GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

257TH MEETING

FULL COUNCIL SESSION

Perdido Beach Resort Orange Beach, Alabama

JANUARY 27-28, 2016

VOTING MEMBERS
Kevin Anson (designee for Chris Blankenship) .............Alabama
Martha Bademan (designee for Nick Wiley) .................Florida
Leann Bosarge ..................................................Mississippi
Doug Boyd ..........................................................Texas
Roy Crabtree ........................................NMFS, SERO, St. Petersburg, Florida
Pamela Dana ......................................................Florida
Dale Diaz .........................................................Mississippi
Myron Fischer (designee for Randy Pausina) ............Louisiana
Johnny Greene ..................................................Alabama
Kelly Lucas (designee for Jamie Miller) .................Mississippi
Campo Matens ....................................................Louisiana
Robin Riechers ..................................................Texas
John Sanchez ......................................................Florida
Greg Stunz ..........................................................Texas
Ed Swindell ......................................................Louisiana
David Walker .....................................................Alabama
Roy Williams ......................................................Florida

NON-VOTING MEMBERS
Jason Brand ..........................................................USCG
Dave Donaldson ..................................................GSMFC

STAFF
Steven Atran ..........................................................Senior Fishery Biologist
Assane Diagne ..........................................................Economist
John Froeschke ....................................................Fishery Biologist/Statistician
Doug Gregory ..........................................................Executive Director
Karen Hoak ..........................................................Administrative and Financial Assistant
Ava Lasseter ..........................................................Anthropologist
Mara Levy .............................................................NOAA General Counsel
Charlene Ponce .....................................................Public Information Officer
Ryan Rindone .....................................................Fishery Biologist/SEDAR Liaison
Bernadine Roy ......................................................Office Manager
Carrie Simmons ...................................................Deputy Director

OTHER PARTICIPANTS
John Anderson ...........................................................
<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Organization</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pam Anderson</td>
<td></td>
<td>Panama City Beach, FL</td>
</tr>
<tr>
<td>2</td>
<td>Bill Arant</td>
<td></td>
<td>Birmingham, AL</td>
</tr>
<tr>
<td>3</td>
<td>Sam Ard</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>4</td>
<td>Tom Ard</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>5</td>
<td>Randy Boggs</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>6</td>
<td>Susan Boggs</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>7</td>
<td>Steve Branstetter</td>
<td></td>
<td>NMFS</td>
</tr>
<tr>
<td>8</td>
<td>Eric Brazer</td>
<td>Reef Fish Shareholders Alliance</td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>9</td>
<td>Alec Breaud</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>10</td>
<td>J.P. Brooker</td>
<td>Ocean Conservancy</td>
<td>St. Petersburg, FL</td>
</tr>
<tr>
<td>11</td>
<td>George Brown</td>
<td></td>
<td>TX</td>
</tr>
<tr>
<td>12</td>
<td>Mark Brown</td>
<td></td>
<td>SAFMC</td>
</tr>
<tr>
<td>13</td>
<td>Gary Bryant</td>
<td></td>
<td>Fort Morgan, AL</td>
</tr>
<tr>
<td>14</td>
<td>Chris Callaway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Gray Cane</td>
<td></td>
<td>Baldwin County, AL</td>
</tr>
<tr>
<td>16</td>
<td>Shane Cantrell</td>
<td></td>
<td>Galveston, TX</td>
</tr>
<tr>
<td>17</td>
<td>Cody Carter</td>
<td></td>
<td>Galveston, TX</td>
</tr>
<tr>
<td>18</td>
<td>Rich Castellano</td>
<td></td>
<td>Tarpon Springs, FL</td>
</tr>
<tr>
<td>19</td>
<td>Jim Clements</td>
<td></td>
<td>Carrabelle, FL</td>
</tr>
<tr>
<td>20</td>
<td>Bubba Cochrane</td>
<td></td>
<td>Galveston, TX</td>
</tr>
<tr>
<td>21</td>
<td>Mike Colby</td>
<td></td>
<td>Clearwater, FL</td>
</tr>
<tr>
<td>22</td>
<td>Cliff Cox</td>
<td></td>
<td>Destin, FL</td>
</tr>
<tr>
<td>23</td>
<td>Dean Cox</td>
<td></td>
<td>Santa Rosa Beach, FL</td>
</tr>
<tr>
<td>24</td>
<td>Michael Currey</td>
<td>Shimano America</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Jason Delacruz</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Angelo Depaola</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>27</td>
<td>April Depaola</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>28</td>
<td>Donnie Dineen</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Mike Eller</td>
<td></td>
<td>Destin, FL</td>
</tr>
<tr>
<td>30</td>
<td>Blakeley Ellis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Curt Erwin</td>
<td></td>
<td>Destin, FL</td>
</tr>
<tr>
<td>32</td>
<td>Martin Fisher</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Maurice Fitzsimmons</td>
<td></td>
<td>Daphne, AL</td>
</tr>
<tr>
<td>34</td>
<td>Tracy Floyd</td>
<td></td>
<td>MDMR, Biloxi, MS</td>
</tr>
<tr>
<td>35</td>
<td>Troy Frady</td>
<td></td>
<td>Lillian, AL</td>
</tr>
<tr>
<td>36</td>
<td>Gary Goodwin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>Brad Gorst</td>
<td></td>
<td>Clearwater, FL</td>
</tr>
<tr>
<td>38</td>
<td>Matt Grant</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
<tr>
<td>39</td>
<td>Mike Graef</td>
<td></td>
<td>Destin, FL</td>
</tr>
<tr>
<td>40</td>
<td>Jim Green</td>
<td></td>
<td>Destin, FL</td>
</tr>
<tr>
<td>41</td>
<td>Buddy Guindon</td>
<td>Reef Fish Shareholders Alliance</td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>Ken Haddad</td>
<td>American Sportfishing Association</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Chad Haggert</td>
<td></td>
<td>Clearwater, FL</td>
</tr>
<tr>
<td>44</td>
<td>Brian Hartz</td>
<td></td>
<td>St. Petersburg, FL</td>
</tr>
<tr>
<td>45</td>
<td>John Henderscheidt</td>
<td></td>
<td>NOAA</td>
</tr>
<tr>
<td>46</td>
<td>Scott Hickman</td>
<td></td>
<td>Galveston, TX</td>
</tr>
<tr>
<td>47</td>
<td>Chris Horton</td>
<td>Congressional Sportsmen’s Foundation</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Bill Jeffries</td>
<td></td>
<td>Orange Beach, AL</td>
</tr>
</tbody>
</table>
## TABLE OF CONTENTS

1. Table of Contents ........................................... 4
2. Table of Motions ............................................. 5
3. Call to Order, Announcements, and Introductions ........... 9
4. Adoption of Agenda and Approval of Minutes ................. 10
5. Presentations .................................................. 11
   - NMFS-SERO - Landings Summaries .......................... 11
   - Illegal Unreported and Unregulated Fishing and Seafood
     Traceability .................................................. 14
   - NOAA Catch Share Review Guidelines ..................... 22
6. Public Comment ............................................... 35
7. Committee Reports ........................................... 120
   - Admin Policy and Budget Committee Report ............... 120
   - Mackerel Management Committee Report ................. 122
   - Data Collection Committee Report ...................... 134
   - Shrimp Management Committee Report .................. 158
   - Reef Fish Management Committee Report ............... 162
8. Other Business ................................................. 205
   - Supporting Agencies Summary Reports .................. 205
     - South Atlantic Council Liaison .......................... 205
     - Gulf States Marine Fisheries Commission ............. 208
     - U.S. Coast Guard .......................................... 210
9. Adjournment .................................................. 210

---
TABLE OF MOTIONS

PAGE 121: Motion to disband the Ad Hoc Artificial Substrate AP. The motion carried on page 121.

PAGE 122: Motion to make Alternative 2 the preferred alternative. Alternative 2 is to revise the ABC for Atlantic king mackerel for 2016/2017 through 2019/2020, based on the ABC levels recommended by the SSC for ABC under a high recruitment scenario. The motion carried on page 122.

PAGE 123: Motion in Action 2.2 to make Alternative 3 the Preferred Alternative. Alternative 3 is to establish the ACL equal to the optimum yield deterministic equilibrium yield at F 30 percent SPR equals 12.7 million pounds for fishing years 2016/2017 through 2019/2020. The motion carried on page 123.

PAGE 123: Motion in Action 2.2 to move Alternative 6 to the Considered but Rejected Appendix. The motion carried on page 123.

PAGE 123: Motion in Action 3 to make Alternative 3 the preferred alternative. Alternative 3 is to allow retention and sale of Atlantic king mackerel caught with gillnet as incidental catch in the gillnet portion of the commercial shark fishery for any vessel with a valid shark directed commercial permit and valid federal king mackerel commercial permit. The king mackerel must be sold to a dealer with the Southeast federal dealer permit. For shark gillnet trips in the southern zone, no more than two king mackerel per crew member can be onboard and no more than two king mackerel per crew member can be sold from the trip. For shark gillnet trips in the northern zone, no more than three king mackerel per crew member can be onboard and no more than three king mackerel per crew member can be sold from the trip. The motion carried on page 124.

PAGE 124: Motion in Action 4 to make Alternative 1 the Preferred Alternative. Alternative 1 is no action. The commercial fishing year for Atlantic king mackerel is March 1 through February 28. The southern zone quota is allocated for the entire fishing year. The motion carried on page 124.

PAGE 124: Motion to accept the modifications to the language in Action 5 as proposed by the South Atlantic Council and the IPT. The motion carried on page 125.

PAGE 125: Motion in Action 7 to make Alternative 4 the
preferred alternative. Alternative 4 is to revise the commercial zone quotas for Gulf migratory group king mackerel as follows: 40 percent for the western zone; 18 percent for the northern zone; 21 percent for the southern zone hand line component; and 21 percent for the southern zone gillnet component. The motion carried on page 125.

PAGE 126: Motion in Action 8, to make Alternative 1 the preferred alternative. Alternative 1 is no action, maintain the current recreational and commercial allocations for Gulf migratory group king mackerel at 68 percent recreational and 32 percent commercial. The motion carried on page 130.

PAGE 130: Motion in Action 9 to change the preferred alternative to Alternative 2. Alternative 2 is to increase the bag limit to three fish per person per day. The motion carried on page 130.

PAGE 131: Motion to recommend that the council remove the prohibition on retaining the recreational king mackerel bag limit on a vessel with a commercial king mackerel permit or a dually-permitted charter vessel when the king mackerel commercial season is closed, but while the king mackerel recreational season is open. The motion carried on page 134.

PAGE 135: Motion to request that SEFSC prepare an analysis in the form of a flow chart for alternatives for reporting in the for-hire sector for the council to review at its April 2016 meeting. The motion carried on page 156.

PAGE 159: Motion in Action 2 to make Alternative 1 the preferred alternative. Alternative 1 is no Action, continue to require a royal red shrimp endorsement to the federal Gulf shrimp vessel permit to harvest royal red shrimp from the Gulf EEZ. Endorsements are open access for entities with a federal Gulf shrimp vessel permit. The motion carried on page 159.

PAGE 159: Motion to approve Shrimp Amendment 17A and that it be forwarded to the Secretary of Commerce for review and implementation, and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 161.

PAGE 162: Motion in Amendment 43, Action 2, to select Alternative 3 as the preferred alternative. The motion carried on page 163.
1  PAGE 163: Motion in Action 1 to make Alternative 2 the preferred alternative. Alternative 2 is south of Cape Sable the hogfish management unit in the Reef Fish FMP is defined as the West Florida Shelf or Gulf of Mexico stock of hogfish. The geographical range of this unit is all waters of the Gulf of Mexico north of a line extending west from 25 degrees, 9 minutes North latitude to the outer boundary of the EEZ and northward and westward throughout the rest of the Gulf of Mexico. The motion carried on page 164.

2  PAGE 165: Motion to add Action 2 to the document as recommended by staff. In Action 2, Modify the Fishing Year for Gulf Yellowtail Snapper, Alternative 1, no action, do not modify the fishing year for yellowtail snapper. The fishing year, commercial and recreational, is the calendar year, January 1 through December 31. Alternative 2 is modify the fishing year for the commercial sector for yellowtail snapper: Option a: June 1 through May 30; Option b: July 1 through June 30; Option c: August 1 through July 31. The South Atlantic Council adopted that. Option d: September 1 to August 31. Alternative 3 is modify fishing year for the recreational sector for yellowtail snapper: Option a: June 1 through May 30; Option b: July 1 through June 30; Option c: August 1 through July 31, the South Atlantic Council adopted; and Option d is September 1 to August 31. The motion carried on page 165.

2  PAGE 165: Motion in Action 2 to select Alternative 2, Option c as the preferred. The motion carried on page 166.

2  PAGE 166: Motion in Action 2 to select Alternative 3, Option c as an additional preferred. The motion carried on page 166.

2  PAGE 167: Motion to divide Amendment 36 into two parts, Amendment 36A and Amendment 36B. The motion carried on page 172.

2  PAGE 172: Motion to postpone discussion of Amendment 39 indefinitely. The motion carried on page 190.

2  PAGE 191: Motion that under Action A-2, in addition to Alternative 2 and 5 as preferreds, to make Alternatives 3, 4, and 6 preferreds. The motion carried on page 191.

2  PAGE 191: Motion under Amendment 42 to remove the discussion of cooperatives and that those not be considered an alternative. The motion carried on page 194.
**PAGE 197:** Motion to direct staff to prepare an amendment to extend or eliminate the sunset on sector separation created by Amendment 40. **The motion carried on page 203.**

**PAGE 204:** Motion to ask staff to begin work on a framework action to adjust the red grouper ACL. **The motion carried on page 204.**

**PAGE 205:** Motion to start the development of an action to develop a mechanism to allow the red snapper season to reopen in the event that the ACL is not exceeded during the initial season. **The motion carried on page 205.**
The Full Council of the Gulf of Mexico Fishery Management Council convened at the Perdido Beach Resort, Orange Beach, Alabama, Wednesday morning, January 27, 2016, and was called to order at 10:54 a.m. by Chairman Kevin Anson.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN KEVIN ANSON: Welcome to the 257th meeting of the Gulf Council. My name is Kevin Anson, Chairman of the Council. The Gulf Council is one of eight regional councils established in 1976 by the Fishery Conservation and Management Act, known today as the Magnuson-Stevens Act.

The council’s purpose is to serve as a deliberative body to advise the Secretary of Commerce on fishery management measures in the federal waters of the Gulf of Mexico. These measures help ensure that fishery resources in the Gulf are sustained, while providing the best overall benefit to the nation.

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

Anyone wishing to speak during public comment should complete a public comment registration card and or should actually fill in their name at the new electronic device that’s at the back of the room. We do not have registration cards. One entry per person is asked. A digital recording of the meeting 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. MYRON FISCHER: Myron Fischer, Louisiana.

MR. ED SWINDELL: Ed Swindell, at-large, from Louisiana.
MR. ROY WILLIAMS: Roy Williams, Florida.
MR. JOHN SANCHEZ: John Sanchez, Florida.
MS. MARTHA BADEMAN: Martha Bademan, Florida.
DR. PAMELA DANA: Pam Dana, Florida.
MR. MARK BROWN: Mark Brown, South Atlantic, South Carolina.
MS. MARA LEVY: Mara Levy, NOAA Office of General Counsel.
DR. ROY CRABTREE: Roy Crabtree, NOAA Fisheries.
DR. STEVE BRANSTETTER: Steve Branstetter, NOAA Fisheries.
DR. BONNIE PONWITH: Bonnie Ponwith, NOAA Fisheries.
MR. ROBIN RIECHERS: Robin Riechers, Texas.
DR. GREG STUNZ: Greg Stunz, Texas.
MR. DOUG BOYD: Doug Boyd, Texas.
MR. DALE DIAZ: Dale Diaz, Mississippi.
DR. KELLY LUCAS: Dr. Kelly Lucas, Mississippi.
LCDR JASON BRAND: Jason Brand, Coast Guard.
EXECUTIVE DIRECTOR DOUG GREGORY: Doug Gregory, Gulf Council staff.
MR. DAVID WALKER: David Walker, Alabama.
MR. CAMPO MATENS: Camp Matens, Louisiana.

ADOPTION OF AGENDA AND APPROVAL OF MINUTES

CHAIRMAN ANSON: Thank you. As I mentioned earlier, just to remind everyone, we do have the new electronic check-in for public testimony. Our next item on the agenda is Adoption of the Agenda. Is there any changes to the agenda? Would anyone like to make a motion to approve the agenda as written?

DR. DANA: Move to approve.
MS. BOSARGE: Second.

CHAIRMAN ANSON: It’s been approved by Dr. Dana and seconded by Ms. Bosarge. Any further discussion on approval of the agenda? Seeing none, that takes us to our next item, which is Approval of the Minutes. Are there any changes to the minutes? Any opposition to accepting the minutes as written? Seeing none, the minutes are approved.

The next item is Review of Exempted Fishing Permit Applications. I have been told there aren’t any. That will take us to Presentations. The first on the list is the NMFS Southeast Regional Office Landings Summaries and that, I believe, will be provided by Dr. Steve Branstetter. Dr. Branstetter.

PRESENTATIONS

NMFS-SERO- LANDINGS SUMMARIES

DR. BRANSTETTER: Thank you, Mr. Chairman. That’s Tab A, Number 7, our recent summaries of 2015 landings. I would note that these have changed since I have submitted them to the council staff and they will continue to change slightly, 1 or 2 percent here or there, probably until the number are finalized in April.

I want to highlight just a certain few things here. All of this information is also available on the Southeast Regional website. The page 1 of this is for stocks that have both a recreational ACL and a commercial ACL and then page 2 is those species that just have a stock ACL, though we have tried to provide both recreational and commercial landings, so that you can get a feel for the distribution of those.

Obviously some of those are IFQ species and so there is a commercial quota and, therefore, there is a de facto recreational quota, in a way.

For the commercial species that do have separate ACLs, gray triggerfish and greater amberjack, these are a couple that have changed. Gray triggerfish has now gone up about 3 more percent than what is shown here and it’s about 77 percent of the ACT, which represents the quota.

Greater amberjack has dropped off. These numbers had some projections still in them and so the greater amberjack commercial ACL and ACT -- The ACT has dropped about 3 or 4 percent and we would only kick in a payback for that if we went over the ACL and right now, the ACL is running about 98 percent and it has been there for quite some time. We closed this back
several months ago.

King mackerel, the only point I wanted to make with king mackerel is electronic dealer reporting went into effect last year, just about the time the western zone closed, and probably really only caught a portion of the northern subzone landings and we are still -- Some of the bugs are just now being shaken out this year between electronic dealer reporting versus the old port agent sampling and you can see the western zone and the northern subzone did go over their quotas a little bit. Obviously the fishery is just beginning to start in the southern zone off of Monroe County, both hook and line and gillnet.

For recreational, one of note is how low the amount of quota has been caught, ACL and ACT have been caught, for gag. Now, this is through Wave 5 and this only includes data that we have received through October. If you remember, we closed red grouper in October and we fish to the ACT in that one and we hit it pretty close.

The red snapper for-hire and recreational private, these are slightly different than the numbers that you saw in Dr. Patterson’s presentation the other day that were generated by Nick Farmer of our office. Nick’s numbers included projections for Wave 6 and these do not. Again, we are relatively close to the ACT for both of these.

King mackerel, the season starts in January and runs through December, though for the purposes of ACLs we track it with the commercial season beginning on July 1 and so obviously not much of the 2015/2016 recreational king mackerel catch has been taken.

For the stock ACL groups, I just want to point out a few of the highlights. If you look over in the far right-hand column, this is the percent ACL taken, that is commercial landings through the end of December and recreational landings through Wave 5.

Any of those that you see that may be at 75 to 80 percent with recreational landings through Wave 5 may actually approach their ACL and may go over their ACL. If they do, all of these stock ACLs, the accountability measure is next year we would monitor the fishery and if it approached the ACL again, then we would take action to close that species in-season, species or species complex in-season. For the species in the commercial IFQ program, just the recreational sector would close if we approach the stock ACL.
The one that I guess I should point out is hogfish is up at 90 percent. Again, that one may be one that approaches the ACL. As you notice, we’re already over the ACL for tilefishes. This is a highly fluctuating recreational landing.

In fact, this is one of the highest catches in the last five years, listed at 180,000 pounds. Catches for the years have been as low as 20,000 and as high as 140,000, but we will monitor that fishery for next year and if it appears it’s going to, as we have projected, it’s going to meet its ACL again, then we would close the recreational sector.

If you have any other questions on any of the rest of these, I would be glad to answer them, but, as you can see, most of them are relatively low compared to their ACLs.

Chairman Anson: Thank you, Dr. Branstetter. Any questions for Steve? All right. That will take us to the next presentation, which will be Mr. John Henderschedt to report on Illegal, Unreported, and Unregulated Fishing and Seafood Traceability, Tab A, Number 8. I’m sorry. Dale.

Mr. Diaz: Steve, just a quick question. When will all the numbers be final? You might have said that and if I missed it, I apologize. For 2015.

Dr. Branstetter: We will have Wave 6 numbers for recreational some time in February, but the final numbers will be more likely available like in April.

I guess I might point out one thing I forgot to mention. Gray triggerfish, obviously we had a very small recreational ACT this year and we are projecting that overall there will be about 122,000 pounds caught, against an ACL of 50,000 pounds, and so that 70,000-pound overage will have to come off the ACL and the ACT for the next year, leaving us with an ACT quota of approximately 125,000 pounds for this year, and so recreational gray triggerfish will probably be closing rather early this year.

Chairman Anson: Do you have any idea as to how early that will be, any projected date? I think last year it was February 7.

Dr. Branstetter: Last year, we had a very high spike in Wave 1 landings compared to the historical averages and so that kind of throws a monkey wrench right now into making any kind of projection.
CHAIRMAN ANSON: Ms. Bademan.

MS. BADEMAN: Steve, can you repeat those triggerfish numbers or send them to me in an email, if that’s easier? You can just email them to me. Thanks.

CHAIRMAN ANSON: All right. Now I think, John, we’re ready for you.

**ILLEGAL, UNREPORTED, AND UNREGULATED FISHING AND SEAFOOD TRACEABILITY**

MR. JOHN HENDERSCHEDT: Good morning, Mr. Chairman and members of the council. Thank you very much for the opportunity to visit with you this morning. It’s my understanding that the council has some interest in the traceability program that the agency has been charged with developing and, in particular, the development of the list of species at particular risk of IUU fishing and seafood fraud.

In the interest of time, I do need to give a little bit of background on that and I will go through rather quickly. I certainly welcome questions on anything, but we’ll try to focus on the development of the list of species at risk.

Mr. Chairman and Council members, as you may know, in 2004, the President signed an Executive Order creating a task force to address combating IUU fishing and seafood fraud and that task force developed fifteen recommendations and then in March of last year, it developed into an action plan that is currently under implementation by a partnership of sixteen federal agencies.

NOAA and the Department of State have leading roles in the implementation of this and as the Director of the Office of International Affairs and Seafood Inspection for NOAA Fisheries, one of my primary responsibilities is the coordination of NOAA’s efforts in the implementation across all fifteen of these recommendations.

The action plan really identifies four groupings of interventions relative to combatting IUU fishing and seafood fraud: international governance, which would have to do with engagement at regional fishery management organizations; the passage of the Port State Measures Agreement, which Congress did for the U.S. just a few weeks ago; then enforcement efforts, enhancing enforcement capabilities and the building of enforcement partnerships, establishing other partnerships across
agencies and with non-federal entities to identify and eliminate seafood fraud; and, finally, traceability, to create a risk-based traceability program to track seafood from the harvest and production point to entry into U.S. commerce.

That’s a really important parameter of this program. The Seafood Traceability Program is focused specifically on the point of harvest or farming, for aquaculture, to the point at which that product enters U.S. commerce and so it’s, in many ways, a rather limited scope across the entire supply chain.

The traceability components require a number of implementation plans and development, but I am going to focus, again, on the species at risk and on the traceability rulemaking.

We have prepared a proposed rule for the traceability program that will be issued likely within the next week. It’s drafted and we’re ready for final clearance and that rulemaking will focus specifically on information provided on imports.

We have done an exhaustive review of our access to domestic landings and harvest data and are satisfied that within the scope of this traceability program that the information that we need to collect or to have access to relative to harvest, to point of entry into U.S. commerce, we already have and so we are not preparing any rulemaking that would establish or require additional reporting for domestic fisheries.

The development of this traceability program, again, was risk-based and that started with identifying species that we consider to be at particular risk of IUU fishing and seafood fraud and that meant, first of all, developing a list of principles, which was developed through public comment.

The final list includes enforcement capability; catch documentation scheme; the complexity of the chain of custody; species misrepresentation; mislabeling or other misrepresentation, and that would be things like short weighting or other misrepresentation about the product; history of fishery violations; and human health risks. That is when fraudulent representation could result in some sort of health risk.

A working group of experts across agencies looked at verifiable government data, as well as RFMO data. We did not rely, for instance, on third-party information, but databases that are accessible by the U.S. government.

Looking at, first of all, all species that represent a domestic
and import value of greater than $100 million in the U.S. and
then looking at species that have a very high product value and,
finally, based on expert opinion of this working group,
developed a draft list of at-risk species.

We took public comment on that over the summer and a few months
ago published a final list of at-risk species, which include
abalone, Atlantic cod, blue crab, dolphinfish or mahi-mahi,
grouper, king crab, Pacific cod, red snapper, sea cucumber,
sharks, shrimp, swordfish, and all tuna species except bluefin
tuna species.

The reason that bluefin is not included in that list is that the
working group felt that the existing catch documentation schemes
in place under ICCAT, those being developed for Pacific bluefin
tuna were adequate to mitigate existing risk and, for that
reason, it is not included in that list. Knowing that your
interest is in this identification of species, I will stop here
and see if there are any questions.

CHAIRMAN ANSON: Roy.

MR. WILLIAMS: How did blue crab end up on that list? I mean
that doesn’t seem like a species at risk.

MR. HENDERSCHEDT: Blue crab, it’s important to keep in mind
that these principles span both IUU fishing, so illegal,
unreported, and unregulated fishing, and seafood fraud. There
is a high incidence of seafood fraud for blue crab in the U.S.
and it’s also very important to keep in mind that, because of
the U.S. obligations under fair trade agreements, we cannot
identify specific fisheries.

For instance, we can’t say that we consider the X species
fishery in Country Y to be at risk of IUU fishing. We have to
maintain it at a level where we can ensure that we are treating
our international trading partners in the same way that we are
regulating our own fisheries and, for that reason, we have to
approach this with these sort of broad-sweeping categories.

Obviously there are fisheries in the U.S. and elsewhere for
species that are on this list where we know that IUU fishing is
not a concern, but to the extent that that risk exists anywhere
-- Risk isn’t something that we can really average across
scenarios. We really have to look at the worst-case scenario
and that was the basis of the working group that developed this
list.
Finally, I believe there were also some questions about public input and, in particular, the council’s opportunity to have input into this process. As I mentioned, we have been through the process of webinars for the species at risk principles, as well as the species themselves, and we held a couple of webinars specifically for our management partners and I believe that staff from this council did participate in those discussions.

We also took comment on data standards, data and operational standards, and so this was seeking comment from the public on what sorts of data are important for a traceability system and what considerations should be in place to ensure that the system is interoperable with other traceability systems and other data sources.

Then we took public comment on the draft principles and the species at risk and, as I mentioned, we will very shortly be publishing a proposed rule for the Seafood Traceability Program import data requirements.

This is the public’s and this council’s next opportunity to provide comment. Once that proposed rule is published, it will be open for public comment for sixty days. We intend to have several webinars as well, including one for our management partners.

Finally, there is a mention in the action plan of developing a trusted trader program. This would be a way of ensuring that this system is as efficient as possible, by identifying importers or supply chains that are clearly reliable, so that the reporting and record-keeping burden was minimal both for the trade as well as government. That program is still in development.

Obviously we need to know what the program itself looks like before we can start looking at measures to create efficiencies within, but we will be taking comments for consideration in the development of that trusted trader program.

Finally, and I am sure it comes as no surprise, the timeframe for implementing this, or at least publishing the final rule, is in 2016 and so we’re on a very short timeframe to identify species and develop a program and publish a final rule.

We will be seeking comment on the time needed for the trade to be in compliance with that rule, but we anticipate publication of a final rule sometime this fall. This slide says August and given the fact that we have not yet published our proposed rule,
I think that would be a very ambitious timeframe and I think it’s likely to be a little bit later in the fall.

Also, and finally, the action plan calls for a report to be published by the National Ocean Council Committee on IUU Fishing and Seafood Fraud that looks at how this program would be expanded to all species, which is the stated intent of the task force.

This is considered to be just the first phase of implementation. We will not have a lot of operational and implementation experience to inform that report, but we have learned a lot actually about what it takes in terms of regulation writing and in terms of the data collection, as well as ensuring that our domestic processes and data availability is in line with what our international program would require. Again, that report is scheduled to be released in December.

Just a couple of challenges that this program faces, as you might imagine, are budget and human capital. This is a large mandate that is not, at this point -- It does not come along with any additional funding and so both at NOAA and at other agencies this work has been above and beyond normal mission objectives.

The scope of the traceability program, ensuring that we are in line with trade agreements, the policy implications that come along with developing this program and identifying species at risk, for instance, the enforcement authorities that NOAA will require to optimize the value of this traceability program to ensure that we can enforce it thoroughly and then, finally, really the program sustainability and how we ensure continuous improvement.

Mr. Chairman, that is the extent of my comments. I know you wanted to make sure that I was brief, but I am also quite willing to address questions, either on the species or any other aspect of the program or the broader task force recommendations. Thank you, Mr. Chairman.

CHAIRMAN ANSON: Thank you, John. Any questions? Yes, Mr. Riechers.

MR. RIECHERS: John, thank you for being here and certainly updating us on where you all stand on some of this. I may be ahead of where you can really speak to at this point in time, but give me an example of some of what you all are thinking in terms of traceability from Country X to us and some of your
thoughts about how that enforcement may or may not occur. I am just trying to look for a little more concrete example of what you all are at least thinking of at this point.

MR. HENDERSCHEDT: Sure. I would be happy to do that and I can do that in fairly broad strokes and, for obvious reasons, not go into the details, but really, it’s probably useful to think in terms of what do we need to know about harvest.

We need to know where, when, who, what, those questions about the actual harvest of the species. The landing information and how did it reach the supply chain and then, obviously, the steps that it may go through to make it to a U.S. border, when we’re talking about imports. That might include transshipment and processing and reprocessing and cold storage and comingling, all those things that can introduce fraudulent behavior into the supply chain or a substitution of illegal species.

With respect to domestic fisheries, we consider harvest to point of entry into U.S. commerce to be where the fish is caught to the point where it’s landed, because once it’s landed, it is in commerce in the U.S. That’s why we believe that we have the information that we need on an ongoing basis to verify the traceability of domestically-harvested seafood. Does that answer your question?

MR. RIECHERS: I think so.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I was pretty excited about your presentation. You know our U.S. fisheries have a very strong foundation in conservation principles. Not only that, but our overall government and the health of the seafood-eating consumer.

Sometimes other seafood from maybe outside our borders may not always live up to those standards that we have here. Unfortunately, the sheer volume of imports coming into this country, you know you can’t sample everything.

One thing I did see that will change as far as the enforcement perspective is that the electronic data will change and things will go through the ACE customs portal, which I think will make things a lot more streamlined for the U.S. Customs Department to have a better handle on inspecting some of this imported product.

Specifically, to shrimp, we had a meeting in Louisiana here a
while back and we had a very large turnout from the shrimp industry there and you know a lot of their concerns were with some of the imported shrimp. Now, we live in a global economy and that’s just the nature of the beast and as a shrimp industry, we are doing our best to find our place in that market and survive that globalization.

If there is anything that we can do to aid you as far as data collection on the domestic side, if you see that you need further data from us, please don’t hesitate to let us know. Me personally, I would love to see the scope of this program go all the way to the consumer, the seafood consumer, in the United States and for them to be able to, at a glance, have some idea of that full traceability of that product back to exactly where it came from.

For example, I stopped at Fresh Market on the way over here and I always go and look at the shrimp and that’s my thing. They had the country of origin labeled for the raw shrimp and I will say there was some Alabama domestic wild-caught shrimp. I was excited about that, but then right next to them they had some of these same shrimp that they had boiled and those didn’t have any labels on them.

To me, there is not a difference in that. That’s my prerogative as a seafood consumer. Do I have time to boil it and peel it or do I have two kids at home that I better buy it already boiled if I’m going to eat it?

I hope that this will be expanded, to some degree. I think that we have a very educated seafood consumer in this country and if we can provide them with all the information that they need, that will help them to make the decision as to what values and what seafood they want to support. I hope you will expand it further.

MR. HENDERSCHEDT: Just a few brief points with respect to shrimp. First of all, the issues of misrepresentation on imports, there are already -- I mean that’s already illegal. The FDA has jurisdiction over a lot of that and I believe that this program will essentially amplify the ability to identify instances in which fraudulent representation of product is occurring.

With respect to data, we are, as I said, I think looking pretty good. The one area with shrimp where we are still grappling with some challenges is with respect to aquacultured shrimp in the U.S. It’s a small industry relative to some other species,
but the fact that that exists means that we need to be able to collect those data as well and so we’re working with folks and looking for abilities to do that.

Finally, with respect to the expansion of the program, the scope that I described is something that NOAA can achieve through its Magnuson authorities. Past the U.S. border, looking at interstate commerce and fraud at the consumer level, I agree with you that there’s a lot that needs to be done there and that is not only a multiagency task, but one that includes both federal and state as well as local authorities to tackle. I hope as well that we’re headed there. That will require a lot of coordination.

**MS. BOSARGE:** Just to follow up on that, as far as shrimp, we have to have imported shrimp. We have a demand in this country that far outstrips what we land domestically. That’s just the nature of the beast, but hopefully this program will help to ensure that everything that does come in to meet that demand, imported-wise, does meet our FDA standards and does meet all the other health standards that we have. Hopefully this will help the enforcement side on that. Thanks.

**MR. HENDERSCHEDT:** Thank you.

**CHAIRMAN ANSON:** Any other comments? John, I just have a quick comment, I guess related to the trusted trader group that you said has been involved and has an opportunity to comment further.

Looking at expansion as your next phase, I am not familiar with the processes that are currently in place, or the ones that you’ve developed, as far as getting this program set up for those species that you identified, but looking at the diversity, I guess, in the seafood marketplace and those that produce the seafood, is there opportunity -- Did you get involvement of the little guys, so to speak, and girls, in this, inasmuch as the paperwork and documentation that will be required of them? Did you get enough of those folks at the table or get some comments, you know looking at the big picture and beyond?

