatories of that cooperative agreement include BOEM, BSEE, the National Marine Fisheries Service, U.S. Army Corps of Engineers, the Coast Guard, the EPA, and the Fish and Wildlife Service.

We are encouraging potential permit applicants to schedule a pre-application meeting with us and other federal agency representatives before they begin the application process, so that we can help identify and troubleshoot any major issues early on and, to help ensure these pre-application meetings are productive, we have developed a checklist of key information needs along with example responses.

We have also developed an interagency guide to assist applicants in navigating the various federal permitting and authorization processes and several guidance documents addressing baseline environmental survey and assurance bond requirements, as well as brood stock sourcing and genetic improvement techniques for cultured juveniles, and all of these documents are now available on the Southeast Regional Office website.

We continue to field inquiries about the program, but, to date, we have not received any permit applications, and I expect this reflects the fact that there is ongoing litigation working its way through the courts on this, and we suspect that some of the potential applicants are waiting to see the outcome of the litigation before they proceed. That’s my report, Mr. Chairman.

CHAIRMAN ANSON: Any questions for Dr. Crabtree? Dr. Crabtree, you may have mentioned it at the beginning of your discussion on this topic, but have you had many individuals or companies come to the agency and express interest or say that they’re interested?

DR. CRABTREE: We have had a few parties inquire and show some
interest in it, but none of applied yet.

CHAIRMAN ANSON: All right. Mr. Donaldson.

MR. DONALDSON: Thank you, Mr. Chairman. Along those lines, NOAA Fisheries has provided the commission some funding, and we're working with GSI to do an aquaculture roundtable later this year, in New Orleans, to help kind of address and move forward ocean aquaculture. It’s focused on oysters all the way up to finfish, and so that’s something that I’ve been working with the states and GSI with, and we will keep the council informed about how that’s proceeding.

CHAIRMAN ANSON: Thank you. Dr. Lucas.

DR. LUCAS: Dr. Crabtree, were the inquiries prior to you all developing all these documents and the MOAs and all of that or when -- I mean, how recent were they?

DR. CRABTREE: That I would have to check on and see. I don't know.

CHAIRMAN ANSON: Okay. We are about twenty minutes ahead of schedule, if you will. Actually, we’re well above that, but we are scheduled to take a break at 12:00. It was brought to my attention from staff that there were a few items that were remaining in Data Collection that probably we should go back and address relative to a document that’s within Data Collection, and, unless I hear a lot of dissention among members, if you will allow me that pleasure, we will divert from the agenda and do that, at least for the next twenty minutes, and possibly into after recess.

I want to still keep public comment at its time schedule of 2:15, and so we might have some time after lunch as well to carry on, if need be, for Data Collection. Seeing that there isn’t any major disagreement with that decision, Dr. Stunz, are you able to carry through with that?

DR. STUNZ: Yes, Mr. Chairman, we can do that. Just to be clear, do you want me to start with the report then at this point? There was no action or anything that might be clarified in public testimony, but it’s up to you.

CHAIRMAN ANSON: Potentially, if there is no -- I would leave that up to you. If you want to just instruct staff to amend the report that you currently have to incorporate this discussion as well as any comments that --
DR. STUNZ: So we had better wait on that then? Is that what you’re saying?

CHAIRMAN ANSON: That’s what I think I’m saying, but, Dr. Simmons.

DR. CARRIE SIMMONS: Thank you, Mr. Chairman. We weren’t trying to complicate things, but we were thinking the report doesn’t have any motions in it, but it might help us get back on track to what the committee discussed, and we do typically like to wait for committee reports until after we’ve heard public comment, but, unfortunately, we ran out of time during the Data Collection Committee, and so I think the discussion at full council, by going through the report and talking about those alternatives and maybe giving the public an idea of where the council might be going could better inform public comment, and so that was kind of our thinking there with going ahead and starting on the report, but, if the committee doesn’t think that’s appropriate, we can wait.

CHAIRMAN ANSON: I will go ahead and answer to go ahead with the report then. It’s full council and not a committee, and so everyone has an opportunity to chime in if they so desire, and so go ahead with the report, please, sir.

DATA COLLECTION COMMITTEE REPORT

DR. STUNZ: I can do that. That should hopefully spur our memory of what happened a few days ago and then also maybe pull up those documents in the meantime. For the Data Collection Report, which met on August 15 of 2016, the agenda was modified to remove Tab F, Number 4 from the agenda, as the presenter could not attend the meeting. Staff will attempt to reschedule this presentation for the October 2016 council meeting.

Next was the Generic Amendment to Modify For-Hire Reporting Requirements. Dr. Froeschke provided an overview of the changes made to the Generic For-Hire Reporting Amendment, Tab F, Number 5(a) since the August 2016 meeting.

The revised document includes alternatives to consider hail-out and hail-in requirements. The committee discussed these alternatives, but did not make a recommendation and requested additional time at a subsequent meeting to deliberate these alternatives.

The committee also reviewed Action 4, including alternatives for
hardware and software requirements, that would be used to report fisheries data from for-hire fishing trips. The committee also discussed these alternatives, but ran out of time.

Dr. Froeschke reviewed a summary of data elements collected in a review of twenty-three for-hire reporting programs in the Gulf and U.S. Atlantic. Dr. Stephen from the Southeast Regional Office gave a presentation that summarized the reporting protocol of a potential for-hire trip in the proposed program, and she summarized the recommended data elements as part of the program in summary document.

Cost Analysis of Commercial Fishery Electronic Reporting Program, Dr. Ponwith provided an update about the cost analysis of the commercial electronic reporting program. She stated that she has just received preliminary information and has not had an opportunity to review the results in detail. She offered to review these results prior to the October 2016 council meeting and provide additional information to the committee at that time. It would be helpful to staff if the council discussed the timing of the regulatory process to implement the electronic reporting for commercial logbooks.

Atlantic States Coastal Cooperative Statistics Program Meeting Summary, Dr. Stunz attended an ACCSP meeting that discussed for-hire reporting protocols and programs. He stated a recommendation to remove duplicate reporting from the system to minimize time and effort required for reporting. He also stated the Gulf States Marine Fisheries Commission serves a similar role in the Gulf and works closely with the ACCSP. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you for that report. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. Could we go back to one of the items that may take a little less time than going through the document, the cost analysis and discussion on the regulatory side of things for the commercial electronic reporting, and try to get a better understanding of when the council staff needs to get involved in that and start working on some document or white paper that the council would look at and the timing of that?

We did have something from 2013 on our action schedule regarding this, and I am kind of wondering if this is the same action that we would be moving forward with or something different, and so if we could just discuss timing of that and when the Science Center and NMFS staff sees us starting to get working on this.
CHAIRMAN ANSON: Certainly. Dr. Ponwith.

DR. PONWITH: In October, I will have prepared for the briefing book two presentations. One is a cost analysis of things that we learned about the costs to the industry in electronic reporting, based on the type of hardware and the connection and transmittal options that are available.

The second presentation will be a look at what it would take for the industry and for the agency to be prepared to accept electronic reports on a voluntary basis. We have had, in the South Atlantic, some members of industry who either participated in the pilot or watched the pilot underway who said we would prefer to report electronically as soon as possible and before it’s required by an amendment. We have got materials pulled together that I can present in October to discuss what that timing is.

In the meantime, it’s a good opportunity to plant the seed with the council to look at steps that it would take to contemplate moving to a requirement for electronic reporting, and, again, this is the council’s prerogative. We just want to be ready to address, from a science perspective, what it would take to move from a paper logbook format and transition to an electronic reporting format, if the council wanted to make that mandatory.

The punchline of the October presentation is that we would be ready to accept electronic reports on a voluntary basis as early as probably the spring of 2017, spring or summer of 2017, and that paves the way for us to be geared up to go operational, and I just bring that to your attention, because one of the trickiest steps in this is making sure that the technical aspects of a change and the regulatory aspects of a change are mapped up together to one another.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: In the interest of trying to move this forward, and since we didn’t make any motions in the committee, I am prepared to make some motions for preferred alternatives, if that would be --

CHAIRMAN ANSON: I think that would be okay.

DR. CRABTREE: We had a lot of discussion about the hail-in and hail-out, and I think, at the minimum, we ought to have the hail-out provision, and we probably ought to have the hail-in.
I would make a motion that in Action 3 that we select Alternative 2, a and b, as a preferred. That’s Action 3, Alternative 2a and b as preferred. If I get a second, I can give some rationale.

CHAIRMAN ANSON: Do we have a second for the motion?

DR. STUNZ: I will go ahead and second. Just to brief the committee, this is Tab F-5(a), on page 12, that Roy is referring to.

CHAIRMAN ANSON: Yes, and thank you, Dr. Stunz. Go ahead, Roy.

DR. CRABTREE: I think we need, for validation purposes, we need to know when trips are occurring and when vessels are going out. My sense was there wasn’t a lot of opposite to the hail-out provision. They do that at the dock before they leave. I heard more concerns about the hail-in on it, and I am going to come back to the hail-in and see where we go on that, but I think, with the hail-out -- That way, the folks involved in validation and all would at least be able to document that a trip has taken place.

CHAIRMAN ANSON: Anyone else want to discuss the motion on the board? Ms. Guyas.

MS. GUYAS: Just a question about the hail-in. If we end up with the option of having to report all their data before they hit the dock, are we envisioning that that would get rolled together with the hail-in and the data submitted at the same time or would this be two different things that the boats would need to do before they need to come in?

DR. CRABTREE: I think, at that point, it would be the same thing, and I was going to come back to the hail-in when we dispense with this motion.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: To Martha’s point, there is two things. This hail-in and hail-out was sort of a bottleneck of a decision that we needed to make, because it directed where we went with this, but, also, I think a hail-in is very important, as well as a hail-out, but, also, that we don’t necessarily have to call it that. When you start your trip, essentially that’s effectively a hail-out, depending on how it is, but, if we’re requiring entering your information before you hit the port, that’s effectively a hail-in.
Just from experience, there’s been some, I guess, more practical things, with captains physically hailing-in and hailing-out, versus starting a trip and submitting your data, which is effectively the same thing. I don’t know that we necessarily have to call it that, but the point is that you know when the trip is out and you know when they’re there before they can hit the dock, for validation purposes.

CHAIRMAN ANSON: I recall some public testimony from smaller vessels that these captains might not have a deckhand, and so they’re driving the boat and paying attention to safety for their customers and keeping an eye on navigation, and I am just wondering -- Steven, was there any discussion at the Law Enforcement Committee regarding reporting before the fish are landed, rather than the vessel is attached to the dock?

MR. STEVEN ATRAN: I think, according to Ava, we had a little bit of confusion as to what was being expected on the hail-in and hail-out requirements, and so we are bringing this amendment back to them at their October meeting to review again, and Ava will be at that Law Enforcement Technical Committee meeting to explain the issues.

CHAIRMAN ANSON: Dr. Crabtree might change my mind here, but I’m just wondering if that subtlety can be brought up as part of that discussion. I know it’s compatible with the commercial side of how the trips are reported, but I am just wondering, and we’re in a little bit different situation here, potentially, for these captains. I am just wondering if that could be brought up for discussion purposes at that next meeting. Dr. Crabtree.

DR. CRABTREE: I was just going to suggest that my motion is focused on the hail-out, which would be done at the dock before they leave, and I would suggest that we dispense with this motion. Then I’m going to make a motion with respect to hail-in, and we can have that discussion then.

CHAIRMAN ANSON: I apologize. I didn’t read it, but you mentioned it before they made the motion, and so I thought they were combined on this, and so I apologize. I am out of order, of sorts, and so does anyone have anything else to say? Mr. Diaz.

MR. DIAZ: Thank you. I am trying to figure out where I want to go with this. I mean there is some unknowns that we don’t know as of today, in trying to pick this preferred. Expenses is one, and you just mentioned some boats have been against it, Kevin,
too, the center-console boats and things, but we don’t know what
the expenses are going to be.

I am somewhat sensitive about going down the road where we’re
adding some expenses to charter boats, potentially to charter
boats, that we don’t know what they are yet. I think, for some
boats that run a lot of trips and their business is very much
thriving and healthy, it probably won’t be a big deal, but I do
think there’s a fair amount of charter boats that are operating
and their business is in tough shape, and I am concerned about
expenses that we might add to those.

However, I do recognize the need that we need better data. I
mean, continually at this table, I am frustrated by the speed at
which we get data, the fact that we don’t have it when we need
it, it’s too slow, we’re constantly waiting on it, and it holds
up our whole process.

In my mind, when we started this whole data collection
improvement program here, originally I was thinking what I want
to do is I want to build a system that ultimately can replace
MRIP one day, and that was the standard that I had in my mind at
that time, and this would certainly do that, but there’s other
ways to do it also, and so I’m just trying to lay out what
things I’m thinking about as we vote on these things. Thank
you, sir.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: In Alternative 2, it says prior to departing
before each trip, and how long before? What does “prior” mean?
Does any time before the trip -- Suppose the vessel operator
wants to send in the night before that he plans to leave the
dock at six o’clock in the morning the next day. Is that good
enough for the hail-out?

DR. CRABTREE: I would ask staff if there’s anything in the
document that’s specific about that.

CHAIRMAN ANSON: Dr. Froeschke.

DR. JOHN FROESCHKE: There is not, but these are the kinds of
things that we’re hoping will come up in the discussion, and
we’re happy to incorporate any guidance you can provide.

DR. CRABTREE: I would say that my intent with this would be
when they’re at the dock getting ready to go and they tell us
that we’re leaving and not that the night before they say we’re
planning to go and then they get to the dock the next day and
the weather is bad or the customer doesn’t show up and then they
don’t go. I think it should be we’re leaving.

MR. SWINDELL: That was part of my reason for asking the
question, just what are we really trying to obtain here? You
want vessels that are actually going to go out, and so they do
need to be able to, some way or another, submit a hail-out
fairly close to the time they’re leaving the dock. Thank you.

CHAIRMAN ANSON: I have a few people. Myron.

MR. FISCHER: Thank you, Mr. Chairman. We spoke with a lot of
the vessels, and we have the outboard fleet, and those are the
ones that are impacted the hardest by some of these regulations.
They don’t oppose a hail-out. Of course, some of them thought a
hail-out could be the afternoon before. It’s a unique area.
You don’t know, especially on a thirty-foot outboard, you don’t
know what the seas are going to be, and you don’t even know what
you’re fishing for until your customers show up and they say,
no, we want tuna. The only place tuna are is eighty miles out.

Now, we might not be regulating tuna, but, on that trip, they
may have to see if amberjack is open or snapper is open. It
changes the whole complexion of the trip or whether they go at
all, and so, even hailing-out when you’re pulling out of the
slip doesn’t guarantee a trip when you’re in the small-boat
fleet.

The other side of it is we discussed it in our office, and we
felt all you need is hail-out. Once we know the universe of
vessels fishing that day, we can randomize and sample -- We can
get a valid, random sample of the boats that are actually
fishing that day and not be chasing around boats that stayed at
the dock. Now, of course, I think if someone hails out the
night before, or any time, and they have to terminate the trip,
because of engine issues or weather issues, they can amend their
hail-in report.

CHAIRMAN ANSON: Dr. Lucas, followed by Dr. Stunz.

DR. LUCAS: In Mississippi, via the Tails and Scales App, which
is an electronic, mandatory reporting system, we allow them to
get their -- They essentially get a code to go fishing, and so
they tell us they are going to hail-out. They get a code, and
they can do that up to five days in advance. Some of them have
these trips on the books, but they can only have one open at
each time. They have to close that code out, essentially,
before they can go fishing again.

We don’t make it mandatory that they do it before they hit the
dock, but they have to close that out before they can go fishing
again, and they have enjoyed getting things set up the night
before or a couple of days before, when they know they’re going
to have a trip, and then go ahead and get all of that
information loaded.

There is a way to say that the trip didn’t occur, because of bad
weather, but it gives us -- We know who is out there. Our law
enforcement knows who is out there, because it’s in the system,
and so the law enforcement can pull it up. They know who was
supposed to be out there. Our fisheries crew knows who was
supposed to be out there, when they’re out there making their
rounds, and so it’s a good way to get a handle on it and work on
the validation, to which Myron was speaking to.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I will make this quick, Mr. Chairman, because Dr.
Lucas mainly made my point, but, for some of Dale’s concerns and
yours, at least the pilots that I’m aware of, it’s just
literally the click of a button, and so it’s very quick, even
coming in, on the hail-in side of this. This isn’t
overburdening. We certainly don’t want to overburden them with
things, Dale, but it’s a pretty painless process.

CHAIRMAN ANSON: Any other discussion before we vote on the
motion? All those in favor of the motion on the board, in
Action 3, to make Alternative 2, Options a and b, the preferred
alternative, and it’s in regard to the hail-out alternative,
please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Sixteen.

CHAIRMAN ANSON: I won’t ask about the opposed. It’s sixteen to
nothing. Dr. Crabtree.

DR. CRABTREE: I would like to make another motion to select
Action 3, Alternative 3a and b as a preferred, and this would be
the hail-in.

CHAIRMAN ANSON: Staff is trying to get that on the board. It’s
seconded by Dr. Stunz. Dr. Crabtree.

DR. CRABTREE: I know there has been some opposition with this.
I can tell you, from having had experience with the VMS programs
and implementing them, there were all kinds of concerns about small boats, all of the things we’ve heard about, and the industry quickly adapted to it, and I don’t hear much about any of these things anymore. I think there is a period of adapting to it, but I think we can get through that.

I think there clearly is value in having dockside validation. There is clearly value in having the folks who are going to do the validation know when the vessel is coming in and in having the reports submitted before it hits the dock, so that they’ve submitted the report before they know if they are going to be expected on this.

The technical subcommittee discussed this at length, and I think this was their preferred, and so I want to see if there’s enough support on the council to do this. If not, then my suggestion would be that we add this into Amendment 41 and 42, because I think, if we’re going to go down the path of some type of catch share programs, it’s going to be key that we have this as part of it.

CHAIRMAN ANSON: To your point about having the dockside samplers know when the trip is coming in or a vessel is coming in and such, on the commercial side, our law enforcement officers are able to receive email notifications on their state-funded phone when vessels are coming in, but I see a slight disconnect from using that process and going down into our current sampling regimen or protocols, where we have, particularly in Alabama and Florida and Mississippi, through MRIP, if that is the vehicle that is actually used to do the validations, but trying to get that information out to field samplers I think is a little bit -- It’s not as straightforward, I guess. That’s just my comment, is that that’s not going to work as smoothly, potentially, as it does with enforcement with the commercial reporting. Bonnie.

DR. PONWITH: I can see that that would be the case, that we would have to build some sort of a system or a mechanism to be able to make that process flow. The catch is, without the hail-in and hail-out, then any kind of notification is completely off the table, and it certainly makes it easier to set up that process, even though it may be harder than on the commercial side, when we’ve got this.

CHAIRMAN ANSON: Mr. Fischer.

MR. FISCHER: Thank you, Mr. Chairman. I have a few questions, but, first, I think I need an answer to develop the second
question. What’s the timeframe for the hail-in on the present headboat logbook program?

DR. PONWITH: Right now, to my knowledge, there is not a hail-in requirement for the headboat program. The headboat program has just gone through a pilot program to look at validation methodologies, and the results from that pilot program are in evaluation right now. I, at this point, don’t know if that’s going to be included in their report or not, but that is something that was looked at.

MR. FISCHER: If this program is successful, it doesn’t have a hail-in, and we’re going to use their catch histories, possibly, in Amendment 42. There are safeguards in place. We will have a random -- A random inspection or a random sampling should be keeping the boats in line, as far as their harvest, and we just think it burdens our fleet, and our fleet is opposed to it, and we’re going to follow the wishes of the fleet, until something changes.

CHAIRMAN ANSON: To that point, Dr. Ponwith?

DR. PONWITH: To that very point, you’re right. The catch is, when we look at charter and headboats, we’re looking at an order of magnitude more vessels than currently is in the headboat, and so, to go operational at that scale, I think it really does require us to look for ways that we can be as efficient as possible.

CHAIRMAN ANSON: To that point, Dr. Crabtree?

DR. CRABTREE: Just to remind everyone that, in Action 1, we already have a preferred alternative that requires that the vessels submit fishing records for each trip via electronic reporting prior to arriving at the dock, and that’s a preferred we already have chosen, and so having the hail-in seems completely consistent with that.

CHAIRMAN ANSON: Mr. Atran.

MR. ATRAN: This was a concern of the Law Enforcement Technical Committee, although they were looking at a different amendment, Amendment 36A, on expanding hail-in requirements. One problem is that, with IFQ vessels, there is a limited number of places where the vessels can land, whereas, if you expand this to any charter or for-hire vessels, there is an infinitely larger number of potential landing spots, and they felt that was going to make it very difficult to use this for any enforcement
situation. They thought it would just overwhelm them.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: Dr. Crabtree made one of my points there, but I just wanted to note that it is the technical committee recommendation. In the beginning, it may be something that people have to get used to, but I do think it’s the right thing to do at this point. If we’re going to move forward with it, we need to do this as well.

CHAIRMAN ANSON: Dr. Lucas, followed by Dr. Stunz.

DR. LUCAS: Had we talked about this in Clearwater and gotten this far, I probably would have had a different opinion, but, after sitting through our MRIP technical review for the Tails and Scales Program and understanding, I just felt for sure they were going to talk about it being necessary to have the electronic report before you hit the dock and have a hail-in system.

After sitting in there with their consultants and their experts that do these statistics and them saying that they didn’t need that, that that report could come later and that they didn’t need the hail-in, I just feel like our system is working. It looks like we’re going to be able to proceed with the validation, and so I don’t see the hail-in as a hindrance to getting the validation that we need, especially after having those experts lay it out on the table, and so I just can’t support the hail-in at this time.

DR. STUNZ: I have a little bit of a different viewpoint there. I think we’re splitting hairs just a little bit. The hail-in simply just allows us to refine validation, in my opinion, which is going to be really key in any of these programs. By effectively submitting your report, which is in the other action, that is the hail-in anyway, and so you’re getting it right there. We have it, whether we want it or not, and I think having it here just explicitly says what we mean.

CHAIRMAN ANSON: Dr. Froeschke.

DR. FROESCHKE: Just so we’re clear in the understanding, I think the fundamental difference between having a hail-in and reporting before you hit the dock and just having an intercept is, when you hail-in and report at sea, the estimation of the catch will be from that report. If you don’t do that, then the estimation would be from the intercepts, which is totally
different.

The technical committee has continued to recommend the at-sea reporting, because they wanted the census-based approach. I guess, from the IPT level and things and writing the document, if we could get some clarity on what your intent with that respect is, it would be great.

CHAIRMAN ANSON: That’s a good point, Dr. Froeschke, and that certainly plays heavily into this particular motion and direction of the document. I don’t know if some of those who have expressed some dissent regarding this motion and their opposition heard that, but certainly they should be taking that into consideration, I guess. Does anyone else want to talk about the motion? Seeing none, we are going to go ahead and vote on the motion.

The motion is, in Action 3, to make Alternative 3, Options a and b the preferred alternative, and this is in regards to the hail-in. Prior to arriving at the dock or port at the end of each for-hire trip, require the vessel operator to hail-in and submit fishing records via electronic reporting. That was a technical committee recommendation. Option a is for charter vessels and Option b is for headboats. That mechanism for hailing-in has yet to be determined, as it ties in with this motion. All those in favor of the motion, please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Eleven yes.

CHAIRMAN ANSON: All those opposed, same sign.

EXECUTIVE DIRECTOR GREGORY: Five opposed.

CHAIRMAN ANSON: The motion carries. Dr. Crabtree. I would like to try to break for lunch at some point.

DR. CRABTREE: We can do this after lunch, if you would rather.

CHAIRMAN ANSON: We do have time scheduled. Based on the agenda items, either some that have been dropped or have been done, we do have some time after lunch. We’re eating into that time now, and so I figure if we can go ahead and just break for lunch and get that over with, maybe you will have more attention from folks for subsequent motions. Let’s do that. Let’s recess for that lunch. Council members, we’ve got to get a picture with everybody, and so, please, don’t go very far. We will be back at 1:45. We will reconvene at 1:45.
DR. STUNZ: Thanks for the additional time, Mr. Chairman. We needed that.

(Whereupon, the meeting recessed for lunch on August 17, 2016.)

August 17, 2016

WEDNESDAY AFTERNOON SESSION

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Astor Crowne Plaza, New Orleans, Louisiana, Wednesday afternoon, August 17, 2016, and was called by Chairman Kevin Anson.

CHAIRMAN ANSON: We are going to pick up at 2:15 with the scheduled agenda item, and that would be public testimony, at 2:15, and so we have twenty-five minutes. I am going to use that time to finish up our discussions in Data Collection. Dr. Crabtree, I think you were next. You wanted to make a motion.

DR. CRABTREE: I think that the final place that we don’t have a preferred alternative is in Action 4, and I do think, given where we’re going with Amendments 41 and 42, that some kind of positioning system is desirable, so we know where the boat is and when it leaves the dock and those kinds of things.

I do think that Action 4 ought to be clarified and the alternatives that include GPs devices, that those need to be affixed to the vessel somehow, so we know that where the GPS device is is where the vessel is. At any rate, to get the discussion started, I will go ahead and make a motion that, under Action 4, that our preferred alternative be Alternative 4, a and b.

CHAIRMAN ANSON: We have a motion that in Action 4 that the preferred alternative be Alternative 4, Option a and b. We will wait while staff puts it on the board. Is there a second to the motion? Dr. Stunz seconds the motion. Any discussion on the motion? Myron.

MR. FISCHER: It’s not to discuss the motion, but I want to ask Roy -- When he was talking about affixed to the vessel or fixed to the vessel, but if he would -- That was for devices under this motion?
DR. CRABTREE: In this motion, it would be a NMFS-approved VMS system, which does have to be affixed to the vessel, but we have other alternatives in there -- I believe Alternatives 2 and 3 both specify GPS positioning, but not an approved vessel monitoring system, and I think, in those two, whatever the GPS is, it needs to be affixed to the boat somehow. If you can take your GPS and put it in your car, then you could go out on a trip and the GPS would be reading that you’re still at the dock, if it’s in your dock box, for example, and so that would apply to Alternatives 2 and 3.

MR. FISCHER: Whichever way it goes is fine. Of course, you know our view on it, but I think we have to establish what is our preferred, so it can get out to industry, because CLS America just developed a portable reporting device that is satellite reporting all in one device, and it’s not affixed to the vessel. It’s not Bluetooth. It’s an antenna, to the best I know. It’s a totally portable device, but I do see your point.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: Roy, I support your motion. I think it’s in our best interest to select some of these preferreds, but we’re kind of getting into the territory where, if you remember the last meeting or so, we’ve been discussing about how this is kind of going hand-in-hand with 41 and 42, and we don’t know where we’re at there, whether it’s an IFQ type or tags or whatever, and that might influence what we do here. I mean we certainly can always go back and change that preferred, and so I think this is the reasonable choice at this point.

We’re getting to a point here, broadly, with this amendment of how far are we going to take it in getting specific and how much room are we going to leave the National Marine Fisheries Service to design things, and so I am kind of just opening that up a little bit. At some point, maybe at the next meeting, we should have some discussion. We don’t want to be so prescriptive that we have to come back and modify this document every time we want to make a little change, but, at the same time, we want to maintain some control, but give flexibility, as needed, and I’m not sure how we really deal with that.

CHAIRMAN ANSON: Is there any other discussion on the motion? All those in favor of, in Action 4, to make Alternative 4, Options a and b, the preferred alternative, please signify by raising your hand.
EXECUTIVE DIRECTOR GREGORY: Eleven.

CHAIRMAN ANSON: All those opposed, same sign.

EXECUTIVE DIRECTOR GREGORY: Five.

CHAIRMAN ANSON: The motion carries eleven to five. Does anyone else have any discussion?

MR. BOYD: I don’t know if this is the right thing to ask at this point in time, because this is more of a technical question, but, Roy, if you had the scenario where an outboard center console is under this program and they get to a certain point and decide that the weather is too bad, it’s too rough, their clients are too sick, whatever it is, and an hour into the trip they turn around, when they hail back in, are they going to have to wait out there then? Is that what you see happening? Are they going to wait for another hour or two hours or three hours to get back in, or is there going to be some provision to take care of that particular case?

DR. CRABTREE: I think there will have to be, because I don’t think it’s reasonable to expect a vessel with paying customers on it to wait for an extended period of time, and so my thought is they would punch whatever button on whatever device it is that hails in and then they would come in. Now, if they have some catch onboard, they would have to report their catch, but I don’t think that would take but a few minutes.

I think we have preferreds on everything now, and so my question to staff would be what kind of timeline are we on for final action, do you think?

CHAIRMAN ANSON: Dr. Froeschke.

DR. FROESCHKE: It seems to me that the document is essentially complete, minus the updating of the things here and some perhaps polish, and so we could have the document ready for final action in October, unless there is something unforeseen.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I mean I would like to move on this as fast as anyone, having been trying to push this at every meeting, but I think there is still a lot of things in play, and I am not at all saying we don’t move this forward, but there is still some other things. For example, I would like to hear from Bob Gill on how that pilot went and what were the pitfalls and what is
happening. We didn’t get to do that at this meeting.

Hopefully, we will get to hear from him and do that at the next meeting, but I think I would feel as though we need to have one more meeting of discussion before we really take final action with all the -- There is still some more matters that I think we need to discuss.

CHAIRMAN ANSON: Ms. Bosarge.

MS. BOSARGE: Pardon me if my memory is lacking here, but did we already take this out for public hearings across the coast? I don’t remember. I know we’ve been working on it for a while.

DR. FROESCHKE: We did. We did a public hearing via webinar in December, and we got a lot of participation that way, and then at all of these council meetings which we’ve discussed it, but we didn’t go out for city-by-city public hearings. We also did the direct mailing, because it was a known universe, and so every single permit holder got a direct mailing about it and then, like I said, the webinar.

CHAIRMAN ANSON: I guess my question to the group is that prior webinar back in December, when the document was fairly new, has it changed enough where it requires an additional maybe webinar, possibly, or not? Dr. Stunz.

DR. STUNZ: The short answer to that I think is yes. We didn’t have preferreds, and we’ve had a lot of different discussion around the room, and I think it deserves another chance to get some feedback. I know Myron’s group and things has probably -- His crew out there has a lot to say on this, and so I think we need at least one more opportunity, and so maybe if we looked at October to have some of those discussions, maybe a public hearing before or after then, and then final action in January. That, at least to me, would be a little more realistic, and at least I would feel better about acting on it at that time.

CHAIRMAN ANSON: Anyone else want to comment on that schedule that Dr. Stunz has proposed? This would be a webinar, similar to what was done in December. I don’t see any dissention from that, and so I guess, based on that schedule though, Dr. Stunz, maybe not put it on October’s meeting as a final action item, to notice everyone, and plan on January. Then hopefully we can sort out and have Mr. Gill or someone else come at the October meeting to provide that additional information. Dr. Crabtree.

DR. CRABTREE: You know you could notice it for final action,
but that doesn’t mean we have to do it. That way, if we got here and everybody is comfortable, we could go ahead.

DR. STUNZ: I don’t really know that I’m still going to be comfortable in October, because one of the things that I was going to bring up is I don’t know -- Maybe the committee -- I see Myron walking out real quick, but we had the minimum data requirements discussion.

We didn’t have a whole lot of -- I am not saying we prolong this committee any more at this meeting, but I don’t know -- I am not sure where we left that and if you guys were comfortable, or did we decide these were the minimum data elements? We sort of briefly got a report on that, and so I think there’s just a little bit more of these detail-type discussions we need to have before finalizing it, and so I’m still for January.

CHAIRMAN ANSON: Myron.

MR. FISCHER: That give us time in the future to talk about it, because, as you said, in the data requirements, we want boats to report before they get to the dock, but we want them to record how many gallons of fuel they’re going to use, and we have -- Some selections could be hook size and hook manufacturer. In the end, it may be very important to have all of these things in a logbook, but, after we go through the October meeting and the January meeting and have the committee meet, we may flesh out some of this, that we don’t want some of these items.

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: If I’m not mistaken, I thought in committee we requested them to do a webinar of the technical committee to add the states’ programs and their minimum in there, so that that would be part of the record, and then possibly move that whole entire minimum thing to like an appendix or something, so that it would be in the document for people to review.

CHAIRMAN ANSON: I will ask staff if that’s their recollection or what they intended to do relative to any further information relative to the minimum data elements. Dr. Froeschke, were you planning on doing anything with that or having any other additional information to be added to that?

DR. FROESCHKE: Not unless you wanted me to, no.

CHAIRMAN ANSON: Dr. Stunz.
DR. STUNZ: Sort of three items. The presentation on that NFWF pilot would be very useful for next time, and we just talked about these minimum data elements to add as a discussion, but a third thing would be Bonnie is going to have some discussion on the costs, but I don’t feel like we have vetted the costs of this well enough yet to do something in October. I want to move this along, but I think it deserves just a little bit more time.

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: Just for clarification, when I was speaking about cost, it is the cost for the commercial reporting pilot study that we had done.

CHAIRMAN ANSON: I guess the decision will be made by staff and the next chair relative to the final action, unless someone wants to make a motion that we vote for not doing that, but I guess my deference would be at this point to not put it on final action, even though we can, and not select final action at the October meeting, but that’s where I would sit at this point.

Dr. Froeschke, going back to Dr. Lucas’s comment regarding the summary of the discussion that was held the other day in Data Collection, were you going to -- Was there going to be a webinar with the state folks or some reach out to the state folks to talk about these other elements that they may have in their programs or are you basically going with what has been provided and discussed here at this meeting?

DR. FROESCHKE: I wasn’t planning to do more, unless you direct me to. We really, prior to this, hadn’t really had a full discussion about how deep into the data elements we were going to go and the specifics of the document, and so I hadn’t gone deeper.

CHAIRMAN ANSON: Dr. Stunz or Myron, you have been most vocal on this issue. Is there any direction that you want to give to staff relative to that?

DR. STUNZ: Maybe some other committee members want to chime in. This is sort of what I was talking about earlier, is how specific do we want to get in this document, with the sense that -- At least this is my understanding, and please correct me if I’m wrong, but, if we get too specific, if we want to change any little thing, we’ve got to come back and go through a relatively drawn-out process.

At the same time, if we don’t specify certain things, the
fishing community might not get what they want and be very
disenfranchised with a burdensome system, and so that is one of
the reasons that I think we need to have a little more
discussion, but I don’t have the solution for you right here,
Mr. Chairman, of where we go. Maybe we can think about that
between now and the next meeting, but I don’t know, unless maybe
Myron has some input.

MR. FISCHER: Exactly. We don’t know where we’re going with it,
and so let’s just not rush. The soonest we should post final
action would be the first of 2017. If we don’t take final
action and it goes into the spring meeting, that’s fine, but
let’s not rush it.

CHAIRMAN ANSON: Thank you. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chairman. I was just thinking that
we were going to go ahead and convene that technical
subcommittee and just specifically have them look at the IPT’s
recommended -- That sheet you looked at and commented on of the
minimum data elements.

Then, also, they could look at the larger list, and there are
various state representatives on there, I believe from all the
states, that could be involved in that. Then they could comment
on it and make recommendations. Then we could give that to the
council, hopefully in October. If we can convene them before
October, we could do it before January, but my understanding is
that the South Atlantic Council did this and they put it in an
appendix of what they would like to see the program be developed
and the data they would like to be collected. It’s my
understanding that that’s the way we would handle this as well.
It would go in an appendix or in some part of the document,
saying this is what the council would really like to collect.
Thank you.

CHAIRMAN ANSON: Thank you for that summary. Dr. Ponwith.

DR. PONWITH: Just following on that, we had long discussions
about that at the South Atlantic Council, and the rationale for
this is that you don’t want to regulate the science. You want
what the minimum requirements are noted in an appendix.

One recommendation that was entertained was referring to a
document that’s maintained by ACCSP so that that document could
be updated as technology advanced and as new methodologies came
available, but that it didn’t pin you, so, if something
happened, you didn’t end up in a situation where you were in
essentially golden handcuffs and had a choice of either sticking with a technology that has become obsolete or having to do an amendment to a plan.

CHAIRMAN ANSON: Ms. Bosarge.

MS. BOSARGE: Thanks for your comments, Dr. Simmons. That was my biggest concern, was to make sure that there was going to be some sort of meeting where a state representative from every state, from all five states, will be there with the subcommittee, to make sure that, as we go -- For our October meeting, when we review these data elements that will go into the appendix, we have gotten the good, detailed input from all the states and what they need for their data collection, plus what we had to begin with, and maybe we can actually start to flesh something out in October on that. As long as we make sure that all five states will be there at the table, that sounds great.

CHAIRMAN ANSON: Mr. Strelcheck.

MR. ANDY STRELCHECK: I serve on the technical subcommittee, or at least I think I do still, but I guess, just in thinking through this, what are we trying to accomplish here? If we were trying to just develop a list of variables that would be included from each of the states, it seems like that could be done outside of even a committee meeting. That’s just a request that goes to the states for their data programs.

As Bonnie indicated, we are not trying to be prescriptive in terms of the specific data elements that are going to be codified in regulations, but we obviously want to set some guideposts in terms of what we expect would be data elements collected, and so I guess I’m just unclear as to what the technical subcommittee would ultimately be accomplishing by this effort that couldn’t be done through maybe a request via email.

CHAIRMAN ANSON: Dr. Froeschke.

DR. FROESCHKE: I could ask Dave, but maybe this is something we could also address at the Gulf States meeting in the FIN or the data collection there. All the representatives happen to be there.

MR. DONALDSON: Yes, absolutely. I can talk with Greg to see what kind of time we’ve got on the agenda, but we could certainly add it, potentially.
CHAIRMAN ANSON: All right. I think that concludes it, unless someone else has something else they want to bring up for Data Collection. I think that concludes everything for Data Collection. We are going to move right into Public Testimony. We’re just a few minutes ahead of schedule.

Good afternoon, 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. The Sustainable Fisheries Act requires that all statements include a brief description of the background and interest of the persons in the subject of the statement. All written information shall include a statement of the source and date of such information.

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Knowingly and willfully submitting false information to the council is a violation of federal law. If you plan to speak and haven’t already done so, please sign in at the iPad registration station located at the back of the meeting room. We accept only one registration per person.

Each speaker is allowed three minutes for their testimony. Please note the timer lights on the podium, as they will be green for the first two minutes and yellow for the final minute of testimony. At three minutes, the red light will blink, and a buzzer may be enacted. Time allowed to dignitaries providing testimony is extended at the discretion of the Chair. First up, we have Jason Delacruz. He will be our first speaker, followed by Kellie Ralston.

PUBLIC COMMENT

MR. JASON DELACRUZ: Thank you for the opportunity to speak. I will be real brief today. First, I would focus on Amendment 36A and some of the conversations that we’re having in that. A couple of the dealers have talked about it, and it may not be popular, but we like the idea of a three-hour unloading notice.

One of the holes in our system right now is that a boat can go out and do a trip and make a three-hour notice, and he comes to
the dock and he’s got seventy-two hours to unload. The problem is, if the law enforcement shows up, he can just not unload if they choose not to, and so we think that there needs to be another layer added in for the dealers, where the dealer makes a three-hour unloading notice. There are some caveats that have to be understood, but we think that will actually help tighten up the system better as well.

We also feel that, on 36A, one of the things that we see is a hail-in requirement, no matter whether you have IFQ species or not, because that’s the other big hole in the system. You guys really didn’t give me time to think about this much. I usually wrap this up better.

One of the other issues is let’s keep moving forward with 41 and 42 and really give them a chance to build their system. These guys have been here for as long as I have and with really no success. You’ve got to give them credit for that, and so let’s keep moving forward with that.

The other thing I want to commend this entire council on is you guys put this recreational AP together, or are beginning to, and I think you need to be congratulated on the fact that you did that, and now we have 180 people that applied for that AP. If that doesn’t tell you how ripe the private recreational angler is for a new management plan, I don’t know what possibly could.

I have started talking to the different people on my dock on a daily basis, just saying, hey, what do you think of it and what kind of ideas, and they’re all excited about something happening and seeing it move forward, because they’re all tired of the same status quo and, ironically, we have snapper now in my region, and so that’s real exciting.

The only thing, real quick, and this is kind of a sidebar note, is amberjack. We need to figure out something with amberjack. I would love to see it move in 33, which would be like a remaining reef fish IFQ, but, realistically, in the short term, how about a 500-pound trip limit? This 1,500-pound trip limit didn’t change anything from the 2,000-pound trip limit. We actually closed faster this year. We had a three-month season.

Now, the problem is that we’re discarding those fish, even the incidentally-caught fish now, for the rest of the year, and so it’s not really adding any value to the fishery. It’s just hurting the fishery, and so, at the very least, let’s look at a 500-pound trip limit, to try to keep this fishery open longer and so the guys that actually are just incidentally running into
this fish aren’t just discarding them. I think that’s it. Thank you.

CHAIRMAN ANSON: Thank you, Jason. Kellie Ralston, followed by Bill Kelly.

MS. KELLIE RALSTON: Thank you, Mr. Chairman and council members. I’m Kellie Ralston, Florida Fisheries Policy Director for the American Sportfishing Association. I appreciate the opportunity to provide comments on the Gulf King Mackerel Amendment 29 on behalf of ASA.

We have actually provided detailed written comments to you prior to this meeting, and we hope that you will consider the full range of those thoughts and comments, as they weren’t considered during your Mackerel Committee discussions today.

We do not oppose the concept of conditional transfers of allocations between sectors, but they need to be fair and equitable over time between sectors. This amendment needs to be very carefully vetted and thought out and not put on the fast track, as appears to be happening.

Because the goal of commercial fishers is to fish their allocation and the goal of recreational fishing is largely based on encounters, it seems likely that the concept of shared allocations will be a one-way street of sharing. Amendment 26 increases the recreational bag limit to three fish, and the effects have not yet been fully seen. Because it will take several seasons to understand the impacts of a three-fish bag limit, only the most conservative of conditional transfers should be considered at this time.