**MR. HENDERSCHEDT:** I believe we did. It has been somewhat challenging to -- I mean obviously when we’re collecting public comment at the outset of a process, we’re not in a position to say, well, we’re planning to do exactly this or exactly that and so this will be folks’ opportunity to comment directly on how the rule impacts individuals.
As I said, this program, at least with respect to this rulemaking, is really a government-to-importer interaction. We, along with the proposed rule, have a Regulatory Flexibility Act analysis. We will look forward to comments on impacts. It’s a program for which it’s very difficult to calculate impacts and so we certainly welcome those comments in response to the rule.

CHAIRMAN ANSON: I don’t see any other people that want to ask any questions and so, John, thank you for the presentation and I look forward to hearing some results later on this year or the beginning of next. Thank you.

MR. HENDERSCHEDT: Thank you, Mr. Chairman. My pleasure.

CHAIRMAN ANSON: That will take us to our next item under Presentations and that would be NOAA Catch Share Review Guidelines and I believe Dr. Jessica Stephen will be providing that. Jessica, welcome.

NOAA CATCH SHARE REVIEW GUIDELINES

DR. JESSICA STEPHEN: Today, I am going to talk to you about the review guidance for five and seven-year reviews for all catch share programs. This is developed nationwide. You should have received a document in September, I believe, to look over.

One thing to know about this is this document grabbed information from a variety of different sources and one thing to know is we did red snapper and there were two other programs also analyzed for five-year review without any guidance document, which struck us with the need for having guidance documents for us to do these reviews in a consistent and standardized method.

Of course, they have to abide by things that are in the Magnuson-Stevens Act, the Catch Share Policy, and we also used the design and use of limited access programs, which is a technical memo from NOAA, as well as looking at the reviews that have already been completed and any interim reports that were done along the way.

The periodicity of reviews, every catch share program needs to have a review after the first five years and thereafter that, the reviews can be between five to seven years. Typically, these reviews would coincide with secretarial reviews of FMPs.

They did consider and look at reviews done less than three years and this was advised against, because within that three-year
time period, fishermen might not have adapted to a catch share program for an initial stage and for further stages when your program is going on, there might have been changes that were made under another review that have yet to see what’s occurring in that amount of timeframe. There is also data lags in when we’re collecting data to analyze it or put surveys out to get more information about the program.

The process for the reviews is fairly simple and straightforward at the onset. What they suggest is that you create a review plan and this review plan can go before the council or not. That’s up to local determination, but that plan would outline the types of information that needs to be looked at and you want to have this plan in advance of your five-year, so you can actually start data analysis prior to that time period, especially when it comes to designing surveys or hiring contractors to do some more complicated analysis.

The review team was recommended that they consist of a variety of different people with interest in that or experience with the programs and so you will have people from the council staff, Regional Offices, Science Centers, as well as the Office of Law Enforcement.

EXECUTIVE DIRECTOR GREGORY: Excuse me, Jessica. If you could say “next” when you change slides, because we’re changing them up here and we’re getting out of sync. Sorry. You can continue, but are we on the right slide now?

DR. STEPHEN: Give me one second. There you go. We should be on the process now. The other thing to consider is that there are interim reports that are recommended to be done between these five-year reviews. These can be annual reports or bi-annual reports and they are used to help identify data gaps that may occur before you get to the five-year review process. For this region, the Regional Office does annual reports for both red snapper and grouper/tilefish.

The review team would be responsible for compiling the data and conducting all the analysis and writing the report. The draft should then be made available to the council as well as the advisory panels and this is in order to set up a feedback loop as you’re going along in the process. SSCs are another one that you would want to get feedback through.

This feedback can then be incorporated into the report. It can be incorporated in the bulk of it or in recommendations at the end of the report, where you discuss what changes might be
needed for the program.

The final review should be looked over by both council staff, the Regional Office, the Science Center, law enforcement, and General Counsel before it’s checked off. They have left the decision of who has the actual final review up to local determination and by saying you agree to the final review, it does not mean that every group is agreeing to all the statements in it, but that it has been consistent with what the legal requirements are for looking over the program and gathering the correct amount of analysis.

The general approach and scope to this, the way the document is laid out, you need to have a purpose and the purpose should be to describe what has taken effect since either the baseline, if we’re at a first five-year review, or since the last review. You don’t always have to go back to the baseline for doing a review.

They have recommended that you incorporate as many references and summarize data done by other groups throughout that time period and so there’s no need to duplicate the amount of work that’s being done already, but instead reference it and use it in your conclusions.

They have also recommended the use of standardization indicators, when possible. Some of these would be information from stock assessments that we get for the scientific aspect and for social and economic, they have created indicators for these groups.

They are continuously being updated and looked at and so the review group would need to see what the latest ones are and figure out which metrics truly apply to that catch share program when they’re looking at it.

In general, we’re trying to keep this approach consistent with other approaches we’ve seen and so consistent with how amendments or NEPA documents are done in the organizational structure. It’s meant to be a holistic approach and this is one that’s kind of relevant to this council, is that if you have two or more programs that have significant interdependencies, and red snapper and grouper/tilefish obviously do, that maybe joint review should be considered after each one’s first five-year review.

I am just going to briefly go over the structure. There needs to be a purpose and need and we need to outline the goals and
objectives of the program, as well as anything from the Fishery Management Policy, Magnuson, or Catch Share Policy. The history of management should be included. In subsequent reviews, this can be referenced back to the initial review, so you don’t have to duplicate too much work.

Description of biological, economic, ecological, social, and administrative effects of the program, as well as evaluation of how those effects have gone towards the goals and objectives of the program, and finalize it with a summary of conclusions of recommendations.

This structure that they’re talking about is fairly close to what we did for red snapper and so it was a good template for how these reviews should go forward.

I am going to dig into a little bit of what types of analysis this document is suggesting that everyone go to and this is where they’re asking for feedback from the council on what you think should be included in a final guidance review document and so when it comes to the goals and objectives, what degree were these met? Are they still the same after your five years or do you need to change them? Are they something that is measurable?

One of the things that comes to mind, thinking of red snapper, is we had a goal of reducing overcapacity, but to what measureable extent? Yes, overcapacity was reduced, but where do you hit a guideline of that and so that’s information to clear up some of the goals, so that the next review has some consistent information to look for in analysis or to structure it in a way that answers those questions.

Another big one that comes into play is examining existing allocation and that’s not just allocation within the program between the entities in it, but also between the sectors. The Catch Share Policy states that you need to look at it between the commercial and recreational sector as well.

That said, we understand that that is going to be a huge component of a five-year review and in the policy, they have stated that if it is already being done under an amendment that you do not have to look at it, or if it is considered complex and would take a significant amount of time, that something separate is started around the same time that can be referenced back to it, so that it doesn’t hold up the process of the five-year review.

Other information to look at is the eligibility requirements and
who can hold shares and who can hold allocation. When you look at the evaluation of the program and the goals and objectives, do your original eligibility requirements still apply, or, if you’ve changed your goals and objectives, should you change those eligibility requirements?

You also have to keep in mind, when changing those, does it necessarily inhibit or preclude some achievement of your other goals? You have to weigh all of your goals with looking at this.

Transferability, this is transferability of both shares as well as allocation. Are the transferability requirements put into place something that is helpful to the program? Are they meeting your goals and objectives? If you decide to change them, what are the potential tradeoffs in changing those? Those are the kinds of analysis that need to be done and I think this is relevant to some of our discussion with Amendment 36, is looking at what tradeoffs might be necessary.

The other one is looking at how the quota performance is of the program. Have they kept within their landing limits? Have there been changes in the stock status or participation or behavior of the fishermen that would change how the landings have occurred? Has there been a change from the IFQ program that affects bycatch? The last one is whether that quota is being fully utilized and, if it’s not, how do you address problems with that?

The next set of analysis are the accumulation of limits or caps. This is making the analysis look towards what was the existing caps and in red snapper and grouper/tilefish, we have both share and allocation caps. Have they created a technical inefficiency or will changes to them create that?

Looking at analysis of market power, this is another complicated analysis that could be done independent of the program and typically would require some contracting out, if there is not the expertise within the regional area to do that type of analysis.

The other thing is to look at are there any gaps in the data that are being collected by the program that inhibit analysis through these and, if so, what can we do to change them and what’s the cost benefit? How much more will it cost administratively and on the burden of the participants to gather this additional information?
Cost recovery should be looked at, to see whether the current cost recovery is meeting the needs of the program or if it needs to be increased or decreased, and you are limited by a 3 percent cost recovery for the program, and to look at how the enforcement of cost recovery is affecting the program.

The other thing is whether it covers incremental costs. I am just going to spend a little bit of time on incremental costs, to make sure everyone is clear on what that is. That is the difference of the cost of what NOAA would have done to run a non-catch share program to running a catch share program and so it’s not necessarily the full cost of the program, as staff might have been still needed to run a non-cost share program.

Within data collection, it needs to describe how the data is collected and, again, identify any of those gaps that are in there in figuring out what types of changes could be done to the program to reduce those gaps.

An example of this was with red snapper. When we did our program, we noticed that we had some lack of information about why people are transferring shares or allocation. From that, we built into the system a method to give them a choice of seven different descriptors to explain what the transaction was for, for example, a sale to another shareholder, a gift, a barter, part of a package deal.

With monitoring and enforcement, do the current actions actually have a high rate of compliance? Is there some way where we need to increase enforcement in order to better understand or monitor the program and what are these types of non-compliance?

The duration of catch share programs are set for ten years and then if they are not -- After ten years, they are automatically renewed unless the council has made a decision to revoke, limit, or modify that.

Looking at the program at a five-year review mark will ask you to look at the duration of it and decide if there needs to be some kind of change or modification to it and whether your current duration is still appropriate with the given goals that the program has.

The last one is new entrants and this is a question that comes up a lot with our programs and with other programs and one of the things is to weigh the abilities of new entrants with some of the goals of things, such as reducing overcapacity. At the surface, they look to be in counter-production to each other,
but if you think of the fact that as fishermen stop fishing or age out of the system, you want to allow the ability to have new entrants in.

With that, you want to look at how your goals and objectives and your restrictions in your program affect those new entrants coming into it. Some of the things that can be affecting them would be transferability, the availability or the price of shares and allocation, and how they get to it. Another thing would be to look at loan programs that might help these new entrants when they’re coming in.

Other things to consider are auctions and royalties and so programs created after January 12, 2007 were required to look at auctions when the program was implemented, but those prior to that were not and so this is a time to look at the idea of auctions again and visit whether it’s something that might be applicable to your program.

Royalties are a little bit different. Royalties can be considered something like resource rent, which would be the difference between the price of the -- Let me look at my notes to make sure I get this right. Resource rent is the difference between the price at which the fish are sold and the respective production cost and so this not cost recovery and that’s a key point to put out.

Cost recovery in ours is to the ex-vessel value of the fishermen and resource rent may be something different and that could be applied to the shareholders or some other aspect of the program, but not as a cost recovery method and how those monies would then come back to the public to be used to help monitor the program or do other things with respect to the program.

The final one is an optional analysis put into there and it’s looking at different fisheries, different species, or different gears and how those might interact within your catch share program.

Within ours, we do have a variety of different gears working, but we have not set up any kind of different allocation based on gears. When you’re looking at fisheries and different species, one thing to keep in mind is that while both of our IFQ species are reef fish, there are a lot of reef fish species that are not IFQ and how do those weigh in on each other? You need to consider that impact of reef fish as a whole in your analysis of the program.
It also allows you to consider whether you want to merge programs together. This would be an opportunity to think about merging red snapper and grouper/tilefish, if you could legally do that, as well as reallocating things among different species or gears.

The last one is another optional portion put into it and it’s to analyze different types of catch share programs. This would be if the review determined that the current program had such numerous and serious problems that you should consider a different type of program to go under and this would have to be a high level of problems within it, that it in effect wasn’t accomplishing its goals and objectives. Then they can investigate other methods to look into things.

I am going to conclude here that feedback is required by the end of January and I know we are right there at the end. We’ve had feedback from the North Pacific Fishery Management Council, the Mid-Atlantic, and the Pacific Fishery Council. We have not had feedback yet from the New England sector, the South Atlantic, Caribbean, or Western Pacific. The Caribbean and Western Pacific don’t have catch share programs currently in them and so I wouldn’t expect a large amount of feedback from them.

The other thing to keep in mind is that this document as a whole might be helpful in the creation of any new catch share programs, that you look at the types of things that need to be analyzed and get a baseline of information prior to implementing that program. I will take any questions.

CHAIRMAN ANSON: Thank you. Roy.

MR. WILLIAMS: Thank you. A couple of slides back, you had a bullet on loan programs established for new entrants. Are there loan programs sponsored by NMFS for new entrants?

DR. STEPHEN: We do have a loan program that has kind of stalled out in its implementation at this point in time and so it has, I believe, gone up to Silver Springs and came back with some need for more information in filling it out and so that is where we’re at at that point in it.

MR. WILLIAMS: But in the future, there may be a program where somebody that wants to get into the red snapper fishery might be able to borrow money from the Service?

DR. STEPHEN: That’s the intent of that loan program, is to help new entrants into the program, which is separate -- There is a
different loan program for VMS, which is separate from catch
shares.

CHAIRMAN ANSON: Any other questions? All right. Thank you for
the presentation. Hold on one second. Mr. Boyd.

MR. BOYD: Thank you for being here. I have a question. What
office within NOAA is the review process housed or lodged?

DR. STEPHEN: The review as a whole is with the Catch Share
Policy Sustainable Fisheries Division and so they’re the ones
who created this document. The actual reviews themselves though
occur within the Regions. Does that answer your question?

MR. BOYD: Well, I guess what I’m asking is who has the ultimate
responsibility for the review process?

DR. STEPHEN: That’s a local determination and so that’s where
the recommendation was you have the Regional Office, the
councils, Science Center, and law enforcement together. Each
different region kind of has a different group that takes the
lead in it. The way we’ve done it here for red snapper and
we’re currently doing for grouper/tilefish is it’s jointly
between council staff and Regional Office staff, with input from
law enforcement as well as the Science Center.

MR. BOYD: Okay and a follow-up question. How are people
selected and put onto this review process panel?

DR. STEPHEN: I don’t know if there’s an actual official
selection. What we’ve done is taken the people who have the
most experience and knowledge of the program or, when it comes
to the Science Center, those who have the knowledge of maybe the
information coming from the Science Center that’s going to be
reviewed from it. From law enforcement, we like to pick
information from agents who are working with the program and so
the idea is to get people who are actually working with the
program involved in the review of it, since they have the best
understanding of how it works.

Now, that said, we took information from advisory panels, the
SSC, and the council when working through that and so that’s
that kind of feedback loop I was talking about within the
process, is that you get information from outside sources as
well about their opinions or thoughts and that might guide you
down a certain analysis.

MR. BOYD: Is there an outside facilitator that helps to manage
the meetings and help come to outcomes?

DR. STEPHEN: Not that I am aware of at this point in time. If that’s a recommendation this council wants to put forward, it’s just that they do it in the review of this document.

MR. BOYD: Thank you.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: A little bit following up on that same line of questioning, obviously you’ve got the feedback loops here in the region, but what kind of feedback loops are there across the regions, and, for instance, a good one is royalties or rents. How are we communicating across the regions? Are there going to be any standards or examples set or goals set that would deal with those issues that really cross programs, from Alaska to the Gulf Coast?

DR. STEPHEN: That’s actually one of the reasons this kind of standardized review guidance was developed, is that we would have standard metrics that could be used. You could go look in another program’s review document and see how they’ve looked at and handled things.

On the Catch Share Policy level, we meet together as a group every month across the different regions and discuss different topics and issues, so that we’re kind of aware of what’s going on in the other programs and how we can either use that or how it might impact us in our programs.

CHAIRMAN ANSON: Anyone else? Doug, do you have any comments?

EXECUTIVE DIRECTOR GREGORY: Thank you, Jessica. That was very good. This was another circumstance where National Marine Fisheries Service sent out some draft guidelines and wanted input before we even had a council meeting. The original deadline I think was in November and we asked them to extend it to give us and other councils a chance to review it.

In your interactive agenda, you’ve got the letters from the other councils and some of them are letters drafted by staff before the council had reviewed them, because of this deadline. The guidelines, the actual guidelines, are in there for you to review.

What we didn’t do is actually put this on the agenda to review a draft letter or to get comments on this directly and so any
comments you have now, staff would appreciate, that we could incorporate in the letter to National Marine Fisheries Service.

We will get to have more discussion with the other councils at our Council Coordinating Committee meeting next month and it would probably be nice for me to get some guidance from the council as to how to handle these things in the future.

We could have brought a draft letter to you under the Administrative Committee, but then we wouldn’t have -- We could have had this presentation then and we’re running into -- We had the same problem with some of the Magnuson reauthorizations the last couple of years.

Do you want us to bring draft letters to you in advance to review with staff comments and even opinions and go forward from there or the situation we have now is we’re looking for input from you to put into a draft letter and we’ll certainly see what’s in the other letters from the other councils that are pertinent to us also.

It’s kind of the horse-and-the-cart situation, but we find ourselves in this quite frequently, because we’re given short time periods to make comments on it. You might recall the ecosystem-based management thing, the climate strategy, and this seems to be happening more and more.


MS. BOSARGE: It seems like we’re under a time crunch and I don’t know, off-the-cuff, how much feedback I would have right now and around this table, but in the future, for things like this that come up, I wouldn’t mind having a supplement to a presentation like this that also maybe had just a little bulleted list of some feedback from staff that they saw.

I mean I don’t see -- More information is always better and we can take those and throw some out and weed through it or add to it or whatever, but I don’t see where that would be a problem if you had something like that to present to us to supplement something like this.

CHAIRMAN ANSON: Mr. Williams.

MR. WILLIAMS: I don’t know. It seems to me like we have an Executive Director and a Chairman that ought to be handling this kind of thing and maybe a week before you send it out you send us all a copy and give us a chance to look at it and add our
I mean if somebody is vehemently opposed to what you guys are saying, we can make an issue of it at a council meeting, but my guess is the council would rather you guys deal with it than us. That’s my opinion. I would rather that you deal with it than me.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: If the council wants to give the Chairman and the Executive Director that authority, I don’t see a problem with it. I am a little bit wary of the idea of sending a draft to everybody and having them comment and somehow having a discussion outside the public meeting about what the council’s position is on things.

I think if you want to have that discussion, the staff could bring you a draft and then you could discuss it and make changes, but I think that discussion should happen during the meeting.

CHAIRMAN ANSON: All right. I don’t see any other people making any comments, but I guess, unless I hear differently, I guess we will attempt to get something out then, Roy, a letter. Doug, you and staff can come up with one and I will sign off on it.

EXECUTIVE DIRECTOR GREGORY: Right. We can do that. Now, just as an aside, the deadline we were given is this Friday, but this is a draft and it’s not a hard and fast deadline and it’s not like a final regulation and so what National Marine Fisheries Service wanted was to try to compile comments from the councils to consolidate and revise the guidelines for the CCC meeting, but we will do this and we’ll get it to the council say by the end of next week and then we will transmit it to National Marine Fisheries Service a week late and that’s not a big deal and, given the circumstances, it will be fine, but to give you all a head’s up.

CHAIRMAN ANSON: Thank you. That takes us through our Presentations portion of the meeting and that brings us to our recess and so we will come back after lunch at our scheduled time of 1:30 and begin Public Comment. Thank you.

(Whereupon, the meeting recessed at 11:57 a.m., January 27, 2016.)
January 27, 2016

WEDNESDAY AFTERNOON SESSION

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Perdido Beach Resort, Orange Beach, Alabama, Wednesday afternoon, January 27, 2016, and was called to order at 1:30 p.m. by Chairman Kevin Anson.

CHAIRMAN ANSON: Could people start making their way to their seats? We are going to get started. If you need to carry on a conversation, please do so outside. 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.

Oral or written communications provided to the council, its members, or its staff that relate to matters within the council’s purview are public in nature. Please give any written comments to the staff, as all written comments will be posted to the council’s website for viewing by council members and the public and will be maintained by the council as part of the permanent record.

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 entrance to the meeting room, opposite of where I am sitting. 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, if needed. Time allowed to dignitaries providing testimony is extended at the discretion of the Chair.

You all can see on the screens is a list of the people who have signed up who will be first to be called and so the first name
on the list and the first person to be called is Mr. Bart Niquet. He will be followed by Tom Steber and so if you see yourself or see that person up there, please get ready to speak. Mr. Niquet, welcome.

PUBLIC COMMENT

MR. BART NIQUET: Bart Niquet, Panama City, Florida, commercial fisherman and I’ve done a little bit of all kinds. I have seventy-five years of experience. Concerning the leasing of fish allocations or shares, if you will remember, that was a major point of the council’s promotion to get the ITQ program approved by the shareholders.

The theory was the commercial boys would need money in a few years and when the program, after five years, was reopened to the general public, the fat cats in the recreational fishery would buy up all the available poundage and turn them over to the recreational. That didn’t happen.

That being said, the leasing is legal and has resulted in the numerous small operators able to build up their businesses. Also, the discard rate has been greatly reduced and the stock has grown, helped by both commercial and recreational fishermen.

This leasing has effectively created new entrants to the snapper fishery without requiring new reef fish permits. We don’t need reallocation. We need new data released on many species in a timely manner, for instance the gag grouper. Somebody is holding that up.

Several times in the last few years, I have said red snapper stocks run in cycles. The next side is about 2019 to 2022 and it will mostly affect the east Gulf and about 45 percent of all recreational anglers are in the east Gulf. You can check your own fishery experts on that and I think they will agree with me.

I am not speaking from books or statistics, but I am just talking about my own personal experiences there and I need to make an apology to the man that wrote that article in the paper. The first page he had wrong, but the rest of it was real accurate and a very good program. Thank you.

CHAIRMAN ANSON: Thank you, Mr. Niquet.

MR. B. NIQUET: Any questions?

CHAIRMAN ANSON: There doesn’t appear to be. Thank you. Next,
we have Tom Steber, followed by Bill Kelly.

MR. TOM STEBER: Tom Steber, President of the Alabama Charter Fishing Association and GM for Zeke’s and Fort Morgan Marinas here on this island. I want to thank all of you, especially staff, for coming Monday night. We enjoyed having you and I think we had a good time.

As a board member and participant of the Headboat Collaborative and managing a headboat that was in the Collaborative, our partyboat, Zeke’s Lady, which, by the way, had the best two years of profit in the twenty years I’ve been involved with it, the pilot program was perfect. We need to use it as a model and don’t try to fix it. As an AP member in that panel, I ask you to vote yes on Amendment 42.

The second thing, also as an AP member for the charter for-hire program, we had one gentleman on the AP that was against our plan that the whole group that was there and he had nothing to do with charter for-hire and so he was against just about everything we did.

The plan we put together that you have somewhere is not perfect and it may not be perfect to start with, but it’s, I think, a great start. It has industry buy-in. It has 100 percent of the charter for-hire boats in the State of Alabama signed up for it that also signed up for the electronic logbooks and VMS program.

We have 129 federally-permitted boats, but eighty-eight of them fish for a living and the other ones are not fare-carrying boats. Please move forward with Amendment 41 and give the industry a plan.

Now I am going to put on my other hat, recreational fisherman. I’ve been fishing in the Gulf of Mexico for well over fifty years. I used to fish for snapper at least twice a month, just about year-round. Now I have fished twice in two years.

I would ask you to put that AP panel together and quit kicking it down the road and get a group together, a group of recreational anglers that want a plan to work. The issue still is best available data. Until we get good data, nobody is going to be happy.

I ask you to vote yes on Amendment 39 for recreational anglers only and not for charter for-hire. Let the recreational anglers be managed nine to twelve miles and let the permitted vessels be managed outside of nine to twelve miles. Thank you.
CHAIRMAN ANSON: Thank you, Tom. Next, we have Bill Kelly, followed by Jason Delacruz.

MR. BILL KELLY: Bill Kelly, here representing the Florida Keys Commercial Fishermen’s Association. I would like to talk to you about the yellowtail snapper framework action and also Amendment 26 on kingfish.

Regarding yellowtail snapper and the use of circle hooks, we never envisioned that such a simple request would become so complex. The biggest concern for us right now is the concern that law enforcement has, and some members of the council, regarding having j-hooks onboard to harvest yellowtail snapper and at the same time being in possession of other federally-managed species, such as grouper, amberjack, and mutton snapper.

I think that’s a no-brainer in this regard. We are targeting yellowtail snapper with straight twelve-pound test line to a 1/0 hook. It’s inconceivable that anyone in their right mind that’s fishing for black grouper, cobia, amberjack, et cetera, would use those kinds of tools to capture those kinds of fish.

It would be very problematic for us, especially in the Lower Keys, where probably at least one-third of the yellowtail snapper fishery fleet fishes west in the Tortugas and the Marquesas, and those are multiday trips. To prohibit them from having other species in the snapper grouper complex onboard would be severely detrimental to the cause.

With regard to kingfish and reallocation, we are going to have close to three-million pounds of fish that are underutilized here in the Gulf of Mexico and, at the same time, we have the Scientific and Statistical Committee telling us there is not enough recruitment and too many old fish out there. There is only one way to get rid of those old fish and that’s go catch them.

The reallocation procedure that was put on the table by Councilwoman Bosarge is nothing short of brilliant in its simplicity and its manageability with the caps in place. This could be a real trendsetter in giving the councils more flexibility for fisheries management, something that we are really trying to target and earmark in Magnuson-Stevens reform.

Also, it could be a leadership example for issues that are going on in the South Atlantic with regard to dolphinfish, with more than seven-million pounds left on the table in a closed fishery,
at the very start of the season. A closed yellowtail snapper fishery with the recreational side leaving a million pounds, close to a million pounds, on the table, at the same time the commercial fishery is shut down, at the height of the tourist season and the highest prices.

I certainly hope that you would take that in mind. Again, the simplicity of it and the manageability of it and standard operating procedure is you can examine it each and every year and take swift action to correct any problems or imbalances that may occur. Thank you.

CHAIRMAN ANSON: Thank you, Bill. Next, we have Jason Delacruz, followed by Eric Mahoney.

MR. JASON DELACRUZ: Hello and thank you for the chance to speak. I am speaking on behalf of two of my companies, Wild Seafood and Don’s Dock, and then also as the Vice President of the Reef Fish Shareholder’s Alliance.

I guess we’ll just start first and kind of work our way through this. 36 is obviously one of my big topics and although I think that there probably is some things that we can do to better the IFQ fishery, I think we have to be very careful as we move through this document and really thoroughly try to understand the unintended consequences of some of the things we’re going to do.

This is a very complicated thing that moves and is market-driven and it moves ten times faster than this council ever could think about moving and so I think that’s very important and you guys need to really reflect that.

A couple other things. 39, I know the guys that fish at my dock, the charter boat captains, they don’t want to be part of 39 at all and so if you could just leave them out. If the recreational anglers want it and the groups that advocate for them do, then that’s fine. We don’t have a big problem with that.

As far as Amendment 33, we think at least the council should give an opportunity for the AP to sit down and talk about this again. That’s the reason it’s coming up. For me, it’s an amberjack thing. My guys that are amberjack fishermen, it’s a joke. We open up and we fish two months and we close and we open back up and we fish another month and then we’re done.

Even with some of my longline boats, we’re having to discard
those fish during certain times a year, because they’re just not open and we’re catching them. We could bring them in and sell them and it just doesn’t make any sense. Let’s move that into a more manageable fishery and give the AP a chance to work through the process.

I think when we first started talking about 33 that we didn’t quite understand the world as well as we do now, from a standpoint of working in these fisheries, and so the chance to talk about this may make it a much more streamlined, easy to work with document.

The last thing I want to talk about is my favorite fish, hogfish, and I had a couple of quick points on that. I was actually here when we outlawed the powerheading of hogfish and that not that anybody wants to powerhead hogfish, but it was because we were trying to outlaw powerheading of other fish.

Then when the guys came up that professionally spearfish and came to the podium and said this is why we do it and you’re going to endanger us and it’s a worse-quality product if you don’t let us powerhead them and all that. At the end, they said, okay, what about hogfish and everybody goes, well, nobody powerheads hogfish and they go, okay, no powerheading of hogfish. That’s ludicrous.

The whole point of the rule is to make a rule that does something and you don’t have an enforceable point with that. There is no way to find out for sure if somebody is powerheading anything. You can’t test for gunshot residue. It doesn’t work that way and so it’s kind of ridiculous.

As far as the size limit on hogfish, I would have to actually defer to a conversation I had with Martha, which is whatever comes out of the South Atlantic, I think we need to match that size limit, for continuity between both, because there is so much intermingling, so many people in the State of Florida, because it is really a Florida fish. If they come back and the South Atlantic says fifteen inches, let’s stick with fifteen inches. That’s pretty much it. Thank you.

CHAIRMAN ANSON: Thank you, Jason. We have Eric Mahoney, followed by Clarence Seymour.

MR. ERIC MAHONEY: Thank you, Chairman, council members, and staff. I appreciate it. My name is Eric Mahoney and I’m a charter fisherman from Clearwater Beach, Florida. I would like to see the council continue to move forward with Amendment 41
These amendments are the most important things to come in front of this council for the for-hire and headboat industries. Our industry is fully engaged in the process and this council needs to take advantage of that and work to get these amendments through in a timely manner.

While working on Amendment 41, I think we need the sunset removed from Amendment 40. The council process is slow and while putting a timeline on Amendment 40 you would think would help speed up the process, history shows it’s just the opposite.

I can see the state representatives on this council trying to slow the process way down, to get us to the sunset and moving us backwards, instead of forward towards a new fishery management plan.

Amendment 39 is really hard for me to understand. I don’t believe the council should ever try to pass the buck on red snapper management to the states. I get the political nature of it and it was worth trying out, but destined to fail from the start. Let’s learn from Amendment 39 and keep snapper and all other federally-managed fish under the authority of National Marine Fisheries and this council.

The for-hire industry have spoken from the beginning of Amendment 39 and we don’t want any part of it. Every state rep on this council has completely ignored us for years and please take the path of less resistance. Don’t drag our industry, kicking and screaming, into a management plan we don’t want. I think Amendment 39 should be completely tabled, but if you need to keep it around, just take the for-hire fleet out of it.

On triggerfish, I would like to see a new rebuilding plan for them, maybe go to one per person, a fourteen or sixteen-inch size limit, with a March 1 opening. I don’t catch a whole lot of triggers, but from talking to the guys that do, they think it would help give them the longest season possible.

We need to continue to work on data collection for the for-hire fleet. I think we need to continue to work with our industry pilots and work with the Science Center to come up with best solutions that can fit the industry and Science Center needs.

I would also like to see something in place for new entrants in the commercial fishery. I know many young captains and deckhands that are interested in being part of the commercial
industry. Many are leasing shares in small amounts and that’s one way to start, but anything could help, like a loan program or something similar. It could make a huge difference. They’re the future of that industry and anything that could be done should be done. Thank you.

CHAIRMAN ANSON: Thank you, Eric. We have Clarence Seymour, followed by Gary Bryant.

MR. CLARENCE SEYMOUR: How are you all doing? I am Clarence Seymour from Biloxi, Mississippi, charter boat. I am here to make sure that we’re still on track and Action 2, Alternative 2 is the best option in Amendment 39 for all these guys, the region, and everybody else.

I am here to ask again that the council may consider a red drum EFP for Mississippi. Just give it another look and let us have another shot at it and maybe we could get with these environmental guys and write up a better program and I think red drum really needs a good look at, especially in our area. It’s a very heavy resource to us and it’s very important, as long as the red snapper and king mackerel -- The guys asked me at home if I would tell you all that.

The triggerfish, for the -- That’s very important for the guys over here to east. Our part of the Gulf, it’s not quite as -- During the derby, maybe I caught five total and released them all, of course, but the trigger is kind of going to be a sure good thing for anybody else in the region and my other option was sunset -- If we can’t get 39 going, let’s go ahead and make a decision for that and I guess that’s about all I’ve got. Thank you, guys.

CHAIRMAN ANSON: Thank you, Clarence. Gary Bryant, followed by Wayne Werner.

MR. GARY BRYANT: Gary Bryant, Red Eye Charters, Fort Morgan, Alabama. I appreciate you all coming to Alabama and hope you’re enjoying your stay. The first comment, on 39, as with the other charter boats, we ask to be left out of 39. I would encourage the council to do something for the recreational fishermen. If they want to be state-managed, we’re all for it and we will support it.

I would also like to encourage the council to continue your education programs, your Marine Resource Education Program. I went to that and it is very enlightening and I think some of the leaders in the recreational community need to go. I think a lot
of the problems we’re having and the anger and frustration have
to do with understanding the system. You may not like the
system, but to work in it, you need to understand it. I think
we need to build that understanding in the recreational
community.

You have seen me here before and you’ve seen a lot of us charter
boats here. We come and we’re trying to work with the system to
make an improvement and we would like to bring the other sectors
in and not just stand outside and throw rocks and say it doesn’t
work to be here. We want to bring everybody to the table and
work together in trying to get something and so I would
encourage you all to continue to give options to the
recreational sector and create more opportunities for their
education, to learn what we’re doing.

On Amendment 41 and 42, I just want to remind -- We want to move
forward on and that remember they are two entirely separate
entities. The headboats have catch histories and so they’re
going to go one path and the for-hire sector, we don’t have
history and so we’re going to go another path.

I was on the ad hoc committee for the for-hire and I think we
did a real good job. I think we tried to address every sticking
point and point of controversy that we saw moving forward with
this and tried to eliminate it and so I think we have made your
job easier in trying to address things. I know some of the PFQ
and some terms that we asked for may not apply to the other
side, but I really hope you all will look at our recommendations
and help speed that up. I appreciate it.

CHAIRMAN ANSON: Thank you, Gary. Wayne Werner, followed by Tom
Ard.

MR. WAYNE WERNER: Hello. I’m Wayne Werner from Alachua,
Florida, owner and operator of the Vessel Sea Quest. I would
like to talk about the leasing. Number one, I think it’s very
derogatory for people around this table to use “sea lords” and
that terminology, especially when it’s not even identified in
Magnuson-Stevens.

You know, people on other side out here, they might be leasing a
lot of fish. It kind of helps my business. We catch 95 percent
of the snappers on my boat and lease just a few to friends of
mine, to allow them to address bycatch, but if these guys aren’t
leasing these fish, it’s going to cut into my business. It’s
not going to hurt me. I will still make the money, because I
will have to lease more fish. Otherwise, we all lose fish.
When I say that, you know, I can put that money in my pocket and lease another 10 percent of my fish, but it’s not going to change anything that goes on, except you’re going to have an effect on the people who aren’t leasing fish today.

The demand for these fish is probably double what’s being leased today. I mean every guy that leases fish here will tell you that we get calls all the time and we get letters all the time and we get just bombarded with people wanting fish and needing fish to address bycatch or for whatever reason, to make money. It doesn’t matter what reason, but they just continue to do it.

This is a market-based fishery and leasing is very important part of it. The only thing you’re going to hurt in its entirety here by stopping it is the entire fishery. All we’re going to do is increase the bycatch. If that’s what you all want to do, that’s fine. Thank you.

CHAIRMAN ANSON: We have Tom Ard, followed by Steve Tomeny.

MR. TOM ARD: Hi, guys. I’m Tom Ard, charter fisherman, right down the road here in Orange Beach, Alabama. Thank you, guys, for coming to hear us today. One of the things that’s really important to me right now in my business is triggerfish.

It’s not my first time up here talking about triggerfish. I would like to see a new rebuilding program on it. I would like to see one per person, about sixteen inches total length or maybe fifteen, whatever works best in the program. Have that season start in March and run it through May and if there’s any leftover fish, let them go in the fall.

I would like to be left out of Amendment 39. The charter for-hire here don’t want no part of it. I would like to see Amendment 41 move forward. I like the idea of a permit fishing quota with an opt-in or opt-out on red snapper. I would like to see that further addressed. I really don’t like the traditional IFQ system that the commercial guys have. I don’t think that would really work in the charter for-hire, but the PFQ will. It will work great.

I would like to see you guys develop a working group with the Science Center and work on this electronic monitoring and stuff like that, because I see there’s a lot of people for VMS and against VMS and iSnapper will work and this work and get these people together and let’s try to find something that everyone can agree on that the Science Center will accept. Thank you
very much.

**CHAIRMAN ANSON:** We have Steve Tomeny, followed by Bobby Kelly.

**MR. STEVE TOMENY:** Good afternoon. I’m Steve Tomeny and I operate a couple of charter headboats in Port Fourchon, Louisiana. I’ve been doing it since the early 1980s and mostly, like a broken record, we want to see Amendment 41 and 42 progress and move on and let’s get it done and get rid of the sunset in Amendment 40.

I reiterate that most of the charter for-hire guys that I know around my dock do not want to be part of state management and so we don’t need to be in Amendment 39.

I would say a little something about leasing the fish, leasing the allocation. I am a dual-permitted vessel and right now I have a young man that has worked for me for eight years, right out of high school. He actually left me for a while and had to go out in the oil field when the charter business slowed down, when we had such serious cuts, I guess after 2007, when the quotas were so low.

He has moved back into the charter business with me. I have a contractual arrangement where he is leasing my boat. He’s got the headaches and the phone calls and this is just things you do as an older guy. You get where you just don’t need so much aggravation in your life, but the only way I can make this deal where he will end up owning this sixty-five-foot headboat, forty-four passenger boat -- You know they’re expensive and the banks won’t loan them money. I have been hearing about government programs, but we don’t have one we can use now.

You end up with a guy that the only way he and I can sit down ad figure out how we can get enough money to work this deal is he fishes my allocation and right now, everything is in my name and contractually it will move into his pretty soon and so it doesn’t particular show as a lease-type arrangement, but he is paying me the going rate and is happy to have it and is going to have a big boat for a guy that’s thirty-four or thirty-five years old. He will be way ahead of a lot of his contemporaries.

This is just the way of life in our coastal communities and it’s important and the commercial fishing just happens to be the way we have figured out how to make the things work and we want to see it continue and we don’t need to change too much when it comes to Amendment 36. I think there’s more bad than good in there and I would like to see some more thought and fisherman
input into some of those do’s and don’ts in Amendment 36. Thank you.

CHAIRMAN ANSON:  Bobby Kelly, followed by Eric Brazer.

MR. BOBBY KELLY:  Good afternoon.  My name is Bobby Kelly and I own and operate the Vessel Miss Brianna out of beautiful Orange Beach, Alabama.  There are quite a few issues that I urge the council to take on.

The first and foremost that comes to mind is triggerfish.  I know the council is more used to hearing the old prevalent saying that there’s more red snapper out in the Gulf now than there ever has been.  Well, I think I’m going to be the first guy to ever say I think there’s more triggerfish in the Gulf now than I have ever seen.  Those little guys are piranhas and they are vicious out there and the council needs to adjust the model for these triggerfish and to figure out something.

I beg you all to reduce the bag limit to one fish, to give us more access to these fish.  If you all can increase the size limit, that’s up to you all, but something needs to be done.  These fish, east of the river, are very aggressive and they’re here and there’s a lot of them and it’s a very robust fishery.  I believe you all can -- With a little help, we can do something.

I ask that Amendment 39, Action, Alternative 2 be carried through.  We fully support what the council does for the private recreational FMP, but we ask that you leave the federal vessels under federal management.

I believe also that the sunset clause for Amendment 40 needs to be removed and I would like to congratulate the council on -- I am hearing that some of you all are starting to move that forward as well.  The council voted on Amendment 40 and a federal judge vetted your decision and so I would like to see forward progress continue with this.

Also, I would like to see the council move forward on Amendment 41 and 42.  You have the tools and we just ask that you use them to give us more flexibility in the management of our fishery.

Also, as a new entrant into the commercial fishing industry, I am very pleased to have access to all of my IFQ fish.  As a recent article defined me, I am a sharecropper, but I am very happy to be a sharecropper.  I would ask that the council would take a look at the IFQ loan program that was implemented and
mirrored in Alaska, to do something for the Gulf. There is no
way I could possibly purchase IFQ on my own, but it seems like
it was a very huge success in helping young fishermen in Alaska
start to get their start in it and so that’s what I hope. Thank
you.

CHAIRMAN ANSON: We have Eric Brazer, followed by Russell
Underwood.

MR. ERIC BRAZER: Thank you very much, Mr. Chairman and council
members. My name is Eric Brazer and I’m the Deputy Director of
the Gulf of Mexico Reef Fish Shareholder’s Alliance. Thank you
for the chance to speak.

I am going to focus today on Amendments 36, 33, and 39. You can
refer to our letter and previous comments on some of our other
positions, but will start with the simple ones first.

Amendment 39, our position has not changed. Action 2,
Alternative 2, please, and please do what you can to eliminate
the sunset provision and keep sector separation, the successful
sector separation, program moving forward.

In Amendment 33, very simple. All we’re asking for is the
chance for staff to update this document. It’s four years old.
Let’s get it updated and let’s get it in front of the advisory
panel and have a legitimate public discussion about it and see
where it goes. It may go nowhere or it may go somewhere, but
let’s give the AP the chance to make that decision.

In terms of Amendment 36, we believe that you guys are
initiating a very destructive document. If you look at the
document and you look at the presentation, you see words like
“restrict”, “redistribute”, “reduce”. It’s pretty clear, just
from looking at those three words alone, that this is going to
impose harm on existing businesses that have built themselves up
on a stable IFQ system.

You are going to hear -- You’ve heard a little bit already, but
you’re going to hear more later on that some of what’s proposed
in this document is actually going to do the exact opposite of
what some of you think it will do. Many of these things go
against the conclusions of the five-year review and it will
actually make things worse for existing fishermen and for some
of these new guys, like Mr. Bobby Kelly.

Leasing is a critical aspect of this program. You have built
this program to include leasing and it’s a boogeyman in the
room. You’re going to hear from guys about how leasing actually works and you’re going to hear about some of the intended or unintended consequences of restricting leasing.

We urge you to streamline this document to reduce workload on staff, if that’s what you’re really concerned about, and to really understand the full implications of the decisions you’re making.

Finally, we urge you to do anything you can to kick start this federal loan program. There are banks in Alaska and in the Northeast that will back quota programs, but they will not back quota programs in the Gulf, as long as you continue to introduce risk into this system. Thank you.

**CHAIRMAN ANSON:** Eric, we have a question for you from Mr. Williams.

**MR. WILLIAMS:** Eric, you and I have talked a number of times about the effects of Amendment 36 and since I am the one in the past that has pushed some of it, it’s correct, I guess, that I should address it.

You have convinced me, to at least some degree, that some of it is going to work the opposite of how I think it’s going to. I am continued to be concerned though about new entrants into this fishery. It’s so expensive to get into the red snapper fishery. What are you guys doing to try to facilitate new people who want to get in this industry?

**MR. BRAZER:** Thank you for the chance to answer that. It must have been six or eight months ago or twelve months ago that I came in front of you guys and told you about a program that we’ve developed with the Shareholder’s Alliance called a quota bank.

Some other regions refer to them as risk pools or fisheries trusts. Basically, what it is, it’s a community of fishermen that have gotten together and pooled allocation that they have accessed, they have either leased or bought or had donated, and we are distributing this allocation with specific goals in mind.

Our primary goal is to reduce red snapper discards in the eastern Gulf of Mexico and our secondary goal is to facilitate and assist the next generation of fishermen into this fishery. This is a fishermen-based program. It’s a bottom-up, grassroots program.
It has shown a lot of success in other regions and we’re testing it out in the Gulf and it looks very, very promising. We’re working with small-boat fishermen and we’re working with the new entrants to try and get them into the fishery and we’re doing this in a way that doesn’t harm the existing businesses.

It doesn’t hurt existing fishermen to try and help new fishermen and so we support moving programs like this forward, from the ground up, that can really start to address some of these issues and I am happy to talk with anybody more about it at any time. It’s a really great program. Thank you.

CHAIRMAN ANSON: Thank you, Eric. I have Russell Underwood, followed by Randy Boggs.

MR. RUSSELL UNDERWOOD: Thank you, Mr. Chairman. I am Russell Underwood from Panama City, Florida. I fish off of Louisiana and I’ve got a small fleet of boats. I’ve been doing this for about forty-five years and so I’ve got a little bit of experience. I’ve been at the council for about thirty-five years.

The first thing I would like to thank you for is the IFQ system. I think it’s working very well, both the snapper and the grouper IFQ. You know we’ve worked hard as fishermen to make this plan work and I still strongly support it. I think it’s good for the industry and I think it’s good for the resource and that’s my most important factor, is the resource.

I commend you all on Amendment 40 and 41. I think it’s the right thing to do to finally get these charter boats a plan to where they can live and raise their families and have a good livelihood.

I would like to talk about the leasing. Because I’ve got quite a few boats that I own and try to just spread them out a little bit and make my men happy, I lease very little fish. I do lease some grouper. I had very little grouper and what grouper that I own, I had to buy. Most of it I had to buy from the eastern Gulf and so that was a part there, but leasing, I have leased a few fish, but it’s to help other small boats.

A lot of people are a lot less fortunate as I was in the IFQ and I fished all my life and I had six boats and so I had a -- I was pretty well the high-liner of the Gulf at that time and so I still own a small percentage -- Excuse me. A good percentage of the fish, but I have never grown any at all and that’s the good point about being the high-liner. You couldn’t grow none.
Other people can grow, but I couldn’t, because I stayed within the law and tried to do right, but by the leasing, I have helped boats that got offshore and for some reason got in a situation and they might have caught too many and I might lease 5,000 or 10,000 pounds a year to help my fellow fishermen, to help these guys in the eastern Gulf.

I don’t want these boats out there in the eastern Gulf or anywhere else throwing fish and watching them float off. I think we’ve got more educated and smarter than catching fish and floating them behind the boat and so I encourage new people coming into this industry.

Another thing, on a personal note, this new article that just came out the other day, I didn’t read it. Just a lot of people were talking and telling me what was in this article and what I know of this fellow that wrote this article, his career is going to be very short. Megyn Kelly would have a field day with him about these articles and you know I go to Washington and I just met the Louisiana Governor. He’s a great guy and he is willing to work with us and talk with us. You know the reason why I go back to places like that and --

CHAIRMAN ANSON: Mr. Underwood, if you could wrap it up, please.

MR. UNDERWOOD: And I have opened doors is because I speak the truth and it’s about integrity. You cannot put a bunch of lies out there and make other people soak it up. A lot of these people in the public are misinformed about the whole entire fishery and so good luck with Megyn Kelly. I appreciate that and thank you.

CHAIRMAN ANSON: Thank you, Mr. Underwood. Randy Boggs, followed by Ricky McDuffie.

MR. RANDY BOGGS: Randy Boggs, Reel Surprise Charters. I was the Gulf Headboat Collaborative Manager and I encourage you guys to move 41 and 42 forward. When we did the pilot program, 42, when we did the pilot program for the headboats, we used the Cooperative Management Program and I was the Cooperative Manager, along with my wife.

The cooperative management part worked really, really well in the pilot program. It proves to be legally a very sticky place to be, because of legalities and privacy acts and everything else and so I would -- Co-ops are also illegal in Texas and it can be a collaborative in Texas, but not a cooperative.
I spoke with the boats in Texas that came out and spoke against 42 and there was some misinformation. Two out of the three boats there have recanted and came back and said that they would support this. Again, the devil is in the details and they would like to see a few more details in 42.

I would encourage, if we do move forward with 42, since we do have landings on the five major species that we catch, maybe to include these other species in there. That way, everybody is talking about moving the triggerfish and stuff and that would help us be able to do that and just use a multispecies approach to it and thank you, guys, with moving forward with everything that you have and thank you for your time.

CHAIRMAN ANSON: I have Ricky McDuffie, followed by Jim Green.

MR. RICKY MCDUFFIE: I am Ricky McDuffie, Sea Hunter Charters, Orange Beach. I have a multi-passenger and a headboat and as far as the triggerfish, I would like to see us do a season more like they were talking about, start it in March and one per person and whatever will help get it back on track, because the way it is now, it’s useless and all we’re doing is throwing lots of them away.

Basically everything all the other charter boats have said. Let’s try to repeal the sunset and move forward with 41 and 42 and another thing to think about when you’re making these decisions is we’ve kind of been pitted in against like the recreational and us, about trying to separate. It’s brought some tension.

The recreational guys, they have their own livelihoods and their own jobs. They’re doctors and lawyers and car dealers and whatever. They make their living and they work hard for it and their fishing is like their pastime or their fun time, but we’re making our living doing this and so that should kind of help sway people.

We’re not over at their board meetings and their jobs and trying to detract and take away from their livelihoods and what they do to make a living and so we’ve got to make it all work where everybody is happy. Thank you.

CHAIRMAN ANSON: Jim Green, followed by Mike Miglini.

MR. JIM GREEN: Hello. I am Captain Jim Greene, Vice President of the Destin Charter Boat Association. The DCBA desires to be
removed from Amendment 39, Action 2, Alternative 2. We feel our industry has shown its willingness to work together and find common ground. We have a window of opportunity and we plan to make it work.

As for Amendment 41 and 42, we need this process to be expedited at every possible chance. We request removal of the sunset provision from Amendment 40 and that 41 and 42’s purpose be approved to move forward. Our industry, represented through advisory panels, have passed almost every motion by a supermajority and these recommendations lay out a path and it’s the direction we want to move in.

The DCBA would like to request the Gulf Council take a look at ways of improving angling opportunity for gray triggerfish. Our association requests a March 1 opening, a one-fish bag limit, and a fourteen to sixteen-inch size limit.

With angling opportunity in mind, our association would prefer a later opening than previously used and hopefully a split season, but leaving the set closure for protecting the spawning should stay in place.

On data collection, as an association, we have wanted this for quite some time. The DCBA supports the use of electronic data and timely reporting. When it comes to VMS, our association has spent many hours weighing the pros and cons of real-time reporting of vessel location for effort validation.

We feel that if VMS is a hurdle that keeps this program from getting off the ground, then let’s take it out for the time being. Let’s not let this slow us down, when at present time we are not operating in a fishery that requires this level of validation.

On collection of harvest data, as an association, we didn’t spend much time discussing prior to landing and noon by the next day, but after speaking with a couple of our members, a better alternative would be something like two hours after landing or by midnight report times. Prior to landing seems to go along with allocation-based fisheries and sometime shortly after you land should be sufficient for a derby-style management.

I personally, when using my headboat reporting app, come down and check my fish hang and verify what I am submitting to the agency is accurate. I ask the council to maybe look at an alternative to fit a same-day reporting requirement, but allow for a higher probability of accuracy on that report.
Also, I feel that the idea of a federally-backed loan for new entrants into any fishery is really a great idea and so thank you all very much for your time.

CHAIRMAN ANSON: Thank you. I have Mike Miglini, followed by Chris Niquet.

MR. MIKE MIGLINI: I am Michael Miglini. On Amendment 39, I support Action 2, Alternative 2. The charter for-hire sector has been working on solutions and moving forward with better management for recreational anglers who access the fishery on federally-permitted charter boats for quite some time.

The majority of the charter for-hire industry that’s actively involved in the management debate and other groups have generally come to the consensus that it’s best to let the charter for-hire move forward managing their allocation to improve public access from charter boats, while letting private boat owners do the same for themselves.

To that end, the sunset for Amendment 40 needs to go away. Good management should not have a sunset and an industry that has worked so hard deserves more than to be on death-row, which is exactly what the sunset is.

Nothing about doing away with the sunset prevents the private boat angling recreational sector from moving forward with solutions and if at some time in the future the private boat angling sector comes forward with some really great solutions and really great management plans, this council will hear from the charter for-hire sector that we would like to have that plan instead, because it’s better, but until that happens, or should that not happen, I think it’s good to let the charter for-hire sector move forward with developing management plans for the allocation in Amendment 40 and to know that that work won’t be for nothing in a couple of years.

Consistent with that, making progress, I think that we need to move forward with development of the purpose and need for Amendments 41 and 42 and development of a fair and equitable allocation system between all the different boats.

Also, the topic of new entrants into the commercial fishery has come up and that’s an important topic. I support developing federal loan programs, quota banks, or other ways to provide new entrants, but it is also important to realize that without and before any of these tools that people like myself have become
new entrants.

I sold my commercial snapper permit during the derby, on word of the impending doom that IFQs would bring. When I realized how well the system worked, I spent the last many years getting back in, but when the red snapper IFQ came around, I was awarded zero pounds, no shares. Not one pound, yet I have reentered. It was not easy, but it’s still possible, but still I think it needs to be developing better pathways and making that easier for other people and that’s something that we should move forward on. Thank you.

CHAIRMAN ANSON: Mike, we have a question from Mr. Williams.

MR. WILLIAMS: You said you are getting back as a commercial red snapper fisherman and so are you renting allocation or are you purchasing allocation or how are you doing that? It’s hard. I know that, but --

MR. MIGLINI: Yes, I’ve got a good little chunk now, over the last several years, and it’s just been -- You know I can’t remember the first one. It was like a couple hundred pounds or something like that. It might have been under a couple hundred pounds, but I looked at it and I said, you know, it’s better. I watched from the bridge of a charter boat and the season is getting shorter and I can make more monies running charters and then I kind of saw the same thing happening with the charter boat industry as what happened to the commercial.

When shares became available, I saved money and I put expenses on a credit card so I could save up the cash and I borrowed money from friends and I borrowed money from family. I did that and just did a chunk at a time and occasionally I would save up money and get a bigger chunk. You know just a little bit at a time. It’s kind of like you grow a business.

You know I started on a charter boat and I ran an eighteen-foot boat and then I got a thirty-six-foot boat and I gutted it and built it all back out and a lot of sweat equity and everything. I mean I don’t -- Sometimes I think people -- Nobody came up and give me like a fifty-five-foot sport fishing boat all polished and waxed and full of fuel with a nice set of fancy rods and reels on the back of it.

I don’t think anybody is really expecting that everybody should get that, but it would be nice that if somebody wants to work hard in the industry and wants to have access to a loan bank, a federally-backed loan bank, because right now, it’s really
difficult -- It’s tough to go to a bank to borrow money if you want to buy IFQs, because they don’t really recognize IFQ shares as collateral and so people do what I do and borrow money on credit cards and take out home equity loans and sell things and get down to where you can save up money and buy in, but having a loan program where new entrants could get a meaningful number of shares or allocations would make that a lot easier for people.

MR. WILLIAMS: Thank you for that, because I mean I have had people call me that say it’s just impossible to get in now and so I guess you would disagree with that. They just say it’s so expensive they can’t get in, but there are ways. If you really want in bad enough, you can, I guess.

MR. MIGLINI: If I really wanted a ranch right now, it would be very expensive, but I would probably find a way to do it. I heard you say earlier that kind of like maybe if you lease some that you would get a percentage of it, but you know if I went and leased a ranch or something, I -- There is arguments for both sides of it and it is very difficult. It is very difficult to get in, because it’s expensive, because what’s happening is the value of the industry has gone up substantially. That Class 2 snapper permit I bought during the derby, that wasn’t cheap either. Anything else?

CHAIRMAN ANSON: Thank you, Mike.

MR. MIGLINI: Thank you very much.

CHAIRMAN ANSON: We have Chris Niquet, followed by Donnie Dineen.

MR. CHRIS NIQUET: Chris Niquet, Panama City, Florida. I am here to talk about some leasing and some other things. I lease my allocation, everywhere from Galveston, Texas all over the Gulf Coast, all the way down to below Naples, Florida. It’s on over twenty boats and there are twenty boats that are now keeping red snapper instead of throwing them away as dead discards. This is in line with what Magnuson-Stevens wants. Otherwise, they are dead discards that float away.

Now they come to the hill. The fisherman sells them to the fish house and he makes a profit and the fish house sells them and he makes a profit. All these things are taxed and it goes right up the line with the trucker who transports them and the insurance company who insures the trucker and the man who sells him tires and ultimately to the restaurant who serves them. They all pay taxes. They are contributing, indirectly, or most of the time
directly, to the government that is employing all of you.

Now, you may not like the IFQ program and you may not like leasing, but it’s a necessary part. If I fished all my allocation myself, there would be twenty boats out there trying to make a living, catching amberjack and B-liners and scamp and grouper and whatever else, catching red snapper and it’s not because they are trying to avoid them. It’s because the IFQ program is so successful that now they’re catching snapper where they never were caught before, way down in the Keys.

To give you a for instance, the Lynn brothers in St. Marks, they have a stone crab fishery they’re fishing. They just got 10,000 pounds and do you know why? They are catching them in their stone crab traps. They can throw them away or they can take them in and sell them.

The IFQ program works great. The leasing program works great. If you leave it alone, it will continue to work great and I am all for new entries. If they want to get into it, fine. I suggest, with the council’s approval, that you figure out some way for the banks or the government to set up a loan system to loan them money so they can purchase these IFQ shares. Thank you very much.

CHAIRMAN ANSON: Thank you. Donnie Dineen, followed by J.P. Brooker.

MR. DONNIE DINEEN: Thank you, council. Just to make it real quick for you, I would like for you all to please press forward with Amendment 41 and 42. Almost every recommendation has passed by the AP with almost a supermajority and please remove the for-hire fleet from Amendment 39 and triggerfish, my boat hasn’t kept a triggerfish in two years and I don’t know if I’m not fishing for them at the right time or I miss the season because I’m fishing for something else and so I prefer a March 1 opening, a one-fish bag limit, say fifteen inches, and please, please, please push forward with an electronic reporting system of some kind.

My boat caught 512 snappers last year in forty-five days and all I had to do was write it down. I can mail it to you or I can do it however you want, but please let us report our catches to you some way or the other. Thank you all for doing a thankless job.

CHAIRMAN ANSON: Thank you. We have J.P. Brooker, followed by Jim Zurbrick.
MR. J.P. BROOKER: Thank you, Chairman Anson, and thank you to the council for the opportunity to give comment. I’m J.P. Brooker and I’m policy analyst and attorney with the Ocean Conservancy, based in St. Petersburg, Florida.

On behalf of our over 120,000 members, comprised of conservationists, sportsmen, and members of the general public, I would like to reiterate our support for Amendment 39 with Action 2, Alternative 2 selected as preferred.

Allowing the states to develop individual conservation equivalent plans that are customized to the unique fishing traits of private fishermen in their waters could ultimately result in the tailored access for anglers, greater accountability for the private recreational component, and decreased likelihood that the recreational component will exceed its share of the overall red snapper quota.

Fewer quota overruns and greater stability in the fishery means rebuilding stays on track and catch limits can increase as the stock rebounds. Furthermore, Action 2, Alternative 2 preserves sector separation, by removing the sunset provision in Amendment 40, which is essential for conservation and the future expansion of recreational fishing access.

On January 4, 2016, U.S. District Judge Milazzo sided with NMFS in a lawsuit challenging the legal validity of Amendment 40, ruling that the agency was within its discretion to divide the recreational quota between the two components of the fishery. Judge Milazzo shut down claims that the move unfairly hurts private recreational fishermen, where she said, quote, it is apparent from the record that the detriment suffered by private anglers, the reduction of their federal season, is offset by the fact that they may pursue fishing opportunities in state waters, while federally-permitted for-hire fishermen are prohibited from taking advantage of these opportunities.

Milazzo continued that the council also found that sector separation allows for better management of the fishery by stabilizing the federal for-hire component’s participation in the sector, increasing access of anglers who do not own vessels, creating a base for further management focused on maximizing opportunities for each component and reducing discard mortality and reducing the likelihood of quota overages in the recreational sector.

Ocean Conservancy urges the council to allow sector separation to succeed, either by eliminating the sunset, by voting up
Action 2, Alternative 2, or by developing and approving a stand-alone amendment. Thanks for the opportunity to give comment.

CHAIRMAN ANSON: Jim Zurbrick, followed by Chris Horton.

MR. JIM ZURBRICK: Thank you, council, for allowing me to speak. Jim Zurbrick from Steinhatchee, Florida. By the way, I don’t have to worry about the fish that have been reserved for the American consumer. There is not a derby.

I am hurt. I can’t fish until March and I am still going to have an income waiting for me. I am still going to have fish reserved so that I can go catch them and feed my family and feed the American public and so I want to thank -- When the council passed the IFQ or voted for it, it gave all of us who get hurt or have injuries a chance to continue fishing.

I’ve got some points. 39, you know as I get older, things get comical. The right thing to do, if you’re going to move on 39, is to take the private pure recreational and let them create and have a control over their own destiny, but we all know -- Everyone knows that the reason that certain groups want to bring the charter fleet into that regional management, into the state control, is to syphon off that recreational 43 percent quota. It’s a fact.

Guys, the truth is, as you get older especially, it’s important, but also, 33. You know if all the fish were under an IFQ, think about that 3 percent cost recovery. All the fish would have a cost recovery associated with it and so if there is any program efficiencies, that’s one way to take care of it and also to make sure that we’ve got 100 percent accountability for all the catches.

We wouldn’t be going over on amberjack and we wouldn’t be going over on triggerfish and whatnot. Speaking of triggerfish, the commercial sector hasn’t caught its triggerfish quota in two years. You know what happened two years ago? We went to a twelve-fish bag limit. Twelve fish, we can’t catch it with the effort.

If they look at effort and they look at the number of trigger, the landings, we can’t catch it and so we would like an increase. We would like to have more triggerfish per trip and they’re not targeted fish. We don’t go out there and say, man, I can’t wait to get to my favorite trigger spot, but we’re catching them incidentally and it is our quota, but one has to wonder if the recreational interests on this council wouldn’t
vote against giving me a trip limit increase so that the overages somehow could be used by the recreational sector.

That’s disturbing, when I have to think about things like that, that there’s an alternative motive, but I will applaud the council. Yesterday, fifteen people voted to try to get as much extra days of recreational fishing for the recreational fishermen, where they didn’t get into their buffer and there was still some of their buffer left. That’s fifteen people that voted and came together and there was no partisan line. It was the right thing to do and that’s what I wish would happen.

One final thing is you’re going to get automatic vote counter and it’s really easy for us out here. All we do is look to see how one guy votes and we know the other guy is going to vote opposite and so it’s really not -- The counting part of it isn’t hard. We all know prior to where everybody stands and I thank you very much.

CHAIRMAN ANSON: Thank you, Jim. We have Chris Horton, followed by Mike Eller.

MR. CHRIS HORTON: Thank you, Mr. Chairman and members of the council. My name is Chris Horton and I’m the Fisheries Program Director for the Congressional Sportsmen’s Foundation and I have a masters in fisheries, in fisheries management, and I have managed the natural fisheries resource for a state agency in a previous portion of my career and, just as importantly though, I come to the Gulf Coast and fish recreational with family and friends, as many times as I can get a chance to in a year.

I understand there was some good conversation yesterday concerning the Gulf Angler Focus Group and committee and we certainly appreciate the council’s willingness to allow this process to work.

It is now a professionally-facilitated group of recreational anglers and angling organizations, charter boat operators, tackle distributors, wholesalers, marina owners, and we’ll continue to grow the breadth and scope of this group and look for the most efficient avenues to reach out to the private recreational community over the next few months.

Developing a range of options that can truly be supported by the recreational community, when you have such diverse perspectives of recreational anglers, from Brownsville, Texas, to Key West, Florida, is a challenge and that’s why we figured that a recreational advisory panel would not be able to accomplish
incorporating all those various perspectives at this point.

Some of the key areas the Gulf Angler Focus Group will work on is to enhance and improve recreational fisheries. We will look at recreational harvest data collection, ways to improve that, and biological data collection, stock assessments, recreational management options, regional management, season lengths, allocation, and sector separation.

In the process of evaluating these focus areas, we will use the National Saltwater Recreational Fisheries Policy guiding principles that NOAA just released as a way to serve as our guide. Again, we hope that you allow this process to continue as we try to gather consensus management recommendations from a full spectrum of anglers out there across the Gulf.

As for Amendment 39, I thought the original concept was to provide the states with the quota and allow them the flexibility to manage that quota to best meet the needs of their anglers, for-hire businesses, and local communities, which was a great idea and great concept.

Unfortunately, that vision, as amended, seems even less flexible and potentially more onerous for the states than status quo and does not accomplish its original intent of allowing the states the flexibility to truly manage the recreational component in the red snapper fishery.

I can’t support Amendment 39 as currently drafted and I ask that the council not bring it to a final vote until the states feel comfortable that they have the necessary provisions to allow the flexibility in managing their fisheries. Thank you for your time.

CHAIRMAN ANSON: Chris, we have a question from Roy.

MR. WILLIAMS: Thank you for coming, Mr. Horton. I hadn’t heard of your group until yesterday. I somehow was left off the original memo that went out, but I did get a copy of it. Who was the person or the organization that assembled this group? Was that you?

MR. HORTON: I have helped kind of facilitate getting the actual meetings together, but this is discussions that have been going on since last spring with ASA and us and CCA and some tackle distributors.

MR. WILLIAMS: In looking at the people that were on the list,
the names that I saw in the letter that was sent, it really
seemed like birds of a feather to me, in that there didn’t seem
to be a lot of difference among them, but you’ve got a
facilitator to try to eliminate differences and I am just
wondering if you really needed that. Do you have anybody on
that group from say the Destin Charter Boat Association? Were
they invited in this?

MR. HORTON: Like I said, no, sir. This is just beginning to be
formed and we’re trying to, basically from a true private
recreational perspective, kind of get our ducks in order. What
is it that we’re actually wanting out there, what kind of
possible ideas or solutions?

Then at some point, that is the logical next step and that’s one
reason we have a facilitator, to help us along with this process
and identify which groups we need to work with in order to be
able to finally get to solutions that kind of work for everyone.

MR. WILLIAMS: I saw a couple of names on there that are from
the for-hire industry.

MR. HORTON: Right.

MR. WILLIAMS: But both of them are on the -- The two names that
I saw would be against sector separation and they would be for
reallocation and I am just wondering if you’re getting the
diversity of opinion. I didn’t see anybody from the Destin
Charter Boat Association and I didn’t see a name from the
charter for-hire association and I didn’t see the Clearwater.
Are you deliberately leaving them out or will they will be
brought in?

MR. HORTON: No, sir. Like I said, at this point, we’re not
ready to have that conversation with them. They obviously have
kind of a plan in place for what they want to do, but we, as the
recreational community that doesn’t either support that plan or
doesn’t -- The average recreational angler from Tampa or
anywhere else that has a day job doesn’t really pay attention
and just knows that something has got to change here and being
able to get their voice and get them together, so that we can
all begin working together to find those solutions.

MR. WILLIAMS: I appreciate that. You were not here and Ken
Haddad and I had some discussion of this yesterday and a concern
that I have is that any of these groups, they want to do
reallocation and they think they can reallocate their way out of
all of the problems, but the problem in this industry is the
same as it was when I came here three years ago. There are way
more fishermen than there are fish and that’s not going to get
any better. It’s going to get worse, as every year goes past.

I just hope you will try to address some real solutions. I mean
I applaud you guys for doing this, but try to find some real
solutions that will figure out how to partition a fixed number
of red snapper among a seemingly ever-growing number anglers and
that’s going to be a real problem.

I mean it’s going to be very difficult and I applaud you for
doing it. I genuinely do, but I just hope we don’t -- You can’t
reallocate your way out of it. We cannot reallocate our way out
of this problem. We just can’t. I know a lot of people think
they can, but they can’t. It’s impossible. I applaud you for
doing what you’re doing and I really do hope it’s a success.

MR. HORTON: Right. Like I said, there is a lot of those key
areas there that will focus on everything, looking at allocation
and looking at the various management options and ways to reduce
mortality. I mean looking at everything and what can we do
within the confines of this council to potentially have a better
management plan in place for recreational anglers.

CHAIRMAN ANSON: We’ve got one more question from Johnny.

MR. GREENE: Hi, Chris. Glad you’re here and welcome back. I
can’t, for the life of me, begin to even fathom what you’re
attempting to do and my hat is off to you. I have struggled
with this for a long time and I am supportive of you.

Obviously I am a little apprehensive, as I think everybody from
the outside looking in is, and, like I said earlier, I can’t
imagine to have to sit in your shoes and try to facilitate this
and do that and I applaud the steps that you’ve taken.

One of the questions I was going to ask yesterday, and I never
got around to it, was are you going to try to have meetings
monthly or is this going to be something you’re going to try to
do two or three times a year? I know you’re still trying to get
your head around the dynamics and everything and I understand
you’ve got a lot of players in the game and you’re really not
sure about the universe and all, but, ideally speaking, in a
couple of months, you should have an idea and is this going to
be something that you guys are going to meet quickly or is it
going to be once a year? I mean can you give me a little more
comfort somewhere there?
MR. HORTON: Sure. I mean obviously with the facilitators we have contracted a set number of in-person meetings and I believe that’s six or seven over the course of this next year, with opportunities for conference calls and other ways, but it’s not just our group that meets.

We want to be able to make sure that we reach out, so that the broadest spectrum of the recreational community is comfortable with whatever we’re discussing, whatever ultimately gets brought to the council, and sometimes the avenue is using the states and their contacts with every license-buying angler in the state.

That may be one way and so as far as how fast we’re going to be able to do this, I don’t know, because you’re absolutely right. That was the one thing that worried me about even just starting with an AP, is you know fifteen or twenty members, how do you really -- Who is the recreational community out there? How do we really capture those?