Action 1, Alternative 2, both the original and the IPT version, they currently seem arbitrary. We would like to see the rationale developed for the percent transfers that explains how the percent is proposed and how it is justified within the context of exceeding the total ACL and the recreational ACL as well as the potential of impacting recreational encounters with king mackerel.

We agree with the IPT and the committee that Action 1, Alternative 3 should be eliminated. We think Action 1, Alternative 4 should be presented in much more detail. While it may put some burden on the SSC, this alternative provides an important check on the transfer amounts, and the SSC could consider our concerns about the arbitrary percentages raised for Action 1, Alternatives 2 and X.
We cannot support any of the proposed accountability measures for Action 2, including the IPT recommendations. We have provided you with possible language of an alternative that we could support, and we cannot understand why the Mackerel Committee did not include an alternative that would explicitly hold the recreational community harmless for exceeding its shared allocation and accountable only if it exceeds its pre-shared allocation of 68 percent.

As currently proposed, we cannot support this amendment, either in the currently published form or in the IPT revised format. Any conditional transfer of recreational allocation that has even the slightest potential to penalize the recreational fishing sector for exceeding its remaining allocation is not a fair way to approach accountability measures under this shared allocation concept. Thank you for your consideration.

CHAIRMAN ANSON: Thank you. Bill Kelly, followed by Alison Johnson.

MR. KELLY: Mr. Chairman and members of the council, I am Bill Kelly, representing the Florida Keys Commercial Fishermen’s Association. I want to apologize for my hearing issues earlier today. I have a condition called tinnitus, which is a constant ringing in the ears, and it blocks out certain sound frequencies. It’s an ailment that’s common to married males.

I have a couple of things that I want to talk to you about in reallocation. One, I want to thank the Vice Chair, Leann Bosarge, who has certainly spirited an effort to address allocation issues and so forth in what we felt was a very workable plan, followed up by council staffer, Mr. Ryan Rindone, who took that and then turned it into science-speak.

I think it’s a very important issue here, as I’ve said in the past. Underfishing now is as detrimental to achieving OY as overfishing. It used to be an additional buffer, and that isn’t the case anymore. Now we’re factoring in so many old fish. It’s the responsibility of the councils, we believe, to address allocation to achieve OY. We see very similar dissimilarities, and I know that’s a Catch-22 or a cliché there, but when we look at dolphinfish and we look at yellowtail snapper allocations in the South Atlantic. They are very detrimental to our nation and to America’s consumers.

Finally, with regard to lionfish, I just checked my airline schedule. I have got to be out of here at 9:30 tomorrow
morning, and I apologize. If it can answer any questions on lionfish, I would be happy to do so, and I want to thank you for the considerations and questions that you asked me earlier today. Thank you.

CHAIRMAN ANSON: Thank you, Mr. Kelly. We have a question for you, Mr. Kelly, from Mr. Matens.

MR. MATENS: Mr. Kelly, you knew this was coming. First of all, I always love your comments, but, more importantly, you have brought your demonstrated sartorial excellence to new heights in this meeting. Thank you, sir.

MR. KELLY: Thank you for spiriting this effort in the Camp challenge. That motion is seconded by Dr. Crabtree. Thank you.

CHAIRMAN ANSON: We have Alison Johnson, followed by Mark Tryon.

MS. ALISON JOHNSON: Good afternoon, Chairman Anson and council members. Thank you for the opportunity to provide public comment today. My name is Alison Johnson. I am from Oceana. I am the Responsible Fisheries Campaign Manager for the Gulf of Mexico and the South Atlantic Region, and I am based in Key West, Florida.

First, I would like to call attention to the action plan published by the Presidential Task Force on combatting illegal, unregulated, and unreported fishing and seafood fraud in February of 2016.

This action plan calls for the tracking of thirteen species groups and traceability for seafood up to the U.S. border. While Oceana supports this and views this as a positive step in the right direction, we would like to see this action plan be extended to include all fish species and add traceability from boat to plate for domestic fish as well.

We are asking the council to work with the administration to strengthen this action plan, and we would also like to work with industry to ensure that there is minimal cost to domestic fishermen and to impose a stronger regulation.

Second, Oceana supports the exempted fishing permit application for lionfish containment device testing, as submitted by Bill Kelly and the Florida Keys Commercial Fishermen’s Association. This research has the potential to reduce lionfish populations in deep water, which is typically out of reach of divers, and also in a more effective way than typical angling.
As you know, the lionfish are threatening the same fish and invertebrate populations that the council is mandated to protect. We therefore urge the council to approve the LCD exempted fishing permit application at tomorrow’s meeting. Again, I would like to thank you for the opportunity to provide public comment today. Thank you.

CHAIRMAN ANSON: Thank you. Next, we have Mark Tryon, followed by Dan Green.

MR. MARK TRYON: Good afternoon. I’m Mark Tryon, a commercial fisherman from Gulf Breeze, Florida. First, I would like to discuss the triggerfish situation and my personal experience. I’ve been fishing the Pensacola area for twenty-three years now. This is the most fish, the biggest fish, as far as triggerfish is concerned, that I have seen in twenty-three years of fishing, and so I think that, going forward, I think we can ease up a little bit on our quota and give us some modest increases there.

I noticed that there was like an eight-year plan and a nine-year plan that would allow for that, and so I would urge you to consider that. In addition, going back to the observations, the last trip that I made, and I am primarily a red snapper fisherman, there were actually more triggerfish than red snapper on all the spots that I fished, ranging in depth from ninety feet to 170 feet, and it actually impaired my red snapper fishing, because anybody who has been fishing when there is a bunch of triggerfish around know that they are notorious bait stealers and very aggressive.

I think it would be nice if we could go to maybe the fourteen fish or even the twenty fish. Right now, I have no trouble at all catching the twelve fish, and, also, I think it’s a good idea to maintain the June/July closure, in the interest of preserving the spawning stocks.

I would make a comment on red grouper. I have only caught one myself this year, in quite a few fishing trips. That is one fish. I don’t really understand why the quota was increased to the extent that it was, and I guess it was to provide more recreational opportunity or something, but, for instance, over in our area, it’s not really going to benefit the recreational fishermen, because if I’m only catching one fish out of well over 10,000 pounds of fish caught this year, I don’t see what it’s going to do for them.

I just think that we should always err on the side of
conservation when establishing quotas. Right now, it seems to
me that it’s a de facto wide-open fishery, where the quota
doesn’t really mean that much, because it’s set unattainably
high.

Anyway, finally, on snapper, as far as these inactive accounts,
I guess the easiest thing to do would be to prorate them back to
the active shareholders. Finally, with king mackerel, I am in
favor of the allocation sharing from the recreational to the
commercial sector to maximize the accountable utilization of the
resource. Thank you.

CHAIRMAN ANSON: Thank you. We have Dan Green, followed by Tom
Ard.

MR. DAN GREEN: Hello. My name is Dan Green from Galveston,
Texas. I’m a charter boat operator. I have owned a federal
permit for about ten years now. I just wanted to say that we
appreciate sector separation, and our customers have enjoyed
longer seasons than what we would have had if we were still
fishing under the traditional segment, but that’s not the end-
game.

After two seasons, I think now we need to move forward with
forming a sustainable management plan for the charter for-hire
sector. We don’t want to get stuck in a situation where we
don’t get to explore the options that we have come so far to
accomplish.

With Amendment 41, I support a multispecies PFQ or IFQ
management plan. I would also like to intersector
transferability within this plan. If one charter boat doesn’t
need to access all their fish, then I think we should be able to
trade and help each other out, and that’s all. Thanks.

CHAIRMAN ANSON: Thank you, Dan. We have Tom Ard, followed by
Skipper Thierry.

MR. TOM ARD: Hello, everybody. I’m Tom Ard. I’m a board
member of the OBFA, Alabama Charter Fishing Association, and I’m
Secretary of the CFA. I’m a charter boat owner and operator. I
have three charter boats out of Orange Beach now. Man,
amberjack and triggerfish. It crushed us, didn’t it? It
absolutely crushed us. From a thirty to a thirty-four-inch size
limit, and I might have been the only one standing up here
going, man, I wish I went from thirty to thirty-one to thirty-
two, but you went to thirty-four.
You told the professional fishermen to go catch bigger fish, and
guess what? They did it. They went and caught bigger fish. They went out of their way to go do it, and then we lost our fall season.

Triggerfish, I went three times. I told you all there was a ton of triggerfish off of Orange Beach and we’ve got to do something to this regulation to try to keep a season open. Last year, we went from January to the end of May, and we crushed them. We probably caught the TAC right there off of Orange Beach. We might have doubled it. That’s how many triggerfish is out there. The proof is in the pudding.

We’re probably not going to have a triggerfish season next year. Then the next year, what are we going to do? The same thing? It’s very upsetting, very upsetting. That’s proof of we need a multispecies type of fish management plan, 41. Those two things right there just prove it, and so that’s what I’m for. It’s going to have to have tradability in it, for fishermen to have enough fish to have a business.

Anyway, that’s all I’ve got say, I guess, but 41, multispecies, tradability, keep it going. I support VMS on the logbooks. That works fine. Let’s just not beat a dead horse. Let’s do something that works. It’s proven to work. The little tablet works. It all works, and let’s just roll with that, in my opinion. Like I said, I’m just really upset about the amberjack and the triggerfish.

If anyone is going to ask and say, what would you do with amberjack if it was up to you, I would have kept it thirty inches. I would have put a three or a four-fish limit, like boat limit. I might have kept it at twenty-eight inches. You know what happens when you catch a thirty-inch amberjack with a tourist fighting it all the way to the boat? He’s dead. I don’t care how deep water you’re in. They float off or they swim off like that, because they fought to the death. It’s a fish that needs to actually have a lower size limit. If you don’t want to catch that many of them, put a boat limit on it. That’s what I would do. When we went from thirty to thirty-four, that was a disaster. Anyway, thank you.

CHAIRMAN ANSON: Tom, we have a question for you from Dr. Crabtree.

DR. CRABTREE: Tom, in Amendment 41, you want to include other species.
MR. ARD: Yes, sir.

DR. CRABTREE: I get amberjack and trigger, but you’re talking about the same species that are in Amendment 42?

MR. ARD: Yes, sir. Red snapper and triggerfish and amberjack, we see that there is a need for some sort of fish management plan for them off of Alabama, but the Florida issue, we probably need to put gag grouper and red grouper in there, too. I am hearing that the red grouper fishery is in pretty bad shape, even though your science really hasn’t showed it yet, and so it’s just the next fish in the deal. Let’s go ahead and put five, and then maybe we could trade my red grouper for their red snapper or something, just trade within the charter boats or something like that.

The trading part, we don’t need to be -- Tom needs to trade with Joe. It needs to go from Tom to some sort of co-op or I turn in a thousand pounds of red grouper and then a guy down there turns in red snapper, and then I can pull red snapper. If you go person to person, it’s going to be some sort of monetary cheating. You know it’s going to happen. If you just could put it to a thirty-party system somehow, then that trade would probably work and be fair. Thank you.

CHAIRMAN ANSON: Tom, I have a couple more folks, council members, that have some questions for you. Mr. Boyd.

MR. BOYD: Tom, thank you. Tradability, exactly what are you talking about? Are you talking about trading within the charter fleet, between the charter fleet and the headboat fleet, between both or with commercial and recreational?

MR. ARD: I think all we’re talking about is trading from charter boat to charter boat. In 42, that’s headboat to headboat. They’ve got their own deal, they’ve got their own fish, and so let them trade. I don’t think anybody supports going from charter boat to commercial, and so I’m just thinking we’re talking charter boat to charter boat. If you split all these fish up and put them on a permit, through regional or however you decide to do it, all the permits get them.

I mean there is so much to this thing that we have to work out, but there’s latent permits, permits that aren’t really fishing much, and they get the same as me, and we’ve been fishing for thirty years, since permits were made. Do they get just as much or whatever? I know that’s a lot of stuff that’s got to be hashed out, but if there was a way that -- If my permit got all
these red grouper or something and I didn’t need them, it would be nice to be able to trade them to somebody that doesn’t need red snapper, or vice versa. That’s kind of what we’re saying.

We’ve kind of already crunched the numbers, and it’s going to be hard to, if you split all the fish up equally, to have enough fish to go fishing, and so there’s going to have to be different ways of weighing these permits to figure out which ones maybe have been fishing longer or more passenger capacity or something like that, where they get more fish. I mean there’s a lot to be worked out, and I have seen that. I thought about it long and hard, but, yes, there has to be some tradability in 41, or I don’t think it will work.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: Tom, good afternoon. Thanks for coming. I wanted to ask you -- There was some talk earlier, during committee, about trying to simplify some of the items in the document, and some of the things were, as these things evolve and discussions evolve at different levels, amongst yourselves and amongst your organizations, and perhaps amongst some AP members -- We’re trying to have an AP meeting, hopefully before the next meeting, to address some of this stuff, but there was discussion of getting rid of some of the options, like the PFA, and sticking with perhaps the IFQ and the PFQ. I want to hear a little bit of your thoughts on that.

MR. ARD: I forgot. That’s something I did forget about. The PFQ is my number one alternative. I don’t think an IFQ works in the charter industry. I think an IFQ will kind of cause fleet reduction and a lot of the bad stuff that’s going on in the commercial side with people that’s hoarding up quota and all that. We don’t want that. Whatever allocations we get, we want them on the permits. We’ve got to put the customer first. That’s what business we’re in.

We’re actually in an interesting situation, where business breeds business. Commercial fishing is totally the opposite. If there ain’t nobody else out there fishing, I can catch more fish. Well, it’s not like that in the charter industry. If there was only one charter boat in Orange Beach, he would get filled up and people would find other stuff to do.

If there is thirty or forty or fifty charter boats at one marina, then everybody comes to that marina and it’s an activity. It’s like a giant golf course or whatever. It breeds business, and so, whatever we do, we want to make sure, not only
for the people that’s in it right now, but for the future
generations, that we don’t hurt them, these guys coming up.
They’ve got to have a way to come up with it. A PFQ is my
number one. Thanks.

CHAIRMAN ANSON: I think those are all the questions, Tom.
Thank you.

MR. ARD: Awesome. Thanks a lot.

CHAIRMAN ANSON: We have Skipper Thierry, followed by Billy
Archer.

MR. SKIPPER THIERRY: Good afternoon. I am Skipper Thierry from
Dauphin Island. I have a headboat over there. I want to thank
you guys for the extension of the sunset and the progress made
so far on 41 and 42. It’s just a little bit, but it’s a step in
the right direction. Just please continue to move forward with
these amendments quickly and as carefully as possible.

It’s really exciting to me to think about the possibility of
year-round fisheries instead of closed seasons and missed
opportunities for customers and for us. Year-round fisheries,
that’s where it’s at, fisheries that stay under the quota and
fisheries that reduce discards. Fisheries that increase the
number of customers who can keep snapper, triggerfish,
amberjack, and grouper.

If it’s possible that we’re going to have a triggerfish season
next year, a one-fish bag limit would certainly be fine with me,
if that allows us to have a little bit longer season. I would
love to see it start in February and again the first of June, if
that happens to work, and if we could have amberjack starting in
the fall. If we’re only able to have it for a few months,
starting the first of August. That way, we’ll have something
for us to catch most of the year, because closures are really
hard to sell. Right now, it’s really difficult to go catch a
mess of fish and have a good day, where I’m fishing, in my part
of the Gulf.

A couple of bullet-points. I definitely prefer a multispecies
approach. An opt-in or opt-out doesn’t seem necessary to me on
Amendment 41 or 42. It just seems like it complicates and slows
down things. I am against any type of auctions in any of these
fishery plans.

Just something for thought. In the 2016 season, on my boat, we
captured 2,450 red snapper. In 2015, in the collaborative, we
were allocated around 1,700 fish. I ended up leasing about another 250 fish from another boat to get where I could fish all year, but, in the collaborative, I never had a closed season. For some guys, a forty-six-day snapper season may work and sound great, but a lot of boats need to fish around 150 days to have a decent year, and slowing down and spreading out our fishing has made more customers happier, and it made my blood pressure go down about ten points. I appreciate that, and more of the year-round fisheries, multispecies approach, I think would be great for everybody. Thank you, all.

CHAIRMAN ANSON: Thank you, Skipper. Next, we have Billy Archer, followed by Chris Niquet.

MR. BILLY ARCHER: Mr. Chairman, thank you, and council members. My name is Billy Archer, and I’m from Panama City, Florida. I’m a third-generation fisherman, and I also sit on the board of the charter-for-hire association. I would like to speak to Amendment 41.

I thought Tom Ard’s testimony was spot-on. I agree with just about everything he said. I support also a multispecies approach in Amendment 41. My number one preferred option is a PFQ. The second one would be an IFQ. We need to finish this charter boat electronic logbook program that you all have going, and we participated in the CLS program. We thought it went very, very well. It was very easy to do, and please convene the charter for-hire AP before the October meeting, so we can get some information there, please, and thank you for your time.

CHAIRMAN ANSON: Thank you, Billy. Chris Niquet, followed by Bart Niquet.

MR. CHRIS NIQUET: Chris Niquet from Panama City, Florida. I will give you some facts and figures that maybe the council is not aware of. The great State of Texas, according to the “Outdoor Report” in the Panama City News Herald, they have the most resident anglers of any state. They have a little over three million.

Did you know that the State of Michigan has the most boats registered? It’s not California and it’s not Texas and it’s not Florida. Do you know that the recreational angling created the most jobs in Florida, 65,000? That’s followed by California at 34,000. I don’t know what the big drop-off was all about. After that, it was Michigan at 32,000. I don’t know why they didn’t create jobs in Texas. Maybe they didn’t spend no money. I don’t know.
The next thing I want to talk about is the artificial reef building effort. A little town to the east of Panama City, and it’s called Mexico Beach, and it butts up against Port St. Joe. The population of Mexico Beach is approximately 1,200 people. Gulf County, which is Port St. Joe, has approximately 16,000 people. Bay County has 175,000. Port St. Joe and Gulf County have put out over 1,500 legal artificial reefs off their coastline, most of them within nine miles of the beach for their residential anglers. Why the same hasn’t happened in Bay County -- Maybe somebody on the chamber of commerce knows. The business world, maybe they don’t support it, but I don’t know.

There needs to be something done, on another note, with the triggerfish in the eastern Gulf. They’re eating everything up. They’re thick. I agree with the council to raise the limit to at least twenty fish per trip. It probably should be twenty fish per day.

Amberjack in the western Gulf are also a problem. They’re getting big. People in the fish houses are having trouble selling them, because they’re so big. I would like to thank the council for the time. Thank you very much.

CHAIRMAN ANSON: Thank you. Bart Niquet, followed by Jim Zurbrick.

MR. BART NIQUET: Good afternoon. I’m Bart Niquet from Panama City. I’m a commercial fisherman and a charter fisherman and a headboat fisherman. Once in a while, a recreational fisherman. I’ve been doing it since 1951 commercially, to make money at it.

I think we’re going backwards here, in some ways. You have been trying for years to give more red snapper to the charter and headboat fishery in response to their claims that their fishery demanded it. According to the report given to us yesterday afternoon, the passengers on your selected vessels really didn’t care. Many of the anglers caught one or none and still considered that they had a good trip. Maybe the council has convinced by an illusion, the old smoke-and-mirrors game. They tell you what they want you to hear.

That said, I feel there has been a consistent failure to consider new data on several different stocks. The shark and trigger fisheries are two prime examples. The SSC and the social media experts say both of these fisheries are in a state of decline. The people actually on the water say the opposite is true all over the coast, from New Jersey to Brownsville,
Texas. Sharks of every species dominate the water.

The day-before-yesterday, a great white killed a seal within twenty-five yards of the beach off of one of the most popular beaches in Massachusetts, and they closed the beach. The shark also swam past three or four swimmers while he was getting to that seal, but he didn’t bother them.

The biggest impact of the sharks has been on the shrimp fishery. They can’t hardly do anything, yet the biologists say sharks are scarce. Maybe they are at the office, but they’re not in the water. They are thick.

Triggerfish have also rebounded to levels not seen in years, yet we still leave on the closures. Something is wrong. The many hard-working, tax-paying, and remember that, tax-paying, people that are being deprived of a living by well-meaning, but misinformed, rule makers won’t forget you. Thank you very much.

CHAIRMAN ANSON: Thank you, Mr. Niquet. Jim Zurbrick, followed by Gary Bryant.

MR. JIM ZURBRICK: I would like to thank the council for allowing me to speak here today. My name is Jim Zurbrick. I live in Steinhatchee, Florida. I have been a charter captain for twenty-five years, a commercial fisherman, a dealer, and a recreational fisherman for many, many years of my life, but, first, I would like to speak as one of the Directors of Fish for America USA on an issue that -- Because we are an organization that represents the American consumer, especially through education with sustainability and accountability measures, I would like to talk about the IFQ unclaimed red snapper and grouper quota that is sitting there.

The American consumer is best served by getting this to them, whether or not it goes back to all the shareholders in a proportionate basis, the way that it’s all been done in the past, but better served is probably to send it to an industry-regulated quota bank that will specifically try to target it and get it to those individuals who are our new and upcoming entrants, but also work on the bycatch, the dead discard, issue.

Just giving it out to shareholders is well served. I’m not going to fault that, but it’s better served by putting it in the hands of the industry that would be overseen by NMFS, without creating a new, big bureaucracy. I’m sure we can do this with a minimal amount of technical jargon that would make it all work.
Now, also, as a fisherman and a dealer, I would like to talk to you personally about the triggerfish and how I see a lot of triggerfish, the large triggerfish. I can always have three and four times more than I actually come home with, and so I think that we maybe have missed something here. There is something not right.

Now, commercially, I have never been able to -- We haven’t caught our quota in three years now, because we have an arm tied behind our back. We can only have twelve fish. Twelve fish was never adequate. I am not going to blame anybody for missing it.

It’s where the numbers led us to think where we needed to be, but the problem is now, if we lower this quota, by trying to work out a rebuilding plan that’s shorter, we’re going to go down in numbers. The longer we take to rebuild, the more we’re going to get. I personally think that, right now, today, we could probably have fourteen or fifteen fish. I would like to see us definitely work on that.

The last thing I would like to say is thank you for picking a recreational advisory panel. There was a lot of folks trying to derail that from happening, and I applaud the industry out there trying to work. The sportfishing people are trying to do theirs, but, when you get this thing worked out, you are going to see -- You are going to have applause from people thanking you for letting them have a say in their future. Thank you very much.

CHAIRMAN ANSON: Thank you, Jim. We have Gary Bryant, followed by Tom Steber.

MR. GARY BRYANT: Gary Bryant, owner and operator of Red Eye Charters in Fort Morgan, Alabama. I appreciate the opportunity to be here. To start with, I think there was some discussion on king mackerel. I would like to see, instead of raising it to three -- The biggest problem we’re having is catching the short king mackerel, which is something that’s new to me, but the twenty-four inches -- We’re catching twenty-two or twenty-three-inch fish, and these aren’t very good fish to release. It isn’t safe, and I don’t think the fish survive it, once we’re dragging them in off of our trolling lures. I would suggest, if you want us to catch more of our quota, you might do away with the size limit. That would be my suggestion.

Triggerfish, if we could go down to one, that would be great. My main reason in being here today is in support of Amendment 41. This amendment needs to move forward, and I would like to
see sector separation be made permanent, and I do appreciate you all doing the five years, giving us five more years. The main thing in this, as we’re moving forward, is to move forward. I realize none of us are going to get exactly what we want, and we’ve got a lot of things we’re going to have to figure out along the way, but the main thing is for us to move forward on this.

I can support the multispecies. I think that’s a good idea. I would support trading inside the charter industry. I know, personally, I have two boats now. If something happened, I would like to be able to — Like, this year, I had an engine go down in June on one of my boats. It would have been nice, in that situation, where I could just move those fish over and keep going, and so I would like to see at least people be able to move their allocation within their own business. I appreciate the opportunity to be here, and please help us to move forward on this amendment and get the ad hoc committee together as soon as possible. Thank you.

CHAIRMAN ANSON: Thank you, Gary. Tom Steber, followed by Dale Woodruff.

MR. TOM STEBER: Good afternoon, and thank you very much for allowing me to speak. I’m President of the Alabama Charter Fishing Association. I am also Vice President of the Alabama Gulf Coast Reef and Restoration Foundation that has a lot to do with building reefs off the State of Alabama.

I would like to thank you so much for — It seems like this is all moving forward. It’s been a lot of years that it has been kicking the can down the road, and now it seems to be coming to fruition, and I want to thank you for that, from all of us.

Being on the ad hoc committee for both headboat and charter-for-hire, on the charter for-hire, one of the things that has kind of got out of context is what we asked for was a PFQ, where the permit is tied to the vessel, and not an IFQ, where it’s tied to an individual.

We also are very, very pushing forward on electronic logbooks and want to approve electronic logbooks. I know the one we’re involved in right now, we’ve had a few kinks in it, but they’re working their way out, and so we’re very happy with that. Hopefully, when the information comes back, you will be very happy for that, because it will make it a whole lot easier on the council and on National Marine Fisheries to be able to manage a fishery.
Both headboat and charter for-hire, in my opinion, need to be mandatory to their industry, where you are either in it or you’re out of it. I think that was one of the questions that came up. Thank you very much.

CHAIRMAN ANSON: Thank you, Tom. Dale Woodruff, followed by Mike Rowell.

MR. DALE WOODRUFF: Mike is not here. He left. My name is Dale Woodruff. I’ve got two boats, a dual-permit on one boat, the Class Act, and Baby Blue out of Orange Beach, Zeke’s Marina. I would like to say welcome to all the new guys. You have now entered the twilight zone.

A few things. I am all for Amendment 41. I am still listening about the PFQ. It sounds very interesting, like something I might possibly support. I would just like to see a little bit more. I am definitely not for an IFQ. I would rather see the fish go with the permit and not with the individual, if that’s what it comes to.

The trigger season, I am pretty sure you all have seen the numbers on the triggers. It was 345,000 pounds we caught. The ACT was 177,000 pounds, and the ACL was 201,000 pounds. We went way over. It seems like everybody in the Gulf of Mexico knew we was going to go over except for -- I don’t know if it was the science staff or whoever, but that’s a big dagger right in the side of the charter for-hire industry.

When the people know that we’re going to go over and National Marine Fisheries lets us go over -- Maybe they didn’t know what they were doing, or maybe they didn’t know, but the fish are out there. I would like to see the council maybe do a quicker stock assessment than I think the next one is in 2020. I think that would be awesome.

The amberjack, it went from thirty to thirty-four inches overnight. We thought it was a good move, and we was told that it would probably give us a longer season. Well, it didn’t. Somebody caught them. I heard that Florida caught all the fish. Alabama didn’t catch them. They said Florida had the fish. Well, great. What I do hear though is a lot of thirty, thirty-one, thirty-two, and thirty-three-inch fish at the dock. Where is the enforcement?

I think the biologists that are doing these dockside samples, there ought to be some kind of reporting to enforcement. Maybe
not write them a ticket, but maybe there should be a phone call. Without enforcement, it’s going to keep happening.

Then, of course, we went over on amberjack, because of the thirty-four-inch, and you all know that. Electronic logbooks, yes, we need electronic logbooks. Those numbers I just read out to you all, we probably could have stopped that. We’ve been asking for it for years.

The Alabama charter for-hire fleet, we’ve got them. I love them. I can put the fish in before I get to the dock and walk off my boat feeling that I have done something important for my industry. Whether it gets used, that’s up to you all, but I feel like I have done something. I love the little tablet. That’s the way we need to go, so these numbers right here don’t happen again, because I like to fish for my people and not take fish away from my people. I guess that’s about it. Thank you and have a good day.

CHAIRMAN ANSON: Dale, we have a question for you from Mr. Boyd.

MR. BOYD: Dale, thank you. What is your view on hail-in and hail-out for the charter fleet?

MR. WOODRUFF: You know, if you all want us to hail-in and hail-out, that’s fine, but there’s really no reason for us to have a three-hour notice. If you want us to maybe thirty minutes beforehand -- We have people at the docks, most of the time, every day during the peak of the season, but the numbers are there. We have a lot of dockside samplers. Are you talking about for an enforcement issue side of it or just letting us know, because that’s a question that I guess I need to be asked too, is do you want us to hail-out or declare before we leave, and do you want us to submit our fish before we hit the dock?

MR. BOYD: Well, those are different issues. I was just questioning whether you liked or didn’t like hailing-out when you go out for a trip and then having to hail-in.

MR. WOODRUFF: That don’t bother me. I mean I’m being recorded. My boat is being pinged sitting at the dock right now. If you want to see my boat, CLS will show you where it’s at.

MR. BOYD: Okay. Thank you.

CHAIRMAN ANSON: Thank you. We have Scott Hickman, followed by Walter McNeil.
MR. SCOTT HICKMAN: Good afternoon, ladies and gentlemen of the Gulf Council and Mr. Chairman and Ms. Vice Chairman. I am Captain Scott Hickman from Galveston, Texas. I’m an IFQ shareholder and a charter for-hire permit holder. First off, today, in Amendment 41, I definitely support a multispecies approach to it. You’re going to hear from some of our captains in Galveston that are pretty darned unhappy about the amberjack closure.

Some of these management styles are not working for the fleet, and they’re not working for the fish, the resource. We have got a great opportunity here to develop a great program for multiple species. Under Amendment 41, definitely I want to do away with the permit fishing allocation. Our guys don’t support that. They don’t like the idea of a harvest tag. They do support the IFQ concept and the permit fishing quota concept. They support tradability within the multispecies, and we definitely want to convene the charter for-hire management AP before the October council meeting to clear some of those things up.

Let’s get this electronic logbook program up and running. We have been begging for it for almost a decade now. We need good, reliable landings information. The quicker we get that going, the quicker that that’s going to be able to merge with Amendment 41.

I also was honored this year to be awarded the National Marine Fisheries Service National Marine Sanctuary Volunteer of the Year Award for the work that I get to do with the Sanctuary Service, and we have developed a working group within the Flower Garden Banks Sanctuary that we’re working with commercial fishermen to come up with some solutions on being able to still access some of these historical areas, and so please put some clear language on your letter that’s dealing with the expansion.

We have discussed it a little bit with Leann, and so let’s try to get that done for these fishermen, and we would love to work with you all on coming up with a solution for those folks. That’s all I’ve got today, and thank you very much.

CHAIRMAN ANSON: Thank you, Scott. Walter McNeil, followed by Mike Colby.

MR. WALTER MCNEIL: I am Walter McNeil, and I’ve a got a couple of charter boats out of Gulf Shores. I am also in the IFQ on the commercial side, and I here to just say that I support the sector separation. We need to go forward with 41, with the PFQ, and we need to have some tradability in there.
Also, with the kingfish, I am with Gary Bryant. Those small kings, we’ve been throwing small kings back. Some days, you may not even catch a keeper king, and you’re throwing back dead small ones, and the quota is not being met. If we could drop the size limit on the king, that would be good. Thank you.

CHAIRMAN ANSON: Thank you, Walter. Walter, we have a question for you from Mr. Boyd.

MR. BOYD: Just a quick question for you. You said you have commercial IFQ shares?

MR. MCNEIL: Yes, sir.

MR. BOYD: In the charter industry, would you support the PFQ or the IFQ or neither or what would you support?

MR. MCNEIL: I would support either one, whichever one could get passed the quickest. To me, it’s kind of the same thing, as long as we’ve got fish that we can use different days or whatever, to make it flexible to us, and so either way would be fine with me.

CHAIRMAN ANSON: Thank you. Mike Colby, followed by Michael Short.

MR. MIKE COLBY: Thank you, sir. Mike Colby, charter headboat operator from Clearwater, Florida, and President of the Clearwater Marine Association. The multispecies concept, to me, it’s a really good discussion for the council to have, I think, particularly relating to Amendment 41.

After going to EBFM workshops and other things, I probably ought to have the word “multi” probably tattooed on my head somewhere, because it keeps coming back around. I remember some public comment, three of four years ago, here in New Orleans, when we were discussing Amendment 40, and I just remembered -- I think I even might have made the comment that if we have to go through this kind of misery for every single fish, I think we’re going to be saddling future councils and future council make-ups with a lot of hard work.

I think just having the good discussion of multispecies for the charter industry is one that’s worth having, and tying quota to the permits is probably also a discussion worth having. I think that probably could be your buy-in for industry for that one.
On our data collection front, you all know that I’m part of the ELB project, the coordinator here in the eastern Gulf for it, and I think probably what I would like to see the council do is go ahead and make your decisions on reporting frequency, on hail-ins and hail-outs. We could get there, and let’s get this project moving forward.

I am kind of interested in some of the comments here before, before public comment, made by some council members on a discussion of some of the data elements, minimum data elements, that might go into a mandate to report, and I may be a little naïve on this, but, frankly, when we had our science and technical meetings on this ELB project, the minimum data elements were MRIP elements. They were mirroring on that reporting platform of what the charter guy hears on the phone when he has a mandate to report.

We made that template to mirror what you were getting on the telephone plus the catch report, and I think maybe if science or others want to have further discussion about any other elements that we might find helpful to add to that report, then great. That’s a discussion we can have, but I kind of think we’re there with the templates that we have now, and that’s just a comment from me. Like I say, I may be a little naïve about that, but I think we’re doing quite well using that MRIP platform on our templates. It’s very easy to report. I do it in five minutes. It’s pretty simple stuff. Thank you.

CHAIRMAN ANSON: Thank you, Mike. Michael Short, followed by Randy Boggs.

MR. MICHAEL SHORT: Good afternoon. My name is Michael Short. I own and operate Good Hook Charters out of Galveston, Texas. I have two federally-permitted vessels. We support the multispecies and with the Amendment 41. The PFQ or the IFQ type of program would be nice, and you all really got us on amberjack this year. You gave us two weeks notice, and I had to cancel like forty trips. We’re pretty upset about that out of Galveston, and finish the charter boat electronic logbook amendment. I guess that’s it.

CHAIRMAN ANSON: Thank you. Randy Boggs, followed by Wayne Werner.

MR. RANDY BOGGS: Randy Boggs, Reel Surprise Charters, Orange Beach, Alabama. I encourage you guys to move forward with 41 or 42 or both. The opt-in and opt-out on 42, I don’t see any need for that. Most of the boats around seem to well informed. If
it goes to a referendum, the boats will leave it to where it should be.

I heard some talk about on the collaborative about the amberjack being closed and the triggerfish being closed and some other things. The hail-in and hail-out, that’s one of the most necessary tools involved in this whole program.

The hail-in and hail-out, the law enforcement gets notified via email of where you’re at and where you’re going and what time you’re going to return home. When we first started the Headboat Collaborative, I was met by six law enforcement agencies on about the third day of January, the first day I had actually fished, and I walked into a fisheries meeting in Orange Beach, a scoping hearing, and I walked in and Chris Blankenship looked at me and said, I see the snapper didn’t bite today. I said, well, how do you know that? He said, well, I could tell on the VMS where you hailed-in, and you didn’t have a limit of fish for the people on your boat.

It makes law enforcement really, really, really easy, because you know how many fish I’m supposed to have and where I’m supposed to be and when I’m going to be there. That is an important component, and it’s very, very simple. It puts the burden on the fishermen, because we pay for the pings and the hail-ins and hail-outs, and I am sure that the email is done electronically.

I heard some talk about why, in the headboat program, that we had some days that we didn’t harvest all the fish. Fishing catches are a perception. We sell fishing trips. Not on every trip do we have to harvest a limit. We get so hung up on limits.

There was days on the headboats when I was one of the ones that went to a three-quarter-day and an eight-hour-day of fishing. There was days on the boat that people had one red snapper instead of two. They had a lot of triggerfish to go with them, a lot of vermilion snapper, a lot of other fish to go with them, and I didn’t need to harvest the full limit of fish, but it gave me the option to do it if I did, if I needed to. The discards went way, way down.

I am running out of time, and so I’m going to finish on the triggerfish. Guys, we’re going the wrong way with the triggerfish. The seasons keep getting shorter and the bag limits get less and the fish get bigger, and we keep catching those fish. It’s painfully obvious that there is more fish out
there than we thought there were. I know we’re saddled with the
stock assessment, but you know I told you guys that triggerfish
run in seven-year waves.

When we did the stock assessment, it was on a low year. I keep
a record every day of what I catch. For seven years, you will
see the triggerfish fall off. We did the stock assessment on a
low year. There is years, at that seven-year trough, that you
won’t hardly find a triggerfish off the Panhandle of Florida. I
don’t know where they go or what they do. Then, every year, you
will see it step back up.

This is my twenty-first or twenty-second year of fishing out
there, and we’re starting to see that peak again, and we’re
going to see it fall back off, when triggerfish run in peaks and
troughs, and obviously, if we’re catching them that quick,
they’re there. Thank you, guys, very much.

CHAIRMAN ANSON: Thank you, Randy. We have a question, Randy,
from Mr. Walker.

MR. WALKER: Thank you, Randy. I bet you have a GPS and radar
and plotters and satellite phones and autopilot and a lot of
electronics on there. Did you find it difficult to hail-in or
hail-out or do you think anyone would have much difficulty?

MR. BOGGS: That’s about as simple a process as I have ever
seen, and the benefits that I saw is you have heard people up
here asking for more enforcement already today. When the
Alabama marine police and the Coast Guard and everybody is
notified where I am at and what time I am going to come to the
dock, it doesn’t take a lot of enforcement to be able to catch
me, plus it pings everywhere you go in the Gulf, and if law
enforcement feels like -- If somebody calls and they feel like
you’ve got a violation on your boat, it’s a whole lot easier to
find you with that VMS pinging. They know where you’re going
and where you’re coming from.

Also, it leaves a trail, so there’s no lying about where you
were fishing. If you were in a closed zone or one of the marine
sanctuaries, there is no hiding from it, and so I mean it’s a
great enforcement tool.

CHAIRMAN ANSON: We have another question from Dr. Lucas.

DR. LUCAS: What were the frequency of the pings you all were
doing when you all did the Headboat Collaborative for the VMS?
MR. BOGGS: I think it pings once every three to five minutes. The CLS person is here. How often do they ping? They ping once an hour, unless you get close to a closed zone or somewhere that you’re not supposed to be fishing. Then the ping rate increases, from what I understand, and so it’s not that much more.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: Randy, thanks for coming. You and I had a conversation earlier about triggerfish, and you were telling me that I had missed a point or didn’t understand a point about the water temperature related with the stock assessment. Would you please enlighten me on what you were talking about?

MR. BOGGS: I was picked to sit on an advisory panel that dealt with the triggerfish, and, again, we’re saddled with using the best available science. One of the points that I was trying to get across is they were using the growth rates of the triggerfish in the Atlantic, and the Atlantic waters are typically ten to sometimes as much as twenty degrees colder in the Atlantic.

My family was into fish farming years ago, and my dad fooled with catfish, and some of my friends do. Any fish, whether it’s an ocean fish or a freshwater fish, the metabolism -- The colder the water is, the slower the fish grow, and so, using the growth rates on the Atlantic fish and using those to compare how the fish are growing in the Gulf of Mexico and in a stock recovery is in no way fair.

If you change the water temperature, if it’s two to three degrees colder in the Atlantic, it’s going to affect -- In a five-year life cycle, it’s probably going to affect the growth rate of that fish by a huge amount, but I was told, again, that the growth rates that they had and the studies that were done in the Atlantic were the best available science that they had that got moved over to the Gulf, and fish in cold water don’t grow at the same rate, and the recovery rate is not going to be the same as the triggerfish in the Gulf.

MR. GREENE: Thank you.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: What size vessel do you use with your VMS system?

MR. BOGGS: I have three boats with VMS. They are all sixty-five-foot boats with enclosed pilot houses, but the VMS now are
enclosed in a life case, and they are Bluetooth compatible. If you’re in like a center console or something, you can actually take the unit off the dash and store it somewhere out of the weather, but the life case protects it. We’re in our third season with ours, and we’ve had not any issues with them.

I mean we’ve had some -- I was the one you heard about yesterday that got the -- I’ve got two boats sitting side-by-side and we did something, and I swapped VMS. I had the Reel Surprise VMS on the Gulf Wind and the Gulf Wind’s on the Reel Surprise, and so it was really confusing for a few days at the National Marine Fisheries. I mean that was my screw-up. They look just alike, and there is no name on them, and so we didn’t know the difference.

The VMS systems that we had, we did have some problems with them, but I mean they were quick to get it fixed. The other thing is the redundancy in the program, because there’s a 1-800 number you can call at the National Marine Fisheries Service if your VMS is down or you’ve got a problem. You can call and report it, and then the same emails and everything go out.

Even with the hail-in, we had a one-hour hail-in, and we didn’t need a three-hour hail-in, one hour before you hit the dock. It’s okay to come in a few minutes later, but you don’t need to come in earlier. That’s what law enforcement told me. I mean we -- After we came -- Remember, when we got the Headboat Collaborative Program, we only basically had ninety days to get this thing up and running, and so seventeen, eighteen, nineteen boats, we got VMS on them and we got the program up and running.

NMFS received the data, and we turned all that on in ninety days and got it up and working, and so we had some real challenges in order to get the system up and working that quick, and you saw the -- The main problem that we had is that you couldn’t go back once you entered something into the thing. You couldn’t go back and take it out and change it.

If you accidentally hit a three instead of a two, then that took a series of phone calls to get that fish taken back off, and so that was the biggest problem that I saw with the whole thing, and that’s nothing more than correcting the software. Thank you, guys.

CHAIRMAN ANSON: Thank you, Randy. Wayne Werner, followed by Russell Underwood.

MR. WAYNE WERNER: My name is Wayne Werner, owner and operator
of the Fishing Vessel Sea Quest. The first thing I would like
to say is the triggerfish deal, at least raise it to twenty and
give us a shot to catch the quota. Twenty fish is fine. It’s
not going to make a difference one way or another. As long as
the snappers are thick in the western zone, we’re not going to
catch them anyway.