That’s really the most important part of getting this thing started off right, is building that framework that we can have that conversation and bring everybody together and start working in that direction.

CHAIRMAN ANSON: Thank you, Chris.

MR. HORTON: Thank you.

CHAIRMAN ANSON: We have Mike Eller, followed by Ken Haddad.

MR. MIKE ELLER: Council members, thank you very much for allowing me to speak. I’m Captain Mike Eller, the Charter Boat Lady M, Destin, Florida. I am dual-permitted. This is my thirty-fourth consecutive year of fishing in the Gulf.

Regional management is bad for the State of Florida. I think we have convinced the State of Florida -- I don’t think we had to convince them. I think they saw it for themselves. It’s going to be bad for Florida anglers. We don’t want any part of it.

We would like to see Amendment 41 and 42 move forward. We would like to see electronic logbooks. I have been coming to these meetings for a very, very long time and for a very long time, we have asked for electronic logbooks or some type of new data collection.

It seems like the root of all of our problems always goes back to data and so now you have a -- You have a group of fishermen
who represent 50 percent of the recreational anglers. 50 percent fish on charter boats and partyboats. The 50 percent that fish on the charter boats and partyboats, they want their fish counted. They want to be accountable.

I took 1,200 people fishing last year on my boat and every one of them wants me to come to this meeting and every one of them wants me to buy a piece of equipment to put on my boat and every one of them wants me to report their fish accurately every time.

We have all wanted this for a long time. It’s time to get out of the way of the process and let’s move forward. It seems like it’s glacially slow, but we’re slowly getting there and so we will buy the equipment and we will pay the lease fees. Whatever it takes, let’s just move the ball forward.

I have said it many times and I will say it again, but we parachuted an electric car onto the surface of Mars and there is no reason that we cannot count fish.

Triggerfish, we are in favor of a March 1 opening, one fish per person, fourteen or sixteen inches, something like that. I am an IFQ holder. I am going to switch hats for a second. I bought my IFQ. I have invested close to $400,000 in IFQ, buying little-bitty pieces at a time. Then as the quota has gone up, I’ve obviously been given some.

There are tweaks that need to be made to the IFQ system and if the IFQ holders are smart, they will embrace tweaking the system for new entrants and loan programs and something to help the fishermen that are getting in that don’t have a lot of fish or only have a little bit of fish.

I gave testimony at scoping that I think there are some tweaks to be made, but the system works very good. I have leased my fish now for three years in a row. I dock at a fish house and those guys that are at that fish house are all small boats and they do not have the money to buy fish and if I didn’t lease my fish to them, there is about three or four of them that would not have fish or it would be very hard to find fish.

There are fish on the market. You can buy fish. You have to work at it a little bit and so not being able to find them, that’s not true. You can find fish. I sold 1,000 pounds of fish this fall when I started to do a big repower project.

We want electronic logbooks. I can’t emphasize it enough. You will never hear -- Very rarely will you hear me quote the Bible,
but John 8:32, it says, know the truth and it will make you free. We want to know to know the truth. We want to know what the recreational anglers are catching on the charter boats and partyboats. Good, bad, or indifferent, we want the number to come out. Thank you.

CHAIRMAN ANSON: Thank you. Ken Haddad, followed by Mike Colby.

MR. KEN HADDAD: Thank you, Mr. Chairman and council members. Since you spot-checked me yesterday, I am not going to get into this deeply, but I do want to respond to -- I know it’s a concern and, Roy, not the issue of there is too many fishermen, but the issue of who is on that initial list of attendees and participants.

We are in a very divided process and, believe me, the group that is supposedly like-minded sitting together is not like-minded. I mean we’ve got to get our own private recreational thoughts together before we can really start bringing in the bigger diversity of the world. We are not going to attempt to cure cancer on this forum. It’s not going to happen, but we do have every intention of being inclusive, but we’re still doing this as a private -- It’s not a council activity.

I want to make sure the council isn’t trying to interpret what we’re doing as a council activity. That eventually will be an AP, which we absolutely agree has to be done. I just wanted to make it clear that we’re doing this progressively in steps and I think Chris has alluded to that, but I think just the natural tendency for suspicion and distrust creates an atmosphere that makes it difficult for everybody to move forward.

On Amendment 39, ASA recognizes that the amendment has become complicated. It’s confusing and I read it and I feel like my old days of a computer program and trying to if-then, then-if, and you can get lost in it.

We know the states have some significant issues, just as everybody else on the council. We ask that you give the states deference in trying to solve this through the council process and not necessarily abandon Amendment 39, but there is going to need to be some rethinking on this, because it has gotten -- It’s falling apart under its own weight and some core issues need to be thought about and we encourage that through the council. That’s all, Mr. Chairman, and thank you.

CHAIRMAN ANSON: Thank you. Next, we have Mike Colby, followed by Brad Gorst
MR. MIKE COLBY: Thank you, Mr. Chairman and council. Mike
Colby, headboat and charter operator from Clearwater, Florida,
the Clearwater Marine Association. My wife asked me last night
-- She said, where are you? I said, well, I’m in Perdido Key.
Really? I said, yes, it’s the home of the Perdido Key beach
mouse and she laughed and said I’m going to have to look that
one up, but thank you for letting me comment and my comments are
going to be on the reporting requirement changes,
charter/headboat, that framework action.

As most of you know, or have been aware of and know of, there
will be an ELB project, voluntary project, starting in the Gulf
very shortly. That project is a cooperative effort between the
National Fish and Wildlife Foundation, the Gulf Seafood
Institute, and CLS America.

At this point, we have approximately, excluding fishermen in
Texas and Louisiana, we have about 227 boats, federally-
permitted charter operators, signed up for this ELB. This is
kind of an update for you folks that heard about it, but don’t
know the status of that project.

Right now, we expect that the equipment installation will be
completed some time in February and captains’ meetings are set
up for the month of March and we expect by the third or fourth
week of March to have the project kicked off.

What we have done, we had technical meetings with FWC and with
MRIP and some fishermen, CLS folks, and Texas Parks and Wildlife
people back in October, hammering out a template for how we were
going to report. We have made that template mirror MRIP,
because what we want is a reporting log that will give us the
maximum amount of information that we’re using now and then
some.

We have designed the template so there’s very little fishermen
input on it. You want your finger to touch that logbook as
little as possible. It’s real-time reporting and I think in
terms of this framework action, and also understanding that
there will probably be another conceptual ELB project that may
start very soon as well, that gives you folks on the council
something to evaluate, because if you pass Action 3, Alternative
2, you are saying approved ELB with approved, accepted
electronic monitoring. Now you’re going to have some things to
evaluate and I am kind of excited about that.

Our idea is to get fishermen to use it. Will they like it?
Will they not like it? Will they incorporate it in their daily regime? Good, bad, or ugly, I think by the October council meeting that I will have some interesting information for the council on some of the preliminary data and how fishermen are warming up to that. Thank you.

CHAIRMAN ANSON: Mike, hold on. We have a question from Ms. Bosarge.

MS. BOSARGE: This is going to be an electronic reporting system, to a degree, that maybe in some ways is very similar to VMS. In other words, it’s another option besides VMS, because you know we have our data collection amendment that we’re looking at right now, and it’s actually slated for final action for this meeting, and we’ve heard some concerns from some fishermen about VMS and we don’t want to put the VMS on our boat and we’re worried about the maintenance in the open environment on these types of boats.

Right now, our data collection amendment is fairly open-ended as far as the actual device that we choose. We don’t necessarily have to choose a VMS, even if we send this to final action. It will be kind of decided, a couple of platforms, by this technical committee. So this is another option that could possibly be viable besides VMS? Is that what I’m hearing?

MR. COLBY: Yes and our ELB, starting in March, will include a VMS. There is another conceptual plan out there that I am aware of that we had some of the council members attended this Monday meeting, where some folks in Texas, the Texas charter boat guys, have got together and are looking at starting an ELB project using a different platform.

Now, one is real-time reporting and one will not be real-time reporting, but that -- I say that guardedly, not that it’s wrong, but it’s just that when you folks begin to evaluate what platform you want, it’s my belief that you look at what the fishery needs and then also pay close attention to what fishery managers, decision makers, the Science Center, what do they need, depending upon what kind of management the fishermen want, even past red snapper.

Now, our project will be multispecies. Everything goes in there, kingfish, Spanish mackerel, hogfish, groupers, snappers, everything. It’s going to be an easy template, but you’re right that the other program, while it’s not near ready for startup, could very well be one of the things you consider.
It’s my impression you can pass or you can decide on this framework action tomorrow and pick Alternative 2, the preferred alternative, in Action 3. Now, you won’t know what you’re voting on. You’re not going to have anything yet, but there is your breathing room you want. If you want ELBs with monitoring, then vote the preferred alternative, but then who knows what approved electronic platform will be there by the time we get everything rolling.

I am hopeful that, again, by October, after six months of our startup in this project, that we’ll have some very, very interesting results, not just in the data stream, not just in the fact that this VMS will provide the same calibrated data that it’s getting now, but also the fishermen’s perspective of using equipment like this.

There is a lot of angst out there about VMS right now. It’s the boogeyman. I mean it’s a tough one, but I want to know, will fishermen like it a little? Will they like it a lot? Will they hate it a little? Will they hate it a lot? Will they incorporate it in their everyday activities? Will they find it something that they can use if they know that that’s going to produce better fishery management plans in the future? Thank you.

CHAIRMAN ANSON: Thank you, Mike. Mike, I think we have one more question.

MR. WILLIAMS: Mike, where are the -- These 227 boats, where does the information go? They send it out in real time? On a daily basis it’s sent out?

MR. COLBY: Yes, when the fisherman hits “send”, it’s going to go to an IPC center, an information processing center. At that point, it will then go to MRIP. I mean those FWC folks that are using MRIP dollars now to clean -- I am using the word “clean” data or validate data. Somebody is going to have to look at that data to make sure a fisherman didn’t put down a fish that was caught in the Mediterranean or some other data entry problem.

Once that data is cleaned, then it has a pathway to certification, because it will use the same -- I am going to say this guardedly. It should use the same calibration techniques that we’re using in MRIP right now.

CHAIRMAN ANSON: All right. We have Brad Gorst, followed by Bill Arant.
MR. BRAD GORST: Hello. My name is Brad Gorst and I’m from the
Clearwater area in Florida. I would like to thank the council
for hearing me today. I operate a dual-permitted, inspected
vessel and manage three vessels, another inspected vessel that’s
dually-permitted and a six-pack passenger vessel.

With the VMS, I do have a VMS as it is. I am also enrolled with
the new program. The VMS has been on my boat since the
beginning and it’s never been a problem. Sometimes it’s a
little slow when it gets hot from the sun or whatever, but,
other than that, there has nobody that’s ever been pinging me,
that I know of, and I’m not worried about spots. I don’t see
that as being an issue.

As far as, to move on, Amendment 39, Action 2, Alternative 2.
If they want private state or regional management for the
private recreational angler, that’s their game. I don’t want no
part of it. Leave the for-hire out of it.

I would like to see the sunset provision removed for the for-
hire and allow the FMP to grow and keep working forward on
Amendments 41 and 42, being that they’re separate, because the
headboats have a catch history, and so we need to stay within
the charter boat side of this. Make their pilot program
permanent for the headboats.

Triggerfish, I am going to mirror with the triggerfish, March 1,
fourteen to sixteen-inch size limit. Amendment 36, the purpose
and need for 36 is described in the pamphlet back there and it’s
to evaluate performance, prevent overfishing, achieve optimum
yield, and to rebuild the stock.

I think that’s done. The IFQ program was built on stone. It
was built on rock. It wasn’t built on sand to be washed away
and so if it ain’t broke, don’t fix it. That’s my opinion on
that.

Keep the ELBs working and plugging along and I challenge all the
five state directors that keep voting against everything to
question their marching orders in favor of the majority of the
fishermen that are here at these hearings and all the many
majority of people that have spoken for doing the right thing in
all the last council meetings I’ve been to. It’s always the
same people that vote no and the same people that vote yes. All
we need is one person to say, hey, maybe there is some validity
in what all these people are saying all these times that we all
meet. Thank you.
CHAIRMAN ANSON: All right. Bill Arant, followed by Pam Anderson.

MR. BILL ARANT: My name is Bill Arant and I’m from Birmingham, Alabama, but I have been an avid fisherman and I want to thank the committee for letting me speak today and Chairman Anson. I guess my fishing career started back in the early 1950s, when my father first took me deep-sea fishing. I’ve been at it ever since.

I feel like Amendment 39 was well-conceived initially, but it’s the situation where I gather basically no one is happy with it, or very few are, and it certainly, we feel like, needs to be revisited.

My personal preference is I would like to see, at least for Alabama fishermen, our control and our rules and all really laid out by our local executives, Chris Blankenship and Kevin Anson, and their staffs, because, from my perspective in all these long years of fishing, these guys are who really know what goes on here in Alabama, in our very limited coastline, and though a lot of these other comments are well-intentioned and some are very self-serving, I think that Amendment 39 needs to be revisited and reconsidered, but with an emphasis or a goal of state control. Thank you.

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

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

Thank you for acknowledging the Gulf Angler Focus Group for what it is, an honest attempt to work through issues that affect the recreational fishery in a systematic, businesslike manner, considering all points of view.

I believe the result will assist the council in making better decisions affecting recreational anglers. For that reason, I support delaying the implementation of a private recreational angler AP at this time.

The original Amendment 39 was very different than what we have now. It was truly allowing the states to have more flexibility and control over their fishery and their anglers. It is not so
now.

I believe the council needs to consider stepping back and readdressing the original intent of this amendment before going forward. I have been a proponent of regional management all along and I still am, for the entire recreational sector, but Amendment 39, in its present state, is not what was intended.

In the commercial IFQ program, you have developed regulations to designate winners and losers, thus regulating approximately 50 percent of the permit holders out of business. You have called that reducing overcapacity and I call it eliminating jobs.

Some of those left in think it’s great and the others not so much. They still harvest the ACL, but with fewer jobs and a handful who have become quite wealthy, with many of them hurting. Is this really what was intended to be best for the nation?

A similar design is being proposed in Amendments 41 and 42, putting the interests of the few over that of the many and lining their pockets in the process. Is this your intent? This seems to be where it’s headed. Was this the intent of Magnuson? Please consider this as you go forward.

In Amendments 41 and 42, a referendum needs to be required. It has been said that most, if not all, permit holders agree with these concepts. It’s not true, but, if so, there should be no objection to having a referendum so all permit holders can weigh in on these important issues that affect their businesses.

We need an opt-in and opt-out measure in both of these amendments. We need to be sure that any plan for data collection will be used as intended. Weekly reporting is what the Science Center can handle financially and do not require daily reporting if they’re not going to use it.

It was said in committee yesterday that we will never have enough fish to support the growing angler population. I think instead of seeing the stock as a limited amount that fishery management should be looking more seriously at growing the fishery in ways other than limitations.

We have a very large Gulf with a lot of sand bottom that is underutilized. If all of our scientists could help design reefs that would grow the fishery to meet the demands of the public, we wouldn’t be having trouble splitting up this resource and all would be winners. It may sound silly, but maybe we need to
think outside the box a bit more. Red snapper is not a depleted fishery. It’s a growing fishery that could be off the charts with some scientific ingenuity. Thank you.

CHAIRMAN ANSON: Thank you. We have Mike Rowell, followed by Matt Grant.

MR. MIKE ROWELL: For the record, I am Mike Rowell, Charter Boat Annie Girl, from Orange Beach. Many times in the past when I’ve been here, I was here to complain and fuss and whatnot, but I am here today to say that I think we’re making a lot of headway and I am very proud of that.

I was trying to think of an analogy. It’s been like trying to get an airplane off the ground and I feel like we’ve been climbing and now we’re at a cruising altitude. We’ve still got a lot of work to do to keep the plane flying, but with the efforts that we’re going through like with our sector separation and we had some more days last year, I am a little bit more positive.

I spent a lot of money on my boat last year, with this positive attitude, and I have also spent a lot of money fixing it up this year, looking forward to things getting better in our fishery.

I think that we are on the right track and I would like to continue on with the sector separation and I would like to see us look at this sunset provision. I think that needs to be taken away. Like somebody said a while ago, it’s like a death penalty. If it works, let’s keep it.

Anyway, I am looking forward to working with everybody in the future and I am hoping everything is going to get better. That’s better than my attitude from before and so thank you very much.

CHAIRMAN ANSON: Thank you, Mike. Matt Grant, followed by David Krebs.

MR. MATT GRANT: Good afternoon. My name is Matt Grant and I’m born and raised here in Orange Beach, Alabama. I’m an avid recreational angler since before I could even walk. I have come here basically to just voice my opinion here as the physical majority of the stakeholders of the Gulf fisheries, but definitely the voting minority, when it comes to talks and meetings like this, and so I thought I would take time out of my life and my business to come up here and talk to you guys about how I feel about the management of the fishery of the past few
I can remember growing up that snapper fishing was one of the big deals. It was an all-day event and usually you had to hire a charter boat captain to go catch them, because they knew how to do it.

With the reef program that the state has done the past ten or fifteen years, the abundance of snapper has become something that's just simply amazing to me and, although I love to fish, I'm a pretty terrible fisherman, but if I can go out and catch my limit of snapper in literally minutes, I would have to say that people that claim that the snapper fishery is overfished are definitely wrong in that aspect.

I try to keep up with as much news as I can when it comes to different amendments and things like that. I am a big believer in the fact that states could manage their specific fisheries better than the region as a whole. People like Chris Blankenship in Alabama have the expertise to do things like that and, from what I understand, the original Amendment 39, as submitted, has been watered down and changed and just basically not what it originally was intended to do.

I think that if you were going to do anything that it would be basically to go revisit that and try to do something closer to what it was originally. Other than that, I thank you for your time this afternoon and I appreciate you giving me the opportunity to speak. I'm a very vocal minority of the voice. Thank you.

CHAIRMAN ANSON: We have David Krebs, followed by John Anderson.

MR. DAVID KREBS: Good afternoon, council. My name is David Krebs and I own Ariel Seafoods in Destin, Florida, wholesaler and also an IFQ shareholder and I own five commercial boats.

I guess we'll start today with a little history lesson. It seems that we need to be reminded of where we were to get to where we are. In 1990, we had a real problem, a problem to an extent in the red snapper fishery that the federal government felt the need to shut the fishery completely down.

We moved into that for the next three years into a derby system, that we fished as few as forty-five days or something like that in one of the years. Then we went to the class license system. A Class 1 license would allow you to catch 2,000 pounds a day for the length of the season open, for the first fourteen days
initially and then it went on to ten days, until the commercial quota was caught.

Over time, this evolved with size limits and it started changing the nature of the fishery, but, during this time, there was only 138 Class 1 licenses. That was the size of your commercial fleet that was substantially vested and fished.

It was a tough business back then, even though it only took a 5,000-pound qualifier to qualify for one of those Class 1 licenses between 1990 and 1993. That’s what the fishery looked like.

Fishing started getting better with initial management and more people wanted to snapper fish and they were leasing the licenses to people that weren’t wanting to fish anymore. There was all this leasing of the licenses going back and forth and then we started working on this notion of, wait a minute, we’re always fishing for nothing, because we’re killing the market and we had massive discards after the size limits came into place in the late 1990s, even though we stood at the podium and said a dead fish is a dead fish and why do we have size limits.

We were told it would benefit the recreational season length, because they were only being taxed with what was being landed and not with what was being discarded.

There has been a lot of frustration and I’m going to run out of time before I can get to the end of all of this, but the intent on the commercial industry was to reduce our footprint, reduce our capacity, and rebuild the fishery and we did it and now every day we’re vilified, just like in the Florida net ban was showing Pacific driftnets, like that was going off the coast of Tampa. We’re vilified as sea lords, sharecroppers, these crazy words, because our house is in order.

I don’t see people coming up here -- We have no discard rules in place for the Gulf of Mexico and you can go out there and catch and discard red snapper all day long and nobody forces a single fisherman to lease a fish. If you don’t want to keep that $2.00 or $1.75 or $3.00 or whatever you’re getting paid for it after your lease, don’t catch it. Don’t lease the fish.

Our house is in order and you’ve got to get this recreational AP through and why? Because every time there’s a problem in the recreational community, we’re attacked and that is wrong. Thank you.
CHAIRMAN ANSON: Thank you, Mr. Krebs. We have a question for you from Mr. Walker.

MR. WALKER: David, I’ve got an allocation question for you. There’s a lot of times it’s been allocated to criticizing the successful FMP and what are your thoughts on maybe the allocation of time being spent on a failed FMP?

MR. KREBS: Thank you for the question. That is my frustration and the point that I was trying to get to. This is 2016. We have been talking about this problem since 2006, that I know of that it was at the forefront, ten years, and we haven’t moved the ball. You can’t even get a recreational panel to meet to come up with ideas.

Thank you, Councilman Roy Williams, for acknowledging that that is the root of the issue. More people want to catch a fish that’s easy to catch every year and if you don’t have some kind of effort restriction, you will never achieve it. You can have private angler groups get together all day long and that doesn’t mean you’re ever going to solve something.

This notion of let’s wait until 40 sunsets and throw the charter boats back into this quandary of competing against the private angler, especially now -- I haven’t heard discussion about the omnibus in Alabama and Louisiana going out to nine miles and the effects on the for-hire fleet. Are they going to be allowed in the state waters that they were historically in or does that move that fleet out?

Then, also, that increases those anglers’ access to bigger and more fish, all of these unintended consequences that we as a council sit around and we listen to people come up to this microphone and then we don’t act and then it comes back on, well, it’s that commercial industry and, look, they’re making a profit. The last time I checked, that’s what the commercial industry was supposed to do, was make a profit. Thank you.

CHAIRMAN ANSON: We have John Anderson, followed by Kellie Ralston.

MR. JOHN ANDERSON: Good afternoon and thank you for giving me a chance to speak. A lot of what I was going to talk about has already been said, but let me say my name is John Anderson and I was a commercial fisherman for thirty-eight years in the Gulf of Mexico. I started in 1976 and now I do not own any boats and I have no permits. That puts me in the recreational sector, so to speak.
Anyway, I want you to listen to these charter boat people and these commercial guys. They’ve got them a good thing going and don’t mess with the IFQ for the commercial sector. It’s working and it meets all the requirements. Leasing is a good thing. You have heard it time and time again and I want to say I did my share of leasing and it does work. It helps discards and on and on. It’s a good thing.

I would like to see you keep the charter boats in their program and get rid of that sunset. It took a long time to get these charter boats where they are now. All they want to do is a chance to work and get their system in order. Now, I don’t think two more years is enough time. If you don’t sunset it or get rid of it, at least give them another three years. Give them some time.

Like you all said yesterday, as slow as we work in here, it takes time to do these things. Listen to the fishermen, the people that live it and do it. As far as recreational, I would like to see some kind of a tag system. There is more and more people moving to the Gulf Coast every year and they’re buying boats and they want to go out there and fish in the Gulf. You’ve got to do something.

Get on with 40 and 41 and let these charter boats get their plan in place and get a recreational AP going and let them get something started too and let’s get moving. Let’s do something good for everybody. Thank you.

CHAIRMAN ANSON: We have Kellie Ralston, followed by Jenny Thompson.

MS. KELLIE RALSTON: Thank you, Mr. Chairman and council members. I am Kellie Ralston with the American Sportfishing Association’s Keep Florida Fishing Initiative and, given the number of speakers today, I am just going to have a couple of brief comments that I wanted to make.

First, I wanted to express our appreciation to the council for deferring action on the formation of a private recreational AP and for giving our Gulf Angler Focus Group a chance to really kind of get off the ground and get started. I have attended both of the first meetings that we’ve had and have really been impressed by the positive and productive nature of our discussions and I’m really looking forward to see how it goes forward.
With the professional facilitator, we have structure and we have a real opportunity with this group to really address some major issues facing the recreational community and so thank you for that.

The other issue I wanted to address is Amendment 39. We fully support the original concept of regional management and do believe that the states are best equipped to address the specific needs of their recreational stakeholders. However, in its current form, Amendment 39 has strayed far from its stated purpose of providing the states flexibility in managing the recreational red snapper sector.

As you move forward, we ask that the council return to this original intent of regional management, to allow the states the greatest latitude to tailor their management to best fit the needs of their individual stakeholders. Thank you for your time.

CHAIRMAN ANSON: We have Jenny Thompson, followed by Mike Tryon.

MS. JENNY THOMPSON: Hi. My name is Jenny Thompson and I am with Oceana. Thanks for the opportunity to talk with you today. IUU fishing and seafood fraud are serious threats to honest working U.S. fishermen. Work by Oceana, the government, and others have demonstrated that fraud is common across the country, with one-third of the fish and shrimp that we have tested being mislabeled and up to one-third of imported seafood coming from illegal fishing, worth $2 billion.

We are grateful for the work of the Presidential Task Force and NOAA to identify solutions to these problems and according to the action plan, the proposed rule will be for the first phase of traceability program for seafood at-risk of seafood fraud and IUU fishing.

Because we expect the proposed rule to be out soon, the council should take the opportunity to submit detailed comments in support of the rule for the following reasons. The initial phase will include thirteen species and species groups, of which eight of these are caught in the Gulf of Mexico, far more than any other region.

In the past year alone, there have been busts in the U.S. of companies selling imported seafood as species of domestic seafood. A Virginia company was repackaging imported crab and selling it as domestic blue crab. A North Carolina company was selling imported shrimp as wild-caught shrimp, Gulf shrimp, and
distributing that shrimp in the Gulf of Mexico and a Texas company was selling Mexican-caught red snapper as U.S.-caught fish.

This council and its members have expertise unlike other councils or regions. We urge the council to use its advisory panels, committees, technical staff, and full council to develop comments to the task force during the upcoming comment period.

The Gulf of Mexico is also home to two of the most successful traceability programs in the world, Gulf Wild for tracing reef fish and the recently ended Gulf Seafood Trace, that at its end had eighty-two enrollees and traced seventy-two-million pounds of fish from boat to plate.

Gulf Wild has deep ties to the council, through council members, advisors, and technical staff that function in various roles with Gulf Wild. This expertise and the experience of the council community with Gulf Wild should be part of the council comments.

Similarly, Gulf Seafood Trace is a success story in seafood traceability that built on existing trip ticket data collection to power a robust traceability program throughout the supply chain. The experience of GST participants and advisors should also be included in the council’s comments on the upcoming traceability program.

Finally, the council should support the process of the task force, but urge the administration to expand traceability to all seafood in the extent of the entire supply chain, to ensure all seafood is safe, legally-caught, and honestly-labeled. Stopping traceability requirements at the first entry into U.S. commerce will not stop seafood fraud further down the supply chain, which is a common occurrence.

We would also like to note that traceability for a limited set of species will only shift mislabeling to other species. Thank you for considering these comments and Oceana would be happy to provide more information to the council or staff about these issues.

CHAIRMAN ANSON: Thank you. Mark Tryon, followed by Michael Currey.

MR. MARK TRYON: My name is Mark Tryon and I’m a commercial fisherman from Gulf Breeze, Florida. It’s only about thirty-five miles from here. It seems like every time I come here, to
these meetings, I end up talking about red snapper and I promised myself that I wasn’t going to do it today, but I probably will if I have time left.

First, I want to talk about the triggerfish. On the commercial side, I think as Captain Zurbrick mentioned before, you basically made it mathematically impossible for us to catch the quota with twelve fish. If you just do the math on the number of trips being run and twelve fish, not to mention that we’re shut down for two months for the spawning, that’s the reason we didn’t catch the quota.

I have been getting my twelve fish every time out, very easily, within an hour or two, not culling any fish. I just try and count them and put them in the box and be done with it and so I think that needs to be loosened up a little bit, where you give us a chance and raise it to twenty fish, maybe, and if we catch the quota, then shut it down, but there are plenty of fish out there, to the extent that it becomes a detriment to your snapper fishing when there is hoards of triggerfish just tearing your baits apart.

The second fish I wanted to talk about, that I really haven’t heard too much about today, is the king mackerel. Now, it’s a bycatch for me and I am in the Panhandle. I guess it’s called the north subzone or whatever you call it, you know over by Pensacola here, and you folks moved our season back to October 1 and I will tell you it didn’t work out too good for me, because July 1, when the western Gulf was open, I couldn’t fish where I fish.

I fish off of Florida, for the most part, and then when it finally opened up on October 1, the western Gulf fishermen’s season was still open and so these guys are fishing from July 1 all the way through when they finally caught their fish, which I believe was in October some time. Then some of them undoubtedly moved into our area and then caught the fish in our area and so I got to catch very few king mackerel and I was very disappointed in the way that turned out. I don’t think that’s what was intended, okay.

Finally, on leasing, it seems that everybody is always concentrating on the negative aspects of leasing rather than the positive aspects and I lease some of my red snapper and some of the grouper I have and red snapper, for the most part, goes to fishermen in the eastern Gulf and then, for instance, sometimes, at the end of the year, when I have a small balance left over and I feel I can’t catch it, then I will lease it to Mr. Krebs.
over here at Ariel Seafood and he helped me out this year, the
last week of the season, and so you know I think you’ve got to
start recognizing some of the benefits and the positive aspects
and not just dwell on what people say who don’t even understand
the fishery or problems. Thank you very much.

CHAIRMAN ANSON: Thank you. Michael Currey, followed by Bill
Staff.

MR. MICHAEL CURREY: Good afternoon, council. My name is
Michael Currey and I’m with Shimano American. I want to first
start off and thank the council for the opportunity for the Gulf
Focus Group. I think there’s going to be a lot of good that
comes out of that, a lot of good minds put together and come up
with some solutions to provide the council, so it can stop
kicking the can down the road and get some stuff done.

Amendment 39, just like our government is set up, you’ve got a
federal government and a state government. I think that
provision needs to be relooked at and needs to have a little of
both mixed into it and I don’t think we’re quite where it needs
to be.

I had a bunch of notes written down, but I kind of want to
change directions a little bit. I keep hearing thing about
access, access to recreational anglers, and that scares me a
little bit. What is swimming out there behind us is a public
resource. It’s for everyone in this room to share. It’s not
for one person greater than the other. It is to be shared and
we are not sharing nicely in the sandbox, it seems, and public
access, again, scares me. It is for everyone to use.

The data that is collected and we use to gauge public access
isn’t quite fair. We have unknown, which is a saltwater fishing
license, but just because someone has a saltwater fishing
license, we really don’t know what he or she does with it.

We don’t know if they offshore fish or we don’t know if they
catch redfish or maybe they fish off their dock and they are
just trying to be legal, because in the State of Florida, to be
legal, you have to have a saltwater fishing license to fish off
of your own property, and so we really don’t know what people do
with their licenses.

Another thing you can’t assume is that a guy that just bought a
boat and just bought a house here and is going offshore to fish
actually knows what he’s doing and is actually successful at
harvesting anything. He’s just out there, possibly, taking his
family out and showing them, or trying to, and so it’s not really fair to take away more from someone that may not be getting the full potential of what is assumed without proper data.

Lastly, I know the charter boat guys have talked about triggerfish. I love to bottom fish and I love to reef fish. I am from Pensacola and I like to catch a few too myself and so anything that the council can do for recreational anglers or for charter boat guys, to give them the opportunity to extend any seasons to be able to fish and provide for their families and for the recreational angler to have opportunities to come down from Atlanta in March or from Birmingham in February to take advantage of something -- Any of those opportunities would be greatly appreciated and it would help every single facet of the marine industry, from boat manufacturing to tackle manufacturing to tackle retailers to outfitters to dry storage to marinas to fuel docks to everything. It all has an economic impact and that’s all I have. Thank you for your time.

CHAIRMAN ANSON: Thank you. Bill Staff, followed by Troy Frady.

MR. BILL STAFF: Bill Staff, Charter Boat Sea Spray. Guys, after the Galveston council meeting, I looked at myself in the mirror and I said, why do I keep coming to these meetings? We overwhelmingly asked you all to keep us out of Amendment 39 and either you all didn’t hear us or you completely ignored us.

It’s very expensive to come to these meetings, guys. It’s time-consuming and it’s a lot of -- I need to be down there at my boat right now, trying to get it ready to go to Louisiana, but if I didn’t come, I wouldn’t get to see all of these smiling faces and so here I am.

Please listen to us. We know what’s best for us. We built these businesses and we don’t want any ownership of this resource. We just want to be able to make a living, a viable living. Forty-four days, sector separation, Amendment 40, was a good place to start.

I support Action 2, Alternative 2. I think 39 would be great for the purely recs, but not for us at this time. I have gone another step. I have installed a VMS on my boat, trying to get accountable. I will do whatever it takes to get this fishery rolling, but I am not opposed to any other accountable data program.

Do away with the sunset on 40 and move ahead with 41 and 42. I
think the headboat program, again, again, again, was a great
deal and we ought to have a model basically copied after that.
Please do whatever is necessary to make gray triggerfish have a
longer season and if it’s a size limit increase or a bag limit
decrease. Thanks for my opportunity to speak.

CHAIRMAN ANSON: Troy Frady, followed by Ted Venker.

MR. TROY FRADY: Good afternoon. My name is Troy Frady and I’m
a charter boat captain here in Orange Beach, Alabama. I just
celebrated my thirteenth year in business and because of this
council, I have a new faith in where I’m going.

Just like anybody who goes into business for themselves, there
is a dream, an initial investment, there’s a loan, and there’s a
payback period. During that time, there is a period where you
have to identify who you are, who your customers are, and
hopefully to try and grow a customer base to where you can
eventually make a profit in the business.

Well, when this council asked us to come up with a plan a few
years ago, we started working on sector separation and I
honestly admit there was a time there a few years ago that I was
ready to try to sell my boat and get out of the business and go
back to the corporate world and be miserable again.

When sector separation passed, it gave me a renewed faith in
this process. As frustrating as it is and as controversial and
politicized, the system works, but what I am asking you to do is
to give people that are coming along behind me something to sink
their teeth into, something to really hang on to, in case they
ever want to leave the corporate world or enter into this
business of charter fishing.

You know I’ve seen a lot of animosity and I’ve seen a lot of
people go through different things and you know I just -- My
question to this council is we were given -- Our industry, the
charter fishing industry, was given a bunch of crap for even
thinking about sector separation and my question to this council
is are you going to give the same amount of crap to the private
recreational in Amendment 39?

We didn’t deserve all the talk that you put out there attacking
us and attacking different ideas and I understand some of the
ideas that came about with the IFQs under sector separation were
controversial. I was never one that supported that stuff, but I
just wanted an opportunity to fish when I had an opportunity to
fish or when I had customers available.
All I’m asking you is if you treated us a certain way, I expect the private recs to be treated with the same respect or, if you choose to disrespect them, you treat them the same way you treated us trying to get Amendment 40 through.