As far as the charter boat deal, I would like to see them get
going with their program. Give them a real program, one that
gives them their fish and allows them to work their fish. Then
you will have two-thirds of the fishery fixed.

What I came to talk about is the Flower Gardens Banks a little
bit. You know, it’s important to us, because we went through
all this process for years and years, and now we would like to
be able to catch the fish that we’ve helped to protect and that
we’ve been willing to protect and come forward to protect, in
some cases.

Every time we think the fishery is hurting, we are the first
ones to say we think it’s hurting. When we have problems, we
come forward and we say we have problems. We have never been
shy about it, but, as far as the Flower Garden Banks goes, there
is a lot of misunderstanding with the technology of today and
the stuff that we’re using out there to fish with.

A guy buys a longline vessel, he buys the boat, he buys the
plotter, he buys everything. It’s got all the marks down, where
the boats have longlined for twenty years now or thirty years
now. I mean it’s no longer a day in the age where we are in the
ancient times, where we’re just guessing where we’re putting our
gear. It’s a lot like with the shrimp boat drags. He knows
where he has been.

Just realize that we’ve come a long way, and the reason why I
brought this anchor is just to show you guys that this is the
anchor like I have on the bow of my boat right now. A lot of us
are using it in the western zone. If we happen to get hung up
in the coral, by chance, if we happen to drag that far, this
anchor is designed to sit its shell in mud pretty well, but, if
we happen to get that far back and it hangs, just to show you
what we do, if you pull forward on it, it snatches loose and
then the anchor goes straight down to the bottom. This is the
type of equipment we’re using today, and you guys just don’t
realize that we’ve come a long way, but management is not there.
You guys are just not really keeping up with where we’re going
ahead of you. That’s really what I had to say. Thank you.
CHAIRMAN ANSON: Thank you, Wayne. Wayne, we have a question for you from Ms. Bosarge.

MS. BOSARGE: I really appreciate you bringing the anchor, because I’m a very visual person. Will you show me again, please? I would like you to demonstrate it one more time.

EXECUTIVE DIRECTOR GREGORY: Basically, when you run up on the anchor, it pulls the chain straight up and it breaks a twine or whatever. Then it pulls the anchor out from the head.

CHAIRMAN ANSON: We have one more question for you, Wayne, from Mr. Diaz.

MR. DIAZ: Thank you for coming, Wayne. How big of a boat do you use, does that anchor work with, just to give folks some --

MR. WERNER: This is for up to about a forty-five-foot boat, and it’s a forty-pound anchor. They make one just like it in sixty-six pounds. That’s probably good for about a sixty-foot boat.

CHAIRMAN ANSON: Thank you, Wayne. Russell Underwood, followed by Greg Ball.

MR. RUSSELL UNDERWOOD: Thank you, Mr. Chairman. I am Russell Underwood from Panama City, Florida. I fish out of Leesville, Louisiana. I’ve been out of there for about thirty-five years, and I have about nine boats that I oversee. I haven’t fished in a couple of years, but I take care of all those boats now.

Anyway, today, I would like to tell the council and tell Mr. Crabtree that we appreciate where this council is headed and where it’s going forward. We’ve got the snapper IFQ. I was a major part of that. I sat on the advisory panel for that, and we’re proud of the way it’s turning out. It’s good for the fishermen and it’s good for the resource.

They’ve got the grouper IFQ, and they’re thankful for that, too. We’re part of that, too. I own grouper IFQ, too. Now we’re headed towards Amendment 41 and 42. I came from the partyboat industry in Panama City. I worked for Captain Anderson’s Marina for ten years, and so I’ve been on both sides of the fence.

Thank the Lord that we’re moving towards these charter boats and these headboats and even now the recreational to have their own plan, to work on their own plan. That’s a big step forward for this council and for the fishermen.
We’ve had a lot of great fishermen, like Billy Archer and Gary Jarvis, and quite a few other fishermen that have paid their dues to work forward to have a better fishery for the industry and for the resource, and I have to commend these fishermen. I have been there and done that. We had a lot of rocks thrown at me and these other fishermen, and God knows Roy Crabtree has paid his dues here in the last couple of years about all of this, and so we appreciate you all for what you all have done.

I sat back there a while ago and listened to a lot of thank-you, and imagine that. One fellow has got two charter boats, and the other fellow has got three charter boats, and what I’ve heard this morning is everybody is doing pretty danged good. If it was all complaints, it wouldn’t be a very good place here, but I have noticed that, and I appreciate that, from my heart.

I hope to continue working this IFQ and these charter boats and these people, and the charter boats have a future and the recreational can get their own plan together, and that’s a step forward, when you get an AP. I think the other day that there was about 150 or 160 people that applied for that job sitting on the AP, and so there’s a lot of interested parties on that deal.

On the other hand, I would like to comment on the triggerfish. The council has given us a quota. I think it’s not very big, but we have accepted that, and now we hear about maybe raising it to maybe twenty fish, and I think we should have a chance at a twenty-fish bag limit or a quota limit, and I think we should maybe move it up there, to where we can at least catch the fish that we’ve been allotted.

CHAIRMAN ANSON: You have to wrap it up, Russell.

MR. UNDERWOOD: Yes, sir. I would like to speak about the Flower Garden Banks Sanctuary. I’ve been attending two or three meetings about that, and I don’t think -- I have talked to them. I made a forty-five-minute speech the other day when I was down there. They need more input from the fishing industry, both commercial and recreational. That meeting the other day in New Orleans that I went to, there was about fifty people there, and about ten of us spoke. It was a pretty good meeting. They had a lot of good ideas, but I think we need to set up some kind of committee from the fishing industry, both commercial and recreational. We need to have our input.

I have been historically dependent on these fish in the western Gulf for thirty-five years. Phase 1 is from Galveston to Mobile. That’s everything I fish right there. That affects me,
and so I think we need a lot more talking. This council needs to be a major part of this decision-making. Thank you.

CHAIRMAN ANSON: Thank you. We do have a question for you, Russell, from Ms. Bosarge.

MS. BOSARGE: Thank you, and I know that G.P. with the Flower Garden Banks is in the audience, and so I know he is listening to you. There is some discussion. We’re going to try and come up with our wish list of regulations, if we were the ones to write the regulations for the Flower Gardens, and we don’t have time to go into it all right here at the podium, but if you have some suggestions, Morgan on staff or myself, we would love to hear some sustainable thoughts for how to regulate and manage that.

Hopefully, in your dealings with the Flower Gardens, if you’re on some of their working groups now, have that discussion. If they agree to a permitting system of some sort and they want this body to actually do that, to codify it and say what it would be, if they will simply come to us and ask us for that, I’m sure we would be willing to have that discussion around this table. Right now, we’ll come up with a wish list, but if they want us to put it in action somehow, we would be more than happy to take a look at that, and so just keep that in mind in your meetings with them.

MR. UNDERWOOD: Thank you. Thank you, all.

CHAIRMAN ANSON: Thank you. We have one more question for you, Mr. Underwood, from Mr. Walker.

MR. WALKER: Thank you, Russell. I know, in the analysis of that, there was not very much, and some of the VMS data was pretty limited in the years there. You’ve been fishing in there a long time, in that area, haven’t you, before VMS?

MR. UNDERWOOD: Yes, I’ve been there for about thirty-five years in the western Gulf. Once they started that sanctuary, we tried to stay away from it, when we got that area. When we got VMS, they would track us and watch us and all of that, and we chose not to -- We don’t want to harm any bottom and habitat. Like I said, we’re willing, as fishermen, to work with this council and work with the Flower Garden Banks Sanctuary and try to conserve what we all own and have got in this world, and I want to be part of that. I just want to be part of this plan. Thank you.

MR. WALKER: Thank you.
CHAIRMAN ANSON: Thank you, Russell. Greg Ball, followed by B.J. Burkett.

MR. GREG BALL: Good evening. I am Greg Ball, from Galveston, Texas. We run two federally-permitted charter boats. My son runs one and I run one. I want to thank you all for everything that you’ve done to help us out in the charter boat industry so far. We’ve still got a lot to do though.

We have built our business plan for the way the snapper has been. Then, late season, offshore, we target amberjack. This year, we have a lot of repeat business, and we get usually thirty or forty trips a year for amberjack, this time of the year, and then we found out, after they have already been booked, that we’re not going to have any amberjack this year, and so we end up having to cancel those trips, and this is for the public, for our customers.

I mean, it helps us to make a living as well, but our customers depend on this every year to go out and catch these fish, and so we would like to see a multispecies maybe put in Amendment 41. I’ve heard talk of that, and I think that would work for us. We might not get what we want, but at least we would get something we could take these people out and catch these fish.

Also, on Amendment 41, I am for the PFQ or the IFQ. I would rather see the PFQ, but the other two, the PFA or the tags, I don’t think either one of those would work. Then, as far as the electronic logbook, I have got one on each of my boats. We put them on this year, and it’s real easy to operate. I would like to see that get approved for everybody at the October meeting, and that’s really all I’ve got. I appreciate it.

CHAIRMAN ANSON: All right. Thank you, Mr. Ball. B.J. Burkett, followed by Gary Jarvis.

MR. B.J. BURKETT: My name is B.J. Burkett. I am from Panama City Beach, Florida. I own and operate Hook'em Up Charters. I have had it for thirteen years now. It’s a COI boat. It’s dual-permitted. I’m an IFQ holder, and I also have a commercial fishing boat.

The main thing that has got me bothered right now is the triggerfish and amberjack for the recreational. You all told us that if we went to the fourteen-inch size limit, the June and July closure, we would have ten months. You all were wrong. That has affected my business and several guys’ businesses.
It really baffles me that NMFS can change regulation when the agency admits that they have huge gaps in the last assessment that they used to change these regulations. I have been fishing in the industry, and I’ve been active in it for going on twenty years now, and, from what I have seen, there has never been a shortage of triggerfish in our area. From what I am seeing now, they have become a nuisance. They are everywhere. You can’t hardly get away from them.

On amberjack, it’s right along the same lines as triggerfish. You all told us if we upped the size to thirty-four and a two-month closure that we would have a ten-month season. Wrong times two.

Due to the poor decisions made with the insufficient data on the triggerfish and the amberjack, I have lost upwards of twenty trips for this fall. Our fall business is mainly our return customers, like the gentleman said earlier, that book just to come down to go fishing. I wish somehow you all could be held liable for the loss of business due to the lack of credibility of the assessments, but we can’t do that, I guess.

In my opinion, on several issues, you all have done a great job at creating a backwards management system. I call in the BMP, because you all love the abbreviations. The species that always thrive are under the strictest regulation. The species that are in need of management are the least regulated. It’s backwards. I would love to see you all change that.

The red grouper IFQ, please do not put any more IFQ out there. They can’t catch what’s already there. The two-million-pound increase will be detrimental. I understand the council is trying to do the best they can with the unsound data they have, but the best data you all have is in this room right here. All these fishermen, they know what’s going on out there. The best thing to do would be to find a way to get the unbiased data from the stakeholders and not use the inaccurate dockside sampling, and quit using the political shield as an excuse. Use the real science of the fishermen. Thank you.

CHAIRMAN ANSON: Thank you, B.J. Yes, Dr. Ponwith.

DR. PONWITH: Regarding your BMP, can you give an example of a stock that you think is in trouble right now?

MR. BURKETT: The red grouper stock is not healthy. The red grouper stock is not healthy. The banded rudderfish are not
healthy. I see the b-liners on a downward spiral, because there’s so much pressure put on them now, because you all make us fish for them, because we have to catch something to satisfy our customers.

CHAIRMAN ANSON: Thank you, B.J. Gary Jarvis, followed by Steve Tomeny.

MR. GARY JARVIS: Hello, gang. I’m Captain Gary Jarvis, owner and operator of the Back Down II, a dual-permitted commercial and charter fishing company. I’m the President of the Destin Charter Boat Association, the largest federally-permitted charter for-hire organization in Florida and on the Gulf Coast. I am also a board member of the Northwest Chapter of the Florida Restaurant and Lodging Association and partners with my family-owned seafood restaurants on Destin Harbor and Choctawhatchee Bay.

The Destin Charter Boat Association is tired of status quo management and its mid-season closures of species critical to our fleet’s viability. As I stand here, with two-and-a-half months left in our season, red snapper are closed, triggerfish are closed, and amberjack are closed. This is preventable, and I hope this council will help us change it.

We want to continue to work on Amendment 41, to develop a multispecies reef fish rights-based management system instead of red snapper only. Our fleet wants to explore a level of intrasector trading of these reef fish with or without some form of cap on the level of that trade.

We want it to be able to be fair and equitable and to address the amount of allocation each charter for-hire permit gets and base it on historical, regional, and traditional harvest rates in the past.

We need this flexibility, especially the flexibility of multispecies and tradability, to address the needs of our seasonal business issues, to allow for longer seasons, as allocation is used by individual permit holders, and with some level of tradability for all the species, to address regional, historical, and industry operational changes, and, in several different fisheries, as the stocks rebound and the historical ranges of these fish change.

I would like to see the PFA and the harvest tag system moved to considered but rejected in 41, and the council needs to call the charter for-hire AP back together, so we can give you some
preferred alternatives concerning allocation splits, data, and preferred quota system management. I strongly recommend this council to establish preferred alternatives and finish the electronic logbook reporting system and send it to National Marine Fisheries for approval and Dr. Ponwith for development.

A broad-based industry has been asking for robust logbooks for over ten years, yet I heard a council member, during committee, say we should not rush into finishing this task, which makes me want to know, what is your definition of rush? In fact, I met with Andy Strelcheck, who gave us a presentation to start a dialogue on electronic logbooks in 2006. Folks, it’s time to call this one to question. I will finish right there. I just thank you for putting up with our crap, and you ought to be thankful that we put up with yours. Thank you.

CHAIRMAN ANSON: Thank you, Gary. Steve Tomeny, followed by Clarence Seymour.

MR. STEVE TOMENY: Hi, council. I am Steve Tomeny, and I operate a charter/headboat business in Port Fourchon, Louisiana. I’ve been there a long time, pushing thirty years or so. I would like to welcome Dr. Tom Frazer as a new member and congratulate Leann and Doug Boyd for staying on. Good luck with that.

I just want to go ahead and compliment you all on the five-year extension of Amendment 40. Carry on with moving 42 along and 41 also. I am in the camp with the IFQ and the PFQ. One of those or both can be in the considered options. Tradability I think will be a key component, whether we trade fish or -- Money works. Money talks, as long as I can remember. You can get a lot done. If somebody needs something, there is always somebody willing to either sell it or it’s too high, if you don’t want to get it, and so I’m a tradability person.

When it comes to ELBs, I’m like Gary. We’ve been asking for it for a long time. I have VMS units on my boats, and these are bigger boats with the air-conditioned wheelhouse, and we don’t have much problem, but I do have the newer ones that are very portable and very user-friendly, and we hear a lot of talk about the center console guys aren’t ready for that stuff, but they’ve all got plotters and VHS and all kind of radios and stuff, and they seem to keep all that going. They’ve all got stereos, and another miniaturized electronic equipment is going to -- It will work for them, and it may not be that it has to be VMS.
We saw, at the last council meeting, CLS had a tablet that you can carry home. It doesn’t even have to be installed on the boat. It has a satellite antenna, so if you don’t have cell phone coverage. In south Louisiana, for example, I’ve heard that. We’ve got things that will cover the bases, but we need real-time reporting and we need hail-in.

Most of these programs that we’re going to move to, we’re going to have to say what we have onboard, and enforcement needs to know. They don’t have to come check you every day, but the fact that you’re notifying enforcement that you have X amount of fish on the boat, that’s what you better be unloading, and so I’m all for that. I think that covered most of my stuff. Thank you.

CHAIRMAN ANSON: Thank you, Steve. Clarence Seymour, followed by Brad Gorst.

MR. CLARENCE SEYMOUR: I’m Clarence Seymour from Biloxi, Mississippi. I’m a charter operator of a six-pack in Biloxi, Mississippi. I am here to talk about this. The first time I made it to the podium was at the Beau Rivage in 2014. We were talking about sector separation.

I really didn’t know a lot about it, but I learned it real quickly. If I recollect, I would have to go back to the minutes to see exactly what I said, but I probably don’t remember. We were at the Beau Rivage for 5.5 hours.

One of the comments was that the season was over. It was the nine-day season, and so I said, well, I did three reef fish charters and entertained fifteen non-boating Americans and caught a total of thirty fish. That was 2014.

I am proud to say that last year we moved that up to ten charters and entertained fifty-four non-boating Americans, with a total of 347 red snapper in 2015. I would like to be proud to say that I’ve got me a little spreadsheet for Leann. She wants to see stuff.

This year, 347 non-boating Americans made it to the Gulf of Mexico out of the great State of Mississippi. I am real proud of that, because that’s thirty-three or thirty-one charters, and the people came and -- When July 16 was over, they were like, snap, I missed it, and I will see you next year. They are booking early. They are having the time of their life. We went viral on Facebook, but the American public was -- They just couldn’t fathom that I could take a little old crab skiff, Bertram, and just get after it, and everybody had a good time.
They all wanted to go, but we’ve only got one boat.

That’s what it’s all about, is the people that we let access the fishery. Some own bay boats, little small bay boats, but they will call you up and say, well, we sure would like to go get on some of those fish. Well, come on, let’s go.

The recreational sector had a great season. I was proud that each state opened for non-compliant. Everybody seemed to be real happy about that, and just continue to work hard and make sure that the American public can access the fisheries. It’s a pretty sustainable thing for me and the future of any participants wanting to get into the fishery.

I do support multispecies. After we think about it in 41, it’s pretty important. PFQ and IFQ, either or. The tags was kind of a good system to start with, but it may not be what’s going to be needed to make sure that everybody has access. Electronic logbooks, I will run them, whatever it takes to make this Amendment 41 happen, and the AP needs another meeting, I reckon, to kind of go ahead and hash everything, but thank you.

CHAIRMAN ANSON: Thank you, Clarence. Clarence, we have a question for you from Dr. Lucas.

DR. LUCAS: Clarence, thanks. I have a question for you. The State of Mississippi has mandatory reporting through Tails and Scales. How far in advance did you usually book your information about the trip you were about to take, essentially what would be equivalent kind of to a hail-out, and when did you usually -- When you came in from the trip, when did you usually close that information out?

MR. SEYMOUR: In the morning, I pull out of the harbor and I pull my little phone out and put my autopilot on and idle down the channel. I think, one or two days, I had the text saying that it wouldn’t work or whatever, but it wasn’t very many. Sometimes I would wait an hour or thirty minutes at the dock taking pictures, and get all that over with.

Now, if MRIP and the dockside sampling were there, I went ahead and logged out so they could put my Tails and Scales number on their logbook, but, most of the time, we were pretty well done fairly quick and easy, because I had to go back the next day, and sometimes I would forget, I did, and I would do it in the morning and then log back in, but, yes, it’s pretty quick. It’s easy. Thank you.
CHAIRMAN ANSON: Thank you. Brad Gorst, followed by Chad Hanson.

MR. BRAD GORST: I am Brad Gorst from Clearwater. I’ve been in this fishery for about twenty-eight years. It’s a family business, started in 1973. We have three federally-permitted inspected charter boats, two of them over six and one six-passenger. Two of them are dual-permitted. Back in the day, that’s how you made your boat payments.

Anyhow, I would like to thank everybody for being here, our new council member, Tom, and the council staff for the hard work they do, and I would like to thank Bonnie for the hard work she’s fixing to do with the ELB program, once this council moves it forward.

I would kind of challenge this council to get some preferred alternatives for the ELB management system before the next meeting. Let’s quit kicking this can down the road. It’s time for it to stop. Like Gary said, that’s ten years. It’s time to stop stalling.

I would like to see the charter for-hire AP convened before the next council meeting so that it helps expedite this process. Being from where we are in the Clearwater area, the multispecies IFQ or PFQ is the way to go, because we are a year-round season. We will 365 or 364, and I don’t fish on Christmas. You ain’t got enough money to get me out on Christmas, but it works for me, because -- It works better for me than having a season, because my people like to run the long trips in the spring and the fall, when the gag grouper tend to bite a little bit better.

With a multispecies approach, I can open my business plan to say, okay, we are not stuck going during this timeframe. We’ve got all year, and it helps my business. I could run longer trips, providing better access to the people that want what I can offer. I can’t offer that during the spring or in the fall, because I am not going to run out there and kill red snapper and watch them float away just to say you could catch the gags and the red grouper in the deep water.

Hence, my rationale for coming to this council last year about getting gag open in June, and so the fishery is the first and foremost. Without it, we have nothing. Once it achieves its maximum, everybody will get their maximum. Thank you. One last thing is the VMS is very easy. It takes about three minutes, about the same time as it takes to lose a life in Candy Crush, and so thanks.
CHAIRMAN ANSON: Thank you, Brad. Chad Hanson, followed by Eric Brazer.

MR. CHAD HANSON: Good afternoon, Chairman Anson and the rest of the council and staff. My name is Chad Hanson with the Pew Charitable Trust. I appreciate the opportunity to give comments today. First of all, welcome aboard, Dr. Frazer, and welcome back, Ms. Bosarge and Mr. Boyd. We’re looking forward to another three years of working with you all, and the rest of you as well.

I have three things to bring up today. The first thing is on the corals amendment. Just to reiterate what I said last time, but new research has been conducted in the Gulf of Mexico that has identified new coral areas in the deep-sea ocean. These corals provide shelter and habitat for a variety of species, and they are very vulnerable. They can be hundreds to thousands of years old, and, if they are damaged, they can take dozens of years to centuries to recover, if at all, and so it’s important that they’re -- They’re fairly fragile.

Your coral experts that you have assembled have identified approximately forty-seven sites that may warrant some protection through habitat areas of particular concern, or HAPCs, and so the scoping document that you all are initiating should include all of those sites as part of the discussion and identification of what sites may need protection and then discuss what types of regulations would be most appropriate for those, because the idea is to protect these corals and have that opportunity to protect these corals while allowing certain fishing activities to continue in those areas that are not going to damage the corals. I am looking forward to that in October with all those sites in it.

For electronic logbooks, we would like for this council to come out of this meeting with preferred alternatives on those actions, those actions that were put in there for this meeting, and to move to final public hearing. We support the hail-in and hail-out alternatives, and we also support, at a minimum, the GPS-archived units for archiving location, as a minimum, and those are recommendations from the technical subcommittee as well. Those actions provide a good balance of transparency and in how to design the program moving forward, and so we support finalizing that.

On MSSTs, I was hoping you already had discussed this, so I don’t have to explain MSSTs, but I’m hoping you have some good
idea of that but it’s important to set it at the right place and have an informed decision on that, where you’re balancing the healthy population levels with allowing for ample fishing opportunities, and so we suggest that having a new alternative in the amendment, around the 0.85 BMSY level or 0.9, is appropriate.

That’s similar to what the SSC was discussing and circulating around, and it’s important to set that right, because, if you go too low, your population, in theory, gets further reduced and you may have a hard time rebuilding, and so further restrictions may be necessary to actually get to a rebuilding level, and so setting it in the right spot is an important place.

The analysis provided by the Science Center that was reviewed by the SSC last May, I believe, or about a year ago, it showed that the current system of status quo, using the natural mortality estimate in the calculation, is fairly reasonable, it seems appropriate, and it seems to be working.

It is capturing the natural fluctuations in the population that are caused by things like the environmental changes and those sort of things, and so what we have seems to be appropriate, and that’s why they were circling around the 0.85 or 0.9 level in their discussions, and so I think adding one of those alternatives in the document and asking for an additional analysis, to see what the tradeoffs are for all those various MSST levels, before you move to a final decision on that, would be appropriate. With that, I thank you for the time and your attention.

CHAIRMAN ANSON: Thank you, Chad. Next, we have Eric Brazer, followed by Pam Anderson.

MR. ERIC BRAZER: Thank you very much, Mr. Chairman and council. My name is Eric Brazer, Deputy Director of the Gulf of Mexico Reef Fish Shareholder’s Alliance. Thanks for giving me another shot at talking to you this meeting, and thank you for the chance to talk to you about the Gulf of Mexico reef fish quota bank yesterday. Welcome aboard, Dr. Frazer, and welcome back, Doug and Leann.

With that, I would like to jump right into the Flower Garden Banks. We appreciate the opportunity to provide you comments so that the council can provide the sanctuary comment on the proposed expansion, and please see the letter I submitted to you guys on Sunday night for more details about our specific position.
We would like the council to consider some of the following alternatives, and we’re going to work with you to flesh out some of the details. Number one, allowing commercial fishing, but no anchoring, within those no-activity zones. Number two, allowing anchoring outside of those no-activity zones, and, number three, no anchoring within any of the zones for any vessels greater than 100 feet in length.

This is all in addition to the development of a comprehensive endorsement certification program that we keep talking about, that would allow continued, responsible commercial access to these areas. As I said in the letter, we believe that habitat protection and commercial fishing are not mutually exclusive. There is a way to do both.

For Amendment 36A, Action 1, we support Alternative 3. That’s a hail-in for all commercial vessels with a reef fish permit landing any commercial species. We would ask that you consider modifying or adding another alternative that would require any commercial vessel with a reef fish permit onboard to hail-out and hail-in. If you have a hail-out, please consider adding a hail-in requirement for any commercial vessel.

Action 2.1, we support Alternatives 2 and 3, to return these shares for both IFQ systems to the agency, and we support Sub-Option a, which this would go into effect on the effective date of the regulation. We don’t believe that an extra year is necessary to implement this.

For Action 2.2, we still believe that an industry-based quota bank is the best way to use these allocations, to start to address some of the problems in the fishery. That being said, if you do redistribute it to the industry, either proportionately or some other way, we have already had fishermen come up to us and say they want to donate this allocation to the quota bank, to start to use it for some of the problems that we talked about yesterday.

For Action 3, we support Alternative 1. We don’t believe that allocation should be withheld prematurely. I want to reiterate something that Jason Delacruz said before. We would ask you to consider adding a fourth action, which would be to analyze a three-hour dealing offloading notice. If you really want to tighten up the program, this is a way to close a loophole that could presently allow landings to go unaccounted for. With that, thank you for moving forward with 41 and 42 and the private angler management strategy and advisory panel. Thank
you very much.

CHAIRMAN ANSON: Thank you, Eric. I have one question for you, Eric, from Mr. Diaz.

MR. DIAZ: Eric, I just didn’t catch the -- You listed three things for the Flower Garden Banks. It was no anchoring boats over 100 feet, and number two, I think, was allowing anchoring outside the no-activity zone, and I did not catch the other one. If you wouldn’t mind repeating that, I would appreciate it.

MR. BRAZER: Sure thing. I would ask you to look at considering allowing commercial fishing, but no anchoring, within those no-activity zones. Allow the vessels to anchor outside, but to be able to still fish in those zones, as long as there is no contact there.

CHAIRMAN ANSON: Thank you. Pam Anderson, followed by Mike Jennings.

MS. PAM ANDERSON: Chairman Anson, Dr. Crabtree, and council members, I am Pam Anderson, operations manager of Captain Anderson’s Marina in Panama City and with the Bay County Chamber of Commerce there.

I would like to take this opportunity to comment on several topics. For data collection, many devices are capable of submitting information besides the VMS, and so that should not be a required tool, unless it is paid for by NOAA. There is a lot of talk of not wanting to release proprietary information for our businesses. One of the most important pieces of information that a fisherman has is his fishing spots, some that are artificial reefs that he paid to place himself.

With the GPS and VMS systems, it becomes a serious issue for people in our industry for these spots to be revealed. Please consider this as you decide on the specific reporting devices and know that it has been proven in Panama City that people can hack into the VMS to obtain that information.

On triggerfish, some may have jumped to conclusions when they saw a drop in the landings. It is not always lack of fish. It may be a change in effort or the newer size limit. As you increase the minimum size, it will lead to more discards, also. Triggerfish are plentiful in Panama City.

On Amendment 42, please add to Action 2 an Alternative 4, which would read, and I quote, include red snapper only in this
management plan, end quote. This is very important to have that option.

In Action 3, for participation, it was implied in the AP that the headboats choosing to opt out would have their quota left in the program and they would not have access to these species and other components, rendering their permits worthless. That is not fair and equitable. They do have a reef fish permit.

The quota can be added to the component that the operator chooses to join, even the private angler component, like in Alternative 2. In Action 7, Alternative 2 is preferable. A forty-six-day red snapper season for our boats was good, because we ran a lot of trips during those forty-six days, and it allowed more people to fish, but you’ve got to remember that anglers want value, and many even ask if we’re going to promise that they will catch and keep their two red snapper.

If in the program we are attempting to stretch our quota to allow more days to fish, we will be forced to offer fewer long trips and more short trips, which will affect the fishing effort in the inshore reefs. This is not good for the fishery. It will also negatively impact tourism. People want what they want. If they cannot get that on the Gulf Coast, they will travel elsewhere. Thank you.

CHAIRMAN ANSON: Thank you, Ms. Anderson. Just a reminder to folks that if you are carrying on a conversation with someone that your neighbor might not appreciate that, and so if you can carry your conversations outside, please, so that it’s quiet for the rest of the members of the audience, we would appreciate it. Mike Jennings, followed by Bobby Kelly.

MR. MIKE JENNINGS: Hello. I am Captain Mike Jennings from Freeport, Texas. I am President of the Charter Fishermen’s Association, and I own and operate two federally-permitted vessels in the Gulf of Mexico. I would like to thank you all for allowing me to speak today.

From an association standpoint, we would like to ask the council just to continue to move forward on 41 and 42. On 41, we would like to ask you to move forward by narrowing the scope a little bit and removing the harvest tags and the PFA alternatives and focusing more on the IFQ and PFQ approaches, so we can take what appeared, from our end, to be kind of a convoluted document and kind of narrow it down to something we can focus on and start looking at some management options on.
We support exploring an intrasector tradability or tradability within the industry, and we would also like for the council to look at and we support a multispecies approach and a five-fish approach, and I think Tom Ard gave you the five fish we were talking about earlier.

We would like to ask you to convene the charter for-hire management AP before the October meeting, and we would ask the council to move forward with the charter for-hire ELB amendment, and we would like to see something on that in October, and I think the council can pull that off. I heard some discussion back and forth earlier amongst the council on that, but we would like to you ask you to focus on maybe making that thing happen in October.

We’re hearing lots of complaints about some of the equipment that’s been tried so far on the ELB. What you’re hearing though is you’re not hearing any complaints from the people who are actually using it. The ones that are actually using it are sitting up here telling you how simple and easy it is, and I have it on one of my boats as well, and so pay attention to that. It’s the ones that don’t have it, who don’t have a lot of experience with it, that are afraid of it.

We would also like to ask you to continue to move forward with the recreational AP and work towards something that gives the fishermen access. We all deserve access, and we all have a right to access this fishery, and the private recreational angler doesn’t seem to be talked about much here. They’re a large portion of this fishery, and they deserve this council taking that into consideration and moving forward with something, rather than just -- I hate the words “kicking the can down the road”, and we always hear that one, but it seems to just be dragged along and dragged along and discussed here and there, but it’s never really focused on.

Last, but not least, not from an association standpoint, but I’m putting my Texas hat on here for a minute, unintended, but the amberjack issue has been a complete debacle. From the Texas side of things, we didn’t get a fishery this year. They were all caught before we target them.

You hear these guys sit up here and talk about they had to cancel fifteen trips, twelve trips, twenty trips, twenty-five trips, but, when you all are working on this, I would like to ask you to focus on one issue when you do some of those things, when you make some of those decisions, and I know you made some decisions on that that you thought were best, but, when you’re
talking about that with those guys, you’re talking about somewhere, realistically, between about $15,000 and $25,000. That’s huge to a business, to a family-owned business. I don’t want to write that check, and I don’t know anybody else up here at this table that wants to. That’s a lot of money, and it’s real serious to these guys. It’s a big issue. Thank you for your time. I appreciate it.

CHAIRMAN ANSON: Thank you, Mike. We have Bobby Kelly, followed by David Cresson.

MR. BOBBY KELLY: Good afternoon, council. My name is Bobby Kelly. I own a dual-permitted boat in Orange Beach, Alabama, and I serve my fish community -- I serve on the board of directors for the Orange Beach Fishing Association and Charter Fishermen’s Association.

I just came here today to tell you guys that I fully support the further development of Amendment 41. We ask that you guys look at a five-species fish with that. This would kind of get us ahead of some of these issues, and that would be nice. Actually, Dr. Crabtree said it himself a long time ago. He said, let’s just go ahead and do five species on this. I think the council can do it, and I think we would all benefit from it greatly.

Even with the most recent extension of the sunset provision, and thank you, by the way, the sunset still looms on us. It still weighs on every small-business owner in this room, and so, in 41, we ask you guys to develop a good tool and help us out, and hopefully you will develop something that won’t harm these small businesses.

As far as the ELB goes, I was not really a fan of it, with the VMS, the CLS VMS this year. Even the first couple of days I had it, I was like, golly, this is horrible and they want to know too much. Then, probably about mid-season, I would pick it up and enter the trip and bop, bop, bop, and go through. It was nice. It was almost like a game to see how fast I could go through. These little things are small, they’re compact. I loved mine. I had 100 percent reliability of it, and it really makes life easy. If the council is wanting to develop an ELB program, this is a great tool that we use.

We ask you guys if you all would convene the AP for this and get it together before the October meeting. I know you guys depend heavily on what these APs do and the feedback that they give, and so we ask you all to get that together for it.
Congratulations on -- I want to say thank you for developing a recreational fishing AP for that. The recreational angler, they have a voice and they deserve to be heard, and we like you guys, very much so, for getting that AP together.

Triggerfish, great. I commercially fish them and recreational charter for-hire fish them. For the past two years, we have sat up here and many, many people in my fleet, we have banged on the podium and saying, hey, help us out with triggerfish, help us out with triggerfish. Man, we had five full months of it this year. It was great. The fish were there and we had them, but I mean you all -- It’s not really our fault that we overfished them. You all let us overfish them. It’s a payback fish. We know we’re not going to get them in 2017. The quota is not there. The fish are there, and so it’s tough. We ask you guys to develop a plan furthering that.

On the commercial side of it, we’re under the ACT on that by 50 percent, and it’s August. We ask you increase the trip limit on the triggerfish in the commercial sector to allow us to catch these fish. The best available science says we’re allowed to catch these fish, and we should have access to catch them. I’m about to run out of time, but I’m not happy about amberjack, and I feel that we are owed an explanation on why we only got five months out of amberjack this year. Thank you.

CHAIRMAN ANSON: Thank you, Bobby. For council members, we have about twelve more names. David Cresson, followed by Rene Rice.

MR. DAVID CRESSON: Good afternoon, council members, and welcome to New Orleans. It’s good to have you here. You know, I am a dad, and I have three kids, a teenager daughter, a pre-teen son, who is about to be thirteen, and a nine-year-old son, who is a great kid. I try, in my limited abilities, to give them little tidbits of advice from time to time about how to go about their business every day.

One of the things that I just happened to tell them this week, as everything that’s unfolding in Baton Rouge continues to unfold, and I’m sure you have all heard about it, the best way to move forward is just to keep a positive attitude. Greet people with a smile and keep a positive attitude. Be positive, and you will receive positive back.

With that in mind, I am going to start with something positive, and it may not stay that way very long, but I do want to thank you, first of all, for recognizing Agent Nick Guillory, and I
think it was earlier today, for his great work. He’s a Louisiana Department of Wildlife and Fisheries agent who did some incredible work last year.

I would also like to take this opportunity, and, Patrick, I hope you will bring this back to the agents, to publicly thank the Louisiana Department of Wildlife of Fisheries Enforcement Division. I think 3,000 people they have saved, over 600 pets. It’s incredible work that they’ve done. I know that’s not what we’re here to talk about, but I just want to take this opportunity to thank our enforcement agents in Louisiana. I think they’re the best.

I have also heard, and somebody mentioned earlier, that it was nice to be here at a council meeting and have so many thank-you’s sort of hitting the council, but I want to make note, and this is where I’m going to have to go against my own advice to stay positive here, that there’s not a single recreational angler, pure recreational angler, or a single Louisiana charter boat fisherman, maybe save one or two, that are here saying thank you.

One of your council members earlier, and I think it was over in this corner of the table, used the phrased “disenfranchised”. They were concerned with fishermen being disenfranchised by whatever it was you all were talking about at the time.

I can tell you that recreational anglers, especially here in Louisiana, are disenfranchised. That ship sailed long ago. We have been to countless public meetings and had hundreds of people show up at these meetings and sent in thousands of public comments via email and here at these meetings, and they just continue to go unheard, it seems.

When it comes to disenfranchisement, just look at the recreational fishing community across the Gulf. Now, many of them would probably be here today expressing these same sentiments, but they are ripping out drywall and running duck boats around and trying to pick people up off of flooded streets, but I will tell you that they are disenfranchised with the process.

We talked a little bit, or we talked years ago, when sector separation was starting to be pushed, that it was just a step towards further privatization of the fishery, towards catch shares, et cetera, and we find ourselves here today, with 41 and 42 coming down the pipeline, as just ways to further privatize this public resource, and it’s just not something that the
I also heard someone talk earlier, and I realize I’m up against time, about being concerned about the consumers. It’s just hard to imagine that we’re concerned about the American consumer when we’re allowing loopholes to allow charter fishing trips using commercial quota. It’s just hard to imagine that we have that much concern about the American consumer when we’re allowing loopholes that allow that. Anyway, I see that I’m up against my time. I have plenty more to say, but I thank you for allowing me to testify this afternoon.

CHAIRMAN ANSON: Thank you, David. Next, we have Rene Rice, followed by Shane Cantrell.

MR. RENE RICE: Good evening, all. I am Rene Rice from Grand Isle, Louisiana. I have been in the charter business for thirty years. That’s longer than most of you have been alive, a lot of you anyway.

All of these logbooks and stuff and buying all of this equipment and all that is a real waste of money. Look, I’ve got it right here in my pocket, and it works. All we need is some genius to come up with a good program for it. As far as operating all this stuff when you’re out at sea in a four-foot chop in an open-bridge boat, that condition is not working. Sorry, but it’s kind of difficult to do stuff with computers.

All of the changes to the rules and everything, a friend of mine, a real good friend of mine, and she is very dear to me, asked me, why don’t we ever have red snapper for supper? Well, I can’t go out and catch a red snapper for me to eat. I have to go to the grocery store and buy one, and that’s a sad situation. They see all those nice five, ten, fifteen, twenty-pound snapper come aboard, and I can’t have one. We can’t even take the boat out on a day off, because of all these rules and regulations. This is totally ridiculous.

The amberjack closure, that threw a lot of our people off balance. They couldn’t understand what happened. What do you mean? We haven’t had a chance to fish them yet. How can they all be gone? That’s very difficult to explain to people. These potential customers that has been with us for years, they can’t understand it, and I’m supposed to explain it? I can’t understand it either.

Triggerfish, being an endangered species, I actually caught three of them the other day. It’s amazing. I almost forgot
what they looked like, but, all of a sudden, they are back. That’s great. Now, it would be nice if we could even catch some of those. I was fishing for mangos, and, low and behold, what is that weird-looking thing? That’s a triggerfish. I said, he eats real good if he will make the cut, but the season is closed. Everything is the season is closed.

They ask me, when can you get the dates of when the seasons are going to be open? Well, I’ve been fooling with this system since it began a long time ago, and I can’t come up with a good answer for that. We don’t know when they’re going to be. The worst part is we don’t know when they are going to close.

We’re out in the middle Gulf. We’re not around any of the other areas where everybody is griping and hollering and screaming and cussing, but if there’s anything you all can do to help this poor small business along, we would appreciate it. I appreciate all the help from you all. Sometimes we kind of doubt it, but, if you can give us a hand, we would appreciate it. Thank you.

CHAIRMAN ANSON: Thank you, sir. Shane Cantrell, followed by Bryan Reeves.

MR. SHANE CANTRELL: Hello. I am Shane Cantrell. I’m the Executive Director of the Charter Fishermen’s Association, and I’m also a charter for-hire management AP member. I’ve been on that AP since its inception, I believe two years ago, and we repopulated that at one point in time, and I’ve still been on it. I’ve been to every meeting, and I look forward to having another one here before the October council meeting. I think the industry is going to be able to do that, now that we’re out of peak season.

On Amendment 41, I think it should proceed as a multispecies charter for-hire fishing quota program, being not a permanent fishing allocation and not a harvest tag allocation. We want to go through these two options of an individual fishing quota and a permit fishing quota. Bring it to the industry, bring it to the AP, and let us flesh those out. Let us get this document that we’ve been working on for almost two years now. It’s almost two years now to get it to where we’re at.

We need to be able to start to define what this is, see some management options, and start to move towards something. We want to move towards a solution, something that’s going to work for the industry. This will no doubt trigger a referendum at some point in time, and that’s when the industry makes the final decision. We’ve got to get it through the council to be able to
get to that point, and I look forward to working with this
council to be able to get there. It’s time to finalize and
implement an electronic logbook program and finish this
amendment. The industry has been asking for it for a long time.
This is going to be a huge opportunity to narrow down some of
this uncertainty that we’re getting.

We can know what’s been caught, and the industry will have some
confidence in it. We have some ability to better forecast some
of these seasons in the future, as these data-gaps begin to get
filled in. You’re getting directly from the industry what it
is. It gives the Science Center what they need to be able to
give us what we need. We’ve been asking for it for a long time,
and it’s time to finish that, to bring it back in October and
finalize it with codified text and be done. Let Bonnie and her
team go to work on that and get the industry what they’ve been
asking for for a long time.

On the Flower Garden Banks expansion, I also sit on that
Sanctuary Advisory Council. I am the co-chair of the Boundary
Expansion Working Group, and I look forward to working with the
council and working with the Sanctuary Advisory Council on that
one. I have worked directly with G.P. on some of this stuff.
For the commercial industry, I sit on the commercial seat for
that, as commercial is often any commercially-operating
business, under the National Marine Sanctuary System, and not
commercial fishing.