I am kind of upset about the triggerfish. You know with a payback on triggerfish, you know and last year the MRIP numbers came back in the first wave and showed we caught a lot more fish, I think we can do better with triggerfish.

I don’t like starting a season and wondering if we’re going to have triggerfish or not and so, please, a one-fish bag limit or whatever it may be. Mr. Chairman, I will be through in just a second.

Amendment 39, please keep it moving forward, but please leave the charter for-hire industry out of that equation. Amendment 40 for us has been great so far and please continue working on 41 and 42 and I thank you so much for the opportunity to speak to you.

CHAIRMAN ANSON: We have Ted Venker, followed by Blakeley Ellis.

MR. TED VENKER: Thank you, Chairman Anson and members of the council. My name is Ted Venker and I’m with the Coastal Conservation Association, which has about 80,000 members along the Gulf Coast.

I am here today simply to echo the course of action that was laid out earlier by Chris Horton and the Congressional Sportsmen’s Foundation regarding the Gulf Angler Focus Group. We ask that the council defer action on the formation of the recreational angling advisory panel until that focus group has had an opportunity to sift through the options that are available to us in this venue.

We understand there was some discussion yesterday that indicates that the council might be willing to do that, to give the focus group some time to act, and we appreciate that.

Also, on Amendment 39, CCA fully supported the original intent behind that amendment, which was to give the states greater responsibility and flexibility to manage the red snapper fishery for the stakeholders in that state. The current version of Amendment 39, I think everybody would agree it’s been through significant changes and modifications and it may have been buried under the details that have emerged.
The council itself is obviously deeply divided over which way it wants to go and we would urge the council to either return to the original intent of Amendment 39 and, if that proves impossible, then maybe it should just be shelved until we have a clearer vision for it. Mr. Chairman, that’s all I had to comment on today. Thank you.

CHAIRMAN ANSON: Thank you. Blakeley Ellis, followed by Dale Woodruff.

MR. BLAKELEY ELLIS: Once again, my name is Blakeley Ellis and I am a recreational fisherman and I access the resource through another individual’s boat. They are friends of mine and they are people that I sold boats to when I was selling boats. I sold them a twenty-foot boat and they moved up to a twenty-three-foot boat and so on and so on, up until they finally landed on a thirty-three-foot boat and they spent a pretty good bit of money to purchase that, but that boat is now on the market and they are cashing out. They are getting out of it and they enjoyed snapper fishing and I enjoyed snapper fishing with them and so we’re going to have to figure something else out.

It’s not -- It doesn’t seem like things are working out in our favor or fairly. I do appreciate you all allowing this recreational advisory group to work through and come up with some ideas and come back to the council with some ideas that we could potentially work with and so I appreciate you all’s consideration on that.

On Amendment 39, echoing what some of the others have said, I don’t think any of the options really were what it was originally intended to do and either to table that or go back and look at what its original intent was. With that Amendment 39, I don’t feel like, with any of those options, we get the chance to give more control and allow those local state officials, like in Alabama, Kevin Anson and Chris Blankenship, and our Department of Conservation, to manage those fish that live on those reefs that we call had a hand in putting out there, the state, the charter guys, the private recreational guys, and the commercial guys.

We put a lot of money and a lot of reefs out there and I feel like we’ve got a pretty good pulse of it and so I think that’s all I’ve got. Thank you for your time.

CHAIRMAN ANSON: We have Dale Woodruff, followed by Mike Thierry. A council member had asked if we were going to be
taking a break and we have about thirty-five more folks that
want to speak and so we’re going to just keep going. Mr.
Woodruff.

MR. DALE WOODRUFF: My name is Dale Woodruff and I have two
charter boats, Baby Blue and the Class Act. One is federally-
permitted and one is dual-permitted, charter and commercial.
Again, you all know where I stand on the state management. I
don’t like sitting here looking at empty seats when I only get
three minutes to speak, but I know where he stands and he’s good
and he can go.

We want to stay under federal management. The charter for-hire
industry has came here time and time and time and time and time
again and I mean I understand if these guys, the state guys or
recreational, private recreational, want regional management,
give it to them. You’ve got nine miles now and it’s out there
for the taking. I mean it’s there.

Texas, you’re already in the game. You’re ahead of the program.
Mississippi, you can follow, but I would like to say for the
Amendment 40 that it was awesome this year. Last year, I got
forty-four days to fish and it was great. It was a good
business booster.

To the great State of Mississippi, and that’s why I wish Roy
Williams was here, and I don’t see him, but I am using some of
your mechanics and people over there to put new motors in my
boat, for that forty-four days. I am spending over $40,000 in
the State of Mississippi because I had a robust season and I got
to add profit. Profit, in turn, generates business too and not
just -- You know, I can say it also helps me because I am just
now putting my first son through college and, luckily, I haven’t
had to put him through the wall, but at least I got to put him
into college and I’ve got six more to follow. It would be great
if I had a bigger season. I could put them all through college
and they would not have to be a fisherman.

If you want to limit access to the business, I’ve got seven
children. I mean, you know, do the math. I love kids and
that’s why I have them. I know what causes that. It’s my love
for children.

You know, to Amendment 41 and 42, let’s move on with this, guys.
Again, you know we’ve been here time and time again and working
hard to try to get this going. I would like to eventually see
the -- You know, we get another year under our belt with
Amendment 40, if 41 isn’t moved forward and we know 39 is in a
downward spiral on who is going to agree on what and I don’t have very much longer, but maybe even seeing a customized buffer for the charter for-hire, since we were 3 percent under on the preliminary landings.

VMS on the boats, a lot of people say they’re against it and, hey, you had better not put your cell phone on a boat anymore, because that’s a VMS and radars, they can get your spots too and you had better not leave the dock.

Trigger, one per person and keep the same size and, to the great Americans behind me, final action is tomorrow and you all need to be here to stare these people in the eyes when they vote on 39 and so thank you all and God bless.

CHAIRMAN ANSON: Mike Thierry, followed by Mike Graef.

MR. MIKE THIERRY: Thank you, all. Mike Thierry from Dauphin Island, Alabama. I’ve been fishing in the Gulf for over fifty years now. It became very clear to me yesterday, after the vote to remove the sunset clause from Amendment 40, that this council needs to pull together.

They need to stop the politics. They need to put them aside and they need to listen to the user groups, the people that are using this, so we will, down the road, have a charter/headboat industry and the people that are depending on that industry will still be able to be here and make a living.

The headboat pilot program was a huge success and we need to work on that and continue on with that. We need to move a similar program like that into the charter industry. It worked. I don’t know of anything negative that came out about it. Accountability was there within several fish and it was just really good.

On state management, I am against the charter/headboats being included. If the recreational sector thinks this is best for them, then I will support that. I will help them with it.

We need a March 1 opening on triggerfish. A one-fish bag limit is fine. You know, as soon as possible. We have talked about this before and we have not acted on it and it’s really time to act, guys. We need something we can catch.

On Amendment 41, we need a system, again, like the headboat system. We need some flexibility and we need to be able to catch these fish when we need to catch them, when the weather
lets us and when this is what our customers want, to help spread
the season out and better access for our customers.

We need and support electronic data collection in the charter
and headboat industry. We would like to see that move forward
as fast as possible and thank you all very much.

CHAIRMAN ANSON: Mike Graef, followed by Jillian Williams.

MR. MIKE GRAEF: Good afternoon, everybody, and thank you for
hearing me. My name is Mike Graef and I own the Charter Boat
Huntress in Destin, Florida. I think Bill Staff summed it up
pretty well as far as my feelings on everything.

On triggerfish, a March 1 opening. The only thing I disagree
with, Bill, is the sixteen-inch raise in size. Every time you
increase the size on any species, you’re going to have a larger
bycatch mortality rate and you’re going to take those fish off
the top next year and they’re going to float away and we’re not
going to get credit for them and so I would like that to stay at
fourteen inches.

I oppose Amendment 39 all the way across the board. I have no
idea why the charter industry was tried to be pulled into this
amendment, other than they want our fish.

Please remove the sunset provision from Amendment 40. Push
forward electronic logbooks, paper logbooks, tablets, anything,
with or without VMS. I mean if you’ve got to use a carrier
pigeon to get this data, please do it.

Amendments 41 and 42, I am asking you to move forward on both.
I think the charter for-hire industry will benefit greatly.
Thank you very much.

CHAIRMAN ANSON: Jillian Williams, followed by Cody Carter.

MS. JILLIAN WILLIAMS: Hello, everyone. I am Jillian Williams,
a fourth-generation captain for Williams Partyboats from
Galveston, Texas. I am here and I am in support of Action 2,
Alternative 2 on Amendment 39 and please do not include us in
Amendment 39. Most of us do not wish to be in there and so
please take that into consideration.

Please move forward with Amendment 41 and 42. The pilot program
that we had for us the last two years unfortunately came to an
end, but it really did work very well for us and it gave us a
lot more flexibility in our business and how we could run things
and I would really love to see us have something like that for everyone in the future.

The pilot program was good, because we were able to provide you all with good data and you knew exactly what we were catching and we didn’t overfish. We actually, unfortunately, didn’t get to use all of our fish, because Texas weather wasn’t so great this fall when we got some of it given to us at the end there, but it really has made a big difference in how we can run our business.

You know my father never wanted me to become a captain. He discouraged me in every way possible from getting into this industry, because he was so scared of what the future was going to have for us, because we don’t know right now. We don’t have enough stability in our futures and he doesn’t want me to have to struggle through this like he has for so many years.

I am stubborn and I didn’t listen and I’m doing it anyway, but my son, he wants to be a captain now also and that child loves fishing more than anyone I have ever met on this planet and I understand why my dad was so worried right now, because I am worried about him wanting to do this in the future also and so I would just ask for you to please give us some kind of stability and options for us to run our business and keep my family going. Thank you.

CHAIRMAN ANSON: Cody Carter, followed by Mike Jennings.

MR. CODY CARTER: I am Cody Carter and I’m a headboat captain out of Galveston. I do support 41 and 42. 39 is fine, but I don’t want to be involved in it with my headboat. I also would like to see federal loans for commercial, because I have moved from a small town in Texas and had never been offshore in my life and now I’m looking to get into commercial fishing full-time. Thank you, all.

CHAIRMAN ANSON: Mike Jennings, followed by Buddy Guindon.

MR. MIKE JENNINGS: My name is Mike Jennings and I am the President of the Charter Fishermen’s Association and I also own and operate two federally-permitted charter boats out of Freeport, Texas.

I will make this real quick. We keep coming up here each meeting and we ask that you all leave the charter boats out of Amendment 39, if the council so chooses, and if that’s something the private recreational anglers would like to explore, I think
it’s something that we should step out of the way of and just leave us out of it. We don’t want no part of it and it goes back to Corky Perret’s trust and faith issue that always comes to mind when we start talking about Amendment 39.

Please move forward with Amendment 41 and 42 and we would like to see you all go ahead and remove that sunset provision. It was odd sitting back here yesterday listening to the council talk about the motion that was made to remove the sunset provision.

I often wonder, for myself, what it’s like sitting at that table and wondering if the people in the audience really understand what you’re seeing from your perspective and your position versus the way we see it from the outside looking in, but there were some comments made yesterday that make me wonder if me or you see it, in any shape, fashion, or form, anywhere near the same.

You know one of my captains that works for me right now was twelve years old when I first started at this podium about sector separation, yet I heard a council member say yesterday that we’re going to rush through it. Really? We are going to rush through it? I find that as disingenuous as I can.

Then there were some comments that said that that provision was put in there to hurry the council along on the process of 41 and 42. The perception is that it was put in there kind of disingenuinely, as the ability to get some compromises made, so that you could just dig your heels in and do nothing and watch it die a slow death.

We haven’t rushed through anything when it comes to that, ladies and gentlemen. These people have been walking up here asking you to let them do their jobs for years, which is shameful, to have to come up here and do that over and over and over again for years and we would like to see you make some movement on it and we’re asking you to just move forward with it.

The charter boats have an idea of what they want to do and I think they’re better at coming up with that than someone who doesn’t understand their businesses and that is no disrespect meant to this council whatsoever and so I appreciate your time and thank you, all.

CHAIRMAN ANSON: Buddy Guindon, followed by Skipper Thierry.

MR. BUDDY GUINDON: Hello. My name is Buddy Guindon, Executive
Director of the Reef Fish Shareholder’s Alliance, commercial fisherman, fish house owner, and fisheries advocate. I’m somebody who cares a lot about the red snapper fishery. It’s made me a good living and it’s provided me the ability to have my family around me all the time and in my business.

When I look at some of the things that are proposed in the amendments that will change the red snapper IFQ, it worries me, because I remember back during the Gulf oil spill when a lot of my friends over in the eastern Gulf didn’t have an opportunity to harvest their fish and they were stressed over it and they had bills to pay and they called me on the phone and said, you’re over there and can you do something? I did a lot of things. I brought boats over there from the eastern Gulf and I took quota and had boats harvest it and made sure these people made a living, a decent living, a living that they could raise their families on.

I have also taken people that were sick and injured and didn’t have the ability or their boat is broken down and I’ve taken their fish and made sure they got harvested, whether it had been in the eastern Gulf, where there’s a need that I continually take care of. If I get a call on the phone that somebody needs quota, I do my best to address that and I’ve done it many, many times and I’m sure it’s on the record with National Marine Fisheries, all the trades that I’ve made.

I hope that you, in your wisdom, will take the advice of someone in my position who has worked very hard to make this system work, with the Shareholder’s Alliance and building a quota bank, to try to reach out to new people and get them involved in leasing and trading, trying to eliminate the discard problem.

My push to get to a zero-discard fishery is really important to me and it won’t work without a fully tradable exchange in these quota shares and if you try to limit a system that’s driven by economics and you put restrictions on it, you cause inefficiencies and those inefficiencies cost people money and time and energy and take the profit out of the business.

As you move forward with these suggestions, please talk to the people that are participating at a large scale, because they probably have the most knowledge. They are the ones that deal with a lot of the small-scale fishermen. I have five new entrants at my fish house that pool their money every month and maybe only we can buy a hundred pounds a year of red snapper quota, but they get to split that amongst them and become
entrants in the fishery. I always tell them that you can spend forty-bucks in the bar or you can invest forty-bucks into the future of your business and your family and it’s worked very well. Is there any questions?

CHAIRMAN ANSON: Roy.

MR. WILLIAMS: Not a question, but when you said all those kinds of things you were at the start, you left out reality TV star.

MR. GUINDON: I’m not on TV yet. I will be though. You’re right, Roy. February 3 on National Geographic at 8:00, central time. Some of you will be on there with me.

CHAIRMAN ANSON: David.

MR. WALKER: Buddy, there’s a lot going on. There’s 36 and so many, but I have a question. What if there was a rule requiring a shareholder to harvest say 30 percent of the shares or require a boat and a permit to have those shares? What are your thoughts on some of these things? I’m sure you’ve been reading the document.

MR. GUINDON: Yes, I feel very strongly on that one especially, because one of the reasons we implemented the individual fishing quota system was to reduce capacity and I will tell you that if it was me and you told me that I had to harvest 30 percent of my fish, the cost and the expense of having a boat and keeping a boat and maintaining a boat and maintaining a crew and the liability involved, I would just go ahead and fish all of my fish and I think that’s what will happen, is you’ll put more fishing boats in the fishery again.

You’re going to put more fishermen on the water and you’re going to eliminate the guys that I have helped get into this business. They are small participants. They’re young people. They’re the future of our business. They’re the new entrants that everybody keeps looking for, only they get the chance, like I did, to earn a living in the fishery and build a business.

It was ramped up pretty highly when we got the individual fishing quota system, but, still, I spent twenty-five years in the business before that, building a business. I already had Katie’s and four permits and four boats working and so while the individual fishing quota system boosted that up quite a bit, it was still something you had to work your way into.

I feel like anything you do with trying to direct how quota
shares are managed and shared and owned is going to change the direction of the individual fishing quota system. It’s going to build inefficiencies into the system. Thanks for your question.

MR. WALKER: I have another question, Buddy. Let’s say you just have the one boat or whatever and you got injured. I mean what would you do? Would you lease out your shares?

MR. GUINDON: Yes, I think that would be -- You know, I guess I could hire someone to run a boat or you could lease out your shares, but I think that’s the thing we’ve got to consider here, is that we’re going to put in a restriction that’s going to cause hardship in the future and if you were -- If you got in a car wreck and you were paralyzed or brain dead and your family is sitting there with you on a machine and now they have to go figure out how to fish 30 percent of your quota?

I think that the way things are set up is working for the people that are actually involved in the fishery and there’s people, like that was in that article, that had 12,000 pounds of fish and had he held on to that it would worth -- He had to have four times as much fish as he had then and they would be worth four times as much.

Where we missed the boat was in the beginning in not saying that people should have to hang on to their shares for a couple of years to see how this was going to work out and then there wouldn’t be these people that are upset with themselves, but complaining to the public to say this is a bad system because I sold my fish. Thank you.

CHAIRMAN ANSON: All right. Thank you, Buddy. Skipper Thierry, followed by Susan Boggs.

MR. SKIPPER THIERRY: Good afternoon. I am Skipper Thierry and I have a headboat out of Dauphin Island. Please move forward with Amendments 41 and 42. Obviously you have to have a stable program to plan anything for your business.

It’s been said again and again and I think you have an awesome blueprint for the Amendment 42 and the Headboat Collaborative. Don’t complicate it. I doubt it’s perfect and nothing is. You know you may need to add a little or take a little out, but the nuts and bolts are there. Take a close look at the recommendations of the Headboat AP. We were almost unanimous in all of our ideas. We have spoken very clearly.

Obviously Amendment 41 is a little further out, but it could
follow somewhat along those lines. Co-ops, it seems to me that
coops seem like an unnecessary complication, in both 41 and 42.

Like everybody else has said, please move Amendment 39 forward
for the private angler only and leave the charter boats out.
Let’s look at what a one-fish bag limit would do for
triggerfish, for sure, and a March opening would be great, as I
haven’t caught one in two years. It’s been closed before I got
started fishing.

Kind of to echo what Dale said, Amendment 40 gave me just that
little bit of confidence to repower my boat last year and I just
really hope it wasn’t false confidence, because it’s going to
take a while to recoup that, certainly longer than the sunset on
Amendment 40 and so please remove the sunset and let us get our
house in order. Thank you.

CHAIRMAN ANSON: Susan Boggs, followed by Cliff Cox.

MS. SUSAN BOGGS: Good afternoon. My name is Susan Boggs and my
husband, Randy, and I own a charter boat, two headboats, charter
office, dock store, and now we can add marina owner to our list.

I want to thank Roy Williams for asking the people with the Gulf
Angler Focus Group about including the charter for-hire and the
headboats in this. Those people that fish on the charter boats
and the headboats are a recreational angler. They just don’t
have access, because they don’t own their own vessel, and I
think sometimes people lose sight of that.

As far as Amendment 39, I just wish it would go away, but,
otherwise, I support Action 2, Alternative 2. Amendment 41, I
think it’s a step in the right direction for the charter for-
hire vessels. I think with this pilot test they’re doing with
the electronic logbooks and reporting is excellent and as far as
Amendment 42, we need to fast-track it.

You’ve got two years of history with the Gulf Headboat
Collaborative and there has not been one negative that I have
seen from it and there should be no reason that we don’t push
forward with that.

I wish you would include all five species in the Amendment 42.
We’re sitting here talking about triggerfish and this would be a
way to solve our issues with triggerfish and all these other
species that we’ve been discussing and I appreciate your time
today and thank you.
CHAIRMAN ANSON: Cliff Cox, followed by George Brown.

MR. CLIFF COX: I would like to thank the council for the opportunity to speak today and also for your efforts back in 2012 with the exempted fishing permit and allowing us to get this pilot program done for the headboats.

The pilot program itself was very successful. It allowed a lot of our customers that have been shut out of the snapper fishery and gag grouper fishery for a long time to once again participate in it and we just had thousands of positive comments from our customers, in the form of surveys stating that.

I definitely, after two years of participating in that program, I firmly believe that quota-style management is the way of the future and when they give you a quota and you catch them and you’re done, you’re not going to overfish and that’s been the crux of the problem, is overfishing and so anything we can do to further that along is great.

I was on that AP panel for the headboats and most of the things we decided on were unanimous and I would like to see that Amendment 42 pushed forward. I am sure there’s probably going to be a few tweaks we need to make along the way, but I think -- You know we had a pilot program for two years and it was very successful and the commercial fishermen have been fishing in an IFQ system for seven or eight years now and it’s been very successful.

As many things that are wrong with this fishery, I don’t think we need to mess with things that are working. You know we’ve got some things that are working and let’s don’t mess with them. Let’s just keep pushing forward and trying to better the things that aren’t working.

I don’t think we need co-ops in this Amendment 42 or 41. We have a clear path and an example is done and I don’t think the -- I think the co-ops are going to murky the water and I don’t even think they’re legal in all the states and so I don’t think we need to go there.

I do think we need to keep quota transfers available in this thing as we move forward. I think we can see what’s happening in the collaborative and what is happening in the commercial IFQs. I think it’s vital that those stay in there. I think the five species, major species, need to be included in this thing. I support Amendment 41 and 42.
I don’t think that -- If Amendment 39, if it doesn’t get tabled or shelved or thrown out completely, the charter for-hire does not need to be included in it. I don’t believe state management is going to work and it would be very detrimental for a lot of the states. I think that’s all I have. Thank you for the opportunity.

CHAIRMAN ANSON: Thank you. George Brown, followed by Dennis McKay.

MR. GEORGE BROWN: Hi, I’m George Brown and I’m actually an Episcopal clergyman out of Texas and I do some conservation work in Texas and in Africa as well, wildlife management and so forth, but I am here as a recreational private fisherman and I’m asking that you all move the advisory panel forward. It sounds like your charter for-hire guys mostly don’t want to be a part of it and that’s cool with me, but I would like a venue, a context, within which voices like mine could be heard and that’s all I’ve got.

CHAIRMAN ANSON: Mr. Brown, we have a question.

MR. WILLIAMS: Mr. Brown, perhaps you, like me, had not heard of this new focus group that has formed. I mean I don’t know what the council is going to do with this advisory panel that you were speaking in favor of. I mean if we don’t do it, maybe there is a chance for you to become part of this focus group and I don’t know. I don’t know what your interest is, but --

MR. G. BROWN: Sure. I am happy to talk about it and happy to help however I can.

MR. WILLIAMS: Mr. Haddad and Mr. Horton are here and perhaps you could contribute to that in some way.

MR. G. BROWN: Sure. I would be happy to talk to anybody. Thanks.

CHAIRMAN ANSON: We have Dennis McKay, followed by Brian Hartz.

MR. DENNIS MCKAY: I promise to be brief, but it’s good to see you all again. My name is Dennis McKay and I’m a private recreational angler from Alabama. I grew up in Alabama. Also, I own two boats and I also lived in Pensacola for five years and these are my home waters.

I am calling on the council to convene a private recreational AP regarding the management of red snapper, because I want my voice
heard as well as the voices of other recreational fishermen like me regarding our shared resources. Thank you for your time.

CHAIRMAN ANSON: Brian Hartz, followed by Chad Haggert.

MR. BRIAN HARTZ: Good afternoon. I am Brian Hartz and I’m from St. Petersburg, Florida. I came here to ask the council to convene a private recreational advisory panel regarding the red snapper fishery management and sustainably manage that fishery. I am a freelance journalist and I’ve written on some conservation and environmental issues regarding the Gulf of Mexico and this issue came to my attention and just as a concerned citizen and journalist and recreational boater and fisherman, I just think everyone’s voice should be heard and that’s why I am asking the council to convene the private recreational advisory panel. Thanks.

CHAIRMAN ANSON: Mr. Hartz, we have a question for you.

MS. BOSARGE: We had a conversation about it yesterday, about this panel, and I don’t think we’ve come to a decision on if we’re going to convene that panel or not, but even if we don’t convene that specific AP, I hope that you will get involved in this council process and make sure that voices like yours are heard. It’s not only important for us to hear your voice, but as a journalist, you also reach a lot of people and so we’re glad you’re here.

MR. HARTZ: I would be happy to, yes. I have written about some topics like ocean acidification and the Gulf restoration process from the oil spill and yes, this is an issue that has definitely kind of peaked my interest and so I appreciate you guys opening up this forum to everyone and so thanks.

CHAIRMAN ANSON: Chad Haggert, followed by Jim Clements.

MR. CHAD HAGGERT: Good afternoon, council. My name is Chad Haggert and I am a third-generation fisherman out of Clearwater, Florida. I am also owner and captain of the Double Eagle Fishing Fleet, two partyboats, out of Clearwater Beach.

It’s been a while since I’ve been here and there are a lot of new faces on the council. Not that I didn’t want to be attending these meetings, but I have been fairly busy with my business, thanks to a program I think maybe some of you have heard of, the exempted fishing permit for the Headboat Collaborative.
It has helped my business tremendously with no drawbacks, other than the fact that it has ended now. I am here to ask the council to move forward with Amendment 42, keeping it based primarily on what the exempted fishing permit was. The individual quota has worked well and being able to trade those fish worked well.

I also think, as was reported in the headboat advisory, that we should expand it and be able to include the five managed species.

I am against Amendment 39 as it is right now. I know that there are some that think it will be a successful way to manage it and if it does move forward, I would ask that the charter for-hire fleet be removed from it.

I also think that Amendment 41 for the charter boats, as well as this two-year program has worked for the headboats, it will be best for them to be able to move forward with a plan that will be very similar and help them have the flexibility to run their businesses as they think they need to. Thank you.

CHAIRMAN ANSON: Jim Clements, followed by Joe Nash.

MR. JIM CLEMENTS: My name is Jim Clements and I’m a commercial fisherman from Carrabelle, Florida. I would like to talk about Amendment 36. The IFQ program directly affects my livelihood and my family’s livelihood. I applied and was appointed to the Grouper/Tilefish IFQ AP, which was comprised of mostly commercial fishermen.

The AP considered most of the options that are in Amendment 36. We discussed them and made motions to the council. After many public hearings and thorough analysis were performed by that council, some motions were rejected and others were selected. We didn’t like the red tape and the things required for law enforcement to begin with, but now, I don’t know of any substantial IFQ participant who would even think of going back to the broken system we had before the IFQ.

We as commercial fishermen are improving the program ourselves. I am a board member of the Shareholder’s Alliance and last year, we created a red snapper quota bank to provide allocation, which was leased only to participants in the eastern Gulf to reduce dead discards.

All the board members and other concerned commercial fishermen
freely donated a portion of our own allocation. The proceeds
are reinvested so that the amount of allocation to be leased
will grow each year. We are promoting conservation and the
reduction of dead discards means the quota for all sectors will
increase.

The present IFQ program meets all the goals and the purpose and
need of the amendment that created it. It is a total success.
All Amendment 36 does is throw a monkey wrench into the program.
I believe that Amendment 36 should be considered, but rejected.

At the very least, it should be tabled until the council
appoints a new Red Snapper IFQ AP made up of commercial red
snapper stakeholders, both large and small, who thoroughly
understand the program. Many of the members of the present Red
Snapper AP are not participants in the program and have stated
that they are vehemently opposed to any form of IFQs. Do you
really think they are going to improve the program, which is the
purpose of this amendment?

The original red snapper IFQ AP members, who are still in the
fishery and designed the program to begin with, should be on the
panel and make any recommendations needed to improve the
program. They are the ones who live the program 24/7 and their
livelihoods and families depend on it. Thank you.

CHAIRMAN ANSON: Thank you, Mr. Clements. Joe Nash, followed by
Kyle Lowe.

MR. JOE NASH: Hello. My name is Joe Nash from Cool Change
Charters right out of here in Orange Beach, Alabama. I would
like to see you go forward with Amendment 41 and 42 and keep
working on it.

It has been basically unanimous, in case you haven’t heard, that
nobody really wants charter boats in Amendment 39 and so could
you think about that when you’re voting tomorrow, that the
people have spoke that we don’t want to be involved? Charter
boats do not want to be in Amendment Number 39.

We would like to remove the sunset clause. That would be nice
for our sector separation. It’s good for bringing stability to
the business. We went ahead this year and rebuilt our motors as
well, because we are in business and we like to keep our
machinery up-to-date. A lot of people have been doing that and
that’s because it seems like we’re going to have some kind of
stability. We have finally made one giant step to at least get
that on the board.
Recreational anglers, you know I mean we’re starting to hear a little bit more from the recreational anglers, which is a good thing. They should have been involved in this the whole time. We are not hiding anything from them. We just are a business and we’re a bunch of people that have an interest in the Gulf of Mexico. We work in it every day.

We take recreational anglers fishing. A recreational angler that goes fishing with us is usually just a one-time thing and so we take a lot of people out fishing that experience the fishery and I mean I know people buy boats and want to go out fishing and catch all the red snapper in the world they want, but I mean just how much fish do you really need in your freezer? It’s kind of like deer hunting. How much deer do you really need to kill?

The people we take, they are not looking to fill their freezer. They just want a couple of fish to take home and go eat and have a good time, but I just want to kind of see our stability to stay in this business and keep sector separation and take the sunset clause out.

Like I said earlier, with the state regional management, we do not want to be a part of regional management and I think that has been redundant and so please keep that when you go to vote. Thank you.

CHAIRMAN ANSON: Thank you. We have Kyle Lowe, followed by Bubba Cochrane.

MR. KYLE LOWE: I am just going to reiterate what has been repeated many times today. I am Captain Kyle Lowe, Charter Boat Special K, Destin, Florida. I would like to see the for-hire sector excluded from Amendment 39. With Amendment 41 and 42, we’re working towards management solutions. I want no part of regional or state management.

I would like the charter for-hire sector to continue to move forward in developing a fisheries-management plan and I would also like to see us push forward with some type of electronic reporting system to allow more accurate data and accountability. Furthermore, I would like to see a March opening for the gray triggerfish that would allow us to actually participate in the fishery. Thank you.

CHAIRMAN ANSON: Bubba Cochrane, followed by Jason Vicars.
MR. BUBBA COCHRANE: Bubba Cochrane, commercial fisherman from Galveston, Texas, and also President of the Reef Fish Shareholder’s Alliance. I am here today to comment on Amendment 36, Modifications to the Red Snapper IFQ Program.

I feel that the red snapper IFQ program has been an incredible success and is currently working to achieve its original goals. The proposed changes in Amendment 36 do not all seem to help improve the red snapper IFQ. In fact, some seem likely they may even hurt the program.

The idea that some shareholders have an unfair advantage because they have made the choice to lease out their allocation to other fishermen is ridiculous. Most of these shareholders have fished their whole lives and have earned the right to manage their allocation however works best for them. Taking away the choice eliminated the flexibility that was the intent when the IFQ was first created.

Obviously there is a need for these leasing transactions. No one is forcing fishermen to lease red snapper. The idea that poor, hard-working commercial fishermen are getting the short end of the stick because they are forced to lease allocation is just not true.

Commercial red snapper fishing during the derby was a tough way to make a living, but I think now we can all agree that it is pretty easy under the current IFQ system. The captains I talk to in Galveston are more than happy to lease red snapper allocation from anyone willing to do so.

Taking shares away from individuals because they lease out their allocation to fishermen that want it is wrong. In many cases, these fish are being leased to reduce discards as well. I think if this council somehow eliminates shareholders’ ability to sell or lease allocation to other fishermen that it will create a whole other host of problems that may actually damage the progress that IFQ has made in achieving its goals. Thank you.

CHAIRMAN ANSON: Bubba, we have a question from David.

MR. WALKER: Bubba, I was going to ask you a question about the inactive accounts. There are some fish in accounts that has never been activated and would you support redistributing those into the quota bank that you speak about with the shareholders, so those could be used in the quota bank?

MR. COCHRANE: Yes, I think there are some good options in 36
and they’re not all bad and that would be one of them, taking these inactive accounts and these quota shares that aren’t being used. I think it would serve a better purpose somewhere else and it would be nice to put them in the quota bank. That would be an option that I would be happy to support.

CHAIRMAN ANSON: Thank you. Jason Vicars, followed by Sam Ard.

MR. JASON VICARS: Hi, everyone. I am Jason Vicars and I’ve got the Charter Boat Legacy out of Orange Beach. First of all, thank you all for giving us an opportunity to speak today. First of my list is seeing some changes done for the triggerfish. A spring season would be great in our area. It would help our early guests and give them a little something more to take home with them.

I would also like to see the charter for-hire removed from Amendment 39. Please try to remove the sunset clause from Amendment 40. I appreciate the stability that the fixed season has given us last year. It allows me to make business decisions of possibly purchasing a new boat or at least, at the minimum, making improvements to my existing vessel.

I just hope this fixed season isn’t temporary. I mean if there’s any way to get it passed and keep going with it and continue with 41 and 42. Thank you all again.

CHAIRMAN ANSON: Sam Ard, followed by Johnny Williams.

UNIDENTIFIED: He’s not here.

CHAIRMAN ANSON: Mr. Williams, followed by Scott Hickman.

MR. JOHNNY WILLIAMS: Good afternoon, ladies and gentlemen. Johnny Williams from Williams Partyboats Incorporated, Galveston, Texas. I am here to speak for Option 2 in Amendment 39. I think we need to be eliminated or extracted from the amendment in the partyboat and charter boat industry. We don’t want any part of it.

I was in the pilot program this year and it was extremely -- Or last year. It was extremely successful, as it was the year before. I can run my business better than the federal government can. It gave me an opportunity and I would like to ask you council members a question.

Who here thinks that they can run my business better than I can? Who thinks the federal government can run their business better
than I can? I don’t see any hands. Who thinks Robin can run my
business better than I can? I don’t see any hands and so why
not let us have the opportunity to run our businesses the way we
think best?

I mean we’ve got this opportunity and if you go look at the
Magnuson Act and you look at all the standards in the Magnuson
Act, this pilot program we’re in better serves the Magnuson Act
than the status quo does.

It was a win/win/win situation. It was a win for us and it was
a win for our customers and it made it more convenient for them
and it was a win for the fish and so why are we fooling around
and just going meeting to meeting and having all these folks
come here and tell you all the same thing over and over again,
like it’s going over your heads?

We are here and we don’t want to be in 39. We want to continue
with 41 and we want to fast track 42. We thank you for 40. It
gave us an opportunity to maintain our businesses and hopefully
you all allow us to continue to do so. Like I say, it’s been a
win/win situation for everyone and it better serves the Magnuson
Act.

These people spend a lot of time and money, as I do, to come
here and stay in hotels and sometimes we fly and sometimes we
drive and we keep going over the same thing over and over again.
Let’s vote it up or down.

You know you’re talking about a referendum, or Pam was. Have a
referendum on 39 and see how many of the party boats and charter
boats wants to be in 39 and how many of them want to be out of
it. You will find that probably almost every one wants to be
out of 39 and why are you forcing us in this?

If the purely recreational fishermen want to be in 39, let them
be in 39. I don’t want to tell them how to run their
operations, but doggone, give us an opportunity to manage our
businesses the way we think best. This pilot program we were in
gave us the opportunity to do that and I thank you for that and
I hope you make the right decision. Thank you very much.

CHAIRMAN ANSON: We have a question from Mr. Boyd.

MR. BOYD: Johnny, thank you. Just a quick question. You
alluded to the fact that Robin might run your business and do
you think under Amendment 40, 41, and 42 that there is not going
to be a controlling agency somewhere?
MR. J. WILLIAMS: Certainly there will be and there was with our pilot program as well. We had to answer to the -- Probably the first fifteen trips we made, probably fourteen of them the Texas Parks and Wildlife was down there to make sure that we were complying with all the rules and regulations.

We had a limited number of fish that we were able to harvest and we stayed within that the first year. I gave away a few fish at the end, because I didn’t have enough to make a trip. The second year, I left quite a few fish on the table, because they were having a hold back and by the time they released them, it was near the end of the year and the weather was bad on weekends and we didn’t go out to harvest all of our fish.

We have to answer to the federal program and that’s what we’re doing, but they allowed us the opportunity to run our businesses the way we thought best. We could go out fishing on the days we wanted to.

Some of these boats are going out there fishing days they probably don’t need to be out in the Gulf in a derby. If they have the opportunity to fish when they wanted to, rather than when they were told they had to, then they could go fish and if you don’t go fishing one day when the weather is bad, you can go the next day when it’s not bad, because you have that flexibility.

In the derby, you don’t have that flexibility and so there’s the safety at sea, one of the National Standards. The fish are better served, because we’re not out there -- When we’re fishing out there other times of the year besides June and July, the water is cooler and the release mortality is not nearly as high in cold water as it is in warm water. I don’t know if a lot of people know that, but that’s the truth.

We have other issues. I mean when you have concentrated all these people fishing at one time, it puts kind of a strain on the stock out there in certain spots. When it’s spread over the course of the year, you don’t have as much release mortality and it’s better for the fish. Like I say, it’s better for the community, because we have people that came into town that spent money at hotels and restaurants and stuff like that, in times of the year when they wouldn’t have those people.

In the summertime, everybody comes to Galveston because it’s a tourist destination and those places are full anyway in the summer, but we brought people the other times of the year and so
that’s another one of the National Standards, conserve the fishing community.

Yes, we are restrained by federal regulations. I don’t have an issue with that, but they allowed us to operate our businesses, within those constraints, the way we thought best and we can do it better than the federal government can do it and we can do it better than the state can do it and so let us out of it. Thank you so much and I appreciate your time.

CHAIRMAN ANSON: Scott Hickman, followed by Blake Michaleski.

MR. SCOTT HICKMAN: Good evening, Mr. Chairman and ladies and gentlemen of the Gulf Council. Captain Scott Hickman from Galveston, Texas. It’s great to see everybody here in Alabama. I think we’ve got a pretty good idea what the charter boats want at this point, having to sit through all this testimony.

I’m actually going to talk a little bit about duck hunting and how I had an experience about a week ago, last week, in a duck season. I had a gentleman that’s a local guy in Galveston, a pillar in the community, a big business guy, very well respected. He’s a recreational fisherman and has a large yacht.

I had him and his twelve-year-old son in the duck blind with me and we’re shooting ducks and the dogs are picking the ducks up and he said, you know, Scott, you work on some of this fisheries policy stuff and you go to these meetings and I said, yes, sir.

We talked about the nine-mile stuff and I said, well, it looks like the nine-mile stuff works for you pretty good and I see you out fishing thirty or forty miles offshore and you always have snapper back at the dock and he laughed and I said, but wouldn’t you like to find some solutions, to where you’re not always having to look over your shoulder?

I said the Coast Guard coming up behind you or the game wardens, you’re looking for those folks and his twelve-year-old son interrupted us and said, Daddy, don’t you remember last summer when Mr. Tom had to go hide the snapper underneath the toilet because the Coast Guard had come up behind us? That’s a twelve-year-old.

Here’s a good friend of mine, a great guy, putting his son in a position where he’s having to learn to cheat and at first, I thought this is a terrible thing and I started thinking about it and it’s really not so much -- It’s wrong that he was doing that, but it’s wrong that this body can’t find some solutions
for those folks, to where they can access this fishery and not

go do that.

When we’re increasing these nine-mile seasons every time we go
around, more and more, nine-mile management plan, that’s
ridiculous. Amendment 39, I always supported Amendment 39 for
the recreational guys. I want the charter boats out of it.

Before, Amendment 39 was cool. I would come to the microphone
and say I think regional management is a good idea if it’s done
right. You all have got to come up together and find a way for
Amendment 39 to work for these folks. You’ve got to figure
something out. There is a lot of angry recreational fishermen
that need something.

If you all give the states their little pieces and they manage
it correctly, they can shrink the buffers and that will give you
extra fish. Work together on the allocations, but to spend
three years and all these documents and all this time at the
council to throw this thing away and say we’ve got a nine-mile
fishery, look over your shoulder and don’t get caught by the
Coast Guard. It’s ridiculous.

You all rehash Amendment 39 and what you can actually do with it
and get state directors to sit down, before tomorrow’s vote, and
say how can we make this work for these folks? Solutions, it’s
not that hard to do. I appreciate you all’s time and I
appreciate what you did with the charter boats on Amendment 40
and move 41 and 42 forward and everybody have a great day.

CHAIRMAN ANSON: Blake Michaleski, followed by Bill Tucker. Is
Blake in the audience? Apparently not. Bill Tucker, followed
by Rich Castellano.

MR. BILL TUCKER: Bill Tucker and I’m a commercial fisherman out
of Dunedin, Florida. I guess I’m all over the board here today.
One thing I’m thinking about on the -- I understand that the
idea is to try to extend the recreational season. I don’t
understand why you’re not considering a one-fish bag limit and
you could practically double the season.

The average fish is seven pounds and you fillet that fish, at a
50 percent yield, and you get three-and-a-half pounds of meat
and at an eight-ounce portion, that’s seven portions. You are
feeding seven dinners out of that one fish. Some people might
not like it, but there’s a lot of people out there that would go
out to bring a seven-pounder back at a one-fish bag limit.
It’s not like that’s all you’re going to catch. You’re probably catching fifteen or twenty or thirty of those things, but you can keep one and bring it back and it’s a heck of an experience and I think it’s a leadership issue of trying to promote how good it is, instead of always saying how doggone bad it is. Look at the upside.

I think this state management thing is -- Keep the charter boats out of it. If you can come up with something here for the private rec guys, good. I think the idea of a sunset provision -- Imagine if you had that in your marriage. What kind of a marriage are you going to build with a sunset provision in there?

Amendment 33, the rest of the reef fish in the IFQ, let’s look at it. I am not pushing for IFQs in the rest of this stuff, but let’s look at this and let’s bring this stuff out in the open.

I am so tired of hearing about these secret meetings that are going on and all the state directors are going to these secret meetings and there is no invitation to anybody else and you guys are coming up with plans and one of them is that we end up with something like this Graves Amendment, because the state directors -- You know we agree on certain stuff and all of a sudden, it’s the basis for a congressional legislation. It’s ridiculous. With no public input. It’s shameful is what it is.

Amendment 36 is really one of the things I really want to talk about. I think there’s a couple of good things in there. I think if we maybe close down some of these accounts that haven’t been opened and let’s make this stuff available. I think that furthers the purpose and need to achieve optimum yield. I think it helps there.

The purpose of Amendment 36 is to improve the program performance and the need is to achieve optimum yield and to rebuild the stock. You’ve got this thing littered with poisoned pills. Restricting leasing, the leasing is the provision in there that creates the flexibility for the commercial fishermen to deal with bycatch. That’s what it is. It’s central.

Well, what are the complaints? We never expected the leasing to the extent that it’s going and yes, we never expected the stock to recover so quickly and so the need for reducing discards is greater than we had previously thought. We never expected that we would have this huge success.

You know I commend the cuts and all that we went through to get
to this point. Leasing is a central provision and we should not be limiting that and badmouthing it. It’s critical.

CHAIRMAN ANSON: Mr. Tucker, if you could wrap up your comments. You’re over your time.

MR. TUCKER: By thirty seconds. Okay. Well, we can get to this in the future.

CHAIRMAN ANSON: We have a couple of questions. Mr. Williams.

MR. WILLIAMS: Bill, you mentioned releasing the red snapper that are still held in those accounts that were never opened and David offered the idea of maybe releasing them somehow for a bycatch fishery and would you be all right with that? How do you think it should be done? Do you have any ideas on it?

MR. TUCKER: I think there’s a lot of ideas. I think we can really -- I think if we get into this and we start exploring the ideas and we start brainstorming it and we say what are the needs and what’s the best use of that and you’ve got everything -- You know we can really put a lot of ideas on it.

One, we can use it for bycatch, and there’s a lot of ideas on that. We could distribute it -- One, we could do it proportionally among those who -- Based on their IFQ shares. If you want to use it for bycatch, you could do it proportionally based upon what a commercial fisherman’s grouper holdings are.

It could be a function of your grouper quota share and so you would allot so much per pound of grouper. Every hundred pounds of grouper quota that somebody holds, maybe they get one pound of that red snapper. It’s only about 29,000 pounds and it’s not going to go very far, but that’s a good way.

By making this -- You know that’s one idea and I’m sure there are lots of others and I think that -- Anyway, I think there’s a lot of options there, but that’s one of the few things in this Amendment 36 that I think we ought to be doing. A lot of the other stuff is disruptive and it’s divisive and it’s set up on perception and not reality and I think that -- I mean I am shocked at the people who support these ideas of restricting allocation, because you all should know better, when you look at the big picture.

Everybody in here, all you fisheries managers, are intelligent enough to really know what’s going on and I think there’s a lot of -- “Disingenuous” is a term that I think applies way too
often.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: Bill, I was going to ask you the question -- We hear sometimes people say about talking about owning a public resource and I would like to hear what your thoughts are about owning the public resource.

MR. TUCKER: Yes, I hear this stuff, owning the public resource. Look. Magnuson says that we do not own the public resource. Quota share is not ownership of a public resource. What IFQ quota share is, is it’s a permit. That’s all it is.

We used to have a Class 1 and Class 2 permit and a Class 1 permit, the only limit was 2,000 pounds a trip. Other than that, you could have all the trips you could possibly squeeze in. It was basically an unlimited permit.

We went to an IFQ program and it’s a limited permit. The permit is limited by the amount of quota share that you hold and it’s divisible and so you can knock it down by pound. That’s a beautiful thing and that’s what gives us the flexibility of being able to deal with bycatch, but there’s no ownership in there. Everybody in here knows that if you read Magnuson that it specifically says that it’s not ownership.

Nobody owns the public resource. It’s misleading and it’s disingenuous and it’s not true and you hear it all the time and we hear it amongst people on this council who should know better and so I am disturbed when I hear that. You all should be standing up and clarifying that like I am doing here. Am I wrong? I am going to ask the legal counsel. I mean is quota share -- Do we own the public resource or do we own a graduated permit?

EXECUTIVE DIRECTOR GREGORY: Bill, don’t try to engage council members directly, please.

MR. TUCKER: Okay.

CHAIRMAN ANSON: David, do you have one more question?

MR. WALKER: Yes, I have one more question, back to 36. Do you support the vessel even if you do not have any IFQ shares onboard, that they should still be able to hail in? You know I support it for enforcement and I would just like to know your --
MR. TUCKER: I am sorry, but I didn’t understand the question.

MR. WALKER: Here, when it talks about require vessels with commercial reef fish permits to hail in prior to landing, even if they are not in possession of IFQ species, you do support that?

MR. TUCKER: I am fine with that.

CHAIRMAN ANSON: Thank you, Bill.

MR. TUCKER: Thank you.

CHAIRMAN ANSON: We have Rich Castellano, followed by April Depaola.

MR. RICH CASTELLANO: Good afternoon. Rich Castellano, the Headboat Gulf Star in Tarpon Springs, Florida. I was a member of the headboat pilot program. I don’t think anybody here can deny what a successful management tool it turned out to be and so I can simply say that I would like to fast-track 42, with a multispecies option IFQ and leave us headboats and charter boats out of 39. Thank you.

CHAIRMAN ANSON: Thank you. April Depaola, followed by Shane Cantrell.

MS. APRIL DEPAOLA: Hello. I am April Depaola. I live here in Orange Beach, Alabama and I am a recreational fisherwoman, along with my family. The recreational fishing side feels like they’re constantly getting the raw end of the deal with fewer and fewer days and number of fish they’re allotted to catch, in my simplistic mind of just going out and wanting to catch a couple of fish during the summertime. You can see where we’re coming from, of a nine-day season here in Alabama and catching two fish per person.

With that being said, I think the recreational angler is not comfortable with this recreational advisory panel being formed. There is just considerable mistrust within the council right now on actually having a voice for the recreational angler. Most of them aren’t able to be here today, because they’ve got nine-to-five jobs and they’re not all doctors and lawyers and rich business owners and they’re not able to take that time off, like I was fortunate enough to be able to do to be here today.

I am so excited to hear about the formation of the Gulf Angler Focus Group and I would really like to see where they’re taking
it. From what I understand, it is a group of recreational-minded people and so I think that it sounds like you guys are giving consideration and maybe looking at holding off on the recreational AP panel and so I’m all for that and looking at this Gulf Angler Focus Group and what they can provide for answers for the recreational voices.

As far as Amendment 39, here in Alabama, and that’s all I know, Alabama has done an incredible job on creating a healthy and abundant resource with such a small coastline. I know Chris Blankenship has worked really hard on that and we have some of the healthiest snapper population along the Gulf Coast.

That’s why I was originally for Amendment 39. From what I understand, it has completely deviated from its original intent and I haven’t heard one single person here today be for it and, with these changes, I don’t support it either. With that being said, I thank you guys for all being here and I hope you enjoy your visit in Orange Beach.

CHAIRMAN ANSON: Thank you. Shane Cantrell, followed by Billy Neff.

MR. SHANE CANTRELL: Hello. I’m Shane Cantrell and I’m the Executive Director of the Charter Fishermen’s Association. Again, Amendment 39, Action 2, Alternative 2. I believe that’s the first time you’ve heard that today and it’s just I can’t remember how many times I’ve come up here and said that, asked to be left out of regional management.

I remember a time when it was a full delegation and it was a supermajority and it’s still including the charter boats. It didn’t have the voted there and we go to conservation equivalency.

We’ve changed this so many times from the original form and the charter boats have wanted out of it almost the entire time. We’ve been asking for sector separation, Amendment 40, and it took seven years. Roy mentioned it the other day and it was a big step forward. It took a lot of hard work. I remember there was a time when I couldn’t reach out to these guys in Alabama and the Orange Beach Fishing Association at that time because they did not like what sector separation was, what they thought it was.

Through education and time, you’ve seen them come around and there’s not many Orange Beach captains that aren’t here today. It’s very important to them. You look at Destin and the same
thing. There was times when some of the Destin fleet wouldn’t
talk to Gary Jarvis and they’ve come around. Education. Mike
Eller gets up here and he speaks very, very strongly in favor of
some of this stuff, when it took education and people
understanding.

I see this Gulf Angler Focus Group and I’ve been attacked way
too many times by some of these organizations. My organization
has been attacked and we’ve been called a puppet-show
organization in front of Congress. That’s not the people I want
to support and believe that they’re going to do the right thing.

Privatizing of natural resources to benefit the private business
owners and I’m supposed to come in here and believe that that
same group, after the option of just moving the charter boats in
there, is going to come up with a really good solution? I want
to believe it and I want to see more information.

The group that is put together, I don’t think they’re reaching
out to private anglers. We’ve got Mike Nugent is a charter boat
guy and Bob Zales is a charter boat guy and Pam Anderson runs a
charter boat marina. I believe they have really good outreach
into the recreational community, but I want to see recreational
anglers coming together in this. I see a lot of good that can
come out of it, but I’ve got to approach it with a lot of
skepticism and that’s about what I’ve got.

Amendment 41, move it forward. The purpose and need statement
looks good and let’s go on. Amendment 42, let’s keep it rolling
down the tracks. I am looking to be a new entrant in the IFQ
program and I would love to see that loan program up and going.
Thank you, all.

CHAIRMAN ANSON: Shane, we have a question from Dr. Crabtree.

DR. CRABTREE: Shane, you brought up the focus group and did any
of them reach out to you or any of the CFA guys to participate
in this?

MR. CANTRELL: To my knowledge, there was zero contact of the
Charter Fishermen’s Association and its membership to be
involved in that group from the beginning. I understand that --
I had a good conversation with Ken earlier today and they’re not
to that point yet.

You’ve got a lot of ideas to be thrown around in that industry
before it even comes time to bring in the charter boat guys, but,
with that being said, the people I know that have been
involved are not necessarily private anglers. They have a lot of good ideas and they’ve got a lot of knowledge, but using the same tools we’ve been using for the last six or eight years -- I would love to say that there’s going to be a different result, but I just don’t see it right now.

CHAIRMAN ANSON: Billy Neff, followed by Chris Callaway.

MR. BILLY NEFF: How are you doing? Billy Neff with Class Act Charters, here in Orange Beach, Alabama. I will make this real short. I am asking that you please move forward with Amendment 41 and 42 and I would also ask that you leave the federally-permitted charter boats for-hire out of Amendment 39.

I think we need to end the sunset on Amendment 40 and as to triggerfish, I think it should go to a one-person bag limit, opening March 1, and the size limit should remain the same. Thank you.


MR. DON MCPHERSON: I am Don McPherson with Getaway Charters, here in Orange Beach. I have a couple of six-passenger vessels and I will by very brief here, but I just want to hit on two or three items.

No state management for charter boats and yes as far as going forward with Amendment 41 and 42 and I would also like to thank you, and all involved, for sector separation. I know this has been mentioned earlier, but this has given me a more positive future.

We can do what’s right and manage our charter fishery and you know one day I do hope to retire and I hope to sell my business. This may give me something to sell. I’ve been in business for twenty-plus years and it would be nice to retire with something one day.

We would also like to end or move the sunset on Amendment 40 and last, but not least, I would certainly like to see something done with the triggerfish. I think one triggerfish, I think a lot of people could live with. I know some has mentioned a March 1 beginning of the season and that would certainly work, but that’s it. Thank you.

CHAIRMAN ANSON: Troy Wetzel, followed by Brian Reeves.
MR. TROY WETZEL: How are you all doing? I am Captain Troy Wetzel and I oppose the VMS and the reason being you didn’t hear from too many charter boat captains from Venice, Louisiana. It’s not a tourist town. When you go into Venice, Louisiana, you’re going to find us on a computer and you’re going to buy a plane ticket and you’re going to fly to New Orleans and you’re going to rent a car and you’re going to drive two hours from the city and then you’re going to rent a hotel room and so the VMS on our charter boats, we don’t have big cabins on them.

We’re a speed hull. We’re going to run down the river twenty-five miles and we’re going to hit the Gulf and we’re going to go searching for these tuna and on the way back, we’re going to catch our two red snapper.

We’re all six-pack guys. We can count twelve red snappers with no problem. We definitely do want to hear our opinion and we want you all to take notice of how many snapper we catch. We all have our cell phones with us, but to put a new piece of equipment on our boat and make us pay for it and also, if we cannot leave that dock, which it’s a very remote area -- If we cannot leave that dock without this piece of equipment working, am I going to look you in the eye and say we can’t go fishing?

How am I going to give you your money back for your plane ticket and for your hotel and for all your time? It’s not going to work on the boats in Venice, Louisiana and we’re a big part of fishing down there.

How can the charter boats keep this going and going and going? When I first started, and I am the oldest one down there, we would fish from May 1 to October 31 with seven to five to two red snapper. Now our main target is yellowfin tuna. We want our snapper, because when you cannot catch yellowfin tuna, you’ve got to give the person a red snapper and we have an abundance of red snapper. We’ve got the oil rigs and that’s where these fish are hatching and that’s where they live.

We definitely want everyone to know how many snapper we’re catching. They’ve been calling me for years now and I tell them on the phone, maybe once a week or twice a week, but everyday, it can’t happen. I leave the dock at five o’clock in the morning and sometimes I don’t get home until seven or eight at night and I’m cleaning the fish and trying to get my customers out of there.

I cannot operate the VMS in the fog when my second captain or my deckhand is on a mic talking to people and I am watching the
radar, because you’re running twenty-five miles down the river in fog and sometimes we’re fishing in the fog and so this extra piece of equipment, we don’t need it, but we do have logbooks and we do have telephones and we do want to report our catch of snapper, because it will benefit everybody.

We want everybody to know what we’re catching and we want everybody to come fish with us, because our second fish, after the yellowfin tuna, is our red snapper and so that’s about all I am here for.

CHAIRMAN ANSON: All right. Troy, we have a question from Dr. Dana.

DR. DANA: Thank you, Troy, for coming here and please bring back to your fleet or those in the Venice area from the charter for-hire industry that I, for one, appreciated the fact that you guys came together and discussed in detail, obviously, this particular issue and then individually contacted the council members to let us know that this was a real issue for you, the VMS, and also the reporting timeframe.

You know it’s good and we haven’t heard much from the Venice fleet and it was nice to see you guys coming together and individually addressing this.

MR. WETZEL: Thank you and we definitely want our opinion to be heard, because, like I said, when I first started, we had snapper and we had the time to catch our snapper and now it’s down to almost nothing. All of us can count twelve fish and that’s when our boat is full of customers, but we do not care to have a device put on our boat and let’s just say we can’t leave the dock unless we report what we’re catching and how can I look you in the eye and say I’m going to give you your money back for your plane ticket and your hotel reservation and car rental and where am I going to get this equipment fixed, because I could be fishing twelve days in a row.

DR. DANA: It’s encouraging to know, as a fleet or as an area, that you guys are just as much in support of reporting, inasmuch real time as possible, on what you’re catching. That’s been our message from the Gulf charter industry, that we want to report the catch so that we have better -- The data is better.

MR. WETZEL: We’re all for that. Thank you.

CHAIRMAN ANSON: We have a couple more questions, Troy. Johnny.
MR. GREENE: Thank you for finding your way over from Venice to Orange Beach and I hope you take that fast boat and keep it in Venice and don’t bring it over here and scare our customers with them. Anyway, just one question. Are you federally-permitted?

MR. WETZEL: Yes, I am.

MR. GREENE: Thank you.

MR. WETZEL: I’ve got every single license. The first day I started doing this, I got all my licenses going back, but, like I said, we don’t -- Our season has been cut down so much. I got a permit to go fish for my snapper and everything, but I am not going to lease quota from someone to go fish for snapper and the people that are coming to fish with us, they’re looking for the yellowfin tuna and their snapper second, because they are traveling a far distance.

CHAIRMAN ANSON: Myron, do you have a question?

MR. FISCHER: Sure. I wanted to thank Troy for coming and I hope he brings the message back to Venice that the impact that public comment does have. We appreciate you coming and we appreciate all the emails from everyone from there and Cocodrie sent in and we look forward to working with you all on finding solutions for this, but I just wanted to thank you. I didn’t have a question.

MR. WETZEL: Thank you.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I wanted to thank you for coming, but more so to thank everybody down there in Venice for sending us the emails. They were very informed and they were very cordial and it told us what your issues were and just to let you know that we do take it seriously.

My background is in the commercial industry and, because of what you all said about the VMS and your concerns, I did actually make some phone calls to some commercial guys that I know have to have those VMS that also have say twenty-eight-foot center-console Contenders. That’s what they run day after day after day with that VMS system and to find out what kind of maintenance issues they have and so thank you. It does matter.

MR. WETZEL: Thank you.
CHAIRMAN ANSON: Thank you, Troy. Next up is Brian Reeves, followed by Gary Goodwin.

MR. BRYAN REEVES: My name is Bryan Reeves and I am owner and operator of Wild Orange Charters. I am new to the business and I am here to say that I am thankful for Amendment 40 and it is actually amazing, after this has been in effect, the difference that it’s made in my business.

The last year, I was struggling running trips, due to the short season. This past year, it was a major increase in my business, being able to fish longer. It also helps me with future planning for years to come. I can plan ahead with customers and people calling me and so it’s been a major help.

I just had the VMS installed into my boat and I am all for that and I hope that you guys can use this data that we’re going to be able to provide for you guys to help with future stock assessments and the actual real-time data that’s we’re actually catching. I think it’s going to be a good thing for us and I hope you guys work all the bugs out and are able to use this data, but that’s pretty much it.

Again, I am very elated and I can’t stress enough how much Amendment 40 has helped my business. Last year, the 2014 season, at the end of the year, I was kind of concerned about how I was going to be able to make it and when Amendment 40 passed, the difference between two years is absolutely amazing and I hope we can continue to enjoy the effects that it has and that it is producing for us and that’s pretty much all I have to say. I appreciate you guys and everything you guys have done for us.

CHAIRMAN ANSON: Bryan, we have a question from Mr. Swindell.

MR. SWINDELL: Thanks for coming, Bryan. What size boat and what type of boat do you have that you’re using VMS on?

MR. REEVES: It’s a thirty-eight-foot Buskins and I can carry up to six passengers. I have an enclosed cabin with a tower. I don’t have a bridge or anything else.

MR. SWINDELL: How long have you had it?

MR. REEVES: How long have I had the business?

MR. SWINDELL: No, how long have you had the VMS?
MR. REEVES: I just had it installed this winter and so I haven’t been able to use it, because last year we were reporting through the Alabama state per trips, but I just had the VMS installed I think in November. I haven’t been able to use the system yet, because we haven’t been fishing much, but come March, which usually our business kicks off, and so I’m curious to see how it works and I hope it does what it’s supposed to.

CHAIRMAN ANSON: Thank you, Bryan. Gary Goodwin, followed by Angelo Depaola. Gary is not here and so Angelo, followed by Alec Breaud.

MR. ANGELO DEPAOLA: How’s it going, guys? I am Angelo Depaola and I’m a resident here in Orange Beach and I would like to say this, that I am definitely not against the charter boat guys. I gave two charter boat recommendations to friends of mine this week and I really want to see you all succeed in this, but what I came here to talk to you about is the recreational sector.

I am not sure -- You know everybody here wants good science and wants the fish to thrive and that’s one thing I think we can find in common, amongst all the user groups that are in this room today, but I want some flexibility. I didn’t -- I fished one day during the eleven-day season last year. My work schedule just kind of got to where I couldn’t go.

I’ve got $30,000 invested in snapper reefs out and I put $25,000 worth of electronics on my boat this past spring and it isn’t necessarily that I want to go out and fill my freezer with snapper, but I would like to become able to come in from an offshore trip and stop by and catch me two fish for the fish fry on the way home.

That’s all I want and I think we can look at things, whether it’s -- One fish per person on the recreational side, I would be open to. I would be open to can we fish on weekends and can we fish when you have a day off?

I mean it’s a very hard question with the rec guy, because with the way this system is set up, it’s really set up for charter boats and commercial guys. You guys do a great job, it sounds like, of catching your fish and the rec guys are trying to herd a bunch of cats and we’re trying to fit a square peg in a round hole.

It really -- I don’t know and maybe this new advisory panel we can come with some ideas and maybe you guys can come up with some ideas that give us some flexibility in this fishery, where
everybody rushes down for one week and they’re all gone and they
can’t even fish my damned tournament because they’re all tired
because they fished for five days straight, sometimes two times
a day, breaking the law, and going beyond the nine miles.

I could care less about fishing in nine miles. You know how
hard a snapper is going to be to find within nine miles within
about two weeks of the season? It’s going to be tough and it
doesn’t appeal to me.

I’ve got one spot inside of nine miles and the second I go over
there, some bozo with a radar is going to start pinging on me
and he’s going to find it and he don’t care, because he’s going
to go give it to two or three of his buddies that get off on a
Tuesday when I can’t go fishing and the next week, my damned
spot is going to be wiped out.

I mean I want a little bit of commonsense and I think that
there’s some people out here that have some sensibility and want
to work with you guys and you know I wish I knew what that
looked like and that’s all I’ve got. Thank you all for
listening.

CHAIRMAN ANSON: Thank you. Alec Breaud, followed by Tracy
Redding.

MR. ALEC BREAUD: Good afternoon, members of the council. My
name is Alex Breaud and last year, I started my own boat
brokerage, after working for another group here in Orange Beach
for a long time. I also serve on the IGFA’s Representative
Committee.

I am going to kind of echo a little bit of what Angelo said,
because I think that there is a way to kind of meet in the
middle here. You know the doctor and lawyer argument that was
brought up is not a good one, because these guys are the ones
who are working every day and they can only get off on weekends.

You know doctors and lawyers don’t own the big boats. They are
the guys that use snapper as the gateway drug into fishing.
They see snapper and they come out and they can go on the
weekend and they can learn it and they can kind of get their
feet wet catching fish and if they can’t do it on the weekend,
it negatively affects them and it affects my business and it’s
just -- For the working man, I believe that it could really be
separated into different sectors, just, again, to echo what
Angelo said. That’s my opinion on it.
I will say that doctors and lawyers are usually the worst fishermen and so it takes them a little bit longer to get into it, too. I can say that because my dad is a doctor and my uncle is a lawyer and so I’m part of it. Anyway, thank you, guys.

CHAIRMAN ANSON: Tracy Redding, followed by Gray Cane.

MS. TRACY REDDING: Tracy Redding with AAA Charters. I work along the Alabama beaches with about a hundred different charter boats. A couple of easy comments. Roll call voting for both the full council and in committees would be huge. I listen to the majority of almost every meeting you guys have on the web and I can’t tell who votes which way and I end up having to bother the council staff or whoever’s cell number I have to have on the council and ask them if they can recall who raised their hand which time.

I think that the webinars are a fabulous tool and being able to tell who votes how would mean a lot to me, but it’s also accountability to the stakeholders that you represent. We should be able to tell, to go back through the official records, and know which representatives from which state voted one way or another, at least to give us a clue on where we are at and where do we need to move, if we want the results to end up one way or the other.

Another thing is please leave the for-hire charter boats out of 39, regional management. We really hope you hear that loud and clear. We don’t want to be part of that plan.

Really, I think that’s about -- Give the collaboratives a chance. The headboat program last year really made a difference. I had something to sell. I can make it, but I just need something to sell somewhere and so thumbs-up. Thank you.

CHAIRMAN ANSON: Thank you. Gray Cane, followed by Brian Swindle.

MR. GRAY CANE: Good evening. My name is Gray Cane. I live in Baldwin County, Alabama and I am a recreational sport fisherman and I would like to thank all of you all for being here today and considering all these issues that we deal with, but what I really want, for myself and my family and my friends, is to be able to fish.

If you have lived around here and know what’s out in the Gulf of Mexico, there is lots of red snapper out there and I just don’t get why we can’t fish for them more than we do. I don’t know.
I don’t get it.

I really believe that the Alabama Department of Conservation has a good handle on things. I trust those guys and I’ve worked with them and I’ve known them all for a good while. I would really like to see the control, if that’s the right word for it, turned over to them or giving them the opportunity to manage the resource.

I think they know what they’re doing and that’s really all I have to say. I would just like to go on record that I like to fish and I wish I had the opportunity to do it for myself and my family. Any questions?


MR. BRIAN SWINDLE: Thank you all for letting me speak. My name is Brian Swindle and I’m from Dauphin Island. I am a charter boat guy and a commercial guy. I pretty much agree with all the charter boat guys about all the important topics they’ve been discussing.

39, leave us out of it. As far as 41 and 42, I like the headboat program and I would kind of like to see those two programs start at the same time and the reason that is because I’m from a small town and if you’ve got one boat that can catch snapper and one that can’t, that’s going to send more customers in one direction than the other.

I have had to explain to some customers why is that boat catching fish and I am not and so I see a little issue with that, but I really like the program and the way it’s going.

I am also a commercial fisherman, like I said, and there are a couple of things in 36. I would like all commercial boats to report and not just the IFQ species, because who knows if they’ve got snapper or grouper on the boat. It kind of protects the IFQ shareholders also.

I am a shareholder. I was an initial shareholder. I had a 200-pound license and I got a small quota initially and I have invested my time and money and worked hard through the way and I’ve got a substantial amount now.

I fish a lot of my quota, mostly all of it. I do lease some out if I get in a bind and I can’t catch them or whatever, but it gives us flexibility if ever the need arises for us to offload some fish and we can’t catch them, if something bad happens and
we need to raise some money. I guess that’s about all I’ve got to say and thanks.

CHAIRMAN ANSON: Thank you. As you can see, Brian was the last name on the list. I will go back and call out those who weren’t present earlier and that would be Sam Ard, Chris Callaway, Blake Michaleski. Is there anyone out in the audience who has not spoken who would like to speak? That concludes our public testimony and we will reconvene in the morning at 8:30 with committee reports. Thank you.

(Whereupon, the meeting recessed on January 27, 2016.)

January 28, 2016

THURSDAY MORNING SESSION

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Perdido Beach Resort, Orange Beach, Alabama, Thursday morning, January 28, 2016, and was called to order at 8:30 a.m. by Chairman Kevin Anson.

CHAIRMAN ANSON: Once again, good morning. First on the agenda for Committee Reports is Admin Policy and Budget and Ms. Bosarge.

COMMITTEE REPORTS

ADMINISTRATIVE POLICY/BUDGET COMMITTEE REPORT

MS. BOSARGE: Good morning. Before I start that report, I would like to make one quick announcement. Dale and Ed and I went to D.C. in October for some council training and I have to say that the higher-ups in NOAA, when they gave their presentations, the Gulf Council is setting the standard, as far as staff goes, in many areas, specifically in our outreach and education.

They pulled up our website several times and the videos that Emily and others of you do to let the public know what’s going on in an amendment without having to read the document, we watched an entire video during the meeting and so kudos to you all and great work.

Okay. Administrative and Budget Committee Report, the committee adopted the agenda and minutes of the October 2015 Joint
Administrative & Budget/Personnel Committee meeting in Galveston, Texas as written.

Review of Ad Hoc Advisory Panels, the council decided in January of 2015 to review the ad hoc advisory panels each January to determine if they should be continued for another year. In August 2015, the council removed the ad hoc APs from the three-year tiered membership appointment process.

The rationale for not including the ad hoc APs in the appointment process for the regular APs is that ad hoc APs are created for a specific short-term purpose and membership changes may not always be warranted. The committee recommends, and I so move, to disband the Ad Hoc Artificial Substrate AP.

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: Review of 2016 Advisory Panel Membership Expirations, based on the new tiered membership appointment process, the Coral, Spiny Lobster and Data Collection Advisory Panels were appointed in 2015 for a one-year term. The Coral AP met one time during 2015, but the other two APs have not yet met.