I support fishing in the no-activity zones without being able to
anchor in those no-activity zones. We don’t want to anchor in
there. That’s what we want to protect. Allowing anchoring
outside of those no-activity zones, but fishing. Then, on the
anchoring of vessels over 100 feet, it should not be allowed at
any point in time. If you all have any questions, I would be
happy to answer them.

CHAIRMAN ANSON: We have a question for you from Mr. Sanchez.

MR. SANCHEZ: Shane, a couple of questions. The one is PFA or
IFQ or PFQ? What are your thoughts?

MR. CANTRELL: We want to go towards a PFQ, permit fishing
quota, or an IFQ, individual fishing quota, being that the
allocation would be going to the permit or the individual. We
can explore that through shares, allocation, permits,
transferability. We can explore those at the AP as the time
comes, but it’s time to start narrowing that down.
MR. SANCHEZ: The other question, and it’s kind of like a dual question, is I know you recently bought a boat. First, what size it it? Two, do you have a VMS on it, and how hard is it for you to use that?

MR. CANTRELL: In January, I bought my first boat. I’ve been running boats for other people for a few years. I bought a twenty-seven-foot Contender. It’s an older model Contender with brand-new engines. It’s twenty-seven foot, and it’s got a full electronics package on that, including a VMS. I also have AIS, GPS, radar, two VHF radios, autopilot, and a very loud stereo, along with that vessel monitoring system. All of this equipment is on there. I’ve got one of the smaller boats in the overall fleet, and it works flawlessly every day.

When I go commercial fishing, that piece of equipment is on my boat every day. If it’s not working, I don’t get to go fishing. It works. It’s on a small boat, and it works in every condition that I go fishing in.

CHAIRMAN ANSON: I have another question for you, Shane, from Patrick.

MR. BANKS: Shane, you have obviously an outboard boat.

MR. CANTRELL: Yes, sir.

MR. BANKS: Being outside, with a center console and all, what is your take on the electronic logbook situation? Are you concerned whether it will be an aggravation or a hindrance to your business to fill out all of that stuff as you’re trying to get back to the dock?

MR. CANTRELL: Not at all. I don’t see a problem with it. I typically know when I’m going to be back to the dock. On the charter boat side, I may not know exactly when I’m going to be back. On the commercial side, I can tell you within a one-hour time window, starting at X and ending at Y, when I will be back to the dock, because, if not, I’m in violation. That’s the stringencies of that commercial fishing system. That’s what you accept when you go into it, and it works flawlessly.

It’s working really well, but, on the charter boat side, hailing in before you get back to the dock -- We’re going to work with the Science Center and see what they need. The industry is going to know when we’re going to be back to the dock within some certainty, but, as far as the electronic logbook working on my boat, it’s five minutes a day, maybe. It takes five minutes
of my time to be able to do that, and I’m providing a lot of information, including an estimate of catch on every species in an IFQ system. It’s not a hindrance to my business and my small vessel.

CHAIRMAN ANSON: Bryan Reeves, followed by Sam Ard.

MR. BRYAN REEVES: Hello. My name is Bryan Reeves. I am the owner and operator of Wild Orange Charters out of Orange Beach, Alabama. I’ve been in the business for -- Actually, I was a deckhand for eighteen years. Four years ago, I was finally able to purchase my own vessel that I now own and operate.

I have a very good clientele. I have built my business fairly successfully in the last four years. I would like to be able to tell my customers, when they call me on the phone to book a trip in advance, when they’re planning their vacation, because the first question they ask me is what can we catch?

I would like to be able to tell them that this what we can catch, this is what’s in season, this is what -- As for now, when they call in advance, I have to tell them that, guys, I’m not sure if we’re going to be able to catch amberjack, if they’re going to be in season, or if triggers are going to be open. I won’t know more about it until it gets closer to that time.

With that being said, I am in favor of Amendment 41, the PFQ, and also the multispecies, because I would like to see all five of those species, to be able to manage them like we manage the red snapper. I have an eight-year-old stepson that has his drug card, and he is so majorly proud of having a drug card to be able to come and deckhand for me in the summertime, and he wanted to come today. Something came up, and he wasn’t able to make it, but he sat down last night and wrote a letter of what he was going to say, because he wanted to get up here and speak.

He wanted to tell you guys that he was eight years old and that he was a deckhand for his stepdad. When he got old enough, one of these days, he would like to own his own business, but he would also like to be able to catch the same fish that we catch now.

As far as the triggerfish and the amberjack go, I would love to see another assessment, a reassessment, done on the triggerfish, because I think they have grossly underestimated the amount of triggerfish that are out there. This spring was a phenomenal year. We caught lots and lots and lots and lots of triggers.
Basically, the way I fished this spring, it was trying to thin some of the triggers off of the holes that I was planning to catch snapper on during snapper season. I thought I had successfully done that, but apparently I was wrong, because there was many, many, many holes that we snapper fished this year with big, live baits, and never caught a red snapper, because of the triggerfish eating those baits up. They are the most aggressive fish that swim out there in the Gulf of Mexico.

On top of the federal government regulating what we can and can’t catch, also, we have to deal with Mother Nature. What I mean by that is these fish, at certain times of the year, they spawn, and we are able to catch -- Like, for the springtime, we’re able to catch grouper better than what we can catch them in the summertime. Right now, we’re not allowed to catch a lot of fish. The vermilion snapper, one of the few species of fish that we are targeting, a major population of those vermilion snapper are spawning right now, and it makes it really hard -- When those fish spawn, it makes it hard to catch them.

With that, the PFQ would allow me to target the species that are biting during that time period, and we would be able to manage our fish a lot better. Also, I know I’m over but --

CHAIRMAN ANSON: Bryan, you have to wrap it up.

MR. REEVES: The electronic logbook, I think that that is going to have to be implemented. It must be required, because we have to have a catch history going forward with this Amendment 41, to be able to make it fair for the guys that are fishing and for the guys that aren’t fishing. We’ve got to be able to prove who is fishing and who isn’t. Thank you.

CHAIRMAN ANSON: Thank you. Next, we have Sam Ard, followed by Richard Fischer.

MR. SAM ARD: How are you all doing? My name is Sam Ard. I’m a third-generation charter fisherman out of Orange Beach, Alabama. I support a multispecies approach for the charter for-hire management in Amendment 41. As far as electronic logbooks, I use a VMS tablet on the boat. It’s really easy to use. It feels good being able to give back, give some real-time data.

Most of the time, I fill it out in front of my customers and explain what we’re trying to do and do our part to protect and manage our fishery, and, actually, they really like that. They like seeing that we’re a part of that. It takes five minutes,
like everybody said, and it’s really easy.

We’ve been catching a massive amount of triggerfish out of Orange Beach. About a week ago, I had to fight through seventy-two of them just to catch a few vermillion snapper. The quota might not be there, but the fish are. That’s about all I’ve got, but thank you for your time and all the work that you do.

CHAIRMAN ANSON: Thank you, Sam. Richard Fischer, followed by Dillion Guss.

MR. RICHARD FISCHER: Mr. Chairman and council members, thanks to all of you for allowing me to speak today. I am Richard Fischer, and I’m the Communications Manager of the Louisiana Charter Boat Association. As you’re well aware by now, many of our members have sustained serious flood damage in the previous few days, and it goes without saying that our hearts go out to these individuals, and we wish the best to them, their families, and everyone that has been affected in our great state.

We also want to point out the fact that many of our members who didn’t have damage themselves have donated their time and their boats to the rescue efforts, and so we definitely want to give them a shout-out for that and thank them very much for that.

Because many of them couldn’t be here today, we would like to respectfully request that the council give a watchful eye in the coming days and weeks to the emails which you’re going to receive from our members, just being in lieu of the fact that they couldn’t be here today.

Like I said, I’m speaking on behalf of the members of the Louisiana Charter Boat Association. As you can imagine, every charter fisherman has a different situation in front of them, different needs, to run a successful business, but one thing the vast majority of our members can agree on is we just need a more flexible and reasonable method of allocating and assigning red snapper to the various sectors.

Many of our members are unhappy with only having forty-five days to catch red snapper per year and being told when they can catch those red snapper. Most of those offshore charter fishermen have little trouble booking trips in June and July, and they suspect that they would have little trouble booking trips in those two months without the ability to catch red snapper. Therefore, we do support discussions about the potential split season that you all discussed earlier this week.
Of course, our members who hold federal offshore reef permits feel they have been penalized by not being able to fish in state waters, due to the language in 30B. Because of all the moving parts in Amendment 41, really the only thing I’m prepared to say at the moment is that we prefer PFQ over IFQ. As for what we’re against in 41, we don’t want geographic regions to be a part of it. We don’t want auctions to be a part of it whatsoever.

Here, I am going to kind of echo some of the comments that Captain Rice said earlier, but we are very much against VMS implementation. We feel there are other reasonable ways to track our catch, and we are especially against fast-tracking its implementation in October, like was discussed a little bit earlier today.

As for a little bit more about the logbooks, we don’t like the fact that the preferred alternative says that they have to do it while they’re on the way in. It just doesn’t seem like a very convenient means of tracking that stuff for our fishermen, and we also urge you to use a logbook scenario that requires the fewest number of data points, to reduce potential inconveniences for our fishermen. That’s all I’ve got, and I really appreciate you guys listening to me, and we look forward to continuing working with you all in the future. Thank you.

CHAIRMAN ANSON: Thank you, Richard. Dillion Guss, followed by Buddy Guindon.

MR. DILLION GUSS: My name is Dillion Guss. I am first mate on Wild Orange Charters in Orange Beach, Alabama. I am just here to show my support on a multispecies, and, as far as the triggerfish go, after trigger season is over, on the red snapper, I mean we have to move six or seven times before we can get away from the triggerfish, and that’s something that needs to be looked at. That’s all I have. Thank you.


MR. BUDDY GUINDON: Hello. I’m Buddy Guindon. I’m a commercial fisherman from Texas and the Executive Director of the Gulf of Mexico Reef Fish Shareholder’s Alliance and many other things to many other people.

I’m a little bit upset with the committee on triggerfish. You have an advantage that hasn’t been given to any other council in the past, and that is that you have a commercial reef fisherman sitting on your council who really represents the
industry. He has knowledge and understanding of what the industry needs and what will protect the fish.

A lot of discussion was given to how many fish, twelve or twenty, and he asked for seventy-five pounds. There was a very good reason for him to ask for seventy-five pounds, because, as a person who catches fish by the pound and makes their living by selling that pound of fish, it behooves them, if they go to the first spot and catch their twenty triggerfish at two pounds apiece, and he goes to the second spot and catches twenty triggerfish that are three pounds apiece, he’s going to take those twenty two-pounders and throw them in the water and keep the twenty three-pounders. The next spot, he catches four-pounders, and that will go on all day until he goes back to the dock. Now you’ve wasted how many fish dead? Is it triple or four times the amount that he catches?

They make money by selling fish. If you set a seventy-five-pound limit, they’re going to keep every fish, because there’s no difference in value. If it’s $2.75 a pound and you’ve got seventy-five pounds, why change fish? It’s work taking them out of the ice hold and putting them back. If he’s not going to make any more money, he’s not going to do it.

Think about, when this gentleman gives you a suggestion from the commercial fishery, understand that’s where it comes from. He has knowledge, and you should just say, okay, David, that’s what we’ll do.

On the Flower Garden Banks Marine Sanctuary, I sit on that council. We have such a short time to develop such a huge impact to fisheries. I hope that you soak in what the industry brings to you and take it to heart that we’re very much in favor of sanctuaries and protecting the corals, and we understand that our reefs here off the Gulf Coast are the best in the world.

We had a terrible incident with the East Flower Gardens and getting the pollution that came from land out there and causing an effect, and we’ve got to make sure that doesn’t happen anymore. Let’s focus our attention on that a little more, the inland pollution, but we really need to allow the historical access of commercial fishermen to these areas.

The traditional fishing methods in these areas, we want to protect that core area, but, if we can anchor in the zone that they cut us out of by the regulations that are currently in place, we can anchor in those areas where there isn’t coral and fish back onto these coral reefs. It’s much safer than motor
fishing. It does less damage.

We really need to listen to industry on this and move quickly, so that we get the regulations in place that can continue the harvest of our natural resource and protect our natural resources. If you have any questions, I will answer them, and I thank you for your time.

CHAIRMAN ANSON: We have a question for you, Buddy, from Mr. Diaz.

MR. DIAZ: Mr. Guindon, thank you for coming. I don’t know how this is going to shake out in the end with this Flower Garden Banks thing, but, I would imagine, if you all want to anchor and drift back onto the reef that the buffer between the reef has got to be very, very tight. I mean is there a number of a size buffer that you could live with, in order to have enough anchor line to drift back over the reef?

MR. GUINDON: They have a no-impact zone, and we want to stay out of that no-impact zone. If that’s what they need to protect that reef, that’s what we want to do, but they also have another zone around that impact or no-touch zone or whatever it is. They have another zone around that you can’t fish in either, and so that’s the area that we want to be able to anchor in.

We have developed, over the years, with the technology, a lot of really good data on the bottom. When we go into these areas, we know where we can put our anchor. If the wind is coming out of the wrong direction, we don’t go fish in that area, because we can’t throw an anchor, but, if the wind is in the right direction, we will go out there and set it where it will be in a zone that we won’t be able to fish in right now, that we can’t anchor in, but it won’t be in that real tight zone where the corals are, where the corals you could damage are.

What we’re looking for is just a quick response to our needs. We can give you the information that we need, and G.P. has been very good at listening. Hopefully he is very good at implementing these requests that we have from industry, so that we can continue to harvest the natural resources that we’ve been harvesting for years in these pristine environments, and they are still pristine, and we’ve been doing this for almost a hundred years, fishing out there, and so we need to continue. Thank you for your question.

MR. BEN WEBER: Thank you for having me here today. I’m the Executive Director of the Louisiana Charter Boat Association. You have heard this a few times already, but I just want to make sure that it’s said again. The Louisiana fleet has not been very invested in this process, historically. I think that’s based on a lack of confidence in what they’ve seen over time, yet, in the last year-and-a-half, we have done a tremendous amount of work to try to get them educated and involved in this process.

We were disappointed that most of our captains that had committed to participating today and offering their comments were unable to be here, due to the flooding and the fact that they’re out there rescuing people and saving people’s lives and trying to help people rebuild.

Richard Fischer is our Communications Manager, and he touched on all of the policy points that are relevant, from our perspective, at this time. Really, I just want to touch on a very discouraging situation that I met this week, and I just want to make something very clear.

In the absence of the Louisiana Charter Boat Association or our members or the Louisiana fleet’s participation in this process, there has been no shortage of others who have come to claim to speak for the charter fleet in Louisiana or the charter fleet in the Gulf of Mexico. That is simply not the case.

I am specifically referring to the Charter Fishermen’s Association. If it is not a Louisiana captain or if it’s not the Louisiana Charter Boat Association, you can safely assume that they are not accurately representing the wishes and the desires of our fleet.

I would just like to take a moment to thank the Executive Director for approaching me on Monday to mock the Louisiana fleet for not participating and for being unable to be here and letting us know that, don’t worry, the Texas fleet will be here to speak up. Just, again, I urge you to look forward to more participation and more robust activity from the Louisiana fleet, particularly in the January meeting that will be back here in New Orleans, and I thank you for your time.

CHAIRMAN ANSON: Thank you, Ben. Jim Green, followed by Josh Ellender.

MR. JIM GREEN: I’m Captain Jim Green, from Destin, Florida. I am Vice President of the Destin Charter Boat Association and
First, our association is grateful to the entire council for extending the sunset, which is very important to our industry. It’s good to know that we have adequate time to work out solutions for ourselves and what is best for our anglers, and so thank you and also congratulations to the new and the reappointed council members.

Amberjack and triggers, in the last couple of years, we have had in-season closures and payback provisions executed. These fisheries have to be in a better place than your data is showing. When we consistently keep harvesting faster than the projections and exceeding quotas, there has to be a growth that’s not accounted for, much like what we have experienced in the past with red snappers.

With jacks, we upped the size limit with the projection of a ten-month season, but we caught them in five. In Destin, we’re seeing amberjacks and triggers everywhere, and we need a new stock assessment update or a complete benchmark, because we are off the mark here.

With that being said, the DCBA supports exploring a multispecies approach to 41, including not just red snapper, but gag and red grouper, amberjacks, and triggerfish. We would also like to explore intersector trading, meaning trading only within the for-hire sector, including charter boats and headboats. Transferability will be important if we move into an allocation-based fishery, to not just optimize the harvest, but also aid in stock variables that may be experienced.

It is growingly apparent that our industry’s access to these fisheries are meeting the same management challenges that we have faced in the past. The DCBA supports streamlining Amendment 41, and we would like to see a PFQ designed FMP come out of this amendment, and I urge you to reconvene the AP before the October council meeting, to aid in the streamlining of the document, address the recommendation council members have tasked us to consider, and to improve the forward movement of the amendment.

We would also like to see Amendment 42 move forward in a similar fashion, to better the chance of a side-by-side implementation. The DCBA also urges the council to take final action in October on electronic logbooks and reporting. No matter the fate of 41 and 42, data collection is essential in the management of our
fisheries. If, in the future, closures come down the line, it will be a lot easier to swallow if we have real numbers that support the closure instead of an extrapolation.

We would also like to encourage the council to move forward with the management plans for the private recreational. They deserve a chance to design and tailor a management plan that suits their needs, just as we are. Thank you.

CHAIRMAN ANSON: Thank you, Jim. Josh Ellender, followed by Jill Williams.

MR. JOSH ELLENDER: Good afternoon. My name is Josh Ellender, and I’ve been in Baton Rouge for the last three days helping out, evacuating people. A lot of other charter boat captains and brothers, they’ve been in there doing the same thing, and it’s a bad, bad sight up there. Unfortunately, I was not able to be here for the meeting and see what you all were talking about, and I’m just kind of getting pieces here and there and trying to put stuff together.

As of right now though, what I do know is, for the whole VMS, vessel monitoring system, the only -- That system is designed to track your vessel. It’s not designed to do anything else besides track your vessel, and so why are we treated when criminals when we have done nothing wrong? There are plenty of other ways out there to report your catch. I am all for electronic reporting, but a phone. Everybody has one. I guarantee you that everybody over here has one. Why can’t we just use this, instead of having a fixed system on our boat?

For instance, I know a lot of people say they’re accurate and they don’t fail, but what happens if the boat fails and you have to switch to another boat? If that VMS is attached to that boat, then you’re out of a charter, and there goes money. I don’t have a second job to supplement that income.

The boat I run is a twenty-four-footer. It’s not big. It’s a single engine. I don’t have to go far to catch snapper. For me, and I’m the captain and the crew and everything, I do a lot of entertaining on the boat. I don’t have a deckhand there for me taking care of the customers, where I can enter the information and whatnot, and so I don’t really fully understand the VMS system, but I know you’ve got to report some kind of way. You’ve got to keep a track some kind of way. Every minute I am doing that, I am taking away from my customers, which, in turn, could reduce my income, because people may not want to come back, because I’m not paying enough attention to them.
As for that, I really think electronic reporting can be done from your cellphone. There is plenty of apps out there. I just found one. Another one, they have a walkie-talkie app that we use in the rescue efforts, when actually the service was down, and so that’s a whole other situation.

Going on the triggerfish, plenty of trips this year we were trying to target mangrove snapper and the triggerfish take over, and you can’t keep them, and so you have to leave. You’ve got hundreds of them right below the boat, and you pick up and go to another spot. The same thing, just different areas. I think they have a lot. I think the stock assessments that you all use are not the most accurate ones and are very much behind.

I know this is not a part of this meeting, but regional management would take away, and it would cover a lot of these issues that we’re having, whether it be -- If amberjack is doing not so great in Florida waters, and they’re going great in Louisiana waters, we can cover that, and we can make sure that it’s being spread out or it’s being utilized the best way.

CHAIRMAN ANSON: Josh, you’re going to have to wrap up your comments.

MR. ELLENDER: Yes, sir. Triggerfish, I think they have plenty. Amberjack have a lot, and I don’t really understand that whole cutting off the season. Just like they said before, who is going to make up for my lost business? Thank you.

CHAIRMAN ANSON: Thank you. We have Jill Williams. Is there anyone out in the audience who has not already given public comment that would like to at this time? If you would, stand off over to the side of the staff table.

MS. JILLIAN WILLIAMS: Hello, everyone. My name is Jillian Williams. I am a fourth-generation partyboat captain from Galveston, Texas. My family has two party boats down there in Galveston, one of which participated in the red snapper headboat pilot program.

I would like to ask the council to please move forward with Amendment 42 and for it to also include amberjacks, gag grouper, red grouper, and triggerfish. The pilot program for red snapper was very successful for the boats that were in it, and we, like I said, had a boat in it, and we really liked the flexibility that it gave our business.
My dad has told me that the ad hoc panel has created a template that can be implemented without much controversy, and I believe that 42 will greatly help our industry and give us much more flexibility. I also support Amendment 41 for the charter boats, and I know you guys have been asking people a lot about electronic reporting.

We did it with the pilot program, where we hailed-out in the morning and hailed back in and let them know what time we were going to be back in. It’s not very difficult. It’s extremely easy. It only takes a couple of minutes out of your day to do it, and, like I said, we didn’t have any problems with it at all. Thank you.

CHAIRMAN ANSON: Thank you. We have one more, and pardon my Louisiana pronunciation, but Julie Falgout.

MS. JULIE FALGOUT: Hi. I am Julie Falgout, and I’m with Louisiana Sea Grant. I also sit on the Shrimp AP, and, also, my background is commercial shrimping. I was twenty-five years in the offshore shrimping industry, with five vessels in the EEZ.

I just wanted to let you all know, and this hasn’t been brought up, because it’s not really a focus today, but Amendment 17B for shrimp, and we have fishermen that really wanted to be here today to speak, but, as you know, first off, our season opened Monday, and so a lot of them are out fishing. The ones that aren’t fishing are in areas that are helping do clean-up and different things like that, and so I just wanted to make you all aware that there will be some emails or letters coming in from some of these guys.

I have attended Louisiana Shrimp Association meetings recently, and most of them have brought up the fact that they would like to see the pool that we have talked about eventually creating happen sooner than later, because they are really concerned about losing -- If we wait too many years to develop this pool, we are going to lose too many of our young fishermen.

We have young people that really would like to be able to get a permit, but, at this stage of the game, they’re in their twenties. To pay $10,000 for a permit is just out of their range right now, and they would like to be able to fish year-round. They don’t want big boats, but they want to be able to take the vessels that they have right now, which are skimmers, most of them, and be able to go outside the three-mile line, where they are not limited to just the shrimp season if it’s bad.
Just keep that in mind, that we don’t want to grow the industry past where it is right now, because we don’t want to over-capacitate, and I’m saying we because this is my discussions with these guys. They don’t want to over-capacitate the industry, like has happened in the past, but they do want to have the ability to be able to grow. As our older people die out -- I mean a lot of these fishermen, they are getting old. We have fishermen in their seventies and eighties.

If they don’t have a permit now, they’re not going to get one later, and we’re going to eventually be where we hardly have an industry left, and so these young guys, and there is not a lot of them, but there are some that they want to see how they can keep the industry viable and be able to shrimp in the EEZ, right over the three-mile border, and so that’s just what I wanted to let you all know. You will be getting letters on that from people. Thank you.

CHAIRMAN ANSON: Thank you, Ms. Falgout. Again, is there anyone in the audience who has not already given public comment that would like to give public comment? Please stand up at this time. Seeing no one, that concludes our public testimony. We will recess until tomorrow morning at 8:30. Thank you.

(Whereupon, the meeting recessed on August 17, 2016.)

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August 18, 2016

THURSDAY MORNING SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Astor Crowne Plaza, New Orleans, Louisiana, Thursday morning, August 18, 2016, and was called by Chairman Kevin Anson.

CHAIRMAN ANSON: As you will recollect, we completed Data Collection yesterday, but we’re going to start with Administrative/Budget. Then the next one will be the Joint Coral/Habitat Protection, and then I will continue on as the committees are listed here on the schedule. Perhaps we might be able to begin Reef Fish prior to lunch. When we do Reef Fish, again, it is my intention to try to go back and touch upon those two items that we didn’t get to during the committee. With
that, Ms. Bosarge, are you ready?

COMMITTEE REPORTS
ADMINISTRATIVE/BUDGET COMMITTEE REPORT

MS. BOSARGE: Yes, sir. The Administrative and Budget Committee Report, the committee adopted the agenda and minutes of the April 2016 Administrative/Budget Committee meeting in Austin, Texas as written.

Final Review of the Final 2014 No-Cost Extension Expenditures, staff presented a summary of the 2014 no-cost extension budget and expenditures. The no-cost extension ended on June 30, 2016, and we will be releasing $166,000 back to NOAA out of the previous five-year grant of 2010 to 2014. The ability to use these no-cost funds from the previous grant has allowed the council to save $691,000 in our current five-year grant, which is 2015 through 2019.

Review of 2016 Expenditures, the second quarter financial report of the 2016 administrative award was presented. The council’s expenditures to date were very close to the expected balance, at 48 percent. There was a significant deviance from the budget in contractual services. The activities did not change from budgeted activities, but the overall funding decrease, combined with the council-approved increase in the state liaison funding in 2015 has left a deficit in this budget category.

Review of Revised Budgets for 2017 through 2019, at the CCC meeting in May, NMFS indicated that annual funding increases will be no greater than 3 percent over each prior year. The original budget was based on advice to budget 10 percent increases for 2016 through 2019 from the 2015 baseline.

Due to these funding reductions, we revised our projected annual budgets. Following surpluses in 2015 and 2016, we are anticipating to have budget deficits from the end of 2017 through 2019 and may end the five-year grant with a small cumulative $108,000 surplus.

This new funding information and budgeting projections leave little flexibility in our budget. These projections include the removal of one of our anticipated new positions and the inclusion of the increase in liaison funding approved by the council in 2015 that was not in the original budget.

Review and Approval of the Updated Regional Operating Agreement with NMFS, the 2015 NMFS Operational Guidelines call for us to
update our Regional Operating Agreement with NMFS. The purpose of the agreement is to confirm mutual responsibilities of the Gulf Council, Southeast Regional Office, Southeast Fisheries Science Center, and NOAA General Counsel in the Southeast Region for the development and preparation of interagency fishery management actions.

The revised agreement must be submitted to NMFS in September of this year. A recommendation on action by the committee was withheld until changes from the Southeast Fisheries Science Center could be reviewed in the full council session. Yes, sir, Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: We are putting the track changes on the projector now, and this was emailed to the council yesterday from the Meetings, and they are a relatively minor change and one big table. If there are any questions, Dr. Simmons or Dr. Ponwith could answer them. Right here is the major change. We would like to get a motion approving this as edited, so we can submit it to National Marine Fisheries Service Headquarters.

MS. BOSARGE: Robin.

MR. ROBIN RIECHERS: I see the changes there, and this kind of goes to our discussion regarding SEDAR schedules. I am not certain that the current language, where we say if circumstances warrant it -- That’s probably not as strong as the language we had in there that would encourage the Center and the group to work together to create some flexibility for those changes.

I just, before we vote this up or down, I want to have a little discussion about SEDAR and that same discussion we had the other day about flexibility and being a little more nimble in our ability to move stock assessment priorities up or down. The words probably don’t matter as much here, though it does seem to me that the Center changed those words because they wanted it with this new language, which I don’t think suggests they’re going to be as flexible as maybe the old language suggested.

I think, just as we’ve had the recent discussions regarding movement of stock assessments, and I realize the constraints, but it becomes fairly inflexible, and we need to find a way to be able to move some things up, especially when we have real concerns about certain assessments. I don’t know whether we say we don’t approve this change and go back to the old language or how we want to try to work through that, but I am not real comfortable with the new language.
EXECUTIVE DIRECTOR GREGORY: Dr. Ponwith isn’t here right now, but, Dr. Simmons, can you give us an overview of whether we have the authority to reject a change from one of the National Marine Fisheries Service offices, or Roy or Mara?

We are trying to get everybody to sign on. In the original regional operating agreement, it was NOAA General Counsel that didn’t want to sign, because they didn’t want to be committed to a certain thing, but now, with some years of experience with this, they are willing to sign onto it, and so it’s either -- We could go either way. I don’t really understand the ramifications of it all.

MS. BOSARGE: Mara.

MS. LEVY: I mean it’s an agreement between all the parties that are supposed to be signing it, and so we’re updating it. The real question is who is going to be comfortable signing it based on the language that’s suggested, and I mean it’s not really about the authority to change it or not change it. We have to come to some agreement that everyone can live with, so that everyone can sign on to it. Otherwise, it’s not going to achieve the purpose that it’s supposed to have.

MS. BOSARGE: Doug, do we have a deadline on this? Do we have some flexibility to continue these discussions?

EXECUTIVE DIRECTOR GREGORY: The deadline is September, and so we really don’t have time to bring it back to the next council meeting. Dr. Ponwith, we are discussing the track changes that’s on the screen that you provided to us, and the meaning of -- What exactly was the intent of changing “having flexibility” to “providing a mechanism”?

DR. PONWITH: I am glad to discuss this, and it is that -- I believe that the SEDAR process needs to have flexibility, so that if we see a stock that’s in trouble, we can accommodate that in the planning for the schedule.

Just as that is smart, there are times where making a change becomes logistically impossible. For example, we heard an awful lot about triggerfish. You were all eager to get triggerfish on the stock assessment agenda, but, to try and get triggerfish on the stock assessment agenda now is logistically impossible, because, to get the spines read and to do the calibrations on the spines and to stop where we are in the data production for one stock, drop it and start from scratch on a different stock, it becomes challenging.
What I would like to see is that we have the flexibility to accommodate schedule changes as circumstances warrant it, but that it’s done mindful of the fact that it creates a perturbation in the stock assessment process that sometimes simply can’t be accommodated. If there is a better way to word that, I am comfortable, but what I don’t want to do is say this is a flexible process that can turn on a dime, because it just simply can’t do that.

CHAIRMAN ANSON: Dr. Ponwith, I guess, based on your description there, that’s kind of where I was going. The new change here reflects kind of the way it works now, quite frankly, in regards to the SEDAR Steering Committee and the decisions and that there is some interaction and interplay from the council and through the council process, through recommendations by the SSC and such, and that the previous verbiage just doesn’t apply to the current situation, although it might be, from our perspective at least here as of late, for sure, that it probably would be more ideal, from the council’s perspective, but, in practicality.

Now, I guess the issue is if that process that we’re dealing with now can be changed any, and I realize that there are some limitations within the science side of things and the data side of things, but is there anything that we can try to incorporate into new language or work going forward?

DR. PONWITH: I will tell you that my major concern with the original language was “throughout the year”, because what that infers is that -- What we can infer from that is that, if you set the FY2017 schedule and the calendar year for whatever year you pick and something changes, you can say that I’ve changed my mind and we’re not doing that and we’re going to do this instead.

Again, I want to have the word “flexibility” in there, because I believe we need that too. I believe we need to be responsive to the management needs and to science concerns that we have for these stocks, but those needs are constrained by very real logistics issues, in terms of the data preparation and the biological sample preparation. If we can find a way to word this so that it just doesn’t come off as willy-nilly, then I’m happy.

CHAIRMAN ANSON: Any other comments? Ms. Bosarge.

MS. BOSARGE: If the sentence that is currently scratched through, at the bottom, if it stopped at “arise”, if we omitted
the “throughout the year”, would that be sufficient, do you think, or would that -- Would that be more comfortable for the Science Center?

DR. PONWITH: If you take “throughout the year” out of there, I am a lot more comfortable, and having this discussion helps me be more comfortable. It is just I want the council to know that the Science Center will be as flexible as it can be to accommodate unforeseen circumstances, but there are limits, logistical limits. If striking the “throughout the year” gets us to that point, then I am absolutely comfortable with that.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I think that may be a reasonable accommodation. Bonnie, frankly, you were out when I said it, but, really, the words here don’t matter. It’s the actions that matter more and the partnership on trying to actually make changes when we need to make changes. Even though we’re planning two and three years out, and we should be, there is going to be reasons why we get to certain points and we need to change those schedules, and just really, again, the partnership, or the attempt at having a partnership, where those discussions occur and a true attempt to be flexible, where needed, understanding your constraints, that’s really what we need to be striving for.

CHAIRMAN ANSON: Doug.

EXECUTIVE DIRECTOR GREGORY: My understanding is we can keep the old wording, but eliminate the phrase “throughout the year” and everything is fine? Okay. Good. The next change is on page 12, the PDF page 12. It’s an insertion that’s highlighted in blue. There is one editorial change. The first part says “relative to IAQ principles” and it should be “IQA”. That’s just a typo, but the main thing is the paragraph highlighted in blue.

What this section is, it’s the roles and responsibilities of each of the agencies, and so this is a role or responsibility of the Southeast Fisheries Science Center that the Science Center has inserted here.

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: My typo in the first one was to take the “relative to the IQA” and put that in the front of this. What that means is that, for us to use information that comes from outside of the agency or within the agency, but outside of the Southeast
Fisheries Science Center, we need checks and balances, to make sure that those data comply with the Information Quality Act.

By putting that upfront, it makes that paragraph stand out relative to the Information Quality Act, and so, yes, that is a typo. It should be “IQA”. Then the second one is actually coordinating access to those data sources that are external to the Southeast Fisheries Science Center, which we view as an important role, because we do use a lot of data that are part of the partnership, but are collected outside of the Center proper.

CHAIRMAN ANSON: Any other questions or comments about this section from council members? Doug, anything else?

EXECUTIVE DIRECTOR GREGORY: Those are the only changes in the document that were made. Thank you, Dr. Ponwith.

CHAIRMAN ANSON: We will go ahead and make the subsequent changes, as we discussed here, and dispense of the regional operating agreement then?

EXECUTIVE DIRECTOR GREGORY: Correct.

CHAIRMAN ANSON: Ms. Bosarge, anything else? Dr. Simmons.

DR. SIMMONS: If the council is in agreement to those changes, would you please pass a motion approving the updated regional operating agreement?

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I will move that we adopt the regional operating agreement with the changes as discussed in full council.

CHAIRMAN ANSON: It’s seconded by Ms. Bosarge. Is there any further discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MS. BOSARGE: The next item in the committee report is the Discussion of SSC Members also being a State Designee. The committee discussed the implications of allowing an SSC or AP member to also serve as a council member or designee. Most of the discussion centered on SSC members, and the committee passed the following motion. By a unanimous vote, the committee recommends, and I so move, to change the SOPPs to indicate that members or designees of the Gulf Council cannot simultaneously serve on the SSC.
CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Mr. Riechers.

MR. RIECHERS: Just for my clarification, did we make a second motion on APs? I thought we had merged that, or did we just discuss it?

EXECUTIVE DIRECTOR GREGORY: If I may, the rest of this section says: The committee requested staff to bring back draft changes to the SOPPs at an upcoming meeting, for final approval and include the same conditions for our advisory panel members. The actual approval of the SOPPs will done at a future meeting.

CHAIRMAN ANSON: We have a committee motion. Is there any further discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MS. BOSARGE: The committee requested staff to bring back draft changes to the SOPPs at an upcoming meeting for final approval and include the same conditions for our advisory panel members.

Consider Making Committee Assignments Effective at Beginning of October Council Meeting, the council makes committee assignments each October during full council. Since the full council portion of the meeting follows the committee meetings, new members do not have the opportunity to serve on committees until the January meeting.

The utility of convening the council prior to committee meetings in October, in order to make committee assignments, was discussed. No motion was made, but the committee was in agreement that staff organize the October 2016 council meeting and committee Agenda as suggested.

Consider Merging Some Committees, staff presented some options and analyses regarding specific administrative and management committees to improve efficiencies. Consequently, the following motions were made. By a unanimous vote, the committee recommends, and I so move, to recommend that the council merge the Habitat and Artificial Reef Committees into a single Habitat Protection and Restoration Committee.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MS. BOSARGE: Additionally, by a unanimous vote, the committee recommends, and I so move, to recommend that the council divide
the current Sustainable Fisheries and Ecosystem Committee and
form a Sustainable Fisheries Committee and an Ecosystem
Committee that contains the subject areas of Marine Reserves, Ad
Hoc Restoration, and the current Ecosystem Committee.

CHAIRMAN ANSON: We have a committee motion. Is there any
discussion on the motion? Any opposition to the motion? Seeing
none, the motion carries.

MS. BOSARGE: Review of Administrative Handbook Revisions, staff
has revised several sections of the Administrative Handbook for
accuracy, compliance with labor laws, and clarification of
existing practices. The following topics were highlighted for
discussion and approval.

Section 2, page 3, the committee requested staff to revise the
verbiage in section 2, page 3 to clarify that the council should
review staffing actions prior to action by the Executive
Director. The requested edit was as follows.

EXECUTIVE DIRECTOR GREGORY: We have the track changes version
of that paragraph that we could put on the screen, because the
version that’s in the report is the cleaned-up version, and so
this will show you the actual changes that were made in
committee. If we can get rid of the balloons, it will be a
little bit easier to read. Never mind. Apparently it’s already
a PDF.

CHAIRMAN ANSON: Go ahead.

MS. BOSARGE: The requested edit was as follows: “The Council
seeks to resolve workplace conflicts in a prompt, impartial,
confidential, nondiscriminatory, and constructive manner, and
without fear of reprisal. Any issues that arise should be
brought to the attention of one’s supervisor. If the supervisor
is unable to resolve the situation, then the supervisor should
consult with the council’s officers (Executive Director, Deputy
Executive Director, and Administrative Officer). The final
decision regarding personnel issues rests with the Executive
Director, after consulting with the Council Chair, Council Vice-
Chair, Personnel Committee Chair, and Personnel Committee Vice-
Chair to determine a course of action. If deemed necessary, the
Council Chair may convene the Personnel Committee to review the
issue.” The above revision is recommended for review and
approval by the council.

CHAIRMAN ANSON: We have the new section. Is there any
discussion on this section?
EXECUTIVE DIRECTOR GREGORY: This will be a new paragraph in the Administrative Handbook.

CHAIRMAN ANSON: Does anyone want to -- We probably need to make a motion on this, so that it goes into the Administrative Handbook.

MR. MATENS: So moved.

CHAIRMAN ANSON: We have a motion to accept the revised paragraph, as provided in the committee report. It’s for Section 2, page 3 of the Administrative Handbook. Camp, is that your motion?

MR. MATENS: As it is.

CHAIRMAN ANSON: I guess my only -- Is there a second to the motion?

MR. RIECHERS: Second.

CHAIRMAN ANSON: It’s seconded by Mr. Riechers. The way it reads, it kind of, to me, sounds like the paragraph is already revised in Section 2, but, anyway, is there any discussion on the motion?

MR. RIECHERS: What you’re saying is it should have been “to add the paragraph”, because it was a new paragraph. Camp will accept that as a friendly amendment.

CHAIRMAN ANSON: Yes, I think he will. That’s the intent, but is there any other discussion on this motion? Is there any opposition to the motion? Seeing none, the motion carries.

MS. BOSARGE: Section 3, page 7, Removal of annual performance bonus and retaining merit bonus, staff presented an overview of the two types of bonuses currently allowed and suggested retaining the single merit bonus. Staff was requested to provide, at a future council meeting, a summary of performance and merit raise bonus history for the past five years, including the number of staff who received bonuses and the amounts.

By a unanimous vote, the committee recommends, and I so move, to accept the language as proposed in the Administrative Handbook, 3.0, Compensation Policies; Section 3.4, Merit Awards.

CHAIRMAN ANSON: We have a committee motion. Is there any
discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

**MS. BOSARGE:** Section 4, page 9, Leave Cap and Payout at Termination. The edited verbiage in this section would place a cap on annual leave and grandfather in the current maximum leave balances for staff. No final annual cap was agreed on, and the committee requested staff to investigate caps and leave payout policies in each of the states as well as NMFS and bring this issue back to the committee in October.

NOAA General Counsel also recommended clarification of the verbiage used to define leave payout at termination. It was noted that Texas leaves the final decision for how to handle the separation to the state.

A committee motion was not needed on the following highlighted actions: Section 4, page 12, FMLA accounting. The verbiage is included to define the accounting period for the FMLA timekeeping clock. Section 5, page 14, Insurance, this is to clarify the life insurance benefits provided to staff. Page 16, Compensation time, staff will not be allowed to claim compensation time for travel or attendance at professional development activities. There was no other business to come before the committee. Mr. Chairman, this concludes my report.

**CHAIRMAN ANSON:** Thank you, Ms. Bosarge. Mr. Swindell.

**MR. SWINDELL:** Thank you, Mr. Chairman. I hate to revisit something here, but the one that we passed that Camp made the motion for, I would like for us to take another look at that statement in that paragraph, if you don’t mind, and let’s see if any changes need to be made.

One of the things it says, in the third sentence, is if the supervisor is unable to resolve the situation, then the supervisor should consult with the council’s officers. That leaves it very open. You are telling the supervisor, if he is unable to resolve the situation, he should or is required to consult. It needs to be, I think, more directive than the word “should”. Otherwise, it could go unresolved without any consequence.

**CHAIRMAN ANSON:** Thank you for that observation. Is there any other discussion on that? Mr. Gregory.

**EXECUTIVE DIRECTOR GREGORY:** I can add to that. I didn’t put it in here, but, in talking with staff, the other thing is the
employee themselves has the authority to raise the issue to the supervisor’s supervisor, and I would say with the condition that your supervisor knows you are doing that. I mean there is instances where things don’t get resolved, and maybe the supervisor is not sensitive to it, but the employee is distressed about it.

The employee, I have encouraged them to say that you can do this, but you don’t go behind the supervisor’s back. You tell the supervisor that, look, we haven’t resolved this and I am still unhappy with it and I want to go talk to one of the officers, and so that’s the way we’re operating anyway.

MR. SWINDELL: I understand that, but if you’re going to put it in a directive here about how the procedure is to proceed, then I think it needs to be explicit, and I think the word “should” is not explicit enough as to direction.

EXECUTIVE DIRECTOR GREGORY: I certainly have no problem using the word “must” or “will”, something more definitive, if there is no objection.

MR. SWINDELL: Or shall.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Ed, just make it as a motion. It’s an edit to something we have adopted, and so just do it that way.

MR. SWINDELL: If the council agrees, I will make a motion to change the word “should” to “shall” or “must”. I think the word “must” is more definitive.

CHAIRMAN ANSON: Staff is working on putting the motion on the board. Mara.

MS. LEVY: Since you’re making a motion, there are two “should” in that paragraph, at least that I saw, and so I don’t know if you want to address them both or whether there was a difference for you.

MR. SWINDELL: I think, where it says “any issues that arise should be brought to the attention of one’s supervisor”, that, to me, if the person doesn’t want -- You’re having something here to where the employee decides not to, and “should” is an okay word, but to say that the employee has to -- No, the employee doesn’t have to bring it up if they decide not to, but I think that the supervisor, once they get this, saying must
consult with the council’s officers. If they cannot resolve it -- You are coming with a word in that other sentence that says, if you’re unable to resolve the situation, then they’ve got to do something. They can’t just let it sit on the table.

MS. LEVY: That’s fine. It just wasn’t clear to me whether that sentence was getting at what Doug was talking about, that you have to talk to your supervisor. Like not to jump ahead of them.

Not that you don’t have a choice as to whether to raise the issue, but, if you’re going to raise it, that you need to raise it with your supervisor first and not go over their head, and so I just wasn’t sure, but whatever you want to do is fine with me.

CHAIRMAN ANSON: We have a motion on the board. There is a strikeout in the paragraph that was just approved a little bit ago with the “should” and the “shall”. I think, Mr. Swindell, this reflects your intention, right? We had a second by Robin. Is there any other discussion on this motion? \textbf{Is there any opposition to this motion?} Seeing none, the motion carries. Ms. Bosarge.

MS. BOSARGE: Doug, I was looking at the Section 5, page 14, Insurance, and this is to clarify the life insurance benefits to staff. Maybe, being Chairman, I just don’t remember that conversation, because there was a lot going on, but what was that conversation? Can you remind me?

EXECUTIVE DIRECTOR GREGORY: The life insurance policy that we have was adopted four or five years ago, and the procedure for that was changed then, but that change never got into the handbook. It’s not something we’re changing as far as the process of what the life insurance benefit is. We’re simply describing it accurately now.

MS. BOSARGE: Okay, and so what was the change, the actual life insurance change? What was it? Do you remember?

EXECUTIVE DIRECTOR GREGORY: Beth, do you recall what it was before the change? In the handbook, it talks about one-and-a-half times your salary, and now it’s a base. Everybody gets a base of $50,000, and then you’re allowed to purchase insurance in $20,000 increments, up to a maximum of I think $100,000. Then, as you get older, that gets reduced.

MS. BETH HAGER: I believe the original iteration was an amount equivalent to your salary. Then it went through a period of we
were going to revise it to one-and-a-half times the salary. That wasn’t a doable option, with our carrier, and so now it’s a $50,000 policy for all staff and then an additional policy up to, as it’s described in the language.

EXECUTIVE DIRECTOR GREGORY: It was a change we missed in 2014 when we revised the handbook.

MS. BOSARGE: Okay, and so we revised the handbook or we had a policy in there. When we went to the insurance company to try and actually implement that, they didn’t offer that type of -- You had increments that you had to buy the insurance in and you couldn’t just buy it at one-and-a-half times whatever that salary was.

MS. HAGER: Yes.

MS. BOSARGE: So you all had to go with something different, and this documents that change, so they have a $50,000 policy and then a supplemental, in $20,000 increments, over and above?

MS. HAGER: Yes, up to $100,000, and that’s the maximum of the supplemental policy.

MS. BOSARGE: Okay, and all of that has been communicated well to staff and everybody is aware of it?

MS. HAGER: We have been communicating it with staff, and we are having some additional staff training and communication with that, to make sure that it’s absolutely clear with everybody. Every one has a statement that shows a very good description of their benefits at this point.

CHAIRMAN ANSON: Any other questions related to Administrative Policy and Budget?

MS. HAGER: The language is up on the screen there.

CHAIRMAN ANSON: Okay, and that was in -- What was the document number? Was it Tab G-9? Okay. It’s G-9, if folks want to take a look at it.

MS. HAGER: That change was actually made back in 2011 to the policy, and so it’s been needed to be corrected for a little while.

CHAIRMAN ANSON: Okay. Great. Mr. Diaz.
MR. DIAZ: Thank you, Mr. Chair. The Joint Coral/Habitat Protection Committee Report, staff presented a draft of the EFH five-year review document for the council’s consideration. A brief synopsis was given regarding the legal requirements, objectives, and timeline for the document.

Staff explained the layout of species profiles and habitat associated tables and solicited feedback on these sections. Mr. Diaz suggested standardizing length units and plot axes throughout the document and reorganization of species, first by FMP and then by families, within each FMP.

A final draft of the EFH five-year review will be brought to the October 2016 council meeting, which will include mapped representations of benthic life stages by species and have web resources that will include corresponding species profiles, habitat association tables, and a bibliography.

Next, staff presented the summary of the Joint Shrimp AP, Coral SSC and Coral AP meeting. The group had narrowed the list of priorities to fifteen areas, with the caveat that many areas included in the Flower Garden Banks Expansion Draft Environmental Impact Statement Preferred Alternative 3 were removed from consideration because they were contained in the expansion.

If these areas are not made part of the Flower Garden Banks National Marine Sanctuary, the group would like to reconsider these areas. The committee requested that these priority sites be presented to the Reef Fish AP and was informed that it is on the agenda for the next Reef Fish AP meeting. The committee will be presented with the scoping document at the October 2016 council meeting.

Staff will begin working on setting up locations for scoping after the October 2016 council meeting for the recommended coral HAPCs in the following locations: Brownsville, Texas; Galveston, Texas; Palacios, Texas; Houma, Louisiana; the D’Iberville/Biloxi area, Mississippi; Mobile, Alabama; Madeira Beach, Florida; Panama City, Florida; and Key West, Florida. Mr. Chairman, I am going to pause here. I believe staff had asked for a motion to accept these locations for scoping.

CHAIRMAN ANSON: Okay, and so staff would like a motion from the full council for these locations that have been presented in the committee report. Would anyone like to offer that motion?
MR. BOYD: I so move.

CHAIRMAN ANSON: Mr. Boyd makes the motion to utilize the list of cities that are provided in the coral report. While they’re working on that, Ms. Bosarge seconds the motion. Any discussion on this motion? Yes, Dr. Frazer.

DR. FRAZER: It’s not clear to me if the Florida Gardens, the Banks, if they don’t encompass the areas that weren’t prioritized, will those other areas show up in the scoping document in October or at some other time?

CHAIRMAN ANSON: Dr. Kilgour.

DR. MORGAN KILGOUR: All of those areas will be in the scoping document, in the background, but the focus of the scoping will be the fifteen priority areas, but those areas don’t just go away. They will be part of the background information, so that the public is aware that they were considered, but not made priority areas by the group, if that makes you feel better.

DR. FRAZER: Thank you.

CHAIRMAN ANSON: Any other discussion on the motion? The motion is to set up locations for scoping after the October 2016 council meeting for the recommended coral HAPCs in the following locations: Brownsville, Texas; Galveston, Texas; Palacios, Texas; Houma, Louisiana; the D’Iberville/Biloxi area, Mississippi; Mobile, Alabama; Madeira Beach, Florida; Panama City, Florida; and Key West, Florida. Is there any opposition to this motion? Seeing none, the motion carries. Ms. Bosarge.

MS. BOSARGE: Before we leave this section, this is the summary of the Joint Shrimp AP/Coral AP/Coral SSC meeting, and I know we spent the bulk of our time on the Flower Gardens discussion in the committee, but, in that meeting, there were two main sites that needed some further work on the boundaries, and, in that meeting, there were some motions passed that spoke to revising those with input from specific people, specific scientists, that actually researched those sites and know where the coral is and the densities and the diversities, and then specific fishermen that fish those sites.

I think probably it would behoove us to have a motion to allow staff to speak to those specific people and work on that boundary revision, rather than just have that going in the background. To give you specifics on what that is, the first
motion, and I will give you some information, but the motion would be to redraw the boundaries of Viosca Knoll 867/906 with input from Steve Ross, Erik Cordes, and Johnny Nelson.

This is a deepwater site that has the royal red shrimping activity, the real deep shrimpers. There are two things that can either happen with it. Either they can just grant a blanket exemption and let them trawl in that box or they can try and redraw the box into two separate boxes, where they can trawl through the middle of them, and then they wouldn’t have to have an exemption.

That is some coral scientists and one royal red shrimper that has been invited to come to these meetings, and staff would need to have specific permission from us, essentially, to go ahead and speak to those people and attempt to revise those boxes to give us an option to look at. That’s my motion, sir.

CHAIRMAN ANSON: We have a motion to redraw the boundaries of Viosca Knoll 862/906 with input from Steve Ross, Erik Cordes, and Johnny Nelson. Is there a second to the motion?

MR. GREENE: Second.

CHAIRMAN ANSON: It’s seconded by Mr. Greene. Any discussion on the motion? Mr. Boyd.

MR. BOYD: Just a question. Are we making a suggestion to the Flower Gardens management or are we saying this is what you have to do?

MS. BOSARGE: This is actually for our document. This is for the coral HAPC amendment that’s going to be coming up in I guess October that we’ll start to really work on. These two sites right here, and you can correct me if I’m wrong, Morgan, but they are not in the preferred alternative for the Flower Gardens expansion right now.

CHAIRMAN ANSON: Dr. Kilgour.

DR. KILGOUR: That’s correct. They are not in the preferred alternative. They do show up in Alternative 4 and Alternative 5, but the boundaries that the sanctuary has drawn are completely different than the boundaries that we have currently drawn in our HAPC discussions.

MR. BOYD: Okay. Thank you.
CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: Some of what I was going to say was just pointed out, but I do know Captain Nelson, and I think that this would be a very smart move, and I would be in support of this.

CHAIRMAN ANSON: Any other questions or comments on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Yes, Ms. Bosarge.

MS. BOSARGE: The other site that was discussed that needed some more work at that meeting was the Pulley Ridge area. In the meeting, there was a motion passed with some specific people that have the knowledge on that site that staff could interact with to try and work on that.

My next motion would be to discuss the boundaries of the Pulley Ridge site with the following people: Walter Jaap, Sandra Brooke, Rob Ruzicka, Robert Spaeth, Jay Lucas, Scott Daggett, and J.P. Brooker or Scott Weatherby.

Those are several coral scientists and then some fishermen, some commercial fishermen, from the Florida area that specifically fish in that particular area that have a lot of knowledge, and so, essentially, staff would be getting some input from them to discuss that Pulley Ridge site, to bring us back something that would have some amendments to the current boundaries, to see if we can make that work.

CHAIRMAN ANSON: We have a motion. Is there a second to the motion? It’s seconded by Mr. Diaz. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: I have a question for Ms. Levy. Given comments you made at the Clearwater meeting about APs and working groups, does this suffice, or do we need to name this an ad hoc Pulley Ridge advisory panel or what?

MS. LEVY: I consider every group that the council makes to be an advisory panel under the Act. If you want to call it a working group, that’s fine, but, in terms of the requirements of the Act, it’s an advisory panel, and it needs to follow those meeting procedures and such.

CHAIRMAN ANSON: Any other discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Mr. Diaz.

MR. DIAZ: Next, staff presented the draft letter for the
council to send regarding the Flower Garden Banks National Marine Sanctuary DEIS. The committee discussed historical fisheries in these expanded areas, boundary revisions, and safety-at-sea concerns. Staff added this language to the document in track changes. Staff requests that the council look at the revised letter and provide recommendation on how to proceed.

I want to point out, Mr. Chairman, that the email that was sent out for this committee’s report, on the bottom of that email, the current letter, with the changes, is available, if people want to go to it and review it. I would also like to point that I believe we need a motion at this point to approve this letter to go out.

CHAIRMAN ANSON: Yes, sir. Ms. Bosarge.

MS. BOSARGE: I will make that motion, and so I guess the motion would be to approve and send the letter on the Flower Garden Banks National Marine Sanctuary Expansion Draft Environmental Impact Statement.

CHAIRMAN ANSON: We have a motion on the board. Is there a second to the motion? It’s seconded by Mr. Diaz. Any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MR. DIAZ: Next, the committee discussed several issues pertinent to the council’s response to the proposed Flower Garden Banks National Marine Sanctuary expansion fishing regulations.

There were several ideas presented to include in the white paper regarding the regulations. These include an endorsement program about fishing within the sanctuary, exemptions for certain historical fisheries, different regulation tiers for different areas, and specific accountability measures for potential exemptions.

Staff will draft a white paper that addresses these comments for the October 2016 council meeting. Staff also plans to provide this white paper on the Reef Fish AP meeting agenda for their review and comment. This concludes my report.

CHAIRMAN ANSON: Thank you, sir. Any other items under -- Yes, sir, Dr. Stunz.

DR. STUNZ: I just had a quick comment, and it was related to
Leann’s. What potentially could be useful for our committee, I think, is a presentation on sort of the state of the science on these deepwater corals. We had the anchor discussion going on and a lot of hallway discussions and things, plus we’ve got Tom now, a new expert on corals, on the committee, but I don’t feel like I’ve got a good handle of what’s the latest, and maybe even, in light of Deepwater Horizon and what we know about these deepwater corals, to give us a little more information and just make better informed decisions.

I know there is some expertise on that coral committee, Doug, and I think it’s Dr. Brooke, or maybe others around the table know someone better. Before I joined the council, I understood that there were some presentations that were good, but maybe update that, so we just have a better idea.

Now, I don’t know if that needs to occur after your workgroup, Leann, or before. I mean it doesn’t really matter to me, but I feel like I could use a little refresher on the state of the science, if that’s possible.

CHAIRMAN ANSON: Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: If we may, let us put together the scoping document first. A lot of that information will be in that. We’ve kind of gotten ahead of ourselves. We had lots of working group meetings and lots of joint AP meetings, but we have yet to have a document, and we’re at the point where we need to put that document together and take it out for scoping, because we’ve been doing scoping for a couple of years now, kind of informally, but, yes, I think your idea is a good one. We just need to work out the appropriate timing, I guess, and let’s see what we have already compiled for you.

DR. STUNZ: That’s fine. I am not concerned necessarily about the timing, but I think it would be a good idea to update us on that.

CHAIRMAN ANSON: Any other comments for Joint Coral/Habitat? Dr. Dana, are you ready for Mackerel?

MACKEREL COMMITTEE REPORT

DR. DANA: I am, Chairman Anson. The Mackerel Committee convened on August 17. The staff reviewed the purpose and need for CMP 29, which addresses Gulf king mackerel allocation sharing and a recreational accountability measure. The committee chose to go through the IPT version of CMP 29, Tab C,
Number 4(b), as opposed to the council’s previous version, Tab C, Number 4(a).

In Action 1, staff reviewed Action 1, which examines options for allocation sharing strategies between the recreational and commercial sectors for Gulf king mackerel. The IPT recommended removing Alternatives 2 and 3 and replacing them with Alternative X.

The proposed alternative achieves the same goals as Alternatives 2 and 3. One difference is that the conditional transfer of allocation in Alternative X largely relies on the recreational sector’s landings, rather than the commercial sector’s, to determine whether a transfer will occur. Another difference is the use of two-year-old data to determine whether a transfer should occur.

Under this circumstance, the landings data will be known and vetted prior to use in determining conditional transfers, as opposed to estimating MRIP waves. For example, 2016 data will determine whether a transfer occurs in 2018.

The IPT also proposed eliminating Alternative 5, which would sunset any allocation-sharing action after a certain amount of time. Eliminating Alternative 5 was proposed because of the protections built into the remaining alternatives, which prevent an allocation transfer in the event that the recreational sector’s landings reach a certain threshold.

The committee recommends, and I so move, in Action 1, to accept the IPT-proposed changes to remove Alternatives 2, 3, and 5 and add Alternative X.

CHAIRMAN ANSON: We have a committee motion. Alternative X is included on the board. Is there any discussion on the committee motion? Is there any opposition to the motion? Seeing none, the motion carries.

DR. DANA: Staff then reviewed the proposed modifications to the recreational accountability measures, AMs, for king mackerel. Because of the council’s desire to keep the recreational sector open year-round, the IPT recommended changing the current in-season AM to a post-season AM.

The change to a post-season AM allows for the safeguards built into Action 1 to return any shared allocation to the recreational sector before the AM is applied, thereby safeguarding the current year-round recreational season from any
risks related to an allocation-sharing strategy.

The IPT recommended eliminating Alternative 2, since the council just recommended increasing the bag limit in CMP 26. The IPT also recommended adding a new Alternative 4, which would institute a post-season AM, whereby the recreational fishing season for the following year would be reduced only if both the recreational ACL and the stock ACL had been met.

NMFS staff noted that, although the recreational fishing season follows the calendar year, the ACL is monitored in tandem with the commercial fishing season for the Western and Southern zones, which is July 1 through June 30. A committee member added that the increase in the recreational bag limit preferred in CMP 26 may result in additional recreational landings in successive years.

The committee recommends, and I so move, in Action 2, to accept the IPT-proposed changes to add Alternative 4 and remove Alternative 2.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

DR. DANA: Staff informed the committee that a public hearing draft would be completed and brought before the committee at the next council meeting. The council will need to determine appropriate locations for public hearings. Mr. Chairman, this concludes by report.

CHAIRMAN ANSON: Thank you. Based on that last sentence, we will need to go ahead and establish those locations at this meeting, correct?

DR. DANA: That’s correct.

CHAIRMAN ANSON: Mr. Diaz.

MR. DIAZ: I guess I am just thinking if there’s a way to do the HAPC public hearings and these public hearings at least the same days. That might bring some efficiency into the system, if that’s doable.

CHAIRMAN ANSON: That would be helpful. There might be overlap in some areas, but maybe not in others, and so, speaking for Alabama, I think Mobile will be applicable for both meeting locations, but I don’t know if other states want to comment on
maybe adding an additional site or two. Mr. Robinson.

**MR. ROBINSON:** For Texas, you’re going to need add Port Aransas or Corpus for the mackerel, and I think that would probably cover it.

**CHAIRMAN ANSON:** Ms. Guyas.

**MS. GUYAS:** I think our list is mostly okay. The only thing I would suggest, if we’re going to roll these in with the coral ones, is maybe expanding the Madeira Beach one to maybe greater Tampa or St. Pete, just because it’s going to involve not just commercial fishermen this go-around. I mean it could be that people are going to be coming from all over the place. That’s just, logistically, to make it easier for people to get there, that’s all. Let’s consider those other locations.

**CHAIRMAN ANSON:** Mr. Gregory.

**EXECUTIVE DIRECTOR GREGORY:** I think I suggested Madeira Beach, and the reason is because that’s where the red grouper longline fishery is housed, and we don’t have any longliners on our AP. I wasn’t anticipating that working group meeting, which will include three longliners in that discussion. In addition, we’re also going to have our Reef Fish AP and invite those longliners to the meeting, if we’re going to be discussing the coral HAPCs, because where the longliners fish is not where the bandit rig fishermen fish. One recommendation from one group might impact the other group, and I want them all communicating, but we will look at that and work with you as far as the locations for the Tampa Bay region.

**CHAIRMAN ANSON:** Doug, I just want to make sure you were listening and didn’t chime in, but having these two different topics at the same day for a lot of these locations is not going to create a problem for staff or anything? Is that correct?

**EXECUTIVE DIRECTOR GREGORY:** Our experience is not to do them the same day, but subsequent days. It gets confusing for the public in doing that, and we haven’t had good success with that. I think the South Atlantic Council used to set aside entire days to do multiple public hearings and scopings for multiple species, and I think they’re moving away from that also, and so we don’t want to do that. We would rather spend the extra day and just have two separate meetings.

**CHAIRMAN ANSON:** I was going to have a follow-up question to make sure I understood that it was going to be the same trip, to
speak, but just a second day and not necessary -- That could be burdensome too, is having the additional day in a particular week, and so that’s all that I was concerned about.

EXECUTIVE DIRECTOR GREGORY: Yes, we understand.

CHAIRMAN ANSON: All right. Ms. Guyas.

MS. GUYAS: If that’s the case, and if it’s going to be on a different night, then I would just say scratch Madeira Beach and add the Tampa Bay area for this one.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: I would just like some clarification. The next paragraph says that we’re going to come to the next council meeting with a public hearing draft for this document, and is that correct? If that’s the case, then how are we going to go out for public hearing before we have a public hearing draft at the next meeting?

EXECUTIVE DIRECTOR GREGORY: We’re trying to get ahead of this. This will be for after the October meeting, but we also have to sit down, the staff, and look at how we’re going to accomplish all of this after October. We got into a jam last year doing a bunch of different -- I am seeing nine and ten and twelve public hearings for each topic, and so we’re just going to have to look at the workload and parse it out, but we’re not going to have these before the October council meeting.

MR. BOYD: Okay. Thank you.

CHAIRMAN ANSON: Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chairman, and I echo what Mr. Gregory was saying. If you could just let us have some flexibility and maybe not have these even back-to-back, because sometimes the logistics don’t all work out. Different people are fishing at different times, and these are quite different topics. If we could potentially maybe have some early November and some maybe that won’t happen until early December, but we need to think about that and plan it out when we get back to the office, but, if we could have that flexibility, I would appreciate it.

CHAIRMAN ANSON: All right. Dr. Lucas.

DR. LUCAS: For Mississippi, just to add a little bit of
flexibility, because of where the concentration of some of the mackerel fishermen are located, we would like to add Pascagoula.

CHAIRMAN ANSON: Mr. Robinson.

MR. ROBINSON: A clarification. This list, is this for the mackerel?

CHAIRMAN ANSON: I guess my comment, relative to maybe piggybacking, probably doesn’t apply now, in this case, and so they would be kind of a whole string of meeting, potentially, that would be different from the coral HAPC meetings that we already previously passed.

MR. ROBINSON: If this is for mackerel exclusively, then you can remove Palacios from the list.

EXECUTIVE DIRECTOR GREGORY: Thank you.

CHAIRMAN ANSON: Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chairman, and I’m sorry, but could I ask Dr. Lucas -- Do we need to go both to Pascagoula and to the Biloxi area just for mackerel?

DR. LUCAS: We just want to give you the flexibility to kind of choose. Pascagoula is kind of more heavily where the mackerel fishermen are. We were trying to pick the Biloxi region on the coral, just because it’s kind of centrally located and we could pull from all regions, but, if it worked out where you could do both in one location, I think we would be fine with it.

CHAIRMAN ANSON: Martha, I didn’t know if you overheard, but these kind of would be separate. The mackerel would be separate from the coral meetings, and so the list is still good and you don’t care to refine it or anything? It’s still what you want?

MS. GUYAS: Yes, and Tampa would be the only one that I would choose, or switching out Madeira Beach for Tampa I think is great for that.

CHAIRMAN ANSON: Okay. Dr. Simmons.

DR. SIMMONS: Thank you. So then could we modify the Biloxi to D’Iberville/Biloxi/Pascagoula, Mississippi for the CMP Amendment 29? Am I understanding that correctly? Thank you.

CHAIRMAN ANSON: Yes, I think so.
DR. LUCAS: I think what we’re trying to say is, for the coral meeting, the Biloxi/D’Iberville area is good. For the CMP Amendment 29, Pascagoula would be the best location. Since it’s for CMP Amendment 29, just substitute Pascagoula.

CHAIRMAN ANSON: It took us a little bit to get here, but is there a second for this motion?

MS. BOSARGE: I will second it.

CHAIRMAN ANSON: It’s seconded by Ms. Bosarge. Is there any further discussion on this motion? Is there any opposition to the motion? Seeing none, the motion carries. Anyone else have anything else to bring up under Mackerel? We don’t have a break scheduled or programmed into the agenda. Our next item is going to be Reef Fish, and we are ahead of schedule by a good bit, but, since this is a pretty good break before we get into the next committee report, if we could take a fifteen-minute break now and then come back at ten o’clock, so that we can take up Reef Fish.

(Whereupon, a brief recess was taken.)

REEF FISH COMMITTEE REPORT

MR. GREENE: The Reef Fish Committee Report, the committee met on August 16 and 17, 2016. Draft Amendment 36A, Commercial IFQ Program Modifications, the committee heard presentations on the IFQ program process and quota banks.

Staff then reviewed the document. For Action 1, staff will compile data on the additional number of trips made by reef fish permitted vessels landing any commercially-caught species before the next council meeting. Staff will request comments and recommendations on the Action 1 alternatives from NOAA OLE and the council’s Law Enforcement Committee and provide these to the council in October.

Action 2 addresses the redistribution of shares held in inactive accounts. In Action 2.1, the committee noted that Alternative 4 could be accomplished by selecting both Alternatives 2 and 3, and thus recommended its removal. With one opposed, the committee recommends, and I so move, in Action 2.1, to move Alternative 4 to considered but rejected.

CHAIRMAN ANSON: We have a committee motion, and it is on the board momentarily. There it is. Is there any discussion on the
motion? Mr. Sanchez.

MR. SANCHEZ: I am not sure how to do this, but, after hearing the public testimony extensively yesterday, I would like to go back to what I originally said in committee, which would be to offer a motion that in Action 1 that we move Alternative 3, regarding the PFA, and Alternative 4, as such, to considered but rejected. Forget that.

CHAIRMAN ANSON: So you withdraw your substitute motion? Okay. Is there any other discussion on the motion on the board? Is there any opposition to this motion? Seeing none, the motion carries.

MR. GREENE: In Action 2.2, the committee discussed the proposed redistribution methods and passed the following motion. Without opposition, the committee recommends, and I so move, in Action 2.2, to amend Alternative to 5 to read: redistribute the shares from each share category to the allocation only account holders with a commercial reef fish permit and landings, but not related to other accounts with shares in that category.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MR. GREENE: The committee indicated that staff should provide options to Alternative 5 for satisfying the landings requirement. Noting the small amount of quota remaining in the inactivated accounts and the work involved in setting up a quota bank, the committee passed the following motion. Without opposition, the committee recommends, and I so move, in Action 2.2, to move Alternative 6 to considered but rejected.

CHAIRMAN ANSON: It’s a committee motion. Any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MR. GREENE: The committee noted that consideration of quota banks should be retained in Amendment 36B.

CHAIRMAN ANSON: We have a question from staff. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chairman. Just before we leave this subject, this amendment, could we talk a little bit about timing? I think, in committee, we discussed that we would not bring a public hearing draft of 36A until the January council meeting, because we have made quite a few changes, but we also
had on the action schedule that we would bring an options paper for 36B in October, and so I am requesting that we could also push that back another council meeting and try to get 36A further developed and more ready for final action, if that’s possible.

CHAIRMAN ANSON: I guess it’s possible. I am just -- Have you just not been able to work at all on the options paper for 36B at this point?

DR. LASSETER: I have compiled the items that are in there. I have not collected any data for it, and the IPT has not met about that. We did understand, when you divided the amendment - - It was the IPT’s understanding that you were addressing the low-hanging fruit first and getting that out of the way and then done, which is why we had not been working towards the 36B items.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: That’s consistent with my memory, is we wanted to move 36A and be finished with it and then come back to 36B, and I think that’s the path we ought to stay on, and so I would like to see us finish 36A and then tackle 36B.

CHAIRMAN ANSON: I guess that may have been the case, but I thought, at least at some trajectory, that 36B could be worked on simultaneously with 36A, as it went up and down, if you will, with the various meetings that we had and discussions and additional workload and such. Is there anybody else that wants to comment on that? Mr. Walker.

MR. WALKER: That’s the way I understood it too, is we were going to finish 36A first, before we moved on to 36B.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I remember us splitting them and again suggesting that 36A would move faster, but it wasn’t a suggestion that 36B wouldn’t move at all, and I don’t think that’s really the suggestion as we look at any of the items that we have asked you to work on. It’s not to suggest that they stop completely and let other things go forward. I realize we’ve got workload issues, and this is a prime example, the meeting and the Reef Fish Committee at this point in time, but I don’t think we ever gave any directions to say don’t work on it until you have finished 36A.
CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I also think if we would go ahead and move forward with some of these amendments, like electronic reporting, which my understanding is we could vote up and take final action in October, we could clear our plate of some of these things, and that would enable us to move forward on some of these other issues.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I would even say that I think in committee, which you weren’t at when we talked about electronic reporting, I believe Mr. Strelcheck indicated that the electronic reporting decisions and the elements were really a purview of the National Marine Fisheries Service and not necessarily this body, and I think we had that discussion long before we ever started that amendment, that if you had wanted to do the electronic data reporting collection system, you all could have done that as National Marine Fisheries Service and we wouldn’t have even necessarily had to go through this amendment.

CHAIRMAN ANSON: To that point, Dr. Crabtree?

DR. CRABTREE: That is not correct. We can’t do it, and we have to have the amendment from the council. I don’t think we’ll be able to get through all the decisions of designing it until we have the amendment, but, if we had the authority to do all of these things without it, we wouldn’t have done the amendment, but clearly we need this amendment, and that’s why we have worked on it.

CHAIRMAN ANSON: Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chairman. I wasn’t trying to suggest that we aren’t working on the document. I was trying to anticipate what the council would like to see in October. Because we have added more things to 36A, it is not as far along as we originally anticipated it would be to get it ready for a public hearing draft, and so that is going to require more work, as we discussed workload issues, and so I was requesting if we could wait to bring something on 36B until January. Thank you.

CHAIRMAN ANSON: I guess, in light of your comment or Dr. Lasseter’s summary as to how much is in the current options paper for 36B and the opportunity for time to add anything to make it worthwhile for discussion in October, it sounds like it will have to be postponed until January. Anything else on that?
Mr. Walker.

MR. WALKER: I have something on 36. I emailed a motion in earlier for 36A. The motion is to add another action to Amendment 36A for a three-hour dealer notification requirement. Some of the rationale is it would be set up similar to what the three-hour vessel landing notification, but it would be sent from the dealer to National Marine Fisheries Service. It would close some of the loopholes and make some of the dealers more accountable, and it would make all the landings -- It would help them be more accountable, I think. She can put the rationale up as well. I think I emailed that in as well.

CHAIRMAN ANSON: Let’s get this motion on the board and seconded before we have any discussion. David, is that your motion?

MR. WALKER: Yes.

CHAIRMAN ANSON: Is there a second to the motion?

MS. BOSARGE: I will second it.


MS. GUYAS: David, just a clarification. This is the notification that they’re going to offload, and is that right?

MR. WALKER: That is correct.

CHAIRMAN ANSON: Mara.

MS. LEVY: I don’t know the logistics of how this works, but does the dealer know in advance, that much in advance, or a window of when the vessel is going to decide to offload?

MR. WALKER: Yes, the dealer gets an email to know when we’re coming in. We have communication, via the satellite phone or email.

MS. LEVY: When you’re coming in, but you already have to do a landing notification. Then we’re talking about the fact that you have a window in which to offload, right, like a large window, but you want to narrow it down, to give law enforcement some type of notification about when the vessel intends to offload within the larger window? Does the dealer know that you intend to wait twenty-four hours and then, within three hours after that, you intend to offload?
MR. WALKER: Yes, and there just has to be some communication between the dealer and the fisherman, to just let him know. I mean you could get the email to them the night before, and they could go ahead and make their notification at the same time, the night before, I guess as long as it’s not longer than twenty-four hours, but have the -- Just to give a three-hour notification. Like you give a three-hour notification the night before or early the next morning.

CHAIRMAN ANSON: David, help me out here. I am not very familiar with dealers and their work schedule, their hours of operation, when they have somebody standing by the phone, so to speak, for that very communication you just described.

I guess let’s just take the easy one. Before you left, and you’ve got an arrangement with the dealer. You are on a multiday trip. You’re going to leave on a Monday and you will be back on a Thursday, and you will expect to see them Thursday at 6:00 A.M., and that’s kind of when you’re going to be offloading the fish and such, but you get mechanical problems and you come in late Wednesday night and you’re reporting a landing, as you’re required, as a fisherman, but now the dealer is closed.

I’m assuming he doesn’t have access to email or doesn’t want to answer the phone. It’s after hours, and yet he’s got -- You want to do it first thing the next morning, and is it just going to be he comes in the shop and you’ve got to -- I mean you’re going to have to report you are landing and then I guess they will just come in the shop on Thursday morning at 6:00 A.M. and then see that you’re parked up there and talk to you and realize they’ve got to offload, and so you give your three-hour notification and at 9:00 A.M. you offload? Is that how it’s going to work?

MR. WALKER: We have much better communication with my dealer, and I think most all other dealers. It’s just, ideally, if you want to leave -- You would be back in on a Thursday, but sometimes it’s not mechanical errors and it’s successful fishing, and you may get in on Wednesday morning, and it’s the same way. You would just call him on the phone or email him. Most all the dealers I know have smartphones and they receive emails. He has a notification. He knows when I’m coming in. The dealer knows. We have to declare it, and he sees it. They have the trucks ready, and so I think communication would be much better than what you’re thinking. It’s actually pretty good.
CHAIRMAN ANSON: Ms. Bosarge.

MS. BOSARGE: Help me to -- I know obviously you’re trying to prevent something that may be happening, where everything is not accountable. What loophole are we closing? What are we trying to make sure is not happening, I guess?

MR. WALKER: Just to make sure that -- You have your three-hour notification, but you want to make sure that that dealer is coming and that enforcement knows which dealer it’s coming to. That may come in handy with the enforcement, knowing who is the dealer and what’s going on. It closes any loopholes of anything that could be going on wrong that enforcement might want to be aware of.

CHAIRMAN ANSON: Johnny.

MR. GREENE: David, the issue is it potentially could be multiple dealers coming? Is that part of what you’re trying to get at? I think people are trying to help you here, but we’re struggling a little bit in trying to understand. Is there multiple dealers that would have to be notified? I mean do you sell your fish exclusively to one dealer or to multiple dealers?

MR. WALKER: I sell mine to one dealer. I have, in times past, have sold to two dealers. I know a lot of the dealers, and I don’t know if Buddy is here or not today, but he said it would be better for them, and we had Jason that had discussion with us about closing the loopholes and some of the concerns that they had, as far as which dealer was going to unload. I think it was just something to give them more information on which dealer it was going to and what time the dealer is going to be there. A lot of times, you’re landing the fish and you don’t always -- You don’t have to unload them right then. Just because you landed the fish -- I mean Jessica could probably help us out.

DR. JESSICA STEPHEN: I am trying to make sure that I understand your intent. Let me think about some of the things. Notification, if you’re going to multiple dealers, you do a notification for every dealer you’re going to, if you’re splitting a trip, and so a dealer is on there, and we do have the regulation that the fish have to be in the system as a landing transaction ninety-six hours after that notification or on the day of the offload.

I think the loophole you’re trying to think about is the one where law enforcement knows when you are coming to the dock, and they know that there is this window in which the fish are
probably going to be offloaded and processed but they don’t know
exactly when that is going to start. Is that your intent?

Okay.

MR. WALKER: That is exactly right. When you come in and you
tie up to the dock, the fish are considered landed, but it
doesn’t mean that you are unloading the fish right then. You
could unload the fish later, but, as far as landing when you get
to the dock, whether enforcement can be there to check anything
he wants to check, but it doesn’t mean you have to unload then.
You may unload that afternoon, and, if enforcement doesn’t have
a notification from the dealer, he would have no idea what time
you’re actually going to unload the fish.

CHAIRMAN ANSON: One quick question. Dr. Stephen, you mentioned
that the fisherman needs to file a notification with each of the
dealers that they’re going to be selling fish to with an
approximate pounds that will be sold, I guess, of their total
catch.

That is tracked within -- I mean you do some QA/QC and kind of
match back with the reporting dealer to how many pounds the
fishermen said they would be offloading, and so there is some
check-and-balance, at least at your level, correct?

DR. STEPHEN: We do an auditing daily. We look at audits of
what notifications came in. Then we match up to the dealer
transactions that are recorded. If, within that ninety-six
hours, or even approaching it, and there is a little leeway,
because of weekends, we call them up and we start with the
dealer. This notification was entered that the fisherman was
coming to you, and we don’t see the landing notification. Then
they either tell us that, yes, they did come in and I’m sorry
that we forgot to put them in, and we get them in, or we learn
that maybe a wrong dealer was selected, due to kind of fat-
fingered on the VMS or something else.

We track that daily, but it is a little bit more difficult
sometimes tracking multiple dealers. You have to make sure you
understand the system to see where all the pounds go, but we do
account for that.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: I would just give you an example. If you give a
three-hour notification that you’re going to be in at 8:00 A.M.
in the morning or 5:00 A.M. in the morning, but that doesn’t
necessarily mean you’re going to unload your fish then. Of
course, you can’t unload until six, but the dealer may be unloading other boats. Then he’s not going to unload you until three in the afternoon, and so enforcement doesn’t want to sit around from 6:00 A.M. to 3:00 P.M. waiting for you to unload your fish.

CHAIRMAN ANSON: Dr. Stephen.

DR. STEPHEN: This did come up, I think quite a few years ago, when we did the public meetings about administrative changes, and we did consider this. We had some mixed results, depending on different fishermen and dealers, but the point is too that the fisherman doesn’t know when the dealer is going to offload. There is a missing gap there. How much that might be affecting things, I am not sure, but we could look into this if we want to.

CHAIRMAN ANSON: To your comment, David, about helping enforcement, I guess having all the fish in the hold, the ice room, if you will, of the dealer tied to a vessel would make it easier for enforcement to kind of match up the pounds, but I mean they’re still able to access the fish and kind of do a quick check, at least. Granted, it wouldn’t be as accurate as having all of that. I know where you’re going with this, but it just seems -- I don’t know. I am still trying to justify the extra burden on the seafood dealer, I guess, at this point.

MR. WALKER: This is looking at ways to improve the commercial IFQ, Amendment 36, and the fishermen are asking for this. I mean there’s things they have asked for before that they didn’t get, but this is something that industry has asked for, and so I’m just adding another action to the document.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: Just a couple of questions. This would be -- The three-hour notice for landing, that would still be there, and that’s when the fishermen can actually touch the dock and get off the boat, because I have some safety-at-sea concerns there. Now, this would be a different notification. That fisherman could land and hit the dock and everything, but this has to do with actually taking the fish off the boat, which is my true definition of landing, but, anyway, this is about offloading the fish.

In that sense, how often are we doing a validation where we’re actually seeing the offloading, if sometimes the scheduling doesn’t work and law enforcement doesn’t want to stick around?
Are we doing QA/QC on the actual offloading, to see that dealer actually offload it, rather than just the report?

**DR. STEPHEN:** I am going to refer probably to law enforcement later on, to look into actual stats on it. I know that the agents get the notifications, and so they can plan it. Some of the notifications say that I am arriving at 1:00 A.M., and that’s fine. They can come in and tie up the boat. The fishermen can leave the boat, but the fish can’t be moved, of course.

Offload, of course, is only between 6:00 A.M. and 6:00 P.M., and the officers and agents do know that, and so they have the three-hour notification order to be there. Now, they don’t know whether it’s going to start at 6:00 A.M. or if it’s going to be later, and I am not quite sure what relationship -- If they have talked with dealers about trying to be there when there is a scheduled offload.

I do know there is sometimes a problem of the fishermen might not be present when the offload is occurring, because they have gone home, and so I could see an offload notification also helping making the fisherman make sure he is present. If he came in the middle of the night, what time they’re going to be offloading his fish. If you go forward with this, I just suggest that we change the wording a little bit to a dealer notification of intent to offload, to clean up what you have in there, because I’m assuming that’s -- Am I correct in that’s what your intent is?

**CHAIRMAN ANSON:** Relative to I guess the timeline, how is that going to work? Are you going to be able to get the various folks together to flesh this out, through the IPT or other, and have something back for October?

**DR. LASSETER:** If I could speak to that. Given our conversation about timeline, adding a whole new action, I would expect it to slow down 36A, and so you may want to consider putting it in 36B, if you would like to go ahead and finish up 36A. It does more closely relate to the Action 1, because we’re talking about enforcement issues in 36A, but, again, with the discussion that I heard about your concern with the timeline, I would think 36A could move quicker if we didn’t add another action, and so it’s up to you.

**CHAIRMAN ANSON:** Dr. Stephen.

**DR. STEPHEN:** I just have one caution. 36B is solely red
snapper at this point in time, and 36A is red snapper and grouper-tilefish. No? Ava is telling me not. I know that we originally had that distinction, because we haven’t done the grouper-tilefish review yet. That’s in progress, but, regardless, this action should apply to both programs if we go forward with it and not just one, please.

CHAIRMAN ANSON: David.

MR. WALKER: Industry is asking for this to be added to 36A. I don’t see the big deal. It’s just like the seventy-five pounds. I got a hard time about that the other day, trying to get that in the document. I’m trying to do something good for the industry here. They’re asking for this, and I think it needs to go in 36A. I don’t see how it’s going to slow it down. It’s just not that hard. It’s not going to be that difficult to add it to it and just move on.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: David, can you modify the motion to indicate that it’s dealer notification of intent to offload, just so it’s clear?

MR. WALKER: Yes.

CHAIRMAN ANSON: Leann, I believe you seconded. Do you agree with that?

MS. BOSARGE: Yes.

CHAIRMAN ANSON: Okay. Any other discussion on the motion? Ms. Levy.

MS. LEVY: Can I just make another suggestion to get rid of the three-hour piece? We’re going to look at a couple of different options as to timing. Then, of course, three hours will be in there, but then you can pick the one that you want.

MR. WALKER: Yes, and I have actually thought maybe even one-hour or two-hour of other options. Yes, we can take that three-hour out.

CHAIRMAN ANSON: Leann agrees. The seconder of the motion agrees to that, and so any further discussion? Is there any opposition to the motion? Seeing none, the motion carries. Mr. Greene.
MR. GREENE: We are through with 36?