Staff suggested the committee consider letting the current membership of the Coral, Spiny Lobster, and Data Collection Advisory Panels continue for another three-year term. No motion was made to re-advertise the membership for these three advisory panels.

Update on AP Background Checks by the States, the Law Enforcement Technical Committee met by webinar and discussed the feasibility of conducting AP applicant background checks for violations related to federally-managed species. Not all states may be able to separate violations by federally-managed species. All states also require a signed request from the applicant authorizing a background check.

The committee discussed the advisory panel appointment process and recommended to staff that the AP background checks be done by all the states for each potential AP member the council intends to appoint. To minimize the potential burden on the states, it was suggested that the AP appointment process be conducted over two consecutive meetings, as follows. At the initial AP appointment meeting, the council will select individuals for the APs, where appointment will be contingent
upon the results of the state background checks.

Staff will work with the state law enforcement agencies to develop the protocol for obtaining background checks from AP applicants and get final agreement among the states at the spring 2016 Law Enforcement Technical Committee meeting. This concludes my report.

CHAIRMAN ANSON: Thank you, Leann. That will bring us next to the Mackerel Committee, which was just emailed to you all a few minutes ago, and Dr. Dana.

MACKEREL MANAGEMENT COMMITTEE REPORT

DR. DANA: Thank you, Chairman Anson. The Coastal Migratory Pelagics Committee met on January the 27th and we started off with CMP Amendment 26. It was approved for public hearings by the council in October of 2015. The amendment addresses king mackerel annual catch limits, commercial zone management, allocations, sale provisions, and recreational bag limits.

Action 1, Adjust the Management Boundary for Gulf of Mexico and Atlantic Migratory Groups of King Mackerel, the committee continued to support the councils’ preferred alternative, Alternative 3, which is also recommended by the Gulf and South Atlantic CMP Advisory Panels.

Action 2.1, Revise the Acceptable Biological Catch for Atlantic Migratory Group King Mackerel, the SEDAR-38 stock assessment showed that the Atlantic migratory group is healthy. The South Atlantic Scientific and Statistical Committee provided acceptable biological catch recommendations based on three recruitment scenarios, high, medium, and low. The South Atlantic CMP AP suggested that a large recruit class of small fish is coming into the Atlantic and recommended Alternative 2, which was also recommended by the Gulf CMP AP.

The committee recommends, and I so move, in Action 2.1 to make Alternative 2 the preferred alternative. Alternative 2 is to revise the ABC for Atlantic king mackerel for 2016/2017 through 2019/2020, based on the ABC levels recommended by the SSC for ABC under a high recruitment scenario.

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: In Action 2.2, it was to Revise ACLs, Commercial
Quotas, and Recreational ACT for Atlantic Migratory Group King Mackerel. The Gulf CMP AP members thought a more conservative ACL was not likely to affect either fishing sector. The AP thought that using the equilibrium yield was, in a way, a form of constant catch, which may help protect the stock in the event there is an issue with recruitment in the Atlantic migratory group. The committee recommends, and I so move, in Action 2.2, to make Alternative 3 the Preferred Alternative. Alternative 3 is to establish the ACL equal to the optimum yield deterministic equilibrium yield at F 30 percent SPR equals 12.7 million pounds for fishing years 2016/2017 through 2019/2020.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? No opposition and the motion carries. Thank you.

DR. DANA: At their September 2015 meeting, the South Atlantic Council removed Alternative 6 from Action 2.2. The committee recommends, and I so move, in Action 2.2, to move Alternative 6 to the Considered but Rejected Appendix.

CHAIRMAN ANSON: It’s a committee motion. Any discussion on the motion? Any opposition to the motion? No opposition and the motion carries.

DR. DANA: Moving to Action 3, Incidental Catch of Atlantic Migratory Group King Mackerel Caught in the Shark Gillnet Fishery, options for retention of bycatch for Action 3 were set at either two fish or three fish, depending on which Atlantic commercial zone in which a commercial shark angler was fishing. Those retention limits are intended to reflect the recreational bag limits in the concurrent regions.

The Gulf CMP AP did not think fish should be wasted and did not foresee a directed bycatch fishery developing as a result of Alternative 3.

The committee recommends, and I so move, in Action 3 to make Alternative 3 the preferred alternative. Alternative 3 is to allow retention and sale of Atlantic king mackerel caught with gillnet as incidental catch in the gillnet portion of the commercial shark fishery for any vessel with a valid shark directed commercial permit and valid federal king mackerel commercial permit. The king mackerel must be sold to a dealer with the Southeast federal dealer permit. For shark gillnet trips in the southern zone, no more than two king mackerel per crew member can be onboard and no more than two king mackerel per crew member can be sold from the trip. For shark gillnet
trips in the northern zone, no more than three king mackerel per crew member can be onboard and no more than three king mackerel per crew member can be sold from the trip.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Is there any opposition to the motion? No opposition and the motion carries.

DR. DANA: Action 4, Establish Commercial Split Seasons for Atlantic Migratory Group King Mackerel in the Southern Zone, the main concern for the South Atlantic Council with respect to Action 4 is managing changes in catch per unit effort over time to keep the commercial king mackerel fishery in the Atlantic southern zone open. The movement of fishermen from that zone to the Atlantic northern zone and into the Gulf is largely driven by declines in catch per unit effort, which result in fishermen traveling to areas where fishing is better.

Approximately 550 vessels are registered with commercial king mackerel fishing permits on the east coast of Florida. Though fishermen from the east coast of Florida are thought to be likely to travel regardless of season delineations, the Gulf Council AP thought that establishing such a delineation may cause more fishermen to travel than do currently. Staff will consult fishermen in the Gulf northern and western zones in the future to gauge the number of vessels which travel from the east coast of Florida.

The committee recommends, and I so move, in Action 4, to make Alternative 1 the Preferred Alternative. Alternative 1 is no action. The commercial fishing year for Atlantic king mackerel is March 1 through February 28. The southern zone quota is allocated for the entire fishing year.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? No opposition and the motion carries.

DR. DANA: We moved on to Action 5, which is Establish a Trip Limit System for the Southern Zone. The IPT and the South Atlantic Council worked to consolidate what was previously Actions 5.1 and 5.2 into a single action.

The committee recommends, and I so move, to accept the modifications to the language in Action 5 as proposed by the South Atlantic Council and the IPT.

CHAIRMAN ANSON: We have a committee motion. Any discussion on
the motion? Any opposition to the motion? No opposition and the motion carries.

DR. DANA: Committee members thought that more information was needed on what was driving CPUE trends in the Atlantic southern zone before they could recommend a preferred alternative to the council. Staff indicated that public hearings were underway in the South Atlantic and staff would query fishermen for more details.

Action 6, Modify the ACL for Gulf Migratory Group King Mackerel, committee members did not modify the current preferred alternative, which is Alternative 2, which sets the ACL equal to the ABC.

Next, Action 7, Revise the Commercial Zone Quotas for Gulf Migratory Group King Mackerel, staff reviewed the justification for including the east coast of Florida in the Atlantic migratory group and described the need to address the commercial zone allocations in the Gulf.

Gulf CMP AP members recommended Alternative 4, which they thought best represented a fair and equitable compromise for the distribution of the commercial allocation among the zones. Staff noted that, perhaps as a result of the change in the start date for the fishing season in the Gulf northern zone from July 1 to October 1, more vessels in that zone participated in the commercial fishery in the 2014/2015 fishing season than in previous seasons. This suggests that the season change from CMP Amendment 20B has increased fishing opportunities in that zone.

The committee recommends, and I so move, in Action 7 to make Alternative 4 the preferred alternative. Alternative 4 is to revise the commercial zone quotas for Gulf migratory group king mackerel as follows: 40 percent for the western zone; 18 percent for the northern zone; 21 percent for the southern zone hand line component; and 21 percent for the southern zone gillnet component.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? No opposition and the motion carries.

DR. DANA: Action 8, Revise the Recreational and Commercial Allocations for the Gulf Migratory Group King Mackerel, Gulf Council staff described the 53 percent increase in recreational landings for the 2014/2015 fishing season, most of which are attributable to Florida.
This recent increase in recreational landings suggests that reallocating recreational quota to the commercial sector, while also raising the recreational bag limit to four fish per person per day, could result in quota overages.

The Gulf CMP AP thought the increase in recreational landings could be further increased by a change in the recreational bag limit and affirmed their stance that the council should not change sector allocations. Committee members agreed that the recreational sector’s allocation should not be changed in such a way that would jeopardize that sector’s ability to catch king mackerel year-round.

The committee recommends, and I so move, in Action 8, to make Alternative 1 the preferred alternative. Alternative 1 is no action, maintain the current recreational and commercial allocations for Gulf migratory group king mackerel at 68 percent recreational and 32 percent commercial.

CHAIRMAN ANSON: We have a committee motion. Any discussion? Mr. Diaz.

MR. DIAZ: I am not planning on making a motion, but I did want to talk a little bit. I listened to the committee yesterday and I thought the discussion around the table was very good. I do want to compliment this AP. I think this AP was a very unselfish AP. It’s made up of a group of people with a lot of commercial and I believe some recreational and other people on it.

It seemed like everybody was very worried about not putting the recreational side in any type of jeopardy and I commend them for that. However, when I look at this fishery, we’re not fishing anywhere close to the ACL.

Ryan gave some information about a bag limit analysis and it shows very few people catch two fish and the bag limit analysis doesn’t show that if we raised this up to three or four fish that it’s going to substantially eat into that ACL.

You know we’re supposed to try to manage these fisheries, and John said this yesterday and so I’m using some of your words, John, but for the greatest good of the nation. I think we’ve got time on this document to consider what to do, but I don’t think the way we’re managing it right now is for the greatest good of the nation. We’re leaving a lot of fish out there that could be utilized, but you know nobody has come up to try to
shove this into a reallocation.

We’re not being forced into that. The past experience we have with reallocation, I mean they’re very difficult things to do. When I went to the new council member training, there were some discussions about that and everywhere there’s a reallocation, it’s always hard and it’s very difficult and I want to commend Ms. Bosarge.

She came up with an alternative, which I believe is Alternative 4, which makes it where there is a no-lose situation for the recreational fishery. They can’t lose. I don’t see how. It sets where we shift a small amount and actually, what was proposed yesterday was a very modest amount that wouldn’t even put us up close to the ACL.

Now, I don’t have a crystal ball to know where this is going for the recreational fishery, but that Alternative 4 makes it where they can’t lose. If they get up close to their ACL, it reverts back and we’re trying to fish at the ACL.

I think the Alternative 4 -- Somebody said it was brilliant yesterday, Leann, and I think it is and I think it was very creative thinking and it’s probably a good way for us and other councils to consider some of these things when it’s a situation like this.

I just wanted to bring it up at this time. I don’t think the way we’re moving right now is managing for the greatest good of the nation. We’ve got time on this and we can change this preferred maybe at a future meeting, but I just wanted to kind of put my thoughts out there and you know I’m in favor of us trying to do a better job of managing this fishery and with Alternative 4, there is just no way for the recs to lose and I don’t see why we can’t give that serious consideration. Thank you.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: Thank you, Mr. Chairman. I just want to echo what Dale said. I mean we’ve heard, time and time again, you know the one group is fully utilizing their quota and they could use some more fish and the fish aren’t in jeopardy and there is buffers already built into our existing management, where we’re not compromising anything by maximally utilizing some fish. Again, Leann’s proposal she crafted, it creates a mechanism to do it with virtually no jeopardy or none of the difficulties we consider during reallocation.
If we’re coming up close to it, it will stop and it will revert back and so I don’t see any reason not to maximize the benefit for some folks that need it, as well as the nation and what we’re entrusted to do, and you know we heard about traveling fishermen and this and that the other yesterday and all the challenges this poses for the commercial sector.

This won’t cure it all, but it would provide some relief and I am curious to see how the public comments as we go forward with this and maybe we can revisit this and do something that I could be done to benefit some folks without really hurting other folks. Thank you.

CHAIRMAN ANSON: Ms. Bosarge.

MS. BOSARGE: I am not going to make a motion either to change anything. You know we have plenty of time to work on this and we may decide to go with Alternative 4 or we may not, but one thing I did want to say about Alternative 4 is not even specific to mackerel in this document, but what I had hoped for Alternative 4 is that it could be something that we can do both ways.

You know we got a report from Dr. Branstetter yesterday on landings on lots of different species and there may be some species where the commercial is historically not catching their allocation. This can go both ways, because in the same token where I tried to set it up where it couldn’t hurt recreational, if it was a transfer that wasn’t going from recreational to commercial, the same is true if it’s a transfer from commercial to recreational each year.

I tried to set it up where it could go either way and so just think of it that way in the future. Right now, it’s going from recreational to commercial, but it could be used in the opposite manner as well.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I don’t want to sound negative here at all and I applaud the way you’ve thought about this, Leann, in bringing it forward, but when you’re not, for one reason or the other or other constraints, a sector is not catching their quota and you create a situation to move it or shift it and then it can come back without any harm, you know I am not really pressed to call that a reallocation, because we truly haven’t gone through the reallocation notion of looking at the economics and making those
hard, critical decisions regarding reallocation.

A great way to do this in this scenario and I applaud the effort as we move forward, but I think one of the efforts that we have to have around this table at some point is a discussion about how are we going to do it when it’s true reallocation and when we’re really thinking about allocation in terms of economics and changes in demographics and shifts in fishing pressure across the Gulf from 1974 to now and how do we address that at some point.

Great effort though here and I appreciate that. I am just trying to make the distinction that obviously this is an easier case than that and we still need to think and have on our radar some of those bigger issues as well.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: I just wanted to mention something about timing. Obviously it’s up to you how fast or slow you want to move this, but there is a lot of talk about how there’s lots of time to reconsider and there always is time to reconsider or consider it in a different amendment, but just keep in mind how many actions are in this amendment and what some of them do, redefine the boundaries, shift the allocation among the Gulf, give people extra quota.

I am not sure, when you’re thinking about how long you want to consider this particular action -- Think about what it does to the things in the rest of the amendment and if there’s a schedule to try and get those in place for a particular fishing year.

CHAIRMAN ANSON: Dr. Simmons.

DR. CARRIE SIMMONS: Thank you, Mr. Chairman. Just to build a little bit on what Mara said, we did go ahead and hustle our public hearings before the South Atlantic Council meeting in February, so that if the South Atlantic Council and you guys were ready to take final action at their next meeting that we could. I just wanted to bring that up and let you know that information.

CHAIRMAN ANSON: Thank you for the update on that. Any other discussion? All right. We have a committee motion and it’s in Action 8 to make Alternative 1 the preferred alternative. Any opposition to the motion?
EXECUTIVE DIRECTOR GREGORY: Three hands.

CHAIRMAN ANSON: All those in favor. Would you please raise your hands indicating all those in favor of the motion?

EXECUTIVE DIRECTOR GREGORY: Twelve.

CHAIRMAN ANSON: Twelve to three. The motion passes. Dr. Dana.

DR. DANA: Thank you, Chairman Anson. We move next into Action 9, which is Modify the Recreational Bag Limit for Gulf Migratory Group King Mackerel. The bag limit analysis provided by the Southeast Regional Office was reviewed and the methods used therein explained.

The Gulf CMP AP ultimately recommended Alternative 2 as the preferred, citing the recent increase in recreational landings as a reason for not selecting Alternative 3.

The committee recommends, and I so move, in Action 9 to change the preferred alternative to Alternative 2. Alternative 2 is to increase the bag limit to three fish per person per day.

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: We moved on to Other Business, Additional Recommendations made by the CMP AP. Gulf AP members discussed generally less frequent encounter rates with cobia and noted that those cobia which were being caught were generally smaller than in past years.

Gulf AP members thought it prudent to be proactive, in the event that an issue exists with the Gulf’s cobia population. Staff noted that an update of cobia landings would be available as a result of the MRIP recalibration work to be done by the Science Center in 2017.

Possession of the Recreational Bag Limit of King Mackerel on a Commercial Vessel When the Commercial King Mackerel Season is Closed, the current federal regulations prohibit the possession of the recreational bag limit of king mackerel on a commercial vessel when the commercial king mackerel season is closed and on a dually-permitted for-hire vessel, unless that vessel is acting in a charter or headboat capacity. The Gulf CMP AP thought that this was rule unfair, since it is the only one of its kind and does not apply to other species.
The committee recommends, and I so move, to recommend that the council remove the prohibition on retaining the recreational king mackerel bag limit on a vessel with a commercial king mackerel permit or a dually-permitted charter vessel when the king mackerel commercial season is closed, but while the king mackerel recreational season is open.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Mr. Diaz.

MR. DIAZ: I guess I am going to put Jason on the spot. In the past, I think when we’ve done things like this, it’s for law enforcement reasons. Do you see any law enforcement challenges with this, Jason?

LCDR BRAND: We’re having a meeting with the Law Enforcement Committee at the Gulf States Fisheries Commission, where we can discuss it further, but I think we’ve been able to work around this in the past and I don’t see a problem with it, if that’s the way you want to go forward with it.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: Mr. Chairman, I kind of have a question regarding whether or not the people that buy the fish are also prohibited from doing so when the commercial king mackerel season is closed, because then, if the commercial people have a recreational permit and they can keep the fish -- As long as they keep the fish, I don’t have a problem with it, but I do have a problem if you allow them to then go sell the fish. That is a problem and so I mean are the suppliers prohibited from buying the fish during the closed season?

CHAIRMAN ANSON: Dr. Branstetter, would you like to comment?

DR. BRANSTETTER: Yes, dealers are prohibited from buying and selling in a closed area.

MR. SWINDELL: Then I have no problem with allowing a commercial boat to keep the king mackerel during the recreational season if they caught it recreationally. That’s the only question.

CHAIRMAN ANSON: Ms. Bosarge.

MS. BOSARGE: My thoughts on this were specifically to fishermen in my area and what’s happening to them is the boats that they fish commercially, and I mentioned this in committee, are
twenty-eight-foot, center-console Contenders, usually. They are commercial fishermen and they fish day in and day out, but we also have barrier islands right outside of the Mississippi coastline.

They take their family and kids out on that same boat on the weekends and on holidays to go fishing and do this and do that and even go to the islands. Now, they are so heavily regulated that even when they -- Because that boat is commercially-permitted and they red snapper fish on it, they have to hail-in and hail-out just to take their kids to the islands. They have to call the government and say I’m using my boat for pleasure today and they have VMS and everything else.

Essentially, what is happening to them is they can’t go recreational fishing for king mackerel on that boat without this change. They can’t take their family out on their boat to go recreational fishing and so it’s not a situation so much where they’re commercial fishing and they’re going to keep a recreational bag limit. It’s more like it’s Saturday and I would like to take my kids fishing, but I can’t have any king mackerel on this boat as a recreational fisherman, because this boat has a commercial permit on it.

CHAIRMAN ANSON: Dale.

MR. DIAZ: I am just worried about some unintended consequences is all that I’m thinking about and I do think that there is other examples. Sometimes when you have a permit or license to do something, it prohibits you from doing other things and it’s not breaking new ground.

People that have reef fish permits, they have to fish out in federal waters and they can’t recreationally fish in state waters when state-water seasons are open. We don’t allow that and I’m sure there is other instances like that.

I understand people wanting to go recreational fishing when they’re off, but I don’t know if it’s going to work enforcement-wise. I just think there are some problems that might come up in the future and I am just a little uncomfortable with it and so thanks.

CHAIRMAN ANSON: I am sorry, Ms. Bademan. I overlooked you and so you’re next.

MS. BADEMAN: It’s all right. On that note, Dale, I just wanted to note that this is consistent with the way our state rules are
set up in Florida. If you have -- Actually, the way it’s set up now, if you’re commercial fishing for blue crab, you can take a recreational limit of king mackerel on that trip, even though it’s a commercial trip.

You can’t be commercial king mackerel fishing and take recreational king mackerel on top of that. That doesn’t work, but, in Florida, your saltwater products license, that’s our commercial license and if you have -- That’s your license and you can use it as a recreational license if you’re recreational fishing, so that you’re not having to buy two licenses. At least from a Florida perspective, I think we’re good to go with this.

CHAIRMAN ANSON: Mr. Fischer.

MR. FISCHER: Thank you, Mr. Chair. Maybe this is something we have to look at across all management plans, all platforms, is allowing the captain or the owner of the vessel to be able to fish for certain species, because if you possess a charter for-hire permit, even on an off day and you bring your wife and child to fish, you cannot keep that bag limit of reef fish, even on a fun trip.

Like I say, I don’t think it’s fair to those people and I think this is something we should actually look at across all fisheries.

CHAIRMAN ANSON: All right. Dr. Dana.

DR. DANA: Thank you. This is just a point of process. If this motion does indeed pass, then the staff will need to determine a proper mechanism in which it -- As Roy said yesterday, Dr. Crabtree, if it’s a framework action or if it goes into Amendment 26 or whatever and so --

CHAIRMAN ANSON: Mara.

MS. LEVY: Thank you. I just wanted to let you know under the reef fish regulations -- It basically says that if you have a commercial permit and the commercial season is closed that you can keep bag limit quantities of reef fish, as long as you don’t have any commercial quantities of any reef fish species on your vessel. You can’t commercial fish for reef fish and have bag limit species of those species that are closed, but you could do what Leann was saying and just be out on a recreational trip and have bag limit of those reef fish species.
I think the South Atlantic snapper grouper regulations are a little bit different. They just say if the commercial season is closed then you have to abide by the bag limit. I don’t see the same restriction about not having commercial quantities of snapper grouper species on there, but I am not as familiar with their regulations and so I would have to look at that more closely, but so at least with respect to reef fish -- This, if we structured it the same way, would be consistent with that.

CHAIRMAN ANSON: Any other discussion? We have a committee motion. All those in favor of the motion please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Fourteen.

CHAIRMAN ANSON: All those opposed like sign.

EXECUTIVE DIRECTOR GREGORY: One. Fourteen to one.

CHAIRMAN ANSON: The motion carries. Dr. Dana.

DR. DANA: Thank you. We finished off with Modifications to Electronic Reporting. Gulf AP members cited the need for an electronic reporting system for all commercial fisheries.

With current technology, Gulf AP members think that fishermen can electronically submit their logbooks when the fish are sold to a dealer, thereby decreasing the amount of time it takes for commercial landings to be compiled for stock assessments. The committee recommended this issue be forwarded to the Data Collection Committee. Mr. Chairman, this concludes by report.

CHAIRMAN ANSON: Thank you, Dr. Dana. That will take us to our next committee report, Data Collection, and Dr. Stunz.

DATA COLLECTION COMMITTEE REPORT

DR. STUNZ: Thank you, Mr. Chairman. The Data Collection Committee met on January the 25th. Our first order of business was Transition Considerations of For-Hire Electronic Reporting.

Dr. Ponwith gave a presentation describing some technical, management, and cost considerations necessary to implement electronic reporting in the Gulf for-hire sector. She noted that Southeast Fisheries Science Center is establishing a pilot program to test electronic reporting for Gulf of Mexico for-hire vessels.
Her staff is also developing a white paper to evaluate benefits and hurdles of electronic reporting in the for-hire sector. Specifically, reporting frequency, types of approved software and hardware, program costs, and transition considerations to ensure continuity of historical time series will be evaluated.

The next business was Modifications to Charter Vessel and Headboat Reporting Requirements. The committee also discussed that the Technical Committee appointed at the October 2015 council meeting should evaluate the Southeast Fisheries Science Center’s white paper, when complete, and provide additional recommendations to the council.

The committee recommends, and I so move, to convene the Technical Committee to work in concert with the Southeast Fisheries Science Center and the Southeast Regional Office to weigh various devices and platforms capable of fulfilling these requirements and review the white paper from NOAA Fisheries and report back to the council.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Mr. Greene.

MR. GREENE: I support this motion. The only problem that I have with it is I would like to have some type of a time certain point that we can move forward. Perhaps we should modify it to say at the April council meeting, but I don’t know how the interworking of that is and I don’t want to push too hard, but I want to push hard enough to make sure we’re there.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: Well, I too would like to see April and I don’t know if Bonnie can comment, because I know that’s a very short fuse. I don’t know if June is maybe more realistic, but I mean the point being that I really feel that we need to move this along.

I really see we’re on two paths here and Bonnie discussed sort of these parallel tracks. You’ve got a situation where our staff and Dr. Froeschke needs some guidance so he can continue and get some text in the amendment document that the captains can feel comfortable with using and, of course, that’s the rub now, during that AP panel, is that no one supported moving this forward until there was some more details.

John, I think, and maybe he can comment to this, can provide more information to make people feel comfortable, I think, but at some point he’s going to reach a stopping point, because he
doesn’t have what he needs from Bonnie’s group, because we just
don’t have that information, but then Bonnie says she can’t
proceed because she doesn’t quite have what she needs for
guidance from the council.

We’re kind of just stuck in this situation and so I was hoping
by this motion that the Technical Committee could help move that
along and so I don’t know if April is reasonable and so maybe,
Bonnie or John, do you guys want to jump in?

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: Thank you, Mr. Chair. We were aiming to have that
white paper ready in time for the briefing book for the April
meeting. If the goal was to have that white paper into the
hands of the technical committee and have an opportunity to
interact and then use that to provide some synthesized findings
to the council, I think it would be very difficult to have that
done by April.

If this is the proposal if this motion were to pass, I would
think that bringing advice to the council in the June meeting
would be more realistic.

CHAIRMAN ANSON: Dr. Ponwith, going back to some of the
conversation about this topic during committee, as part of this
weighing of the various devices and platforms capable of filling
these requirements, would there be some kind of guidance as to
how effective each one would be relative to real-time reporting
or monitoring and such?

DR. PONWITH: I think we need to take a step back from that,
because when you look at the purpose and need of this document,
it doesn’t have the words “real time” in there anywhere. It
says timely and more precise and more accurate and so I think
that it’s a policy call on behalf of the council of what do you
want?

Do you want real-time, because when the notion of VMS was
originally proposed, it was VMS was not proposed to have
nanosecond updates on landings. It was proposed as a mechanism
to be able to improve your ability to monitor effort and make
sure you have effort correct, because if your effort is wrong,
it doesn’t matter how accurate your landings data are.

When you multiply those by effort to catch per unit effort, you
are going to have inflated or deflated numbers and so that was
the original purpose.
Now, I keep hearing on a hot mic, over and over and over again, real-time data reporting. I think what we need to do is make some decisions here on what the goal is. Are we looking at something that improves the timeliness of the preliminary statistics that we get beyond what MRIP is delivering us right now, which is forty-five days after the end of a two-month wave, or are we looking for near real-time landings reports? If so, does that imply that you are doing in-season closures and deciding today whether you’re closing tomorrow, based on what you have?

These are the decisions that we need to hear about, because I am seeing sort of a straying of what the original purpose of this is. The crisper we are on what the management intent of this new system is, the better we are able to give you here are three alternatives to meet that objective and here are what the financial costs are and here is how long it would take to stand something like that up and shift from what we have to what we would have.

The goal is, from a science perspective, this system would have to be demonstrably better, in terms of the quality of the science, because we want to make sure that anything we do make an investment in, that it’s improving the quality, or else we’re going to run into best available science issues.

That’s kind of what Dr. Stunz was talking about, where we’re chicken-and-egging and what we need to do is get the right people together and make sure we have a shared understanding of what we’re trying to accomplish. The crisper that is, the better job we can do with giving you very precise descriptions of what your alternatives are.

CHAIRMAN ANSON: Dr. Crabtree, to that point? I have several other folks.

DR. CRABTREE: Yes and the problem, as I see it, is we haven’t decided what we’re going to do. We haven’t decided about Amendment 42 and so maybe we’re going to move the headboats into an IFQ or something like that, but we haven’t decided. Amendment 41, we haven’t decided exactly how we’re going to manage the charter boats.

We haven’t decided if we’re going to do regional management or not and we haven’t decided if they’re going to be included in regional management or not and so we’re in this dilemma where we’re trying to design the data delivery system we need and we
are getting questions about what do we need for the data, but
that really depends on how we’re going to manage the fisheries,
to some extent, because I think if we decide we’re going to do
an IFQ for headboats, probably the reporting requirements we
would need with that could be different than if we go some other
path. You know I think this is going to continue to be tricky
until we resolve some of these issues of how we’re going to
manage these fisheries.

CHAIRMAN ANSON: All right. I have several people. I have Dr.
Froeschke and Dr. Stunz and Doug Gregory and Dr. Lucas. Dr.
Froeschke.

DR. JOHN FROESCHKE: I am just trying to reconcile this in my
head. From one perspective, the council has constructed three
actions and identified preferred alternatives that essentially
give some outline of what they want: trip level reporting,
electronic system, passively recorded location information.
That’s the skeleton.

Dr. Ponwith gave a presentation on Monday, Tab F-4, and on Slide
Number 2, there is a blue box down there in the bottom and the
attributes are electronic reporting, daily trip, dockside/at-sea
validation, high-resolution fishing areas, more timely delivery
for management, and a calibrated system.

These do not seem at odds to me. They seem very consistent and
so, on some level, there does seem to be a clear understanding
of what both groups need and so perhaps the framework is already
there. I mean that’s sort of what we have talked about in
getting more feedback from the Technical Committee and things.
Beyond the specifics, I don’t know what more we could do and so
perhaps we could discuss what about that is inadequate.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I think I can partially address that and certainly
to Roy’s point. There is a lot of moving parts, which gives us
a lot of challenges in moving an amendment like this forward,
but we had an AP that met and there’s the technical memorandum
that’s out that summarizes things very well, which I get the
feeling and envision that’s sort of what everybody wants.

John, I think I’m pretty confident that -- So let’s say in this
motion we put an April date to hear what Bonnie said about a
briefing of where she’s at in this process. We work with staff
to come up with maybe fleshing this document out a little bit
more, in terms of what we want, because what I’m hearing from
Bonnie too is we’re not necessarily providing her with as much information as what we would like as a council.

I think, as the committee chair, we could bring that back to this council at the next meeting, to have a little more discussion points on that. I think also what that would do would be to allay some of the concerns that the fishermen might have about what they were going to get out of this program and so I think that’s -- In other words, I am leaning towards having a motion for April and Bonnie brings back her report and we also further the discussion of the amendment.

In June, she gives us more concrete about the real actual processes is sort of what I would like to see and then, finally, my second point would be -- Well, let me just stop there, but I want to come back to that second point. I don’t want to muddle the waters here just yet.

CHAIRMAN ANSON: All right and so next we’ll have Dr. Lucas.

DR. LUCAS: I want to say that I agree with Dr. Stunz here in how we can proceed, but I also think -- First of all, thanks, Bonnie, for clarifying -- I kept asking questions about VMS and what we were going to use it for, law enforcement or if it was about depth or whatever, and I think I just heard you tell me that it was about effort. I think that’s clarifying some things there.

I thought we discussed a little bit on timeliness the other day and I thought Steve Branstetter did a great job of summing up what is the quickest they can even turn around and so we know it’s not real-time or near real-time. I can’t remember and I would have to look at my notes. It was fourteen days, or sometime thereabout, on what the turnaround time would be and so I mean the idea that you’re going to use this for real-time management decisions, with those type of timelines, we know isn’t really going to occur.

I think we have heard from charter boats that I don’t think that’s what they were exactly expecting. They want more accurate information and so I think we do have kind of a path forward in some of the things we discussed the other day about where we were trying to get to and I think if we kind of follow Dr. Stunz’s path there that we may get there sooner than waiting on 41 or 42 to be finalized before we even consider how we do data. I think we have to start capturing that data now.

CHAIRMAN ANSON: Mr. Brown, followed by Ms. Bademan.
MR. BROWN: I did want to mention to you that the State of South Carolina is getting ready to implement an electronic charter logbook for -- It will be mandatory here eventually, but it’s going to be an ongoing project, but it will go into effect on February 8 and right now, Claude Peterson has developed it from over here in Louisiana and they will be doing the maintenance on it.

It will be implemented and I think what they’re doing right now is they’re getting input from all the different charter guys on how they would like to see it refined and put into effect.

They will have something similar to the electronic logbook for the headboats, where they will have a map on there that will have a ten-mile grid, so that you will be able to give a position of where you were fishing, and some economic data and stuff too. That’s just to let you know that this is going into effect.

CHAIRMAN ANSON: Mark, that would just be -- It’s a logbook and they have weekly reporting or it’s daily reporting? It’s for effort or is it for monitoring? I mean what’s the intention of that?

MR. BROWN: Yes, it’s a combination of things and it will be weekly and it will mirror what’s going on with the headboat, electronic headboat. At first, I think it’s going to start out where it’s still using the paper logs and you will have a choice to do it online or the paper log, but it is eventually going to transition into all electronic reporting.

CHAIRMAN ANSON: Ms. Bademan.

MS. BADEMAN: I just wanted to reflect a little bit on some of the comments that we heard last night about this amendment and I think the discussion we’re having around the table is good, but I also want to mention -- You know when we come back to the actual actions in this document, I think we need to think about some of these things, like what is the window that we really need to be submitting these reports?

We heard some testimony last night that doing it before arriving at the dock may not be the most realistic option and maybe we can still do something daily, where there is hopefully less recall bias and we’re still getting the data quickly, or as quick as I guess we can get it, but keeping in mind that there is a lag. Also, a lot of the comments that we’ve heard about
VMS. I just don’t want to lose sight of those in the long run. Thanks.

**CHAIRMAN ANSON:** Dr. Stunz.

**DR. STUNZ:** To Ms. Bademan’s point, I agree and just listening to some of the captains, I feel like the amendment right now is a little bit of a one-size-fits-all and we kind of mirror what we’re doing in the headboats what we’re doing in the charter boats and I’m not so sure that’s necessary.

If, for example, the headboats need the same type of resolution that the charter boats might need and it seems like Bonnie and Roy’s group sort of have what they need with working pretty well with the headboats and I know it’s a web-based reporting system and that certainly could be improved and refined, but it seems to be something that’s working reasonably well and so you know I don’t know if we want to -- I think we need to discuss those differences and those needs as we develop this further and I am sure John can develop that and some different alternatives that we can look at and consider next time.

The other concern that I have, and this is directed at you, Dr. Ponwith, just a little bit, to clarify. Some of the hallway discussions we had with the captains are, for example, the generic amendment might be a little too generic, in the sense that, okay, we’re at some point going to turn this over to your office, but they’re concerned with at what point do they lose the ability to have some input.

I know we had a little discussion about -- I guess I would hope as a council and councilman that there would be this really fruitful exchange of information about what’s working and what’s not as you’re going through these pilots, but we then have a good idea of what something like that would -- How would you envision -- You’re running through a program and it’s not working and how are the fishermen going to communicate with your office to get what they need once maybe we don’t have as much control over it as a council at that point? That was a concern of many.