CHAIRMAN ANSON: I think so.

MR. GREENE: Okay. Review of Headboat Collaborative Project, Jessica Stephen provided an overview of the Headboat Collaborative Pilot Project, Tab B, Number 8. Dr. Stephen’s discussion included the monitoring of the program, effort and landings levels, allocation transfers, and reporting compliance. Dr. Stephen also provided lessons learned on several issues, including the validation methods used in the program.

Josh Abbott provided a socioeconomic review of the Headboat Collaborative Project. Dr. Abbott indicated that angler access to trips landing gag or red snapper increased and that discards were reduced. Dr. Abbott also noted that, compared to 2013, economic returns increased, due to additional profits from greater consumer demand, small price premiums, and adjustments to the product mix.

National Marine Fisheries Service SERO Landings Summaries, National Marine Fisheries Service SERO staff summarized updated reef fish landings. Commercial landings though August 5 indicate that 55 percent of the commercial gray triggerfish ACT and 111 percent of the greater amberjack ACT have been caught, but both are still below their ACLs.

Recreational MRIP landings are available through Wave 2, plus Wave 3 landings from the headboat survey and LA Creel. With the exception of gray triggerfish and greater amberjack, recreational reef fish landings are below their ACTs. Recreational gray triggerfish and greater amberjack are currently at 171 percent and 107 percent of their respective recreational ACLs. Landings for 2016 are not yet complete, so it is too soon to know whether there will be a gray triggerfish season for 2017.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: Thank you, Mr. Chairman. Roy, we heard a lot of comments yesterday from the charter for-hire fleet about having to cancel trips and the difficulty in managing their businesses, which I think is centered on reporting. Are we going to do anything or can you speak to how we could speed up the process of reporting so that we can let these guys do some planning in their businesses?

DR. CRABTREE: Yes, I can. For the for-hire fleet, which is
most of what we heard from, we could move ahead with Amendment 41 and get it done. Then we wouldn’t have these problems, and that would be my suggestion to you, but there were some delays in MRIP this year, and that was associated with some changes they made to how they estimate catches for species that have relatively no numbers of intercepts, and it didn’t really affect, as far as I know, much in the Gulf, but it had some big impacts in the Mid-Atlantic and New England.

In the case of greater amberjack, we had really high catches in Wave 2. By the time we get those estimates, we were already into the June closure. We probably could have announced that it wasn’t going to reopen with more upfront notice, but it would have been still the same outcome, but I do think we’ve got an electronic reporting amendment that’s ready to go, ready for final action, and let’s take final action on it and get it done and get that process going, and then let’s move down the path of some of these other amendments, to give these guys more flexibility, and I think that’s the best way to address this.

CHAIRMAN ANSON: Dr. Lucas, followed by Dr. Dana.

DR. LUCAS: Roy, I had a question, and I think you said, when you made the phone call to the states about amberjack not reopening, you had mentioned that you all were going to look into some of the reasons why the estimates were so far off.

I mean, we received a report that said if we changed to thirty-four and all of this occurred that it would actually extend the fishing season, and so did you get a chance to look into why the estimates were so far off from what we expected?

DR. CRABTREE: That was some of what Mike Larkin went through in his presentation, and what we saw was that -- Because my initial worry was that we had really bad compliance with the minimum size limit, and there was some lack of compliance, but, generally speaking, that wasn’t really the issue. We just saw quite a few more fish over forty inches being landed, and I don’t know that that was even related to the size limit.

We heard a lot of testimony about the size limit, but it seemed like there were just a lot more amberjack caught and a lot more big amberjack caught, for whatever reason, this year. I mean, these catches are volatile. Recreational catches vary quite a bit from year to year, and that’s probably a function of just where the fish happen to be and weather and all kinds of other things. Fuel prices are low, and so we may have more effort, but I didn’t see anything to indicate that the people weren’t
abiding by the size limit. They seemed to be, but it just
didn’t slow them down like we thought it might.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. I am not convinced that
that many larger amberjacks in fact were caught. I think that,
when we were listening to the presentation the other day, and,
by the way, Martha had asked for that updated grid of the three,
the early part of the year, the March/April run, and then the
final one.

In that presentation, the fellow noted that the March/April had
this significant number of -- I think it was a million-something
pounds, and I can’t say it, because, again, we haven’t gotten
the graph yet. Then, the following run that they did, that
number went down. He also said that the majority of all of his
data came from Panama City and Destin.

Well, Destin, we don’t have a strong spring and March/April
business. Now, there are a few boats that have a tremendous
business, and that’s been cultivated over time. What we have
known for years is that those who are doing the dock intercepts
tend to go to the boats that are fishing to collect their data,
and they don’t go to the boats that aren’t fishing, but they’re
taking those boats that are catching these big amberjacks, and
there is only about six or seven of them in that timeframe, and
then they are assuming that everyone is out there catching the
same big amberjacks.

This has been something we have discussed with those folks doing
the dock intercepts for a long time, and it’s frustrating. They
go to a place where it’s easy to collect the data and then
extrapolate it in ways that doesn’t provide a true picture.

When I heard that presentation and seeing the March/April
numbers that were really high, and knowing that the guys weren’t
out there catching -- They were catching the amberjack, but they
weren’t the thirty-four-inchers. The ones that were catching
them were going way out a long time, and a few boats.

Then the next run had the number of amberjacks way low, or not
way low, but significantly lower than the March/April, and that
just didn’t make sense, because May is a far greater -- Far more
amberjack were caught in May than March and April. My point is
not to -- It’s just to say that I am not convinced that what you
guys received, at least from our area, was the real picture.
DR. CRABTREE: I am not sure what you’re talking about in the next run. You are talking about the May/June landings that you have?

DR. DANA: Yes, and I couldn’t think of the name.

DR. CRABTREE: Those are only for LA Creel. We don’t have the Wave 3 landings yet, and so you haven’t seen those.

DR. DANA: Whatever he provided the other day had three different pictures of amberjacks, and we haven’t received that – I haven’t received that back, and that’s what Martha had asked for, and I had hoped we would have it before.

DR. CRABTREE: You’re talking about Wave 3 numbers, and we don’t have those yet, but I think he did have a figure that showed May/June landings, but it was only for Louisiana, and that’s why it was so much lower.

DR. DANA: My point still stands with the March/April numbers. The dock intercepts only happen at the charter fleet area. The recreational, I don’t know how they get the private recreational numbers, because those folks are parking at their home docks and such.

DR. CRABTREE: We do have private recreational estimates, and the private recreational catches were quite high in Bay County, but, in Okaloosa County, the charter catches were higher. That’s what the survey shows.

DR. DANA: You understand my point. It’s that we see where the dock intercept is happening, and it seems that they are going to the same boats on the same docks and not going to the other places where the fish aren’t being caught. Then, all of a sudden, there is this grand number and everyone is scratching their head.

DR. CRABTREE: There are protocols for how they do all of that, and I think, in Destin, all those dockside intercepts are done by the Fish and Wildlife Commission, and so that would be something to check with them about.

DR. DANA: We have had the discussion, but it is -- They work with NOAA in a contract, and then they work with another firm to do the intercepts, and so it’s just -- I am just putting it on the record that there is room for improvement.

CHAIRMAN ANSON: Just to kind of wrap this up, Dr. Crabtree, we
heard lots of testimony here yesterday of the outcome, I guess, or result, and you summarized that, with triggerfish, that it probably wouldn’t have been an issue, because of the regular timing that we receive those landings, but, for amberjack and such, it might be a little bit better chance, since we were at least anticipating there will be a fall run, based on recent management changes, and so I guess, from my perspective here, and I don’t know if it represents the council’s desire, but at least, somehow or another, if you haven’t already communicated with the MRIP staff the importance of getting the data to you so that we can monitor these species that are under ACLs for timelines that we can manage, or try to manage them with those ACLs.

Particularly for this experience that we had with them and the delay, and seeing that the majority of the issue was up in another region, that they could have at least provided the information for the Gulf, so that, again, you could do your job and we can all not have to receive those comments, or at least have them much reduced, potentially, in the future. I just hope that maybe, if it’s not already communicated, that that is passed up, to let them know.

DR. CRABTREE: I will ensure that these concerns are passed on to the MRIP folks.

CHAIRMAN ANSON: Thank you. Mr. Greene.

MR. GREENE: Draft Amendment 46, Modify Gray Triggerfish Rebuilding Plan, Dr. Larkin reviewed the commercial and recreational decision tools for gray triggerfish. Staff reviewed the draft options paper and discussed the timeline for development and implementation by November 2017. Ms. Bosarge requested that more background information on historical landings and management be added to the introduction of the document.

The committee discussed the Action 2 alternatives and determined that the increasing eight-year rebuilding yield stream for 2017 through 2019 was duplicative of another alternative currently in the document that uses the mean ABC for the eight-year rebuilding period. Without opposition, the committee recommends, and I so move, in Action 2, to move Alternative 3 to Considered but Rejected.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.
MR. GREENE: Staff reviewed the three recreational management actions and alternatives in the document: fixed closed season, bag limits, and minimum size limits. The committee did not make any modifications to the current range of alternatives. Staff requested direction at full council on the effort shifting by mode available in the decisional tool and what scalar the council might consider using, if any.

Next, staff reviewed the two commercial actions and alternatives. Staff stated that, since the implementation of the twelve-fish trip limit and fixed closed season of June 1 through July 31 in 2013, commercial landings have been 22 to 31 percent below the commercial ACT of 60,900 pounds whole weight. Therefore, modifying the commercial closed season may not be necessary at this time.

After discussion, the committee passed the following motion. Without opposition, the committee recommends, and I so move, to move Action 6, Modify the Commercial Fixed Closed Season for Gray Triggerfish, to considered but rejected.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Hold on one second, Mr. Greene. Mr. Riechers.

MR. RIECHERS: Going back into the text right before we got here and the question about the scalar and the decision tool that staff had asked for some direction on, I think we talked about was there a way to go back and look at previous seasonal closures that would give some notion of a percentage. Beyond that, I don’t know what to give direction here, other than take 10 percent increments or -- If anyone else has a better notion, but I can’t figure out what kind of direction you guys are wanting more than that, Carrie. Can you help out here or whomever?

CHAIRMAN ANSON: Mara.

MS. LEVY: I think the issue is that, to do the analysis to look at how all the different management measures are going to play into actually meeting the catch levels, there has to be some assumption about effort shifting.

You can either assume that no effort shifting will occur and acknowledge that in the analysis and acknowledge that that’s probably not correct, so that the estimates are not going to be
exactly right and you may actually need -- It might actually close the season sooner or whatever, or you can assume some effort shifting, whatever the council thinks is reasonable, 5 or 10 percent, again with the same qualifiers, that this is what we’re using for purposes of the analysis. If it’s actually less, this will be the result. If it’s actually more, this will be the result.

I think it may be difficult to ask staff to take all the different combinations that are in there and then apply different effort shifting estimates to then see what would happen if it was 15 or 10 or 5. I don’t really know that that’s going to really inform the decision, because you’re not going to know which one it is, and it’s going to create a lot of work and a lot of different, very complicated tables to sort of see what would happen.

I think you know that if effort shifting goes one way that this is going to be the general result. If it goes the other way, this is going to be the general result, and so I guess it’s are you comfortable with staff assuming no effort shifting or some percentage of effort shifting and then describing, qualitatively, what the consequences would be if you were either above or below that assumption.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: What I guess I’m trying to figure out is we suggested they wanted some guidance there, and now you may be suggesting they don’t want as much guidance there. It’s basically a sensitivity analysis associated with some guesstimate of effort shifting, and whether we have anything to inform that or not I guess remains to be seen.

If we’re going to do a sensitivity analysis and it’s simple, you pick three points, from no effort shifting to a complete effort shift, in some way, which we know, if it’s a complete effort shift, you have accomplished nothing. I don’t know. It’s pretty easy to grab a couple of points in between zero and 100 and figure it out.

CHAIRMAN ANSON: I certainly understand the comment that it’s going to add more work to staff and make a bigger document with additional tables and such, but I mean that was kind of the whole point of the council asking for that extra information to be put into the decision tool, was to get a better sense as to potentially maybe what the impact will be, but your comment, Mara, is qualitative that it’s going to be up or down.
I mean, we can generally assume that, but we’re trying to get, particularly on a relatively small ACL with this, we’re trying to get a better sense of that, so that we can make a more informed decision as we make those decisions, and that’s all.

MS. LEVY: That’s fine, but I guess my question is, if the council were to decide we think this is a reasonable assumption for effort shifting, that would be one thing, and I think that’s what staff, and they can speak for themselves, is looking for. Does the council have some idea about what a reasonable effort shifting would be?

If you don’t know, then I guess my thing was that I’m not sure it helps, because you can have all these different analysis that analyze them, but you don’t know which one is likely, and so it doesn’t really inform your decision very much.

CHAIRMAN ANSON: Doug.

EXECUTIVE DIRECTOR GREGORY: My interpretation of all of this is the next step might be best to let the IPT use their best judgment and bring that back to the council for consideration.

MS. LEVY: I mean, I guess this was coming from the IPT not really knowing whether the council had any suggestions about what would be a reasonable assumption with respect to effort shifting. The discussion I heard from Mike Larkin was that he really couldn’t come up with anything on his own that he would be like, yes, this is what I would put in there, but, again, staff can speak to that.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I think what Mike actually responded was that he hadn’t really thought about looking back at some past possible shifting, where we’ve had some seasonal closures, and he possibly could do that. My guess is no better than yours or any member of the IPT team if I’m just guessing. If I look at some past data, where we’ve had that occur, then maybe we can create an estimate that we think might be reasonable.

CHAIRMAN ANSON: Dr. Simmons.

DR. SIMMONS: I guess what we’ll do is we will produce some tables with the three different management measures and the five different ACTs for the recreational sector the council is looking at and add from zero to 100 to those -- Or zero to 10,
MR. RIECHERS: I think, in some past closures that we’ve had, we’ve had what we would consider probably 100 percent effort shifting that has occurred, almost, in certain instances, where the closure has not been very long, and so I would think, if we’re going to look at something, and since we’re not going to base it on any previous analysis, I would just suggest we pick a couple of points in between zero and 100, because it’s -- Again, all we’re doing is a sensitivity analysis of what we think it might do. If no effort shifting occurs or if we get 100 percent effort shifting, but a couple of points along the way is simple enough then, would be my scenario.

CHAIRMAN ANSON: Does that provide guidance? Do you need a motion for that? No? Okay.

EXECUTIVE DIRECTOR GREGORY: We will also go back and look and see if we can get evidence of estimates of effort shifting with past closures.

CHAIRMAN ANSON: All right, Mr. Greene.

MR. GREENE: The committee discussed Action 7 that contains alternatives to modify the commercial trip limit per vessel per day. National Marine Fisheries Service staff clarified that even on multiday trips that only twelve gray triggerfish per vessel can currently be landed.

The committee discussed modifying the alternatives to include trip limits both in pounds and numbers. Staff explained that the Law Enforcement Technical Committee previously commented that a low poundage of fish is difficult to enforce and recommended the trip limits be in numbers of fish. After discussion, a motion to add an alternative to establish a seventy-five-pound trip limit per vessel for gray triggerfish was withdrawn.

The committee discussed adding a twenty-fish per vessel per day trip limit and whether or not it would constrain harvest to the proposed ACT. Staff stated that this trip limit, combined with the June 1 to July 31 closed season is projected to land 46,699 pounds. This is estimated to constrain landings to all ACT alternatives but the eight-year rebuilding option of ACT equals 47,320 pounds.
After discussion, the committee passed the following motion. Without opposition, the committee recommends, and I so move, in Action 7, to add the IPT-proposed alternative. The IPT-Proposed Alternative X is to increase the commercial trip limit for gray triggerfish to twenty fish per vessel per day.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Ms. Bosarge.

MS. BOSARGE: That was my motion in committee. I thought Doug Boyd made a good point. I think it was you. You were looking at the numbers, or maybe it was Robin. You said that that may put us pretty close, when we get our new quotas, and that this could get us in a sticky situation. The commercial would get real close to its quota, or maybe over.

The IPT had recommended twenty, and that’s why I went with twenty, but I don’t know that twenty is the number, and I would like to have some discussion on it. If there is more comfort level with eighteen, I would be good with that. Eighteen also seemed to correspond to that seventy-five-pound basket of fish that David was talking about, and I would actually be willing to make a substitute motion that would put that closer to that eighteen-fish level, so that we don’t get too close or over that quota, and actually have it listed in pounds of fish rather than eighteen fish.

I think that, when we got to public testimony, the way that it was explained was very clear that the high-grading incentive that having it in fish, in numbers of fish, presents to the fishermen. When they’re high-grading, it’s not like you throw that fish back because you think you can catch a bigger one. It’s more like there is some dead fish in the cooler that are smaller. Throw those over and keep these bigger ones that we just caught as bycatch, whereas, if you just tell that man a seventy-five-pound trip limit, he doesn’t care if it’s twenty or ten fish. He’s going to keep the first seventy-five pounds and be done with it. Do you see what I am saying? There is no incentive there to start switching fish out anymore.

In all of this, should I make a substitute? I don’t know the protocol. Before I start throwing things on the board, would it be a substitute motion? Yes? Okay.

I would like to have a substitute motion, which would actually be an approximation of the eighteen fish, which is David’s motion. In Action 7, to add an alternative -- Can you go back to David’s original motion with the seventy-five pounds? They
told us that that was approximately eighteen fish. In parentheses, next to the seventy-five pounds, put approximately eighteen fish.

For all of the other alternatives in that action that are listed in fish, out next to it, you will have, in parentheses, approximately so many pounds. In the final codified regulations, we can choose to do it in fish or in pounds, but that will give us a way to compare apples to apples as we’re looking at it.

CHAIRMAN ANSON: We have the motion on the board. Is that your motion, Ms. Bosarge?

MS. BOSARGE: That’s almost it, because I remember Dr. Crabtree had a comment that their regulations are always written as -- What did you call it, a daily trip limit -- How do we tweak this?

DR. CRABTREE: It’s just a commercial trip limit. It’s a limit per trip, and it’s a daily trip, so you can’t do it twice in a day. Just say to establish a seventy-five-pound commercial trip limit.

MS. BOSARGE: Okay. A seventy-five-pound commercial trip limit.

CHAIRMAN ANSON: Do we have a second for the motion? Is there a second? Second by Dr. Stunz.

DR. STUNZ: Second, but I have a question, too.

CHAIRMAN ANSON: All right. I had Robin had his hand up.

MR. RIECHERS: Leann, David was the one who brought -- I mean the motion was made because of high-grading, and so I think he was addressing the high-grading issue. I think we went to number of fish primarily because of the law enforcement concerns, as opposed to any other reason, really.

I would just make sure that -- We need to go one way or the other on this option. Either we need to go pounds on everything else or fish on everything else, so that they’re comparable in nature, in some respects. I will ask, is our LEAP/LEC going to have a chance to look at this document again or have they had their opportunity and it’s gone?

CHAIRMAN ANSON: Dr. Simmons.
DR. SIMMONS: Thank you, Mr. Chairman. They have not looked at this document yet, because we’re just really fleshing out the options. We can certainly put it before them, either in October or early in the spring, depending on where we are. The other question is I just had a question about the current motion. Is that gutted weight, seventy-five pounds gutted weight?

MR. WALKER: We leave ours whole. They are not gutted, our triggerfish.

CHAIRMAN ANSON: So it would be gutted weight.

MR. WALKER: I think Texas may gut their triggers. I am not sure, but most everybody in the east Gulf leaves their triggers whole weight.

CHAIRMAN ANSON: It makes it easy for calculating landings. Dr. Stunz.

DR. STUNZ: I recall, and this wasn’t my question, but reading something in the amendment about it was whole weight, but I don’t know. We would probably want to look at that. My question is, Leann, and I support your amendment. I particularly like it because of the discard issue, but I did have a question for David as it relates to that, because that’s why, during discussion, whenever it was the other day, it explicitly said in there that enforcement liked the number, because of an enforcement standpoint, but, David, when they board your boat, do they weigh them as well as count them or is it just as easy or something? I don’t know.

Also, just to follow up with that question as well, is, from the discard, is it not illegal to chuck fish back overboard? I guess nothing prevents you from doing it, but it seems, to me, that that’s not a legal activity. If you have small fish and the next spot you land on big fish, but who is going to be watching, I guess, but, still.

CHAIRMAN ANSON: David, go ahead.

MR. WALKER: We just count fish. The first twelve triggerfish we catch, that’s what we keep, and they’re whole weight. When you get back to the twelve fish, before I was on the council, I was on the Reef Fish AP. I am the one who suggested we go to the twelve fish at the time, because we just had that discussion, and the discussion was we wanted to get as close to maximum yield as we could, and so we ran the numbers of fish, and twelve fish was supposed to have gotten us there. Well, it
didn’t.

We were twenty-something percent short, and so we wanted to go to pounds. Now, this high-grading, I think it’s a small percentage of the fish, of the people that were catching them. Well, logistics-wise, depending on what region you’re in, from the Florida Panhandle, from Pensacola to Mobile, there is substantial amount of triggerfish.

Some other areas, there is not, and so kind of put it in comparison with if we had a twelve-fish gag. Do you think if someone had a twelve-fish gag that they wouldn’t have a temptation to throw over a smaller gag and keep a bigger gag? I am just trying to put it you from the fishermen.

We don’t want -- High-grading is probably going on, and I’m not saying it’s great. I have had my dealer complain to me about a boat that was coming in and had like a hundred pounds of triggerfish, and he knew that he was not catching every triggerfish that was that big, and he was concerned about it. That is what we’re trying to address, high-grading, and I don’t think pounds is going to be that hard to weigh up.

It’s like I said. It’s like a heaping basket full of fish, but we get paid the same for triggerfish whether it weighs two pounds or thirteen pounds, and so it doesn’t matter. The fisherman is going to -- They survive very well, and so you throw these fish back. It’s like I was trying to tell Dale. They survive until you get them on the ice, but it’s what the industry has asked for. I mean, it’s an alternative. We’re not picking preferreds today, are we?

CHAIRMAN ANSON: You’re right. I think we are not picking preferreds, and so it just an alternative at this point. Dr. Crabtree.

DR. CRABTREE: Yes, it is, and high-grading is illegal. You shouldn’t do it, but it’s obviously an enforcement problem. We have lots of trip limits that are in pounds. Enforcement might prefer numbers, but they can deal with pounds. Most of our trip limits are pounds, and so I suggest we vote this up.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: I agree, because I think the gist of looking at this motion is that David is asking for a seventy-five-pound per trip limit, which should be approximately eighteen fish, which would be on about a four-pound average.
Seeing some of the size of the triggerfish that are being caught on my boat when I fish from south of Pensacola to south of Pascagoula, an eight-pound average would put you at about 145 pounds, and so just that’s the -- I think that’s exactly what this motion is trying to do, is say, look, you can have seventy-five pounds, which, to enforcement, should be approximately about eighteen fish. You get into the math deal of four pounds or eight pounds, and that’s basically doubling the number of pounds that you put in, and so it’s just one of those things. I support this motion.

CHAIRMAN ANSON: Mr. Diaz.

MR. DIAZ: Thank you, Mr. Chair. I am going to support the motion, too. I think it would read better if we took the part in parentheses out, because that might cause some confusion. People might see that somewhere and that stick in their head that it’s eighteen, when that’s just an approximate thing. I don’t think that should be in the motion, and so I would recommend that that come out, if the maker of the motion and seconder are agreeable.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I don’t think that has to be in the motion. I think staff could put a little spreadsheet illustration in the document somewhere, so that we can compare these alternatives, the ones that are in fish compared to the ones that are in pounds, and just give it us in a table. It doesn’t have to be in the motion, in the actual alternative. That’s fine.

CHAIRMAN ANSON: The seconder agrees? Greg, I think you seconded it. He agrees. Okay. Any further discussion on the motion? All those opposed to motion, please signify by raising your hand. No one was opposed. It carries unanimously. Mr. Greene.

MR. GREENE: Draft Amendment 42, Reef Fish Recreational Management for Headboat Survey Vessels, staff provided the purpose and need and summarized the actions and management alternatives in the amendment. Staff discussed the eligibility criteria that must be met to participate in the management program.

Staff noted that a vessel qualifies as a landings history vessel if it has a valid or renewable federal reef fish for-hire permit and has individual landings history recorded by the Southeast
Region Headboat Survey by December 31, 2015. Committee members discussed participation in the management plan and indicated that only landings history vessels that are reporting to the Southeast survey in 2016 are eligible to participate in the management plan developed in Amendment 42.

The committee discussed the distribution of future quota increases and made the following motion. Without opposition, the committee recommends, and I so move, to move Action 13.1, Distribution of Quota Increases, to the considered but rejected section.

CHAIRMAN ANSON: We have a committee motion. Is there discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MR. GREENE: The committee discussed the opting-out options in the amendment. A motion to move Action 3, Participation at the Onset of the Program, to considered but rejected failed.

Committee members discussed a potential timeline for implementation of this amendment and the need for eligibility requirements for participating in the referendum. Staff will present draft referendum eligibility criteria during full council.

CHAIRMAN ANSON: I have a question from Dr. Diagne.

DR. ASSANE DIAGNE: Thank you, Mr. Chair. I thought that perhaps that was our cue to briefly discuss with you these eligibility criteria for the referendum, but we can wait until the questions are asked and then we will proceed.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: They have emailed this out to us. If you want to go through this now, as we go through the document, Mr. Chairman, or however you choose to proceed.

CHAIRMAN ANSON: I guess it probably would be better to go through it now, under this section. As Mr. Greene said, it should be in your email box, if you would check that, but maybe we can get it on the board as well. Mr. Diaz.

MR. DIAZ: I am just trying to get something straight, and maybe you all can help me. In 42, we discussed whether or not to let people opt-in or opt-out, and we didn’t do anything with it in 42, but, in 41, we did take out where boats could opt-out, and
is that how we did it?

CHAIRMAN ANSON: I am trying to think of how that went. Dr. Lasseter.

DR. LASSETER: I didn’t quite understand Dale’s question. In 41, you do still have the voluntary program participation, and I noted that we’re going to raise that issue with the charter AP and have them provide some further comments on that, but, Dale, I’m sorry, but what was your question?

MR. DIAZ: I was just trying to get it straight. In one of the documents, we’re not allowing people to opt out anymore. The preferred we picked was to not let them opt out, I thought. In the other document, we didn’t do that. Am I correct there?

DR. LASSETER: I think you may be referring just to the option that -- In committee, you made a motion to remove an option from the voluntary participation, which would not allow that to have the program be voluntary every year, because that would be very complicated for NMFS to recalculate who is participating and distribute the allocation, but only that option for one year was removed in 41 in committee.

MR. DIAZ: Thank you.

CHAIRMAN ANSON: The document that was distributed by email regarding the eligibility for referendum participation is on the board. Assane, can you lead us through that?

DR. DIAGNE: Yes, and, at this point, I will ask Ms. Gerhart to lead the discussion on this issue.

MS. GERHART: Thank you. First, let me point out these are draft alternatives that we kind of did on the fly here, and so there will probably be some wordsmithing by the IPT when they get a chance to look at it. Another thing is that you did determine yesterday or the day before, whenever we talked about this, that only those vessels still participating in the survey this year would be eligible for the program, and so we have based this on those.

I want to point out that we talked about sixty-seven vessels at that time. It’s come to our attention that what we were counting as two vessels is actually one, and so the true number is sixty-six vessels.

What we did was look at the average landings of all the five
The two numbers that we came up with as thresholds were 100 fish landed and 400 fish landed. Again, these would be averages over the five-year period of 2011 to 2015. That’s the same time period that we’re using for the initial allocation of shares.

These are the alternatives we’re looking at right now, and we would like input if you think this is appropriate or if there is other suggestions. What we will do for the October meeting is bring back an abbreviated framework document with some introduction, some explanation and discussion of these, and then you can make your choices then.

CHAIRMAN ANSON: Thank you. Johnny.

MR. GREENE: I am reading through this, and I have a little bit of concern. 100 fish of all species. Now, this is a multispecies document. There are some vessels that do not catch very many red grouper or gag grouper that are in other parts of the Gulf. Perhaps maybe you have to catch a specific number of the majority.

There is five species, and so you would have to catch three somehow. In other words, there is five species. You have triggerfish, amberjack, red snapper. If you catch 100 of those, then you’re in, but if you make your living catching red grouper, gag, and triggerfish, you have to have three of the five, or something to that effect, because I am concerned about a boat in Texas that doesn’t catch a red grouper. Is red grouper not in it? That is my concern. Is it all species combined? I didn’t read it that way. It’s written in plain English, and I don’t know why, but my apologies.

CHAIRMAN ANSON: Go ahead, Mr. Boyd.

MR. BOYD: A question. What we’re saying is that there are probably some boats that fall below the 100 catch and would be excluded from participating?

CHAIRMAN ANSON: To that point, Mr. Greene?

MR. GREENE: No, Mr. Boyd. I’m sorry that I confused everybody on it. I don’t think that anybody would have a problem meeting this criteria. When I first scanned through this, as we’ve all just received it here pretty quickly, it’s of all species combined. It’s really anybody that has a headboat that carries
thirty or forty people is going to qualify of catching all species combined, and so it should not be an issue. I apologize for the problem.

MR. BOYD: Just a follow-up question. The question would be are there any that fall below the 100?

MS. GERHART: Yes, there actually are five vessels that would fall below the 100 level. Those are vessels that have averages that -- I don’t have it in front of me, but there are a handful of fish during that time. We can look at a lower number if you would like.

Ms. Levy has explained that this is supposed to be substantially participated or substantially fished for those species. If someone has landed an average of five fish a year, that may not be considered substantially fished. If you would like us to look at a lower number, we can do that as well.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: If you wanted to consider people who somehow did not land 100 fish, on average, from 2011 to 2015, wouldn’t you just opt for the Alternative 1?

MS. GERHART: Alternative 1 is to not define any criteria.

MR. RIECHERS: Which means everyone who is a vessel gets to vote.

MS. LEVY: You have to make some decision and justify it with a rational reason about who has substantially fished the species to be included, and “substantially fished” has got to be something more than at least zero. If you’re going to say five fish is enough over a five-year period, I think you’re going to have to explain how that is substantially fished.

CHAIRMAN ANSON: Sue, substantially fished, you could leave it up to discretion and not have a number of 5 percent, 10 percent, 20 percent, and that kind of is up to your discretion, but, I mean, generally, 100 fish, does that represent an average for the whole fleet? Is 100 fish 1 percent of the rest of the average for all the vessels or is it --

MS. GERHART: I can’t do the math that quickly in my head, but five out of sixty-six would not qualify.

CHAIRMAN ANSON: No, I’m thinking of the fish, the number of
fish. That’s at least 100 fish, but what was -- Maybe what was the maximum, I guess, for any of the vessels or you should have -- You should have that average, I guess, of all the vessels, for each vessel, I guess, for all the years is what I’m getting at.

MS. GERHART: The maximum was about 6,500.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I am assuming that when you analyze this and it gets put in the document that we will get to see those frequency histograms or something that gives us an idea of who fits where. I am not thinking that we probably need anything different than what we have, but I think we will know more about what those catches look like, and as we try to think about substantially fished, we would understand that better.

CHAIRMAN ANSON: Does anyone have any other comments to what has been offered for inclusion as we look at the referendum document that will need to be done? Ms. Guyas.

MS. GUYAS: Just a logistical question. When we come back and look at this in October, assuming we have the data that Robin just alluded to, if we add other alternatives, are we still on the same timeline or does that back us up? I just want to make sure we choose an alternative that really works and we’re all comfortable with, but I know there is a timeline.

MS. GERHART: This document will be exempt from the NEPA requirements, and so it doesn’t require the extensive analysis that a lot of our amendments and frameworks do. It will be a categorical exclusion. We would have to do some social impact analysis, but could they add another value, Mara?

MS. LEVY: I think you could add another value. I guess the big question is would you want to see an alternative that’s higher than 400 fish and how much higher? I mean we can lower -- Lower is sort of included in the between 100 and 400 and zero to 100, but if you’re looking at we really want to look at 1,000 fish, then that would be something to maybe put in there, so you can flesh out the economic or who would be in and out and stuff like that.

CHAIRMAN ANSON: I have several folks. I have Doug Boyd, followed by Dr. Crabtree, followed by Camp.

MR. BOYD: Mara, a question. If you use the criteria that it
has to be substantially fished to participate in the referendum, what do you do when you have a sector that has no catch history?

**MS. LEVY:** You’re going to have to come up with some other metric to decide who has substantially fished the species to be included in the program. There is no indication of what substantially fished has to mean, and so you would have to look at some other metric and explain why that captures the people or the permits that have substantially fished that species.

**MR. BOYD:** With that definition then, we could say that substantially fished is ten days. You have reporting from the headboats that come in, and if they did ten days a year of reporting or twenty days or 100 days, they substantially fished.

**MS. LEVY:** It has to be substantially fished the species to be included in the program, and so you somehow have to link it to the species that are going to be included in the program, because that’s the exact language.

**CHAIRMAN ANSON:** Dr. Crabtree, followed by Camp, followed by Robin.

**DR. CRABTREE:** I just was going to point out that we’re on this tight timeline for the referendum because we left the opt-in provision in the document, and that means the whole implementation takes longer, because we have to go to the vessels and give them a chance to opt-in and out.

I raised, in committee, trying to eliminate that action. What I have heard in public testimony was they want us to get rid of that and make it mandatory, but we didn’t do that, but, if we would get rid of Action 3 out of this amendment, then we are not under as tight of a timeline to do these things.

**MR. MATENS:** Thank you, Mr. Chairman. Maybe it’s just my background, and maybe I don’t understand, but I am having a hard time wrapping my mind around eight fish a month, in the case of Alternative 2, or a fish a day, in Alternative 3, as substantial. I guess I don’t understand why there are boats out there that aren’t meeting this criteria. I guess the point of my discussion is, to Mara’s point, I think we have to come to some agreement about what really is substantial.

**CHAIRMAN ANSON:** Robin.

**MR. RIECHERS:** Camp, someone down here said that’s what we’re trying to do, and I agree with that. When we get the data, we
will know more about that, and so I agree with that. I have two
questions, Mara, and one of them is following up on Mr. Boyd’s.
He mentioned if you don’t have landings and we would have to use
other criteria, and so, if there aren’t landings and we go to
other criteria, could it be number of times the individual
reported fish to a particular reporting agent or entity?

**MS. LEVY:** I mean that’s pretty hard for me to answer in the
abstract. If you wanted to develop some criteria that would
determine who substantially fished the species to be included in
the program outside of landings, I think you have the
flexibility to do that, but I would kind of need to see what
that criteria is and how it relates to the species to be
included in the program, and so I don’t want to limit your
flexibility, but it’s just very hard to answer in the abstract.

**MR. RIECHERS:** As we talk about charter vessels, we’re not going
to have those same catch histories, and so, if you don’t have --
One option is just a recording of someone who landed fish X
number of times per year or something like that. Like I said,
we don’t have to belabor that. That isn’t this one, but I’m
just trying to figure out how that might work.

My second question though is, because it was brought to me, was
the whole partyboats and charter boats were removed as a sector,
and so how are we separating, as we vote under two different
amendments here, that sector or just explain how that works, as
opposed to it all being a lumped sector.

**MS. LEVY:** The referendum provision talks about the referendum
has to be held among eligible permit holders, and so I think you
declare who an eligible permit holder is by who you define who is
eligible for the program.

When you decide who is eligible to participate in the program,
that is sort of the universe that could be included in the
referendum. Then the only people that can vote, of those
eligible permit holders, are the ones who have substantially
fished the species to be included, and so that then is further
narrowing the people who actually vote in the referendum.

**CHAIRMAN ANSON:** All right. Looking at, again, the alternatives
that are provided for us, and as it was suggested by Ms. Levy
earlier, is that we want to have another alternative that
deviates from this, we need to probably give some guidance here,
so staff can be sure to include that as part of the next time we
see this. Does anyone have any comments to that? Is there
another way to look at it, with some of the limitations, I
guess, as to how you set that up, based on Ms. Levy’s comments regarding the species or is there another number here that we would like to use based on Ms. Gerhart’s comment that at least the largest number of fish that a vessel had, on average, was about 6,500? If we’re happy with these, then we will send them on. Johnny.

MR. GREENE: Just a question. Is zero, 100, and 400 going to be enough for a wide range of alternatives? If we need to have a number, I can just throw another number in there, but I --

CHAIRMAN ANSON: It doesn’t appear, based on the comments from NOAA legal, that in order to meet NEPA -- NEPA is not part of the discussion relative to this document, and so we don’t need a really large or a very descriptive range of alternatives. We need to include those alternatives we feel essentially captures how we want to define who is going to be participating in the referendum, and so that’s what the goal is here, is to make sure that, in your mind at least, that you have some alternatives that would cover that range.

MR. GREENE: I think so. I mean 100 fish of all species combined is about as minimal as it can get. 400 certainly would qualify for that, and so I’m fine with this.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: One thing that might be helpful to look at, and maybe staff can do that if they come back with a couple more alternatives. There is a couple more alternatives of sort of how many -- I am trying to figure out a way to explain this.

If you have the number of permit holders, for example, who had an average of 2,000 fish and those permit holders represented 80 percent of the landings, you might want to know that, because that means that you have a lot of other vessels landing a little bit and maybe substantially fished should be higher, because you’re capturing the percentage of the landings by these permit holders.

I don’t know that staff has really looked at that yet, and so maybe we can do some more analysis and see if there are other alternatives that might be reasonable for you to consider in terms of deciding the substantially fished question.

CHAIRMAN ANSON: Dr. Diagne.

DR. DIAGNE: If we are granted the flexibility of doing so, we
are going to start with the 100 and 400 fish that we have, but, as we look at the data, if there is another breaking point, quote, unquote, that appears, we will add it and supplement the alternatives, so that in October you would have at least let’s say an additional alternative.

Keep in mind that this is for the referendum. Even those people who don’t vote will participate in the program, should it come to pass. That’s one thing. The second thing is obviously the higher the number of fish, the more people would be excluded from the vote, and so the 400 and the 100 as a starting point, but, as we do the analysis, maybe we will add one alternative for your consideration.

CHAIRMAN ANSON: Thank you. Johnny.

MR. GREENE: Just to be clear, Assane, all the participants participating in the referendum, no matter how they vote -- If a referendum was to pass, they will be included?

DR. DIAGNE: Yes, and, of course, with the caveat that we have an opt-out provision. If they decided to opt-out, that would be their decision, but everybody that we defined as an eligible participant will be in the program should the referendum pass, yes.

MR. GREENE: Okay. Thank you.

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: I have a question on the timing of the opt-out. Is it essential that they opt out before we even go through the whole referendum process or are you saying that we go through this process and then they have the opportunity to opt out? I am just wondering about the timing of that.

CHAIRMAN ANSON: Go ahead, Dr. Crabtree.

DR. CRABTREE: There wouldn’t be any opting out until after you’ve taken final action and the whole program has been approved and implemented through rule-making, and so someone would get to vote, but that wouldn’t affect their ability to opt out later.

CHAIRMAN ANSON: Sue.

MS. GERHART: If you look on the next two pages of this document that’s up on the screen, the timelines are on there for both
with the opt-out and without the opt-out.

**CHAIRMAN ANSON:** Thank you for providing that. Any further discussion on the requirements for determining referendum participation, those alternatives? As Dr. Diagne noted, if they find or come across another breaking point and they feel it’s appropriate, they will include that the next time we see the documentation. Ms. Levy.

**MS. LEVY:** Thank you. I know we discussed yesterday this idea about in order to be now eligible to participate in this program that you have to have been selected by the Science Center to participate in the survey in 2016, but I am a little bit wary of that, and I’m sort of wondering -- Maybe we can talk about it at the October meeting, but we had a whole discussion about the qualifying years being that you had to have landings before the end of 2015 to be considered a landings history vessel.

It’s not clear to me why the criteria for actually being in it would be what the Science Center decided to do for this year, because we used the headboat survey for a reason, because we wanted the vessels that had the landings history, but that, in my mind, was supposed to be it. The Science Center’s decisions as to who was in and out, from that point forward, to me, didn’t seem to be a real relevant criterion about who was in and out of the program.

Again, if you don’t want to spend time discussing it now, that’s fine, but I think maybe we need to revisit that idea that you have to have been selected for 2016 to somehow now be participating in this.

**CHAIRMAN ANSON:** That kind of ties into my thoughts, as we’ve been discussing the number of potential vessels that this could apply to, because I was kind of thinking of this participation in the headboat survey as being the main criteria to kind of establishing that group.

I had contacted Ken Brennan earlier this year, and his staff had provided me a list for my comparison for our mandatory reporting program in Alabama for red snapper, and I have a list that includes sixty-nine vessels. You mentioned sixty-seven the other day and now sixty-six, and that was my criteria for requesting -- I assumed that that was their criteria, is they were participating in the headboat survey. That would be something that I will maybe just talk with you later on, Sue, is just to kind of get some clarification on that. Dr. Lucas.
DR. LUCAS: I kind of have some of the same questions, Mara, around that, but also around the whole idea that it is participation in the program, regardless of whether you meet the true definitions of a headboat.

It all comes back to you don’t necessarily have to be a true headboat. You just have to participate in this program, and so it seems to me that this whole document hinges on your participation in this program and not really the definitions of a headboat, and so that keeps me cycling back and forth into a - I have problems understanding it.

CHAIRMAN ANSON: To that point, Dr. Ponwith?

DR. PONWITH: To that very point, and staff have raised concerns with me, and it is that participation in the headboat program was based on a set of criteria, and we discussed those a little bit yesterday, and that was basically the combination of size and payment type.

There is concern about so it isn’t a strict legal definition, and I understand using participation in the headboat program as a criterion, because what that does is it gives you concrete data to base landings history on. In terms of having those data, it’s a good criterion, but the definitions that determine whether you were in or not are not particularly crisp.

We have already discussed the point that we’ve had vessels that were in and then they hit some threshold where, instead of selling by the seat trips, they went, for a period, to selling by the boat trips and then came out of the program because of that. I think it is important to separate the convenience of having landings history, and certainly that is valuable, from what sort of definition they meet, in terms of the way they conduct their business.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: One concern that Jessica just raised to me about this was that there are several vessels that are no longer in the program because they were sold, and so the permit is not related to those vessels anymore, since we’re talking about vessels, and that’s fine. If we want to say that the vessel has to have a federal charter/headboat permit to participate, like a current valid or renewable permit, that’s fine. She may have had some other reasons, but I think that we need to then hone in on the reason we’re excluding people, and it shouldn’t necessarily be that they’re not in the Science Center survey for 2016.
CHAIRMAN ANSON: Dr. Diagne.

DR. DIAGNE: Thank you. I think, based on the comments offered by Ms. Levy, we can go back and take another look at this and perhaps take that requirement of participation in the survey in 2016 out of the equation. It probably will add a few vessels to this, maybe somewhere in the neighborhood of six or seven or so, maybe five, six, or seven. That will increase the universe to seventy-two. I guess that trying to be more inclusive would be a good thing for this program. If that’s amenable to you, we can go and do that and take out that additional condition, if you would.

CHAIRMAN ANSON: Sue.

MS. GERHART: I was mostly going to say the same thing as Assane, but we are exploring those eight vessels that are no longer in the survey. Some of them no longer have a permit and there are other reasons, and so we are working on exploring that, and we can come back with that information.

CHAIRMAN ANSON: All right. It appears that -- We have gone through some good discussion, and it appears that staff has some alternatives they can work with and go ahead and start compiling some of the information. Again, if they find another break beyond 400 that they feel is worthwhile and appropriate, they will go ahead and do the analysis on that and provide it at the next meeting. We don’t need a motion for this. We will just go ahead. Everybody realizes what they’re trying to do.

Does anybody have any other comments or questions related to the referendum documentation, to get that together for headboats? All right. We were scheduled for an 11:30 lunch break, and we’re just about fifteen minutes behind. We will go ahead and recess for lunch.

We are supposed to pick it back up at 1:00 P.M. That’s an hour and fifteen minutes. I would like to at least shoot for that. If you can do that, that would be great. We have a couple of folks that are trying to leave early, and so we just want to try to accommodate some of their schedules, and so an hour-and-fifteen minutes for lunch. Come back here at one o’clock.

(Whereupon, the meeting recessed for lunch on August 18, 2016.)
August 18, 2016

THURSDAY AFTERNOON SESSION

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Astor Crowne Plaza, New Orleans, Louisiana, Thursday afternoon, August 18, 2016, and was called by Chairman Kevin Anson.

MR. GREENE: Draft Amendment 41, Red Snapper Management for Federally Permitted Charter Vessels, the committee received a presentation on potential split season lengths for the harvest of red snapper by charter vessels.

Staff then reviewed the draft amendment, noting that the number of proposed programs should be reduced to allow staff to begin developing the supporting actions. A motion to remove the permit fishing allocation and harvest tag programs failed.

The committee then passed the following motion to remove just the PFA program. Without opposition, the committee recommends and, I so move, in Action 1, to move Alternative 3, Option 3a to considered but rejected.

CHAIRMAN ANSON: We have a committee motion. It’s on the board. Is there any discussion on the motion? Mr. Sanchez.

MR. SANCHEZ: Based on yesterday’s testimony, I would like to offer a substitute. I would like it to read as follows: In Action 1, move the entire Alternative 3, PFA, and Alternative 4, referencing harvest tags, to considered but rejected.

CHAIRMAN ANSON: We have a substitute motion. We will wait until we get it on the board and John looks at it and approves it before we get a second. Is that it, John? Okay. Do we have a second for the motion?

DR. DANA: Second.

CHAIRMAN ANSON: It’s seconded by Dr. Dana. Any discussion on the motion? Dr. Lucas.

DR. LUCAS: I would like to make a substitute motion on this motion. In Action 1, move just Alternative 3 to considered but rejected. If I get a second, I will explain.
CHAIRMAN ANSON: We have a second substitute motion. Is there a second? It’s seconded by Dr. Stunz. Kelly.

DR. LUCAS: The point of this document is to provide people with a range of alternatives. If we are to remove -- I agree that we need to make this document less complicated, but if you remove any discussion of just strictly allocation-based, separate from a quota system, out, then you don’t really give another alternative. It’s either go with a quota-based, share-based system, or go kind of status quo.

I was trying to leave one of the actions in there, and, to me, PFAs or harvest tags, and this is not harvest tags for enforcement, and it doesn’t even have to be a physical tag, but I am talking about harvest tags strictly as allocation, and so an allocation-only-based method. That’s just to give people the option to see three kind of different things structured within the program, just because we’re still kind of early in providing analysis in this document. Therefore, they will at least have something else to look at.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I agree with Dr. Lucas’s assessment, and there is still a lot of potential with tags, in all of the sectors, in fact, in 41 and 42 and the private side, and we’ve been making this argument for some time about this wide range of alternatives, but none of the current alternatives, if this motion was to prevail, the motion before Kelly’s, is really looking after the consumer and the user of these charter captains and for-hire vessels. By leaving the tag option in, there are some alternatives or options for that.

CHAIRMAN ANSON: Any other discussion on the second substitute motion? Ms. Bosarge.

MS. BOSARGE: Just out of curiosity, if this motion passes, because of the two that are before it, because each one is slightly different, is it possible to even have a motion after this to discuss removing Alternative 4, or is that off the table at that point?

CHAIRMAN ANSON: Mara, do you have any -- I wouldn’t think that it would preclude someone from offering a motion. I mean it’s not like we’re tabling it or something, but, administratively, it is a little bit more difficult, but -- Is that your general thought, too? I am saying that I don’t know of anything that would prevent someone from offering another motion dealing with
Alternative 4, because it’s like we tabled it or anything. This motion deals with everything that was in the previous motions, but you can come back in with another motion dealing with Alternative 4 as a stand-alone motion. That’s the way I interpret it.

EXECUTIVE DIRECTOR GREGORY: Since, there’s no actual vote on Alternative 4 here. If this motion fails, it goes back to the previous motion, which does include Alternative 4.

CHAIRMAN ANSON: All right, and so no other further discussion on the second substitute motion? All those in favor of the second substitute motion, please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Ten.

CHAIRMAN ANSON: All those opposed, same sign.

EXECUTIVE DIRECTOR GREGORY: Four. It’s ten to four.

CHAIRMAN ANSON: It’s ten to five with Dr. Dana. This motion carries. All right, Johnny.

MR. GREENE: If you’re ready to continue --

CHAIRMAN ANSON: Hold on one second, Johnny. Dr. Crabtree.

DR. CRABTREE: I would like to make a motion to remove Alternative 4 to considered but rejected.

MR. SANCHEZ: Second.

CHAIRMAN ANSON: We have a motion in Action 1 to move Alternative 4 to the considered but rejected section. It’s been seconded by Mr. Sanchez. Is there any discussion on this motion? Robin.

MR. RIECHERS: Dr. Crabtree, I have heard you many times talk about fish tags and how we might use those and how we should explore those, and I don’t quite understand the motion then.

DR. CRABTREE: I don’t think, in this case, it’s necessary in order to get to an effective, accountable program for the charter boats, but if you would like to make a motion to start working on an amendment to look at fish tags for the private sector, I would second that.

MR. RIECHERS: Doesn’t the recreational angler on the back of
the boat -- Couldn’t they be using a fish tag?

DR. CRABTREE: That is one way to do it, but I don’t think it’s the most appropriate way or the most practical way to manage this sector.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: We haven’t even really looked at some of this. The other AP under 41 is still meeting to look at a whole variety of things, and I think we’re just really too early to remove this. I spoke kind of the consumer earlier, and so what we’re doing with the other actions in here is essentially, if you have this permit, you’re, ideally, I guess, going to get some type of quota.

I don’t know if that’s the right way to go, with subsidizing certain businesses that we don’t know whether they’re good or whether they’re bad or whether they’re really going to look after the customer or what. In the scenario with tags, there are some options where, for example, you could distribute tags to the fleet. You could hold a portion of those back that individuals could then choose and go to whatever regions or whatever businesses they want to, and it’s a little bit more of a free market, an opening up of that sector, rather than having it controlled by the businesses rather than the consumers.

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: I am just referring back to some of the discussion that the staff put into Amendment 41, in looking at it, and there are pros and cons to everything. This is like on page -- I can’t remember, but it’s in the twenties.

There are pros and cons, and those are things that should be weighed, but I think, given this is different and you can’t look across the country and find where you have already split the recreational sector into two different components, I think we need to give them the opportunity to look at several alternatives, and a range of alternatives, and the analysis of what that looks like, rather than just having two discreet basic alternatives just providing them with some information. I think, given where we are in establishing the document, having that fleshed out a little bit for them to look at and comment on could be beneficial.

CHAIRMAN ANSON: John.
MR. SANCHEZ: Again, I know there is probably some history and there was a time when maybe this was discussed, but these things tend to evolve as they progress, and we have heard from the industry that wanted this plan, that helped to develop this plan, repeatedly, for years now.

Here we are, and the whole motivation behind doing this is to simplify this and make it more efficient to move forward, and it’s at their request. I mean, just to keep something in to have options that they probably don’t want, and you’re probably going to hear that later, when the AP meets, hopefully before the next meeting. To me, it’s just clearly a way to slow the thing down almost intentionally, and that seems like all we ever do. Instead of getting things done, we find ways to delay, delay, delay, delay, needlessly.

If tags want to be explored for the recreational sector, by all means, do it for the recreational sector. This sector doesn’t seem to want it. That’s what I heard loud and clear yesterday.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: To Dr. Stunz’s comments, the way this alternative is set up, these tags will go to the charter boat operators. They wouldn’t go to private anglers who could then decide where to go to use them. That’s not what this is. This is just a way to distribute the fishing privileges to the charter boat operators, and I just don’t think it’s as practical a way to do it as some of the other alternatives.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I understand that, Dr. Crabtree, but there are some other alternatives under tags that we talked about a couple of meetings ago, but, to John’s point, we did hear from the industry, and we did hear from Louisiana too, which wasn’t necessarily in favor of this, but we haven’t heard of the users of that industry, and that’s why having a tag provision in there, where perhaps they could, like Dr. Crabtree mentioned, get some of these tags.

Let’s just say, for the sake of argument, that you gave a proportion of it to the charter fleet and you gave a proportion of it to the private anglers. Then they get to choose who they fish with and not the reverse way around, and having that option in there allows for that, but not having it in there now precludes an option for the public to even see that this is an alternative that could exist.
CHAIRMAN ANSON: To that point, Dr. Crabtree?

DR. CRABTREE: To that point though, that is not what this alternative is, and that is not in the document even with this alternative. We have discussed that, and that’s not the way we decided to go.

CHAIRMAN ANSON: Mr. Banks.

MR. BANKS: Thank you, Mr. Chairman. We have spoken to quite a number of the charter fleet, and they certainly think that tags are one option that should be considered, and so I would leave that at that for Louisiana.

CHAIRMAN ANSON: All right. Any other discussion on this motion? All those in favor of, in Action 1, to move Alternative 4 to considered but rejected, all those in favor, please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Seven.

CHAIRMAN ANSON: All those opposed, same sign. Please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Nine. The motion fails seven to nine.

CHAIRMAN ANSON: All right. Dr. Lucas.

DR. LUCAS: With that said, I would also like to make another motion. Because Roy did discuss some of the difficulties with doing annual allocations, I would like to say that, in Action 1, Alternative 4, to add options to distribute the allocation every three years and every five years.

CHAIRMAN ANSON: Staff is working on the motion.

DR. LUCAS: If I get a second, I will --

CHAIRMAN ANSON: Yes, and is that your motion? It’s Action 1, Dr. Lucas? Would it be Action 1? Okay. So Action 1, Alternative 4, add options to distribute allocation every three and every five years. Is that --

DR. LUCAS: It’s essentially the same wording that was in the PFA, but now applying it to the harvest tags, because I thought that was what we --
CHAIRMAN ANSON: Okay, and so is there a second to the motion? It’s seconded by Robin. Martha.

MS. GUYAS: You mean calculate every three years and five years and not like here is your allocation for five years and go have fun, right? Okay.

CHAIRMAN ANSON: All right, and so we need to change that from “distribute” to “calculate allocation”, Dr. Lucas?

DR. LUCAS: Essentially, this was -- I mean allocation, as the staff discussed, whether it was PFA or whether it was the harvest tag, was allocation. As Roy seemed to discuss it, there seemed to be some difficulty with being able to do that every year, and that was why we had the options of three years and five years under the PFAs. Essentially, I’m just adding those same options under the harvest tags, since there seemed to be a limit to doing it every year.

CHAIRMAN ANSON: Right. Okay. Mr. Banks.

MR. BANKS: That answered my concern there, but I think we may need the word “annual” somewhere in there, to calculate annual allocation.

DR. LUCAS: Yes, I believe that’s the way it reads. It says annual allocation will be calculated.

CHAIRMAN ANSON: All right. Mr. Matens.

MR. MATENS: Help me here, Kelly. Do you mean that there would be a choice under this of every three years or every five years?

DR. LUCAS: I would like to add it as like Option 4a and Option 4b, and Option 4a would read three years and 4b would read five years.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Well, if we’re going to keep this in, I will support the motion, but I think, effectively, what we have here is the PFA. That’s what this is, only it has tags that go along with it, but, in terms of how it works and all, it’s basically a PFA.

CHAIRMAN ANSON: Any other discussion on the motion? Is there any opposition to the motion? We have one opposed. I think
we’re reading to proceed, Johnny.

MR. GREENE: In Action 2, staff noted the time required for National Marine Fisheries Service to recalculate the quota redistribution, should participation in the program be voluntary.

The committee then passed the following motion to remove the option to opt out of a voluntary program every year. With no opposition, the committee recommends and I so move, in Action 2, to move Alternative 2, Option 2b to considered but rejected.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MR. GREENE: In Action 3, staff reviewed the proposed alternatives for redistributing the quota. Dr. Crabtree noted that they would likely want to use a combination of the proposed methods for redistributing the quota, such as provided under Alternatives 6 and 8.

The committee then passed the following motions. By a vote of seven to six, the committee recommends, and I so move, in Action 3, to move Alternative 2, which is distribute quota equally among charter permit holders, to considered but rejected.

CHAIRMAN ANSON: We have a committee motion. The motion is on the board. Is there any discussion on the motion? Any discussion? All those in favor of the motion, please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Thirteen.

CHAIRMAN ANSON: All those opposed, same sign.

EXECUTIVE DIRECTOR GREGORY: Zero.

CHAIRMAN ANSON: Okay, Johnny. Johnny, one second. Dr. Crabtree.

DR. CRABTREE: Before we leave the amendment, one thing we heard in public --

MS. LEVY: We have one more motion.

DR. CRABTREE: We have one more motion? Sorry.
MR. GREENE: By a vote of nine to three, the committee recommends, and I so move, in Action 3, to move Alternative 3, which is distribute quota based on passenger capacity of charter vessels, to considered but rejected.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Dr. Crabtree.

DR. CRABTREE: One thing we heard in public comment that I think we ought to talk about was a lot of the charter boat operators were interested in adding additional species to this, and I guess the same species that are in Amendment 42, which would be red snapper, gag, red grouper, amberjack, and triggerfish. I think some discussion about whether we want to make that change or not would be appropriate.

CHAIRMAN ANSON: John.

MR. SANCHEZ: If I can get a second to this, we can have some discussion. I would like to make a motion to instruct staff to add an action to Amendment 41, similar to the action in Amendment 42, that includes the addition of the following species in the federally-permitted charter vessel management plan: red snapper, gray triggerfish, greater amberjack, gag, and red grouper.

CHAIRMAN ANSON: We have the motion. Is that your motion, John?

MR. SANCHEZ: That will do.

CHAIRMAN ANSON: That will do it, okay. Do we have a second to the motion?

MR. GREENE: Second.

MR. GREENE: It’s seconded by Mr. Greene. Any discussion on the motion? Johnny.

MR. GREENE: Well, I’ve got to admit that I was kind of opposed to this, and I’ve given it a lot of thought. With the transferability or the tradability within the sector itself, the intratrading portion of it, I think it’s going to help equalize some of the issues that we’ve had in the past.

Some of the problems, when you look at regional-based type stuff, it’s that some states don’t get a lot of allocation, based on stuff geographically. I think, by having a
multispecies type of approach, where an individual from Texas could trade whatever share of red grouper he received to an individual in south Florida that may need it for red snapper, I think this may be a good way to go.

I would certainly like to look at this as it comes out and see how it could be developed and see how it would work, but I think that this is going to be one of those things. Given some of the issues we’ve run into in other fisheries, I just think this is going to be the best way to go.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. When I attended the last AP for the charter for-hire, red snapper, they discussed the folks that were in the south part of Florida not having the same population, I guess, or at least not yet, of the red snapper, but having a higher percentage or a higher catch of the grouper. I mean this is precisely -- It’s kind of like what Johnny just said. This is a great way that two different communities or areas of the Gulf can cooperate to trade and make things work out best for their business.

CHAIRMAN ANSON: Robin, followed by Dr. Stunz.

MR. RIECHERS: Certainly I am a little shocked that John would be making this motion, because this just complicates this document a whole lot more, both in getting the histories in here, including how you’re going to distribute quota to the charter vessels, because certainly, as Johnny mentioned, some across the Gulf are going to have fewer of these species than others.

I think being able to analyze that for people to understand really where they fit in that system, you have just created a whole host of tables, and probably we’re going to want to come back to distribution of quota to charter vessels and think about that we may want to look at distributing some of those quotas equally among charter permit holders who had documented catch of some of those critters, possibly.

The difficulty is we don’t have that for everyone in this charter boat group, but, again, I certainly think it’s going to complicate it a whole bunch, and I would ask Mara also how this plays into the whole notion of we have already had a sector separation document making this sector separate. The whole notion of that was for red snapper, and now we’re trying to
expand that to other species, and I just wonder what her legal opinion about this might be.

**MS. LEVY:** Can you repeat what you said?

**MR. RIECHERS:** When we did sector separation, obviously it’s a sector, but it was really -- The intent and purpose at the time was to move red snapper into that totally different set of management regime. Here, we are now applying that to other species, four other species, in fact, and I am just curious as to how you think that plays into the previous judgments regarding sector separation.

**MS. LEVY:** You mean the court cases or just the council’s judgment to actually implement sector separation? I guess I’m just not clear what the question is.

**MR. RIECHERS:** How are we going to now go in and separate according to these species when we haven’t done that before? How does it affect voting and how does it affect -- I mean we’ve got a whole host of issues that it’s going to roll over into.

**MS. LEVY:** I mean, obviously you would have to make some decision about what proportion of the catch is going to be attributable to these charter vessels and then, I guess, the recreational quota for everyone else would be reduced by that amount.

I mean you’re kind of doing that in Amendment 42, because it reflects five species, but you’re using a catch history from the vessels, but you’re still taking that catch history for those other species beyond red snapper and then applying it to the headboats, to give them whatever they get under the allocation you pick in the PFQ or IFQ. I don’t see it as something you can’t do. You would just have to make the policy decisions and the rationale for why you’re choosing what you’re choosing.

**CHAIRMAN ANSON:** Dr. Stunz.

**DR. STUNZ:** I would speak in strong opposition to the motion at this point. Robin pretty much made a lot of my points, but particularly because of the catch history and major allocation hurdles, obviously, and not to mention the data collection that’s related to that.

We heard a lot of discussion the past few days about streamlining this document, and that definitely sends this 180 degrees away from that, but, if you looked at this with red
snapper, and by adding these species, we’re really jumping in, why don’t we get it right first with one species? We may love the program or we may hate the program, but obviously, if we like it, it would be easier to add more in at that point, but, currently, I don’t support adding this into the amendment.

CHAIRMAN ANSON: Dr. Crabtree, followed by Martha.

DR. CRABTREE: I think you could deal with this, in terms of the allocation decisions, the same way we deal with these same decisions in Amendment 42. We don’t have individual catch histories for charter boats, but we do have the aggregate catch history of the charter boat fleet itself, and so it’s not clear to me that it’s substantially different than what we’ve already done in Amendment 42.

CHAIRMAN ANSON: Martha.

MS. GUYAS: I appreciate the desire to maybe accommodate some of the different regions of the Gulf with adding some of these other species, but I can’t support this motion at this time, I don’t think. One of the big things that jumps out to me is this has big implications for that other side of the recreational fishery, and I think -- I just don’t know that I can support that. I don’t know that I have the commission direction to support this motion right now. This expands sector separation times five, and I don’t know that the private recreational side has even seen this coming.

CHAIRMAN ANSON: John.

MR. SANCHEZ: While I appreciate concerns from the other side of the table about me adding difficulties to this or slowing it down, I didn’t perceive it that way, being that Amendment 42 does that, and we heard from pretty much an entire industry that this genesis of this plan is -- They want this. It’s almost comical to have concerns like that, when you have thrown every stumbling block you possibly can at it, sunsets and everything else, and here we still are, and so if you don’t want to give industry what they want to do, then just be clear about it.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. Basically, what this motion would do, it would just be to add an action in Amendment 41. It doesn’t mean that the council eventually would act on it.
or vote on it, but it just means to add it into the document, so then -- I would assume that the AP, when they meet, prior to our next meeting in October, would have the opportunity to discuss this as well and bring back their recommendations on it, and so I don’t see this as being -- I just see it as providing an option, just like what the previous vote was in keeping tags in the amendment. That is just a consideration. It doesn’t mean it’s forever. This is just adding an option.

CHAIRMAN ANSON: Robin, followed by David.

MR. RIECHERS: John, you and I have had this exchange across the table. While you may be in favor of blindly following directions from folks and impacting other parts of the private recreational sector, it is also, based on the purpose of this amendment, giving windfall profits. It’s going to basically change the abilities of people in the other private recreational sector and what they can do, and so, while it’s an option here now, it certainly signifies an intent, and, again, we’re just going to disagree on this issue.

It’s not that we’re stalling, but we’re here to really look at all of these issues. We are here to listen to people and then make best judgments. What you deem as a best judgment may be just taking a piece of paper and reading a motion from someone and putting it on the board and trying to do it. Others of us may be looking at some things differently.

CHAIRMAN ANSON: All right. David.

MR. WALKER: I speak in support of this motion. What the recreational fishery has is a lot of little mini derbies, and you have heard testimony complaining about it with the amberjack and with the triggerfish. I think this would give a better opportunity for them to address their issues in their fishery, such as regulatory discards, and I think that the recreational fishery could benefit from that. If you reduce the discards and the interaction with the fish, it would help the private angler as well.

CHAIRMAN ANSON: Dr. Lucas, followed by Dale.

DR. LUCAS: I was just going to say, in looking at the title of this amendment, it’s Red Snapper Management for Federally-Permitted Charter Vessels. That’s the title. This action here fundamentally changes the whole document and the whole title of the document and the whole original purpose of the document.
I don’t know if you want to restructure the whole entire thing or you want to hold this to a different amendment or you want to do kind of like Greg said, get it right on one and then look at expanding, but I mean, when people read this document, it says “Red Snapper Management for Federally-Permitted Charter Vessels”. I think we should at least consider the purpose of the document.

CHAIRMAN ANSON: Dale.

MR. DIAZ: I am also going to speak against the motion, for a lot of reasons that Robin and Dr. Stunz and Martha and others have brought out. We did hear from some charter boats that asked for us to include a multispecies yesterday, from probably almost all of them, but what was noticeably absent yesterday was private recreational fishermen.

I mean I write down notes from everybody that talks, and I only had an “R” by two names yesterday, and both of them were affiliated with recreational fishing organizations, but, as far as individual private recreational fishermen, they’re just absent here, and so we’re not hearing from them here. We do get some written comments and things, and I do think it tremendously complicates this document. Thank you, sir.

CHAIRMAN ANSON: Mr. Matens.

MR. MATENS: Thank you, Mr. Chairman. I think Dale’s point is well made. We have not heard from the private recreational sector. As all of you know, I am sitting in a recreational seat, and one of the people we heard from yesterday spoke against privatization of a public resource, and that’s what this is doing. I think, from my perspective, I can’t support this. Thank you.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: I’ve got to tell you, and I will just be honest. I have gone back and forth on this on a hundred times. I am not going to tell you that I am a big, strong proponent of it, but the recent changes with triggerfish and amberjack, the state non-compliance with some of these other species, and it all started with red snapper, and then you see these state water triggerfish seasons.

I mean we’re either going to deal with it here or we’re going to deal with future sector separation type of stuff for triggerfish and amberjack and so on, because every one of these species can
be caught in state waters. Now, I understand states rights and wanting to operate inside state waters and so on and so forth, but we’ve got such a vast difference between charter and recreational needs that sometimes we get caught up in that whole thing.

Whether we deal with it in this document and handle it, but I still don’t know how it’s going to resolve the state non-compliance type of deal. You’re talking about a 200,000-pound quota on triggerfish, and I would just about bet that the City of Orange Beach, in their little eight or nine-mile area of the coast of Alabama, probably caught that whole quota.

We have got some issues we’re going to have to work through, and none of this is going to be a pleasant exchange from any side of the table, but the fact and the reality is that we’re going to have to do something here, and it’s going to be something big and it’s going to be something that no one is going to like, but I don’t know what the answer is, whether we start it here or we deal it in another amendment, but we’re going to have to deal with it at some point in the future.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: Thank you, Mr. Chairman. I have a lot of problems even understanding just what does this mean. Does this mean -- To me, it appears that, if you put all of this group together with red snapper, that you can go out and you can catch any one of them in multiple numbers of what? Does this mean that the red snapper, if we put a limit on the amount of red snapper you can harvest, that you can harvest more than that limit, because you have other species that are going to fill the bill?

What prevents a charter boat from knowing what the limit is and harvesting those fish, instead of going out and harvesting other fish at the same time? I assume that a charter boat might catch red snapper at the time it’s catching triggerfish. I don’t see a problem with that, as we’re now structuring it, and, to me, you’ve got to pay attention to the resource.

The resource of most significance here, ever since I’ve been on the council, for the year, is red snapper. If we don’t manage red snapper, period, then the rest of these things are going to go by the wayside. Thank you.

CHAIRMAN ANSON: Dr. Crabtree.
DR. CRABTREE: Well, there are different variants in how it would work in the amendment, but, essentially, it would mean a charterboat would be told that they’re going to get to harvest this many red snapper and this many gray triggerfish and this many amberjack and this many red grouper and this many gag grouper, based on some allocation formula that we would come up with in the amendment.

Then we would have an accounting, whether it’s fish tags or some other way, to track what they’re catching. If it works, it would really be good for the resource, because we wouldn’t have these overruns that are caused by the difficulties of tracking the catches, and so, at least in theory, if the program is successful, it ought to stop the overruns and contribute to conservation, in that sense.

At least that’s how it has worked in the catch share programs we’ve done on the commercial side, but, generally speaking, you would be giving a charter boat the ability to catch set numbers of each of these species, and then they could decide when they wanted to catch them and how they wanted to go about doing that.

CHAIRMAN ANSON: Mr. Banks.

MR. BANKS: Roy, to that, just a question. How might that impact what the private recreational would be able to do with these species? These species are not managed under sector separation, correct?

DR. CRABTREE: Right, other than red snapper. In theory, it all comes down to how we decide to allocate the charter boats and what fraction of the total recreational allocation they get, but if we use something that’s akin to recent years, it wouldn’t have any effect on the private vessels. They would still have their regulations and do what they’re going to do. Remember, private recreational fishermen are the guys on the charter boats catching these fish too, and so all these fish ultimately are being caught by recreational fishermen.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: I think the discussion that we’re having around the table is really good. Would it make any sense, since the AP is meeting before our next meeting, that, again, that they take part of our discussion -- They get the minutes of what we discussed, about how this may complicate or slow up the document going forward, and then, again, give us their recommendations at the October meeting? In that case, if that makes sense, then
that would probably require the motion maker to table or remove the motion or whatever, withdraw the motion, but it’s totally up to you.

CHAIRMAN ANSON: As I see it, yes, the maker of the motion would have to withdraw the motion, and then a motion would be needed to put that in the agenda for the next meeting, this very topic. All right. Everybody has pretty much had a chance to -- Mr. Banks.

MR. BANKS: Just a quick question. How sure are we that this AP is going to meet before our next meeting?

CHAIRMAN ANSON: Dr. Lasseter.

DR. LASSETER: We have some tentative dates, and we were going to see what the council’s direction was before we send out an announcement to get times, but we are looking at some time crunches before October. We’re a little concerned about whether or not we’ll be able to get a quorum. We will try very hard to get it before October, but, if we can’t get a quorum, we would need to hold it between the October and January meeting.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: Dr. Dana, Dr. Crabtree made a statement a minute ago that the people on the back of these boats are recreational fishermen. We have an AP that’s going to be meeting sometime in January. It’s a recreational AP. If we’re going to wait, we need to wait and hear from them too, because they are the people who are going to be affected by these fish being added and segregated out of the quota into a private holding.

CHAIRMAN ANSON: To that point, Dr. Crabtree?

DR. CRABTREE: Any final action on Amendment 41 is going to be long after that AP meets. We’re talking about well into next year before we’re going to get this ready, and then we’re going to have a referendum and everything else, and so we’re just talking about what alternatives we want in the scope of this thing. We’re not making final decisions about any of this now, and we’re a long way from doing that.

CHAIRMAN ANSON: I will take just a couple more questions. Anyone else? The motion is to instruct staff to add an action in Amendment 41, similar to Amendment 42, that includes the addition of the following species: gray triggerfish, greater amberjack, red grouper, and gag grouper. All those in favor of
the motion, please signify by raising your hand; all those
opposed, like sign. The motion fails. Dr. Lucas.

DR. LUCAS: Before we leave Amendment 41, I sent a motion to
staff that I would like to bring up on the board. This is the
motion that would be the instructions to staff to do the
analysis. If I get a second, I will explain.

CHAIRMAN ANSON: We have a motion. It’s been seconded by
Johnny. Any discussion? Dr. Lucas.

DR. LUCAS: Johnny and I had this discussion, I think at the
June meeting, and we didn’t realize that we needed a motion to
have the analysis done this way. This would be to just, in that
Table 1.1.1 in the document, that is the regions, it was to
combine Alabama and Mississippi, so that the analysis on
geographic distribution would be done with that as one region,
and so at least putting that in there to get some comments from
people.

CHAIRMAN ANSON: All right. Dr. Lasseter.

DR. LASSETER: Kelly, just to be clear, I am understanding this
as not just Table 1.1.1, but considering that throughout the
document as a combined region, and is that correct?

DR. LUCAS: That’s correct. If I need to rephrase the motion, I
will.

CHAIRMAN ANSON: Any other discussion on the motion? Mr. Boyd.

MR. BOYD: Just a question for Dr. Lucas. Are you saying take
out the individual line items of Alabama and Mississippi and
replace it with one total for the two or to add that in, so we
can compare all of them?

DR. LUCAS: I guess it can be done either way. I was just
trying to really get around -- We know that Mississippi has some
zeroes in there, because we had challenges getting a lot of
these surveys done in our area, especially since we have such a
low number of charter for-hire vessels.

Johnny noticed that, and so he pointed out that considering
Alabama and Mississippi together would correct for that. His
charter for-hire guys seemed to be okay with that, and so I
wanted to give that as an option when they were considering the
geographic distribution throughout the document, but I am fine
either way. I was thinking just go ahead and combine them
straight-up, but, if you need to see them separate, that’s fine.

MR. BOYD: No, I don’t. I was just trying to get clarification, but I’m fine with it.

CHAIRMAN ANSON: That was a good question, Doug, but that’s the way you’re going, Kelly, is to have them combined and that’s the only analysis that will be done and not separated by state? I think it would be important, for those that still believe that would be a better way to go, for those charter boat captains who wanted to combine, for the reasons, as you stated, but I think it would also be beneficial to have the information by state, to help show how it actually does break out if you look at each state, and so it something that -- We just wanted some concrete clarification that that is your intention.

DR. LUCAS: My intention was to combine it, just to make staff have one less analysis, but I am completely -- In understanding that, I am fine with doing it separate. I just was trying not to add more work on their part.

CHAIRMAN ANSON: Dr. Lasseter.

DR. LASSETER: If I can offer, I think we could keep the data separate in the tables and then, whenever there is alternatives, such as in the regional options and in that discussion, we will combine them and provide discussion.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: I guess I would just like to be sure what the council’s ultimate decision is regarding using this data. If you’re going to have analysis of alone or together, it almost seems like an action with alternatives. Just putting them in there isn’t going to help anything. We’re going to have to have a decision, and, if we’re going to compare them, then we’re essentially adding some sort of action to look at which one you want to use. I know you’re discussing it, but I think, at some point, we need to be really clear about what’s expected.

CHAIRMAN ANSON: I wasn’t necessarily looking at it as a separate action, per se, but an alternative within an action, when you’re looking at that distribution. There would be an alternative in there for Alabama only and an alternative in there for Mississippi, and then an alternative in there now, as I take this to be, as an Alabama/Mississippi. That’s what I was trying to get at, was that there is three alternatives within this two-state region.
We have already seen the Alabama and Mississippi, but now this is going to be a third with the Alabama combined with Mississippi, but it doesn’t sound like that will be the case, and so I am concerned with that.

**DR. LUCAS:** I think, and maybe Ava can provide this, but this all comes down in the -- I can’t remember what the action number is now, but when they’re discussing the geographic distributions. I am thinking that’s the table where you would see that breakout. The way she explained it would be that that would be Mississippi and then Mississippi and Alabama combined.

**DR. LASSETER:** The way I’m interpreting this is, in the tables, just with the data, we will leave Alabama and Mississippi as distinct rows and columns, but, when we were actually addressing the distribution of quota for defining regions, we would lump then Alabama and Mississippi together.

**CHAIRMAN ANSON:** Thank you for that. Martha.

**MS. GUYAS:** How do you feel about this, Kevin, because I feel like two need to tango here, and we’re just kind of sitting on the sideline.

**CHAIRMAN ANSON:** I am still a little slightly -- We are early in the document phase, but, to expedite and make sure we have a document that has all of these options the sooner the better, I am nervous, and I don’t like not hearing that there is going to be alternatives in there or some analysis in there specific to Alabama and specific to Mississippi and specific to the combined Alabama/Mississippi.

I understand that there will be some numbers in there that you will be adding and such, but, when it comes time to the allocation calculations and all of that, I want to make sure that there is still some information in there that segregates out those three options or three alternatives or sub-options, however they are -- I just wasn’t getting there. I wasn’t hearing it.

**DR. LUCAS:** So let’s ask. Ava, will that occur or are we all interpreting this the wrong way?

**DR. LASSETER:** I understand both the idea of combining it and Kevin’s concern for seeing them different, and so I will take this -- If this motion carries, I will take this back to the IPT, and we will figure out how to work it through the document,
so that we can provide you information to look at them separately and together.

CHAIRMAN ANSON: I am glad that’s how it’s reflected in your motion, Dr. Lucas. Thank you. Any other discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Is that it for Amendment 41? All right, Mr. Greene, please continue.

MR. GREENE: Staff reviewed the summary of the SSC webinar held on August 2. The SSC reviewed and approved the project schedule and terms of reference for SEDAR 51, gray snapper, with minor editorial changes and selected volunteers for a stock ID work group, data work group, assessment work group, and review work group.

The SSC discussed FMSY proxies for red snapper, but felt that it should be part of a more comprehensive discussion of MSY proxies scheduled for the next SSC meeting and should be discussed in-person rather than by webinar.

The SSC also discussed what type of assessment should be conducted for the next gray triggerfish assessment. There has not been enough time to gather sufficient data to evaluate some of the concerns raised in the previous assessment, such as the impact of circle hooks, and, without this new data, a benchmark or standard assessment would not be meaningful.

However, an assessment that incorporates recruitment and landings data through 2017 would be able to evaluate if there has been a recent change in recruitment. This could be accomplished in an update assessment, and the 2017 data will be available by mid-2018. Therefore, the SSC recommended that an update assessment for gray triggerfish be conducted at the earliest opportunity, which would be in the fall of 2018, with completion in 2019.

CHAIRMAN ANSON: Johnny, we have a question.

MS. BOSARGE: No, but I just wanted to make a comment here. We had some comments in public testimony that I thought were very specific data comments that were things relative to stock assessments for gray triggerfish and things like that. At some point in the future, I think it may be helpful to have a short presentation that is going to be somewhat quantitative and data-intensive on that original stock assessment from 2006 for gray triggerfish and what the data limitations were and what some of the biggest uncertainties in some of the data were.
Try not to get too deep into it, but have it during Reef Fish, when we have most of those fishermen in the audience. The council can get a kind of good idea for where we’re struggling, the fishermen can get a good idea, because I think a lot of it is just getting the right people in the room together and letting them exchange information and exchange ideas.

We are looking at having another stock assessment on this in the future, hopefully the near future, it being a benchmark, but if we don’t -- Maybe not a benchmark, but we’re having another stock assessment.

If we don’t ever address some of these data limitations that we have and the uncertainties that we have and get a better feel for it, then we’re still going to get data out of it that we don’t have the comfort level with that maybe we want. I think if we can have a presentation like that in the future, with all those great minds in the room together, maybe we can find out a few things we didn’t know that we didn’t know. I’m just throwing it out there.

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: Thank you. I think that’s a wonderful idea, to keep the lines of communication open among scientific practitioners, the fishing industry, the managers, to make sure that we are considering areas that could be focused on to strengthen future stock assessments.

The catch is that if it’s a deficiency in the data collection that we’re doing right now, holding a meeting and talking about that would be beneficial for the far future, but it would not benefit the upcoming triggerfish assessment, because essentially you have to decide what data you’re going to collect and implement that and peer review it to be able to enter it in.

Now, that said, there is no time like the present to be able to look at the way we’re distributing our efforts in data collection and reconsider that, if there are ways to redistribute the way we’re making those investments.

One thing that I would say that I am excited about is this. We have just put a recruitment announcement on the street for a management strategy evaluation expert at the Southeast Fisheries Science Center. This is an outcome from the stock assessment program review that we held as part of our program review series.
One of the things that I am interested in having done as one of their very first assignments is to take a look at how we’re making our investments in fishery-independent data collections and determine whether there are ways we could actually improve the efficiency and the effectiveness of those collections to strengthen the reliability of those data as assessment inputs.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: That sounds great, and I don’t get so hung up on when the data is going to be used and such as that. It’s more so that we had some limitations in 2006 and we’ve just kind of built upon them. We haven’t been able to really work all the kinks out of it, and that was ten years ago. I definitely want to get these people in the room and get started on that process and begin that trading of ideas and information. Hopefully, at some point in the next ten years, we can make it better.

CHAIRMAN ANSON: That’s a good point. I would like to also add that, Dave, you’re in the room, and I know when I first joined the division that we would have those commission meetings, FIN meetings essentially, and there would be an opportunity, I guess, to try to synthesize some of those points that came out of assessments, as far as data needs relative to specific species.

I recall we used to kind of hit the high points, at least, as to what FIN could do relative to its data collection apparatus or programs, to try to address some of those identified needs. Is that still ongoing or does that need to be brought back out in a more formal process? I know communication with the council or from the council to the commission would be better, I guess, but are you taking any of that information or is anything going on with that?

MR. DONALDSON: It’s my understanding that they periodically take the data needs sections out of the SEDAR reports and periodically review them. I think we did one last year or the year before. We identified the things that FIN is doing to address some of those and then some of the planned activities as well, and so I can check with Greg to make sure that that’s something that periodically gets on the agenda.

CHAIRMAN ANSON: Please do. John, do you have anything to add, Dr. Froeschke? No? Okay. Seeing that, Johnny, continue on.

MR. GREENE: Dale Diaz noted that the council passed a motion to
consider reducing the recreational ACT buffer for red snapper, but wanted to wait for the final 2015 landings before deciding whether to proceed. The 2015 landings show that the recreational for-hire component was below both its ACL and ACT, while the private vessel component was below its ACL, but above its ACT.

If the 2016 landings show that the for-hire component is again below its ACT, the council may want to consider a change to the ACT buffer. The 2016 landings are not yet available, but Mr. Diaz asked that the council begin thinking about this.

The following items were deferred to either full council or the next Reef Fish Committee meeting, due to a lack of time, the Options Paper for Amendment 44, MSST for Reef Fish Stocks and Discussion on Carryover of Unharvested Red Snapper Allocations. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Mr. Greene. Since we do have our time -- Our agenda had us in Reef Fish until three o’clock, and it is just after two, and so I would like to take the time to try to address those other two items. I am trying to see who is in charge of those. That would be Item Number IX, Options Paper for Amendment 44. If you’re referring to the Reef Fish Committee agenda, it would be Item Number IX, and that would be MSST for Reef Fish Stocks. That would be Tab B, Number 15. Mr. Atran, are you available to do that?

MR. STEVEN ATRAN: Yes, I am, Mr. Chairman. As you said, this is Tab B, Number 15. It’s an options paper for what would be Amendment 44, which would be to set minimum stock size thresholds for reef fish stocks. What you’re seeing is not anything new. You actually saw this at the last council meeting, but staff has a proposal to split this up into two amendments.

This previously had two actions in it. One action was an action to set minimum stock size threshold, or, to be more specific, the formula for calculating the minimum stock size threshold for each stock in the Reef Fish FMP, with specific emphasis on those that have a low natural mortality rate, to try to make sure we have an adequate separation between our MSY level and our minimum stock size threshold, which is where the stock gets declared to be overfished.

The second action that was in here was going to work on trying to define our MSY proxies for all of our reef fish, but those proxies and the discussion of that has slowed down somewhat. We
have talked about this earlier in the meeting. The SSC is planning a rather involved discussion at the next meeting about MSY proxies. We may be having an ad hoc panel put together. I am not quite sure where that stands, and so that’s going to take some time to resolve.

However, with respect to setting up these definitions for minimum stock size thresholds, we already pretty much have our alternatives in place, I think, and we could go ahead and develop this into a full-blown amendment fairly quickly, if we only do that as a one-action item.

You were emailed last week a letter from Pew Charitable Trusts, and Chad Hanson also went over some of this information in his testimony yesterday. They are recommending the addition of two additional alternatives for defining what MSST is, and they’re also recommending that we get some additional analysis from the Science Center.

I am not going to go over it unless you want me to on the two alternatives. My feeling is that their impact is very similar to alternatives we already have in place, and so I’m not that crazy about adding new alternatives, but I think there is some good reason to get some new analysis.

Right now, in general, we know that if you set minimum stock size threshold at say 75 percent of MSY that you’re going to be less conservative than if you set it at 10 percent. If you set it at 50 percent, you’re going to be less conservative than at 10 percent, but that’s just a general feeling.

I think, if we could get some analysis that would say that, for various stocks, if they were to drop to 10 percent below MSY, how long would it take for them to rebuild back up? If they were to drop to 25 percent, how long would it take to build back up or if they were to drop to 50 percent and so forth?

That would actually attach some numbers to the relative risk, and I think that would be useful to the council, but I had some discussions with Dr. Ponwith when we broke for lunch, and the Science Center would have to find time to fit that analysis into their schedule, and so we probably couldn’t bring a public hearing draft until the January meeting, which means we take final action in April.

That’s pretty much what we’re looking at right now. We’re proposing that Amendment 44 proceed as a single action item, only looking at MSSTs. We pretty much have the alternatives in
place. We would like to get some additional analysis. I think we could bring a public hearing draft to the council in January and then take final action in April if we do this as a single item. Then the MSY proxies would continue as another amendment.

CHAIRMAN ANSON: Steven, just to make sure there aren’t any regulatory timelines for getting this approved, are there, and it’s just something that we probably should clean up and address in moving forward with management of stocks, and is that correct? If we get it done for final action in April, it’s not going to set us back or cause a delay for anything else, correct?

MR. ATRAN: We were supposed to have done this back in 1996, and so we’re a little behind schedule. Another thing to consider and another reason maybe to delay or go slower on the MSY proxies is that NMFS has some proposed revisions to the National Standard 1 Guidelines, and we’ve been told for the past year or so to expect them to be published any day now. They will be published at some point.

Possibly they could contain some information that might change our thinking on MSY proxies, but I don’t think they would really change our thinking on the minimum stock size threshold, and so I think we’re okay trying to fast track the minimum stock size threshold but waiting to see if we get any new guidance from NMFS on MSY proxies and other status determination criteria.

CHAIRMAN ANSON: Thank you. Ms. Bosarge.

MS. BOSARGE: You say you will still bring it back to us with some analysis, even if we don’t get the analysis from the Science Center that would essentially back the document up a meeting or so, and what’s going to be the difference in the analysis that you will bring us versus analysis that we could get from that request you were talking about to the Science Center?

MR. ATRAN: If we don’t get that additional analysis from the Science Center, it would just be the more generalized analysis that tells us if you set minimum stock size threshold at 75 percent of BMSY that you’re going to be less conservative than at 10 percent and it will take longer to rebuild the stock. At 50 percent, it’s even less conservative, and you can rebuild the stock.

If you’re willing to go with that rather generalized analysis, then we could probably bring a public hearing draft in October
with final action in January, but I’m not sure. If we want to make sure we’re covering all of our bases, we might want to get that additional analysis.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I think what we have here is good, and I support moving forward with this. In terms of doing an analysis to looking at time to recover, we can do that. I am not so convinced how meaningful it is, because time to recover is driven by recruitment, and we don’t control that.

We do these projections off into the future, but how fast stocks recover is really, to a great extent, dependent on recruitment. In terms of the risk, ten years ago, maybe so, but, with the new revisions to the Magnuson Act, we have annual catch limits for all of our stocks. Overfishing is not allowed anymore, and so it seems to me the level of risk associated with these various MSST levels is -- There is not a lot of difference between them, in my judgment, because we’re not going to allow overfishing to continue in any circumstance.

I can tell you that we have had stocks in the past where we had an assessment show the stock was overfished and we went through the rebuilding plan and put it in place and got the new stock assessment that showed the stock was never overfished to begin with, oftentimes just because the status of the stock shifted just a little bit.

We have so many stocks with low natural mortality rates that the MSST is so close to BMSY, and that’s the problem with this. It’s just there is so much uncertainty in our stock assessments that we don’t want to go through a rebuilding plan just because we’re a little below the target, and we’re not even sure if we really are.

I’m fine with getting more analysis on all of those, but I think the thing is that we just don’t want to be going through the exercise of rebuilding plans when we’re not even sure if the stock biomass is much below the target to begin with. Because we have so many stocks with low natural mortality rates, that’s really, I think, where we are right now.

CHAIRMAN ANSON: Go ahead, Doug.

EXECUTIVE DIRECTOR GREGORY: Just real quick, what happened in the beginning, in the mid-1990s, when the technical guidelines and Congress gave us this MSST, in the literature, with MSY,
fishing beyond MSY was always considered overfishing, and that’s what most of the biologists have in their minds.

With the Magnuson Act, MSST became a new definition of overfishing that was different than the historical literature. MSST, in this concept, and it was 50 percent was the standard for other councils, was, if the stock gets to that point, it could be on the verge of collapse, and this is the point of no return. You do not want to get down there.

In the 1980s, a number of our stocks were that low. Red snapper was. The one minus M came about because the biologists writing the technical guidelines as a default suggested one minus M because that’s about the natural variation around MSY. Now, what Roy is saying is, because this encompasses the natural variation about MSY, it now triggers overfishing concerns too easily, too quickly, when there is no real overfishing occurring from the concept of a stock on the verge of collapse.

We’ve got two concepts mixed up with the same word of “overfishing”, and going to 75 percent, which is what the South Atlantic Council did, is in between the two default recommendations of 50 percent and one minus M and it’s more conservative. We are managing fisheries based on MSY fishing mortality rate, and so, unless an environmental disaster happens like it did with gag and red tide, we won’t have to worry about MSST anymore, but it was a real concern in the 1980s and 1990s.

CHAIRMAN ANSON: I have Leann, followed by Patrick.

MS. BOSARGE: I think -- I mean, I’m not uncomfortable, based on this discussion, continuing to move forward with this on the timeline that we have, but I think that we could still make the request. Don’t slow the document down and don’t stop anything, but make the request from the Science Center for that, because it was only going to back us up one meeting, and then for people like me, that just seem to have to look at all the numbers that there are possible, I could see that information, even if it was at the meeting where we take final action. I can see it, and I will say, oh yes, I’m definitely comfortable with this, and, boom, we do final action. Can they run in tandem? Is that okay?

CHAIRMAN ANSON: Steven or Dr. Ponwith?

DR. PONWITH: We could take that approach, but, typically, when we do an analysis that’s quantitative like this, the council has a preference for those materials to go to the SSC, so that they
can benefit from the SSC’s view. This is technical enough that,
while I think what you see would be obvious to you as a council,
getting the SSC’s weigh-in on that would be valuable before you
use that information to make a decision.

That, honestly, is what jams us up. This meeting is so close to
the October meeting that, by the time you formulate the
assignment and get it to the Science Center, you are almost late
for time to get an SSC review and time to meet the briefing book
for the council.

CHAIRMAN ANSON: Patrick.

MR. BANKS: Roy or Bonnie, in terms of -- I understand what
you’re saying about some of the long-lived species with low
natural mortality, and this would take into account what Doug
said about the variation around the MSY, but at what point do
you think you get out of that variation? I think Doug said that
50 percent seems to be too low and you could have a collapse,
but at what point do you feel like you get out of that
variation?

DR. CRABTREE: The best I can tell you is we went through this
whole exercise at the South Atlantic Council, and we decided to
go with 75 percent of BMSY over one minus M times BMSY,
whichever is less. That went through our SSC and the Center and
everybody looked at it, and we seemed comfortable with it.

CHAIRMAN ANSON: Doug.

EXECUTIVE DIRECTOR GREGORY: If I recall, and correct me,
Steven, if I’m wrong, but Clay did an analysis similar to this
looking at these and provided it to the IPT, but I don’t recall
if it was in writing.

MR. ATRAN: Yes, it was a presentation that was made at one of
the SSC meetings last year, and he did an analysis looking at
whether a stock was likely to drop into an overfishing condition
purely from natural fluctuations if the MSST level was set at 10
percent below or some other levels, and he concluded, based on
his analysis, that, for stocks with a natural mortality rate of
0.1 or greater, which is everything except red snapper and
yellowedge grouper of the stocks we manage, where we have that
estimate, they were unlikely to enter an overfished condition.
They were unlikely to fluctuate so much that they would drop
below MSST purely from natural fluctuations.

I don’t think that included consideration of extraordinary
events like a BP oil spill, and it also didn’t take into consideration uncertainty. One of the reasons why there is interest in looking at changing the MSST, particularly for the low natural mortality stocks, isn’t so much whether or not the stock is actually going to drop below that level, but whether we can detect whether it will drop below that level.

If the MSST line is too close to the MSY line, we might not be able to effectively tell the difference, and so there is a lot of interest in taking some of the low-mortality fish, like red snapper, that has an M of 0.09, and so that means there would be a 9 percent buffer between MSY and the minimum stock size threshold, using the way we currently calculate it.

If we were to drop it down to say it has to go to 25 percent below, we could be pretty sure that we were entering an overfished condition under that scenario. Under the 9 percent buffer, we won’t necessarily be that certain, because of the variations in the data. That’s where there was a lot of interest in maybe addressing particularly the low mortality rate stocks. On top of that, the fact that we never did define MSST for most of our reef fish, we can do that at the same time and then get into compliance with the Magnuson-Stevens Act.

CHAIRMAN ANSON: All right. Any other discussion? Dr. Frazer.

DR. FRAZER: Thank you. This question is for Steve. I am obviously new and I wasn’t there for that discussion with the SSC, but would it be possibly to get those materials so I could evaluate the uncertainty around those estimates that Clay provided?

MR. ATRAN: Yes, and I will send you the SSC summary where that was reviewed, and it includes the discussion. I think it includes the actual written materials, but it definitely includes the discussion that went on, but I will get that out to you fairly soon.

MR. FRAZER: Thank you.

CHAIRMAN ANSON: Any other comments or questions related to this item? Leann.

MS. BOSARGE: I’m good with moving forward with the document, but, Bonnie, I would like to see some of that data, or at least Clay’s data. I would like to see something to help me. Even if it doesn’t go through the SSC, I know I will have to rely on my very limited scientific processes, but I will do my best to read
it and make sense of it. That will give me a little bit of comfort level, and so I appreciate that.

CHAIRMAN ANSON: Doug.

EXECUTIVE DIRECTOR GREGORY: As a routine matter, we run everything through the SSC. If time doesn’t allow it and we bring it to the council, we make a point of noting that it’s preliminary without the SSC review. I think we’ve done that once.

CHAIRMAN ANSON: Leann, was this -- The information that you wanted to see, was this related to what Dr. Frazer asked for, the previously-run calculations that Dr. Porch had done, or are you asking about something related to what Chad was talking about at public testimony related to some new analyses that would go through the Center?

MS. BOSARGE: I am talking about the analysis that would give me sort of idea of the time to rebuild, what Steven was originally talking about, and I’m okay if it’s not vetted with the SSC, if that would slow the document down. That’s okay, because it sounds like I am the only one that really wants to see the analysis. As long as I can read it on my own, I will be happy with that.

CHAIRMAN ANSON: Steven.

MR. ATRAN: Actually, I just realized that the analysis that Dr. Porch did is Appendix D on the Tab B, Number 15 document, and so you’ve got that in front of you right now.

CHAIRMAN ANSON: Very good. Any other discussion about this issue or the options paper for Amendment 44? Steven, we’ll be seeing this then in October, I guess, since there’s nothing new? Is that correct?

MR. ATRAN: I can bring you something in October, but it’s still not going to be fully formed without that analysis. If you want to see it, I can bring it, but I can bring a more complete document in January.

CHAIRMAN ANSON: All right. Thank you. Next, we will have Item Number X. It’s a discussion of carryover of unharvested red snapper allocations, Tab B, Number 16, and Mr. Rindone.

MR. RYAN RINDONE: Thank you, Mr. Chair. When I was reading the motion and trying to listen to some of the backstory, I had
many, many more questions than answers, and so I thought having this sheet of questions for you guys to ponder prior to the meeting and kind of mentally chew on a little bit might help with developing an options paper for you guys for things to consider for this. I don’t know if we should move through the issues point-by-point or what your preference might be or -- I am kind of open to it.

CHAIRMAN ANSON: Probably I guess point-by-point, maybe.

MR. RINDONE: Okay. The biggest question is how it should be applied, if it should be applied to the recreational sector as an umbrella, so whatever remainder is left over is reapplied across the board, or if it should be done on an individual component basis, so the private component or the for-hire component, based on whether they individually had an underage that is looking to be carried over. Is that something you guys would like options on or is it pretty well known what you would want to do on that?

CHAIRMAN ANSON: I don’t know.

MR. RINDONE: I mean I wanted a little bit of feedback, if I could get it, but I didn’t also want to come to you guys with an options paper that had nineteen actions with 4,700 alternatives. I wanted to have a little bit of herd-thinning in advance, if it was possible.

CHAIRMAN ANSON: Does anybody have any comment to that? Dale.

MR. DIAZ: This is not necessarily to the question at hand, but this is for Dr. Crabtree. Dr. Crabtree, I think you were the one that brought this up. Right now, we’re only looking at this in relation to red snapper. When you originally brought it up, did you intend us to consider this for other fisheries?

DR. CRABTREE: No, not at this point, because I don’t think we have a buffer in place in other fisheries like we do with red snapper, and so that was what I was thinking about. I mean that’s where we’ve had these big underages, and we have a lot of pressure on the stock at the same time. I think there is some -- I would like to see this document move fairly quickly, and so it makes sense, to me, to do it for red snapper right now.

With respect to the first question, it seems, to me, that this should apply to the recreational and commercial sectors and what makes the most sense to me is that if a sector -- If we’re under the overall ACL and there is something to carry over, it would
be carried over and then applied to the sector or subcomponent that was under.

CHAIRMAN ANSON: All right. No one else wants to chime in? That would kind of be my preference, too.

MR. RINDONE: All right. I mean, that’s really important in terms of how the whole thing is framed, and so that helps a lot. That also kind of answers the second question, which is should it be for the recreational sector as an umbrella or by component, and so we talked a lot about these threshold triggers with Amendment 26 and 29, when we were looking at the allocation-sharing options for kingfish, and is that something that you guys would like to see included in discussions of whether there should be a carryover? If it’s a narrow margin, then that might be of concern to you, but, if there’s a wide margin and a lot of leftovers, then obviously you would box those up for later.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I guess my inclination would be that there should be some sort of trigger, because there’s a certain amount of carryover that probably doesn’t matter. I don’t mean that -- It matters to everyone who hasn’t caught those fish, but there is probably a point where it’s not worth the effort and the movement and the recalculation, and so I would say we use some judgment about carryover thresholds.

CHAIRMAN ANSON: Maybe, Ryan, anything maybe with the recreational side that doesn’t offer a day, I guess, of extra fishing, maybe. That’s the kind of percentage that -- You kind of look in today’s terms of quotas and ACLs and all that stuff and what would constitute a day, as far as pounds, and then maybe that might relate to a percentage.

MR. RINDONE: So base it on time?

DR. CRABTREE: I would not go that way, because that could vary widely, depending on catch rates and all sorts of things. It makes more sense, to me, that it would be some fraction of the overall ABC or quota.

MR. RIECHERS: I think what Kevin was suggesting is a fraction, but a good place to start, at least on the recreational side, is what is equivalent to an average day across the Gulf.

DR. CRABTREE: That’s going to be a moving target, though.
MR. RIECHERS: Yes, it is a moving target, but, Roy, that’s exactly how you estimate the number of days we get now. You’ve got some sort of calculation per day that gets us to nine days, and weekends are different than weekdays.

CHAIRMAN ANSON: Yes, because we’ve had that issue before, where there is a half-a-day worth of quota left, and so it’s not --

DR. CRABTREE: Okay, but there’s a lot of rounding and things that go into this, but what I’m telling you is that doing it based on days isn’t going to work, and I would strongly advise you not to go that way. You need some set number that we can look at and say, okay, it’s below that and you don’t carry it and not tie it into some analysis that won’t be completed, potentially, until May.

CHAIRMAN ANSON: All we’re trying to do is determine what the percentage of the underage that is going to be the trigger for us to go down that road to see about getting the extra day or days to that sector. That’s all we’re trying to do, and so it could be 10 percent underage or 15 percent, but it could be 5. If 5 gives us one day -- If we’re putting a percent in that doesn’t give us a day, then we’re kind of -- That isn’t practical, in my mind.

DR. CRABTREE: What I’m saying is the percentage you give may get you a day one year and not the next year. There is no way of knowing what that percentage will be, and it’s going to be different for the charter boats and different for everyone, and it doesn’t apply at all to the commercial fishery. There isn’t even a way to do it, in that sense, and you’re going to want to have some fraction, some threshold, that’s consistent about all of these.

CHAIRMAN ANSON: I would just make a suggestion that it would apply to the sectors differently and that calculation could be done differently as it affects those various sectors, Ryan, and maybe put a buffer into the trigger so that you can increase that percentage, which would then give you some rational or some reasonable expectation that you would have those pounds available in subsequent years.

MS. BOSARGE: Let me help you get to your forty-seven alternatives. I’m going throw an even bigger kink in it. I was thinking, on the commercial side, every pound kind of does count, and I don’t know about there being quite the threshold, rather than just a straight carry-forward, and I am thinking
about like that one inactive account, that 12,000 pounds.

If you carry that forward into next year’s quota and then you do your allocation, that person may have only a 0.00015 share of the allocation, and so, next year, he’s only getting 0.00015 percent of that 12,000 pounds, and the bulk of it is going out to people that are going to fish it. In other words, I was just trying to think of it as a way to also handle some of those accounts for some of that quota that we’re not catching, because that person is not going and catching their allocation each year. On the commercial side, maybe it might be a little different.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Guys, if we complicate this, we won’t ever get this done. It’s not that -- We need to figure out some discounting factor and then take the pounds and add it to the next year’s quota and go on. Even if it’s not a day, Kevin, if you end up with an overrun the next year, you’re going to have to pay it back. If you had carried it forward, you might not have had an overrun, but you can’t start trying to solve all of our problems with this. We need to keep this simple, or it’s going to drag on and on and on and we won’t get it done.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I am jumping ahead a little bit, but, along the same lines as Leann, I think any percentage matters, whether it’s a day or whatever. As I’m looking ahead to Number 5, how should it be applied, there’s a lot of creative things you could do with even a little amount, whether it’s testing a tag system that we might want or maybe, for example, just some examples are looking at artificial reefs and people that I know want to do depletion studies to see how many fish are on a particular artificial reef. There is various ways you could use those small amounts, as science set-asides or maybe even other things that we’re not even thinking about right now.

I think we should at least calculate that amount and then we could decide what to do, but, while I’ve got the mic, Kevin, if you don’t mind, related to Number 4, should 100 percent of the uncaught harvest be carried over or whatever, I would argue that yes, because -- We’re already talking about a 20 percent buffer that’s put in for reasons that we know, and not necessarily like an ACL or an ACT, and so you essentially have a buffer on top of a buffer.
Then we’ve got a buffer in the calculations that actually get the yield streams, and whether you call them buffers or not, whatever, but you’ve got three stopgaps already in place, and so we already kind of, in my mind, are being very, very risk-averse in this situation, and so there is no reason we couldn’t capture that full 100 percent and we would still have built-in buffers in the system.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I would have to disagree with that, because what you’re saying is you didn’t catch all of the quota one year, and so you’re ahead of things and there are fish left out there that you could have caught, but the problem is some of those fish will die from natural mortality before the next year, and so they’re not going to all be there.

Now, those fish will also grow a little bit for the next year, but I think, in order to get the science folks to go along with this, there will have to be some sort of discounting applied to this, and you won’t be able to carry it all over. Now, the natural mortality rate for red snapper is pretty low, and so it might be a fairly low discount, but I think that’s something you’re going to have to go back to the SSC and take a look at.

I think you can go back and look at some of the projections, where we’ve rerun projections because we were under, and use actual landings and see how that looks, and you could probably come up with some reasonable amount to discount it by.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: To that point, Dr. Crabtree, I agree with you 100 percent. I was trying to simplify it. If we have to calculate for growth and natural mortality that would have occurred, certainly we can do that, but, after we make those calculations and there is some amount left, I think all of that should go to some carryover that we specify.

CHAIRMAN ANSON: Doug.

EXECUTIVE DIRECTOR GREGORY: To Greg and Roy, there is also recruitment into the fishery. When we’re talking about red snapper, from July of one year to June of the next year is a lot of growth and a lot of potential recruitment, and so I don’t think it would necessarily result in a decrease of the carryover. It’s a hard thing to calculate, and I know National Standard 1 assumes there will be a decrease because of
mortality, but it’s ignoring growth and recruitment into the population as well.

CHAIRMAN ANSON: Any other discussion?

DR. CRABTREE: I think the bottom line is this is something that we need to consult with the SSC about.

CHAIRMAN ANSON: Do you want to continue on, Ryan?

MR. RINDONE: Nervously, sure. How should whatever credit or carryover or whatever we feel like calling this, how should that be applied? Are you guys thinking there should be some sort of fall season, if possible, if it’s able to be done in time for that to be available, or should it be added just to the following year, as an increase to the ABC, or what were you guys thinking? When were you thinking you wanted this credit to show up?

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Just add it onto the catch level for the next year.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I agree. I think we found something we might agree on, possibly.

MR. RINDONE: Well, boy, that was easy. All right. Should credits be applied during payback years? I think Dr. Crabtree touched on this a little bit. If there might have been a potential payback, but you get some sort of credit, then maybe that cancels it out.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: It seems to me that if there’s a payback that we were over, and so you would pay it back and there wouldn’t be any underage. There would be an overage that we would have to pay back.

MR. RINDONE: But we’re talking about doing this for the recreational sector, in a component-specific manner, and then for the commercial sector, separate from the recreational sector, and so, depending on the amount of any overage in any component or sector -- I am just thinking about the overall math here coming up to 100 percent of the quota being landed in a
year.

**CHAIRMAN ANSON:** Robin.

**MR. RIECHERS:** I think the quota is still an aggregate recreational quota, and so I think what you’re talking about is if somebody went over and someone went under, there is a payback going into the next year and there might be an overage, but you couldn’t give the overage if the overall was over, and so you could give some if those didn’t sum to greater than 100, but I think we are getting this -- As Dr. Crabtree would say, we’re making it more complicated than it needs to be.

That’s a binomial question when we get it in front of us, but I think it’s going to probably be hard to suggest that -- I mean there is a scenario where what you say could happen, but it’s going to be hard to -- I would say you set up, because you’re asking how you do it, but there is a scenario where that could happen, but it means that one is going to be under by more than the percent that’s over, by some pounds.

**MR. RINDONE:** Right, and I acknowledge that the odds are slim, but that they exist was the only reason I am bringing it up. The AMs that are currently in place can deal with it, but, like I said, I’m just bringing that question up. We can bypass that for now.

At what point should the SSC be asked to consider a temporary increase in ABC? If you guys are talking about wanting this to happen and it be added to the following fishing year, my thought would be that, once the landings are known, then the SSC would be convened and then would recommend any adjustments, as appropriate.

This kind of gets into a timing issue that Steven and I have talked about a little bit as far as the level of autonomy that might be possible for this process to carry on year after year, and setting up some sort of metric in the framework procedure for the landings become available and the SSC takes a look, depending on what the threshold situation is that you guys choose. If it’s under the threshold, then the SSC doesn’t have to bother with it. If it’s over the threshold, if there’s a lot left over, then the SSC takes a look, and that’s just something that happens.

They take a look and then you guys meet, whether it be via webinar or, if you’re adding it to the next year’s quota, then you have time, and so it could be just at the following council
meeting, after the SSC gets a look at the landings information, and so I know timing is a popular topic that we talk about, and so I just wanted to go through that with you and perhaps get some input, maybe from Dr. Crabtree and the Southeast Regional Office folks as to what their thoughts were on timing.

**DR. CRABTREE:** I think the best way to do this would be we just set up a process and the SSC gives the ABC and then the Regional Office just does it and it doesn’t even come to the council. It’s like when we hit an ACL and the fishery closes. We don’t come back to the council for that. It just happens, and I think that -- Because this needs to happen quickly. That way, we don’t have to wait for council meetings and things.

**MR. RINDONE:** All right. Seeing no other thoughts on that, for years when there is a new stock assessment, should an uncaught harvest credit be applied to the following year after new projections are produced? Often, when we do a new assessment, we get new OFL and ABC recommendations, and they might be up and they might be down. Right now, the stock appears to be growing, and so they’ve been up for the last couple of assessments that you guys have seen. Or should any credit be incorporated into the new yield projections, which would spread the effect across multiple years?

**CHAIRMAN ANSON:** Dr. Crabtree.

**DR. CRABTREE:** It seems, to me, when you get the new ABC out of the assessment that all of these landings are factored into it, and so you would start afresh at that point. I mean, you could consult with the SSC about that, but that’s how it seems to me.

**CHAIRMAN ANSON:** Yes, I would kind of defer to the SSC and their opinion on how to handle this question.

**MR. RINDONE:** That’s great. That helps a lot. Thank you, guys. That’s all I have.

**CHAIRMAN ANSON:** Thank you, Ryan. That concludes the two items that we didn’t cover under the Reef Fish Committee. Is there anything else under Reef Fish, any other hanging things out there? Seeing none, we will go ahead and -- We have a break scheduled. We had a fifteen-minute break, and so it’s quarter to three. We will take a fifteen-minute break and reconvene at three o’clock.

(Whereupon, a brief recess was taken.)
CHAIRMAN ANSON: All right, everyone. Let’s go ahead and continue with the meeting. We are on Item Number VIII for our agenda, and that is a Vote on Exempted Fishing Permit, EFP, Applications. There is one outstanding that we discussed earlier in the week. We had Mr. Kelly come up and answer a lot of questions about it. It’s the one pertaining to the use of fish traps for lionfish removal. Dr. Crabtree has had to catch a plane and is not here, but he has left it in Sue Gerhart’s capable hands, and so, Sue, did you want to talk about this? Do you have anything else to say? No? But you were looking for some sort of indication from the council that we would approve that EFP going forward. Dale.

VOTE ON EXEMPTED FISHING PERMIT (EFP) APPLICATIONS

MR. DIAZ: The staff has a motion that I sent them. They’re going to be putting it up on the board in just a second. Mr. Chairman, I would like to make a motion to approve the exempted fishing permit request submitted by the Florida Keys Commercial Fishing Association titled “Cooperative Lionfish Containment Device Testing Program in the Southeast United States”.

CHAIRMAN ANSON: We have a motion on the board. Is there a second to the motion? Second by Mr. Sanchez. Any discussion on the motion?

MR. DIAZ: Being as I’m the maker of the motion, I will just say I think that lionfish is a significant problem. I think the group spent a lot of time and put together a good program, and I think it’s worthwhile for the council to pursue it and help us look at some alternatives to try to have some controls for this invasive species. Thank you, sir.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: I speak in favor of the motion, but there was a lot of discussion, or some discussion, about maybe this was a way to introduce fish traps back into the waters, and I don’t think that’s the intent. I just wanted to speak to that a little bit, and I trust Bill Kelly and his organization to do the right thing, and I think not only will it be monitored closely, but I think we can trust them, and so I speak in favor of the motion.

CHAIRMAN ANSON: Thank you. Robin.

MR. RIECHERS: I don’t want to put Martha on the spot here, but obviously the trap issue has been an issue in the past. Have you all’s commission had this presentation? Have you all talked
about this issue?

**MS. GUYAS:** Well, I mean, we have just reviewed it as staff. Bill is now requesting a similar permit for state waters, and there will be some issues probably with him getting a permit for state waters. We have very specific criteria for being issued a permit to do this kind of thing, but, you know, I was planning to support the motion.

**CHAIRMAN ANSON:** To that, Martha, I was curious. Based on our question-and-answer period with him the other day, I got the sense that they really weren’t going to put any effort or were going to be putting those traps in over a hundred feet. Is the application the same to the State of Florida or is it going to be targeting shallower waters, since it’s in the state?

**MS. GUYAS:** Bill is not putting in an application with the state. We have already discussed it. He was planning to do this in federal waters completely, or at least that was the information that we got from him. There is other trap studies that are going on around Florida, and I should mention that. It’s not with traditional gears like this. It’s people more trying to develop traps, and so there is similar efforts going on in other places.

**CHAIRMAN ANSON:** Ms. Gerhart.

**MS. GERHART:** Just a point of clarification. The council doesn’t approve the exempted fishing permit. They recommend that NMFS approve.

**MR. DIAZ:** I would accept that as a friendly amendment. Thank you, Ms. Gerhart.

**CHAIRMAN ANSON:** Mr. Matens.

**MR. MATENS:** To the point about the deeper water, I discussed this with Bill after the meeting. I was heartened to hear him say that, on the Atlantic coast, they could recover traps in a thousand feet of water, because, certainly in Louisiana, it’s not the water that’s 100 feet or shallow that’s the problem. It’s the really deep water, and, of course, all we need is to be continually harvesting at 100 feet and all these fish at 1,000 fish are migrating, and I was heartened to hear him say that. I’m all in favor of this.

**CHAIRMAN ANSON:** Any other discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.
That will take us to our next agenda item, Number IX, Supporting Agencies Update, and so we have first up is Chester with the South Atlantic Council.

**SUPPORTING AGENCIES UPDATE**

**SOUTH ATLANTIC COUNCIL LIAISON**

MR. BREWER: Thank you, Mr. Chair. The South Atlantic Council has not met since the last Gulf Council meeting, and so you all got an update from Anna Beckwith, and I am not going to go back over that, but we’ve been faced recently with a pretty interesting conundrum, and I wanted to tell you about it and also tell you some of the things that the council is looking at to try to ameliorate the problem as much as possible.

You may be aware that in 2015 the red snapper, of course red snapper, fishery was closed, and yet it was determined that red snapper was, of course, overfished and that overfishing was continuing, and so red snapper was again completely closed in 2016.

In all probability, the way things are going and the way things are set up right now, red snapper will be closed for years. The problem is -- You might say, wait a minute, you’re not fishing for these fish and how are you overfishing, but the problem is that, while folks are out fishing for other reef fish, there is bycatch of red snapper.

The red snapper last year, the ACL, total ACL, was 114,000 pounds. That’s pretty small, but it’s under a pretty strict rebuilding program. Bycatch mortality was 276,000 pounds, and so the bycatch mortality was over twice the total ACL.

You are faced with quite a problem when you have closed down a fishery and yet it is still undergoing overfishing. What in the world do you do? Well, there have been some interesting thoughts, and this is what I really wanted to bring to the council, is some of the thoughts that have been batted around, and we will be going through a scoping document the next meeting, which is in September, with some of these ideas, and some of them I found pretty interesting, and I think you might, too.

There is an idea to establish a deep reef fish stamp that would be required, and not a tag, but a stamp. That would be required to fish outside of name your depth, either eighty feet or 110 feet or 125 feet. That’s up for discussion, but the purpose of that would be to define your universe, and the thought is that a
lot of people, while they may go out bottom fishing, they are not doing the real deep bottom fishing, and so it’s a much smaller population than might be assumed, and we would like to get a handle on exactly how big that universe is, to aid in the management of red snapper.

Another idea that’s been floated, which, at first thought, you would say, well, nobody would be in favor of this, but, actually, there is some support, and that is that you establish a reef fish season. Now, this would be a season three months or four months or whatever in which fishing outside of a certain depth, say a hundred feet, would be allowed for all species.

For the rest of the year, fishing outside of that depth would not be allowed, period, and so you’re closing off the reef fishery outside of a certain depth. The idea is that, right now, we are calculated to be throwing away 276,000 pounds of red snapper as dead bycatch.

Establish a season that you would be allowed to keep red snapper, of course with limits on size and bag limits and that kind of thing, but you would be allowed to keep red snapper, and you would be allowed to keep the other reef fish.

When I first heard that I was like, man, I don’t know. I was scared to even think about such a thing and what the reaction might be with some of my recreational brethren, but, interestingly enough, once people understand the situation and what the alternatives might be, there is some support for doing that, and so we’re going to be talking about it at the next meeting.

There is a lot of discussion going on with regard to using descending devices and this sort of thing, and that’s going to be kicked around, requiring descending devices outside of a certain depth. There has also been some talk about ways to help get a better handle on what the bycatch mortality actually is, and that is a little bit nefarious right now, but it kind of feeds into that stamp idea. You would be talking to these folks that are fishing outside of say 100 feet and sampling them, from the standpoint of bycatch mortality.

We have seen things like the use of circle hooks, and a lot of people keep descending devices onboard now, even though they’re not, quote, actually required to do so, and it might be that we find that the bycatch mortality number is actually somewhat lower than what’s being used in the calculations right now.
I think this is going to be -- At the next South Atlantic Council meeting, it’s going to be a pretty interesting discussion and a pretty lively discussion, and so stay tuned and we’ll see what happens. That concludes my report, Mr. Chairman.

CHAIRMAN ANSON: Thank you for that report, Chester. We will be interested to see how you all progress through that process. Next, we have Gulf States Marine Fisheries Commission and Dave.

GULF STATES MARINE FISHERIES COMMISSION

MR. DONALDSON: Thank you, Mr. Chairman. As I mentioned, we are working with NOAA and GSI on the aquaculture roundtable meeting. In addition to that, NOAA Fisheries gave us about $400,000 to do an oyster aquaculture RFP. We are currently accepting proposals. It’s open until September.

We are looking to get proposals that address technical and regulatory opportunities and challenges with oyster farming in the Gulf of Mexico, and work is scheduled to begin in January of next year. Then, lastly, at our October meeting, we are convening an oyster general session, where we will be looking at the issues facing the industry currently as well as in the future, but that’s just kind of a quick brief of what’s going on at the commission.

CHAIRMAN ANSON: Thank you, Dave. Next, we have the Coast Guard and Lieutenant Commander Danaher.

U.S. COAST GUARD

LCDR DANAHER: Thank you, Mr. Chairman. The only update I wanted to pass is just to reintroduce myself. I have pretty much had the pleasure of meeting almost everybody the past couple of days. I am Lieutenant Commander Leo Danaher. I work for the District 8 staff here in New Orleans, and I have officially taken over the responsibilities of fishery enforcement from Lieutenant Commander Jason Brand.

I do look forward working with everyone. It’s been a pleasure getting to know everybody this week and getting to share some stories and learn a little bit about you, and I look forward to working with you and also our fellow stakeholders over the next couple of years.

I have been in the service for twelve years, and most of my background has been working with the Department of Defense or on counternarcotic or other port security type missions, and so I
am pretty much very new to the fishery enforcement side of the house. I will work very hard to get up that learning curve, and just please bear with me if I tend to ask a lot of questions or if things sometimes don’t make sense to me.

The intent for the next meeting in October is we will look at trying to get you an update on the southern border, because there has been some progress there, but, if there are other topics in the future that are of interest to the council or that we think would be of interest to our audience, please do not hesitate to contact me. Thank you, Mr. Chairman.

CHAIRMAN ANSON: Thank you, and welcome again to our body. We look forward to seeing you at future meetings. Do I have anyone else from the other two agencies that are non-voting members here on the councils? If not, that will take us to our next item, Other Business.

Dr. Crabtree already had spoken about the aquaculture amendment information that the Southeast Regional Office is putting together, and I had a request from Patrick to pick up an item, and I am going to go ahead and give him that opportunity.

OTHER BUSINESS

MR. BANKS: I appreciate it, Mr. Chairman. I just wanted to mention something to you all that you all are all well aware of, but certainly natural disaster is nothing new to the Gulf Coast, but Louisiana is in one right now that I don’t know that anybody expected. This is a natural disaster that didn’t happen in areas that are protected by levies, necessarily, in areas along the coast.

I just wanted to reach out to all of you guys, and I appreciate all the words of support that you all have given us and everything you all have done. We have set up several ways that you can assist these folks in Louisiana. One is volunteerlouisiana.gov and another one is the Red Cross. Then, in addition to that, we have a specific one for LDWF employees. Let me see if I can find that.

EXECUTIVE DIRECTOR GREGORY: I will go ahead and forward the link to the full council.

MR. BANKS: Thank you, Doug. I appreciate that. Anyway, anything you guys could do to help would be wonderful. Right now, we’re right around the sixty-person mark, in terms of people who have been flooded out of their houses that work
directly for the agency. That’s about one-tenth of our agency, and it has certainly greatly impacted all of -- Whether it be biologists, administrative staff, or enforcement, but the great thing is that we’ve got a lot of enforcement and fisheries and wildlife staff that are out there helping and saving people while their own house is underwater, and so we appreciate any help you can give. Thank you, all.

CHAIRMAN ANSON: Thank you, and good luck to you and certainly give any well wishes to staff and such that we are thinking of them. Mr. Swindell.

MR. SWINDELL: How many people have your enforcement agents had to rescue? Do you have an idea of people and pets?

MR. BANKS: That’s a good question. We got a report this morning. It’s around 3,500 people, and I didn’t total up the pets. I apologize to you pet owners, but it’s in the hundreds of pets, and a lot of cows too, from what I understand.

CHAIRMAN ANSON: Thank you. Again, good luck to you, Patrick and your staff. That will take us to the last agenda item, and that would be Election of Chair and Vice Chair and Mr. Donaldson.

ELECTION OF CHAIR AND VICE CHAIR

MR. DONALDSON: Thank you, Mr. Chairman. I will open the floor now for nominations of Chairman. Mr. Diaz.

MR. DIAZ: Thank you, Mr. Donaldson. I would like to nominate Ms. Leann Bosarge for consideration for Chair of the Gulf of Mexico Fishery Management Council.

MR. DONALDSON: All right. Any other nominations? Mr. Sanchez.

MR. SANCHEZ: Thank you. I would like to nominate Mr. Johnny Greene for Vice Chair.

MR. DONALDSON: We’re doing Chairman right now. If there are no other nominees for Chairman -- Dale.

MR. DIAZ: I don’t want to rush this, but, if there is no other nominees, I would move that we close nominations for the Chair.

MR. DONALDSON: The nominations are closed and congratulations, Leann. Yes, sir.
MR. DIAZ: I just want to say a few things. First, I am very honored to be able to nominate Leann. She has shown a lot of leadership in the three years she has been on the council. She’s been Vice Chair of the council for the last year and has served as Chair on Administrative/Budget and the Shrimp Committee, and she has been Vice Chair of the Coral Committee.

I think she does a very good job. I am always impressed by Leann’s attitude. I think she’s got a great attitude towards dealing with council issues. She does a great job dealing with other council members and the groups that interact with the council, and so I’m trying to say that I think she conducts herself very professionally.

Personally, I would like to thank Leann, because I think she’s been a great role model for me. I admire the way that when she comes to the meetings she is well prepared. I like the idea that she is creative and innovative with trying to solve some of the tough issues that we face on this council.

I am constantly impressed with her honesty and integrity. Anyway, I just want to thank her for being a good example for me, and I think those characteristics that I just listed will make her a very able chairperson for this council, and so thank you, Leann, for being willing to put your name in for consideration.

MR. DONALDSON: Mr. Boyd.

MR. BOYD: I don’t know if technically we need a second, but I second the nomination, just to be sure that we didn’t do this wrong.

MR. DONALDSON: Thank you. Ms. Bosarge.

MS. BOSARGE: Thank you. I appreciate all the kind comments, and I am going to do my best to live up to your expectations. If you ever see me step out of line, don’t hesitate to come up and tell me.

To even be nominated for something like this, there are just so many very influential people around this table that have done this for a very long time, and I guess I always see myself as just kind of nobody, and so to even be at this table is amazing. To be Chairman is something that I never dreamed of, and so thank you.

MR. DONALDSON: Yes, Mr. Chairman.
CHAIRMAN ANSON: Thank you. I want to echo a lot of what Dale had said, Leann. You are very well prepared for each of the meetings. You are a breath of fresh air in regards to someone who can come up with some new ideas and new ways of looking at things. I would tell you that don’t be worried. You’re going to do a fine job. You should make a great Chair, and so I am glad that you’re going to be taking up that position.

MS. BOSARGE: Thank you.

MR. DONALDSON: All right. We will now open the floor to nominations for Vice Chair. Mr. Sanchez. Got it. We’ve got Johnny Greene. Do I have a second? We have a second.

MR. BOYD: I would like to place a nomination for Dr. Greg Stunz for Vice Chairman.

MR. DONALDSON: Do I have a second for Greg Stunz? Second by Mr. Matens. Any other nominations? If not, then, Doug, I guess we need ballots. Everyone please use the pieces of the pad in front of you all and write your vote down and give it to staff. I am pleased to announce that Johnny Greene is the new Vice Chair of the Gulf Council for next year. With that, I will turn it back to you, Mr. Chairman.

CHAIRMAN ANSON: Thank you for doing that. Congratulations, Johnny, and good luck to you. That takes us to the adjournment, but I would like to just say a couple of words and let everybody know that I appreciate all the work that council members put in and all of their participation, and I certainly appreciate the work of staff.

Doug, you’ve been great to work with. It’s been easy to get along. You have accommodated most of my requests, and so I appreciate that, and you have a very good staff. They are very attentive. They are willing to listen, and so I appreciate that. I have had the pleasure of the last couple of years of being Chairman. I will scratch it off my bucket list and go forward with the knowledge that I think I did some good. I think I served a role, and I do certainly appreciate it, and so thank you to everybody. Unless there is any other business, we will adjourn the meeting. Thank you.

(Whereupon, the meeting adjourned on August 18, 2016.)