**DR. PONWITH:** I will say that for this to be a successful venture that it has to be a successful partnership. As the users of this system, we would engage quite heavily the industry, but the industry wouldn’t be the ones making the policy decisions.

What we need to do is create a division of labor between what
decisions on how we get this work done land soundly in the
council’s arena and what the scientific requirements are going
to be, which the Center can take the lead on, in consultation
with the SSC, and then when it comes to the actual nuts and
bolts of this system and how much latitude there is, both in the
software and in the hardware, that’s when we would engage the
industry.

We have made a practice of doing this. We are doing a pilot
study right now, finishing up a pilot study, with commercial
trip ticket electronic reporting and the design work has all
been done in conjunction with the industry, because if the
industry can’t use it, it’s not in any of our best interests.

Again, I think the short answer is we need to line out what’s
the responsibility of the council in terms of the decisions and
then, once we get those taken care of, within that guidance, we
would anticipate we would be engaging quite closely with the
industry.

CHAIRMAN ANSON: All right. I have Johnny, followed by Leann
and then Mr. Sanchez.

MR. GREENE: You know, when you read through the document and
you see things such as “NMFS-approved hardware and software”, it
leaves it very vague, because it could be anything. You could
have paper logbooks or you could have all the way up to the most
fancy VMS ever provided.

My way of looking at this is if we’re going to do something out
of the gate, I want to do it absolutely gold-star, 100 percent
perfect right off the bat and obviously intentions of that are
going to have pushbacks and people don’t like them and people
don’t want to report. People are uncomfortable with I don’t
want people knowing where I am fishing.

I see commercial guys that obviously don’t seem to have a
problem with it, although maybe it’s used in a different manner,
but people don’t seem to have an issue with it.

In my opinion, I always want to -- It’s like selling an old car.
I am going to start way up here on my price and then we’ll work
down to a level that everybody can compromise and work forward
with that, but I would hope that at least by April that we have
an idea of a little more clear direction.

I think Dr. Froeschke brought up some good points and I
appreciate the points that Bonnie made, but I think that we need
to have an encompassing deal that works from the top-down. In other words, ideally, we would like to have this, but, from a scientific standpoint, we don’t need this and okay, then let’s step back a notch. From a management point, maybe we don’t need this and we can unilaterally do it, but I think it’s foolish not to start with the best possible thing we can get and work down with it from there.

There are amendments that are proposed that are moving forward and will have variance in this and I think that some people in my industry felt like we were pushing this real hard and, to a degree, I don’t even know that some of this is really up to the council.

I think it’s really what are the science needs we have to have and what type of platform do you have to have to get that information and then we have to make those decisions.

I was kind of under the impression, and maybe I swayed or whatever, but I was kind of under the impression of, okay, let’s kick this to you and when you’re ready with it, we’ll pick it back up and go with it and perhaps maybe that’s why the final action is there.

I understand there is a lot of people that were uncomfortable with it, because it moved extremely fast, and I kind of got a little nervous about how fast it was moving too and so, with that being said, I would certainly like to hear what the other people have to say, but I am probably going to come back and make a substitute motion to add the word “April” in that existing motion, but we will go from there, after the other people have an opportunity to speak.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: Three things that I would like to address. You had originally mentioned an April timeframe, Dr. Stunz, and I was hoping to see something at our next council meeting to give me a little more clarity on this too.

It seems like what won’t allow this motion to pass with an April timeframe is the white paper. Well, I am somebody from private industry and I feel like if you have enough knowledge in the room, it doesn’t matter if they’ve written it on paper or not. The knowledge is there and whatever is in that white paper is probably in their mind as well and they can have a meeting and maybe get some further information for us to consider.
Maybe if we remove the words “white paper” from this motion, which would have to be a substitute, I assume, we could remove “white paper” and add an April timeframe, for at least these people to meet and us to have some feedback. Otherwise, we’re going to sit here in April and have the same conversation and wonder what’s going on and so that’s my first thing.

The second thing is what Martha mentioned about the day of the reporting and that maybe it’s not necessary to have this before actually hitting the dock at this point, but to still have it as far as the bias recall and accurate data. I would concur with that, but, on the same token, I think if we have a system -- If we set up a system and if we stand up a system that can handle daily reporting, surely it wouldn’t take that much of a tweak to the system to change three hours in the time you report. That sounds like a regulatory thing, to me.

If we say you have to report daily and at some point in the future we pass Amendment 42 and it requires some sort of reporting before you land, well, surely the system would be able to handle somebody reporting at four o’clock in the afternoon versus ten o’clock at night in the same day. I don’t think that’s really all that big of a deal as far as moving along and trying to have this meeting and figure out where they’re going with a system.

Then the last thing is I realize that that meeting right there is going to be pretty technical, but I think if I’m not able to listen to that meeting right there and really understand the issues that they’re having, as far as what they need from us and how that goes into the nuts and bolts of the system that they’re trying to stand up, that I will never get my arms around this and so when this meeting takes place, I would like to request that it’s available via webinar, so that I can hear it, so that I really understand what’s going on and what decisions I need to make right here and if I don’t make that decision, what repercussion it has.

CHAIRMAN ANSON: John.

MR. SANCHEZ: Thank you, Mr. Chairman. I, for one, would like to, I guess, flesh out in this, as this thing evolves, for me to get a better understanding of the balance we’re trying to strike between real time, near real time, given the fact that there is some hardships to certain types of fishing operations and you’re taking -- You’re a headboat and you’ve got a lot of people and it’s going to be hard for you to do a timely report with a lot of people on it and you’re adding hours to already a really
tough day.

We heard some of that during testimony, as well as the reality of if you were to get inundated, the agency, with a bunch of information all at once, is it really going to be processed in real time anyway? So kind of figure out where that balance is between doing this in a way that doesn’t completely inconvenience the fishing public as well as when do you really, really need this balance without losing its effectiveness in terms of timeliness?

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: To that very point, here is one of the challenges that we face. You know I absolutely recognize that pushing a “send” button on an electronic report after you’re in the fourteenth hour of your day and trying to get your customers out to a restaurant so they can have a cup of coffee and celebrate their catch is challenging, but, as chaotic as that day has been, picture accumulating seven chaotic days and sitting down on a Sunday night and trying to recreate each of those seven chaotic days in your mind.

I can guess that you can imagine how the recall would erode as each day accumulates and so these are the very things that we’re thinking about when we ask about the periodicity of reporting.

My expectation is for any amount of accuracy in those reports that you would have to create that report at the end of each day. I am a birder. I go birding. I will go out for four days in a row and if I don’t sit down every single night, by the third day, I can’t remember what I saw the first day compared to the second day. It all becomes a blur.

If it’s a blur, those are still data, but the challenge is we get blurred data that are electronically reported and then when we compare them to the actual observations on the dockside validation, the difference of them increases. The bigger those differences are from one another, the more estimation we have to make to calibrate those in.

I know that there is going to be some give and there is going to be some take, but what the science can do for you is to explain, if you make this decision, these are the scientific repercussions and, again, there are pros and cons and there are costs and benefits to every single decision that has to be made, but that’s just one example.
CHAIRMAN ANSON: I have Mr. Swindell, followed by Mr. Brown.

MR. SWINDELL: I hear what you’re saying, but, at the same time, when we’re talking no more fish than people are allowed to catch and red snapper and all, I think it’s fairly easy to have -- At the end of the week, put together what you’ve done for the week and stretch it out by day and size of fish and date you were doing this. I mean I have been in an industry that we filled out logbooks for every set. Every time you caught fish, you filled out a logbook and it got to where it can work, but for this, what do we want to know? I want to know how many fish people are catching and some way of estimating the pounds, once the Science Center gets the information of how many they caught by size, perhaps. At least then correlate that with some pounds and that’s a lot better than we’re getting now.

I mean I can’t believe that when you’re saying you’re catching a red snapper that’s seventeen inches long that you can’t come up with how much weight that fish is. That can be done. I just think Louisiana has a good system, but they do it biweekly for their recreational catches and I think it would work for everybody, no offense. Thank you. I think we can come up with a system that will give you the data that you need to get this thing going.

CHAIRMAN ANSON: To that point, Dr. Ponwith.

DR. PONWITH: Yes and so just a correction. This isn’t a red snapper sampling program. It’s for all reef fish species and all coastal migratory pelagic species and so it’s recall across a wealth of species.

CHAIRMAN ANSON: Mark.

MR. BROWN: I did want to clarify something. I had to go out and make a phone call about it, because I wasn’t quite sure if I had relayed exactly what it was, but we are moving in that direction and the target date for making this mandatory will be January 1st of 2017 and throughout this year, there will be some working with this program with some like a pilot type of program, you know just to make sure we get everything worked out.

We have had a logbook program in place for South Carolina for a long time and we came online I think it was last year with the electronic headboat and there’s only thirteen headboats in the
State of South Carolina and so we don’t have a lot of people that are participating in that, but we do have a lot of charter boats and what the end thing is that we’re trying to do, is we’re trying to get to a point to where we can get the charter boats online with an electronic logbook and get everybody into a similar program, so it doesn’t matter whether you’re a charter or a headboat. You’re going to report one time and it will go through the same system and it will go to the feds and the state will also get it and so then that way, everybody will be on a uniform type of reporting.

CHAIRMAN ANSON: Mr. Fischer.

MR. FISCHER: Thank you, Mr. Chairman. I believe the challenge coming is how much user-supplied data do you use and how far do you want a captain to delve into the biology of the fish versus how much do you want a dockside biologist to do his job and how to marry these. I believe that’s where the final challenge is going to come from and what are we trying to get out of the whole program?

CHAIRMAN ANSON: I agree with lots of the comments that have been made here. What is that we’re trying to get and, as Dr. Crabtree noted earlier, we’ve got some pending amendments that might really shed some light on that and so we’re trying to almost do these -- Go ahead.

MR. FISCHER: To sum up and to tie in with what Dr. Crabtree said, I don’t think -- I think we could get a report from this committee in April, but I think it’s going to be ongoing. I don’t think we’re going to have not even near a solution. We won’t even see options at this time and so let’s not get our expectations high that they’re going to lay a program out in front of us by April.

I think they will just lay the challenges out to us and, depending on what happens on three of our next amendments we’ll be taking action on, it depends on where this is going.

CHAIRMAN ANSON: Yes and that was, I guess, my question, after the motion was brought up, is I just want to -- From my perspective, I want to make sure that when this group convenes that they come back with a product that the council understands what the product is going to be and there isn’t any expectations that there’s something else that’s going to be provided that would help us get to that endpoint, whatever that endpoint is, but to that point, Dr. Ponwith.
DR. PONWITH: Let’s talk about that. What I am hearing is that there is going to be a -- Let’s see. To convene the Technical Committee. What I am hearing is the going thought is for the Technical Committee to meet and, instead of focusing on getting that white paper in front of the council in the April meeting, to put our emphasis on getting the Technical Committee together to walk through here are -- You can do it this way, this way, this way, or this way and here are the costs and here are the benefits and here are the pieces that are kind of transferable if you take this approach and here is what you gain and here is what you lose, in terms of the two criteria that seem to be the prevailing criteria, which is timeliness and accuracy and precision.

I think it would be smart, before we get the group together, to have a conversation about what we want out of that group, for that very reason, to make sure that what you are delivered is what you were expecting.

What I picture in my mind is kind of a flow chart. You can do this and this is what it looks like and here is what the requirements would be in terms of science and here’s what the requirements would be in terms of the software and here’s how long it might take to get enacted and here’s another approach. It’s different from this one because and here are the differences in cost and here are the differences in how long it would take to be put into place.

I could picture a flow chart type of product in that, so that you can take a look, so that as you weigh not only this amendment, but the other actions that you are contemplating with respect to the charter for-hire and the headboat fleet, you can take those into consideration. Is that what you have in mind? Does that seem like it’s going to get you to where you need to be to make decisions on this?

CHAIRMAN ANSON: That sounds like kind of -- Based on the discussion at the committee and based on a lot of the comments we heard at the podium and certainly a lot of the emails that we have received here lately -- There is just a lot of unknowns to folks as to what they’re getting and what they’re going to be committed to, potentially.

The cost is an issue, obviously. You don’t have much money or you don’t have any money down the pipe and so if those costs are shifted to the individual charter boat guys and that’s going to be an issue that would go into their matrix of which they would like to potentially go down.
I don’t know, Dave, I mean I think you brought this up during one of the previous meetings, but you all have done an analysis some time ago, by at least one of those methods with the validation and, granted, the numbers might need to be redone, as far as the cost, but I mean you’ve got -- You’re going to be involved with that Technical Committee and that will be information you can provide too and so thank you for that. Okay. I have Dr. Stunz.

DR. STUNZ: Mr. Chairman, you made my main point there and I know we need to move on and get these dates laid out, but I wanted to make a point to both Myron and Johnny about I agree that we want to get the best possible thing coming out, but, in reality, there is probably going to need to be tweaks and I would hope we would together, working with Dr. Ponwith, have something that’s very adaptable as we go.

You know I keep hearing the word “pilot” and, having been responsible for a couple of those pilots myself, I feel like we’re getting piloted to death here and so the point that I want to make is I would rather try to get this as best as we can, but, at the same time, we do have MRIP that I wanted to remind everyone that’s going to be running alongside of this as well and that obviously is not going to go away anytime soon and that’s a good thing.

I don’t think there’s a big risk in if we don’t have it exactly the way we need it and we use some adaptable approach to designing this that it can evolve as we go along as well, but, in other words, I don’t want us to be held up here trying to get every possible thing perfect, because it’s going to probably change, at least move it down the road more.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I would like to offer a substitute motion to convene the Technical Committee to work in concert with SEFSC and SERO to weigh various programs, that’s a general version of the word “program”, meaning data collection program, devices, and platforms capable of fulfilling these requirements, in an effort to report back to the council at the April meeting.

I am leaving out the white paper, because it won’t be ready in time. We can also review that white paper at our April meeting as a separate agenda item, I think, but I would like to see this meeting take place before the April meeting, the Technical Committee meeting, so that we can get a report back on that and,
as a sidebar, I would mention again that I would love for that to be broadcast via webinar so that I can hear it firsthand and understand where these tradeoffs are and what they mean, if I can get a second.

CHAIRMAN ANSON: There is a substitute motion and it’s been seconded. Mr. Walker, did you second?

MR. WALKER: I second.

CHAIRMAN ANSON: It’s been seconded. Any discussion on the substitute motion? Dr. Ponwith.

DR. PONWITH: So has an effort been made to name that committee yet, because if the notion is for them to meet to deliberate and to generate a product for the April meeting, in time for the briefing book, so you can study it, that’s a really short timeframe and so I just --

CHAIRMAN ANSON: I think there is and, Dr. Froeschke, can you answer that question?

DR. FROESCHKE: Yes and, well, two points. Yes, we have the Technical Committee. The difference though between the white paper approach and the Technical Committee approach is that the Technical Committee has met before and the generalities that limited the document are because that group has no information about what are the bounds of the resources available for potential programs, even with an order of magnitude.

The benefit of, I think, a white paper approach is that the agency would take the lead on constraining potential ideas within what they felt like were possible and so then this committee could review that.

If we go to the meeting approach, it seems that we need some mechanism to get some better ideas of what’s possible within the box, so we can do better.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: John, I completely understand where you’re coming from and I feel like you’ve probably been beating your head against the wall with this for a while, but I think the difference between this right here and the stand-alone Technical Committee is that we’re also bringing two other groups or individuals into this process and I think that what Bonnie just described to Kevin, when she answered Kevin’s question about a
flow chart showing some tradeoffs if you stand it up this way or
if you stand it up this way, you could tweak it here and this is
your tradeoff and this is what you get, that gives people like
me that don’t have the background of you and Dr. Stunz something
to work with, something to start with.

I think that the council has a good idea of what we expect to
see out of this and I think that Dr. Ponwith and her shop have a
pretty good idea of what they’re going to go into this trying to
accomplish and so I think we will get some good outputs from
this meeting, to at least further the discussion.

CHAIRMAN ANSON: Mara.

MS. LEVY: Just wanting to clarify what “these requirements”
are, is that referring to what Bonnie had in her presentation
about the requirements for a data collection system or what’s
been discussed in the prior Technical Committee Report?

MS. BOSARGE: In the original motion, I’m sure that “these
requirements” probably referred to the actual document that we
had in front of us fulfilling what we had as our preferreds,
those requirements.

Now, I think though, with the discussion that we’ve had around
this table and the document that we have in front of us, I feel
that Bonnie has a pretty good idea of what we mean by “these
requirements” and are you okay with what we expect to get out of
this meeting or what we hope, I guess, to get out of this
meeting, your flow chart approach?

DR. PONWITH: Yes, I think I can picture that and then we can do
sort of iterative examples of if this is a management objective,
here are the approaches we can take. If the management
objective changes -- Yes, I think we can look at that.

CHAIRMAN ANSON: Mr. Walker, followed by Mr. Greene.

MR. WALKER: I was just going to add -- I mean you know real-
time is what most people are wanting, real-time, and there is a
way in these devices, looking at different options, to get what
they’re looking for.

A lot of you have got emails and it seems like a lot of boats in
Venice all run forty knots and that’s forty-six miles an hour.
If you’re running that fast, you ought to have time to at least
pull your boat out of gear before you hit the dock to gather
things back together, because there’s going to be a lot of
things on the deck scattered around, and so you’re going to have a little bit of time.

It doesn’t take long and it’s not real complicated. The headboat, they didn’t have any problems filling out their VMS and it doesn’t take that long to prompt right through and enter in your data and fishermen are capable of multitasking.

CHAIRMAN ANSON: Johnny.

MR. GREENE: I thought I was pretty good at multitasking, but, thanks, Captain Walker. I hate to put the council staff on the spot, but, Dr. Simmons, would you weigh in on this? I think somehow I am missing something here and I know you’ve been a big part of the beginning. I hate to put you on the spot and if you don’t want to answer, you don’t have to, but I just would like to get some feedback.

DR. SIMMONS: All right. Thank you, Mr. Chairman. My concern, again, is that we have convened the Technical Subcommittee. We have a draft, and it’s in the back of the document, about various recommendations, based on the Cadillac programs, the medium program, and the lower program, I think.

They may not be set out exactly like that, but the issue we’ve had in the past, when we convened this Technical Subcommittee, is we didn’t know what kind of resources we had available and whether those resources were all going to come from the agency or whether they were going to be divided among the fishermen or any of those types of things, whether it was going to be a sample or a census and how the program was going to be developed and how it was going to run, along with MRIP for the charter vessels, et cetera.

We didn’t have all that information from the agency and so I really feel like, in order to get what I think the council wants out of this subcommittee, is we need something tangible for them to look at about how they think this program might work, so that they have an opportunity to take that information, be it a white paper or a presentation or whatever the Science Center staff can provide, so that they have something to look at and review and then develop their recommendations from that.

What I’m afraid of is without that information is that, again, we’ll be shooting in the dark as far as providing recommendations.

CHAIRMAN ANSON: Dr. Ponwith, to that point.
DR. PONWITH: Yes and so in terms of the federal resources available to bring this work, that is a mystery from even me, because I don’t have a budget to develop recreational programs. It’s not in my budget and so it’s not a budget resource line that’s in my control and it’s something we would have to compel and compete for and so that is part of the challenge. I don’t know how much resource would be available.

The stronger package we put together and the more compelling that package is, and by compelling, it is if we do this, we will have an increase of precision of this, we’ll have an increase of timeliness of this, and it will serve the management process in the following ways, that is what will be compelling.

The tighter that package we can put together, the more likelihood there would be the resources that it would take to put this together and it gives us then a little more information to understand where the cost sharing line will be between what the government does versus what part the industry would have to bear.

So I understand Dr. Simmons’s frustration, because I have got some of the same concerns. I think where we are right now is a T in the road and that is to get the team together with the federal folks and sit down and refine, because I am hearing, on one hand, a concern that we don’t want too much of this to be done exclusively by federal people and miss an opportunity for input from outside of the federal family, but then I am hearing, on the other hand, that other leg of the T, is it may be time to bring the federal folks together with the team again and take what was done in that original white paper and refine it with what we know now that the amendment is this far alone.

Those are two valid approaches to taking the next step and it’s a matter of which approach you think is going to be the most effective. Both have their pros and both have their cons.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I hear that and I recognize your concern, Dr. Simmons and Dr. Ponwith, and I certainly recognize the budgetary constraints, but I think we need to first go with what is the program we want and with a budget in mind and something realistic, obviously, but that’s why I like Leann’s idea of the starting point of this flow chart.

I still don’t even really know what it would look like, but I
mean I think that’s the whole point. You look at the amendment
and I don’t think what we’re talking about here that we can make
those decisions in the context of alternatives and actions and
those kind of things.

We need the starting point where we can envision what this
program is going to look like in the charter and the headboat
and then is it going to be a census in each one and so I think,
until we see something that we can work with and then start
developing, it’s the place to go.

I would recommend, based upon this motion, if it’s approved,
that a major outcome, or what we need to see, maybe even prior
to this meeting, is a start to that flow chart that we can begin
to work with and have something to discuss.

CHAIRMAN ANSON: All right. We are out of our time for this
portion of the meeting, but I have Johnny next, but I would like
to try to wrap up further discussion on this, so we can go ahead
and dispense with these motions. Johnny.

MR. GREENE: I was going to try to help you with that. We’re at
ten o’clock and I think we’re scheduled for a break. Would you
consider allowing us to take a break and give us a few minutes
to work on this? I think everybody is onboard with it and I
think if we have a few minutes to kind of work on the motion
that perhaps when we come back that we could get something up on
the board that would be okay with everyone.

CHAIRMAN ANSON: Yes, since we’re kind of at a break, and if
that would kind of expedite things, I think we can go for that
and so let’s take our scheduled break and then come back and
finish up with Data Collection. Let’s do ten minutes for our
break. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN ANSON: Okay and so we’re back in the Data Collection
Committee Report and we have a substitute motion on the board.
Leann.

MS. BOSARGE: Okay. After much discussion, we have tweaked this
motion a pretty good bit and so what I would like to do is
withdraw that substitute motion, if my seconder will concur,
which was David.

MR. WALKER: Yes.
MS. BOSARGE: Okay. Then I would like to make a new substitute motion, which I gave to staff, in the interest of time. The motion is to request that SEFSC prepare an analysis in the form of a flow chart for alternatives for reporting in the for-hire sector for the council to review at its April 2016 meeting. If I can get a second for this substitute motion, I will explain quickly.

MR. GREENE: Second.

MS. BOSARGE: Okay. This will give us a flow chart to review at our April meeting and the work on the white paper will also continue and some time after the April meeting and before the June meeting, hopefully, there will be a meeting of the Technical Committee, at which point they will have this flow chart, which we have made comment on, as well as the white paper to review and hopefully be able to make even more progress between the April and June meeting, but this is what I would like to see us have in front of us at our April 2016 meeting, to wrap our hands around what we really have here and what our options are.

CHAIRMAN ANSON: All right. We have a substitute motion and is there any discussion on the motion? Mr. Swindell.

MR. SWINDELL: Is this for all fisheries that the for-hire sector is involved in? Is that correct?

MS. BOSARGE: This would be for the for-hire sector and Bonnie has mentioned that there will be several different options and alternatives in the flow chart. The flow chart will branch out in many different areas, where if you want to go this way with headboats or if you want to go this way with charter for-hire or if you want to go all together -- There will be different alternatives and tradeoffs with each path in the flow chart, so that we can make some sort of evaluation as to what these tradeoffs are.

MR. SWINDELL: But this is not just for red snapper? This is for all fisheries?

MS. BOSARGE: Right. This is in regards to what’s in the actual document and so CMP and reef fish.

CHAIRMAN ANSON: Mr. Fischer.

MR. FISCHER: I think I would like to see on this flow chart also some discussion of other species that are MRIP species, but
not necessarily council species, like HMS species, tarpon, and things the coastal guides are capturing, because there is a lot of snapper captured by coastal guides that aren’t permitted and so we have to -- We have to have one system and the flow chart has to encompass everyone.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: It seems to me this is just reporting by federally-permitted vessels and it seems to me it’s a census and we’re going to make every vessel have this and every vessel, federally-permitted vessel, report and they’re going to report every species they catch. It doesn’t matter if they catch it in state waters or they catch it in federal waters. They are going to report all of their catches and all of their discards.

Are we at least in agreement on all of that? But it’s not going to apply, for example, to a state-licensed guide who only fishes in state waters, because we don’t have any authority to require them to do these things and so I mean are we all in agreement and clear on that?

CHAIRMAN ANSON: I think we are now. Mr. Fischer.

MR. FISCHER: So, for clarity, it’s reporting permitted for-hire vessels, from what Roy just said, and not just for-hire vessels.

DR. CRABTREE: It’s the federally-permitted for-hire sector, I would say.

MS. BOSARGE: That’s fine and we can make that amendment. I assumed with the document we had in front of us that that was kind of read into it, but we can spell it out if you would like and that’s not a problem.

CHAIRMAN ANSON: Mr. Greene, you seconded the substitute motion and do you agree? Okay. Any further discussion on the substitute motion? Any opposition to the substitute motion? We have one opposed. The motion carries. Dr. Crabtree.

DR. CRABTREE: So, Bonnie, when you guys go, we’re clear that we’re talking a census for all the federally-permitted vessels and I think what we want is to get as timely reporting as we can. We talk about real-time and I guess real-time technically means instantaneous, which I don’t know that any of this is going to be, but I think the amendment is pretty clear that we want trip-level reporting, which, depending on how many expansions and things have to be done with it, gets you on a
scale of at least days or a week maybe, but I think that’s what we’re talking about.

Now, you can argue, depending on what management decisions we make, that we might not need that, but, at least for now, I think that’s -- My sense is that’s what we’re talking about that we want.

Then, if we can make some decisions over the next meeting or two, maybe that changes and maybe it doesn’t, but I don’t know that that changing would significantly shift the hardware and things that we’re talking about, but it might shift the requirements in how the software would be structured to send in the reports.

CHAIRMAN ANSON: That’s my sense, is trip-level reporting. You know if there are opportunities in the flow chart idea to indicate this type of avenue or approach requires a certain hardware or doesn’t -- It doesn’t need to be, but it would be better if you had this, for daily reporting, let’s say, versus the next option in the flow chart idea would be weekly reporting and you could -- It would be an option that you could include certain hardware, but, again, if you took it out, it would have this impact and that type of thing.

DR. CRABTREE: Then there’s the issue of VMS coming up, which I don’t know that we’re prepared to deal with at the moment. There is clearly some reluctance to go with VMS and it seems to me what we need -- You know part of this is the effort part of it and was the trip taken or not.

We found out with the headboat survey that they get busy on trips and some of them were doing two-day trips and sometimes they did a trip and forgot to hail-out or do anything. We knew they made a trip, because we had the VMS on the boat and we could see they went out and so we could nail them down and fix that.

I don’t know that a VMS is necessary to do that. I know Dr. Gallaway talked about a reporting system with cell phones and all and it could be that that’s adequate that we could tell if the boat went out or didn’t go out with that. It might be with a telephone app or something and it’s not VMS, but you could tell if the boat left the dock and went out with it.

I guess maybe for now we might come back and decide we do need VMS and maybe if we go down the path of Amendment 42, we’ll decide we’ve got to have VMS for that, but, at least for right
now, we want some ability to tell if the boat actually went out or not, but it doesn’t necessarily have to be a full-blown VMS. It seems to me that almost any reporting device now, whether it’s a tablet or a phone or any of that, has GPS capabilities and could tell you where you went and that’s the best I can do with clarifying some of these things, until we get further down the path of deciding what we want, but I hope, Bonnie, that gives you guys enough to kind of reign some of these things in a little bit and get a little more specific about how we might do it.

CHAIRMAN ANSON: I appreciate those comments, Dr. Crabtree, to help try to help Bonnie and her staff and the group that meets to come out with something that, again, we can explore further and have a better understanding and as well as the public to have a better understanding as to what the options are and what the benefits are and what the tradeoffs are and if, Bonnie, you can do kind of that.

Definitely we need some validation, but it doesn’t need to be VMS and it could be some other alternative method and, again, what impact that has on the reliability of the information and the cost and the ability of staff to take that and incorporate it into their analysis and monitoring and such and that would be great. All right and so, Dr. Stunz, I think you have a little bit more in your report.

DR. STUNZ: Yes, just a slight bit more. I will just read the last part of it here into the record. Upon completion of the technical review of the Southeast Fisheries Science Center white paper and pilot project, the council can evaluate these recommendations and take final action on the Modifications to Charter Vessel and Headboat Reporting Requirements Amendment. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you for that report. That will take us to the next report, which would be the Shrimp Committee Report and Ms. Bosarge.

SHRIMP MANAGEMENT COMMITTEE REPORT

MS. BOSARGE: The Shrimp Committee moved to adopt the agenda and approved the minutes of the October 2015 meeting as written with one revision. Amendment 17A, Shrimp Permit Moratorium, staff reviewed both written and public hearing comments, Tab D, Numbers 4(a) and 4(b). Staff reviewed the amendment, Tab D, Number 5, and noted
that the council’s current preferred alternative would extend
the moratorium on shrimp permits for ten years.

Staff also reminded the committee that a preferred alternative
for Action 2 had not yet been selected. Committee members
discussed the benefits associated with maintaining the royal red
endorsement to the federal shrimp vessel permit and whether the
endorsement was necessary.

Staff reminded the committee that the document was slated for
final action at this council meeting and selecting a preferred
alternative for the royal red shrimp endorsement action would
allow the public the opportunity to comment on the direction the
committee is currently leaning.

After discussion, the committee made the following motion. In
Action 2, to make Alternative 1 the preferred alternative.
Alternative 1 is no Action, continue to require a royal red
shrimp endorsement to the federal Gulf shrimp vessel permit to
harvest royal red shrimp from the Gulf EEZ. Endorsements are
open access for entities with a federal Gulf shrimp vessel
permit. The motion carried without opposition

CHAIRMAN ANSON: We have a committee motion. Is there any
discussion on the motion? Is there any opposition to the
motion? No opposition and the motion carries.

MS. BOSARGE: The committee reviewed the codified text, Tab D,
Number 6. The committee then made the following motion: to
approve Shrimp Amendment 17A and that it be forwarded to the
Secretary of Commerce for review and implementation, and deem
the codified text as necessary and appropriate, giving staff
editorial license to make the necessary changes in the document.
The Council Chair is given the authority to deem any changes to
the codified text as necessary and appropriate. Motion carried
without opposition.

CHAIRMAN ANSON: It’s a committee motion. Any discussion on the
motion? All right. We will go to a roll call vote.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.
EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.
EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: It’s unanimous.

CHAIRMAN ANSON: We have a question from Mr. Fischer.

MR. FISCHER: Do we have a timeframe on 17B?

CHAIRMAN ANSON: Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chairman. We are trying to get the Shrimp Working Group together to start really getting into 17B and so we hope to have that in February or March. We’re trying to get it before the March SSC meeting, so that we can also have the SSC look at it, but we are having a problem getting a time that the Science Center staff is available and the other folks from the universities that are experts in this area.

We are trying to get that sorted out right now and hopefully we’ll have a meeting in February or March and get that to the SSC at the March meeting and then have some recommendations for the council in April and have a draft, revised draft, options paper for the council in April. That is our goal right now.

MS. BOSARGE: Thank you, Dr. Simmons. The next item on our agenda was Discussion on NOAA’s TED Enforcement Boarding Form. A representative from OLE was unable to attend the meeting, but the committee still discussed the TED Boarding Form on Tab D, Number 7.

Mainly, the committee members were concerned that there was no box to inform whether the TED compliance check was a courtesy inspection that was voluntarily requested by the fisherman or as part of a routine inspection. The committee felt that there should be a distinction between these on the TED Boarding Form.

The committee felt that the industry could be unfairly censored if there was no place on the TED Enforcement Form to distinguish
between violations and voluntary courtesy inspections, which ensure gear is in compliance before fishing.

The committee also requested adding further detail to the form regarding type of trawl gear and NMFS indicated this was on the horizon at a future date. A letter indicating the importance of these two additions to the TED Enforcement Boarding Form will be sent. Mr. Chair, this concludes my report.

CHAIRMAN ANSON: Thank you for the report. That will take us to the next committee report, which is Reef Fish, and Mr. Greene.

REEF FISH MANAGEMENT COMMITTEE REPORT

MR. GREENE: Thank you, Chairman Anson. Will Patterson summarized the SSC meeting. The following items in the presentation refer to agenda items or other business later in the committee meeting: gray triggerfish OFL and ABC, west Florida hogfish OFL and ABC, recreational red snapper ACT buffer, and red grouper OFL and ABC.

Draft Amendment 43, Hogfish, staff reviewed the actions and alternatives in the draft amendment and requested recommendations for public hearing locations. A more complete draft of the amendment will be presented to the council in April to select preferred alternatives and approve for public hearings. Hearing will be held after the April council meeting.

By consensus, the committee recommended the following hearing locations: St. Petersburg/Pinellas County area; Naples; plus a webinar hearing.

CHAIRMAN ANSON: We have a committee -- Well, we don’t have a motion, I guess, but just a recommendation, but John.

MR. SANCHEZ: I think in order for us to move forward that we’re going to have to set an MSY for this, so that certain things can be done to move forward with this document. To that end, I would move that we select MSY at 30 percent.

CHAIRMAN ANSON: We have a motion to select MSY at 30 percent and this would be for hogfish. Do we have a second to the motion?

MS. BADEMAN: I will second it. I’m trying to find the actual document to figure out what action that is.

DR. CRABTREE: That’s Action 2, Alternative 3.
CHAIRMAN ANSON: All right. So in Action 2, Alternative 3, to select MSY at 30 percent. Give us a minute or two for staff to get the appropriate text. Would anyone like to discuss the motion? John, is there -- Preferred. There we go. That’s your intent, was to make it the preferred, correct?

MR. SANCHEZ: Correct.

CHAIRMAN ANSON: The motion is in Action 2, and we’re speaking of Amendment 43, in Action 2 to select Alternative 3 as the preferred alternative. Dr. Crabtree.

DR. CRABTREE: Does that mean we’re going to come back to the sub-options on the minimum stock size threshold at a later date, I guess, since that’s not specified?

CHAIRMAN ANSON: Currently, yes. It appears that we have not selected one and so we could potentially come back at a later date. Any other discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Mr. Greene.

MR. GREENE: Chairman Anson, do you want to have the public hearing locations in the form of a motion or by consensus, will that work for you?

CHAIRMAN ANSON: I don’t know. We might get some input on that from Martha. Martha.

MS. BADEMAN: I wanted to back up in hogfish. We skipped Action 1. I wanted to offer a preferred there. I know the South Atlantic is moving on hogfish as well and Action 1 is the action that defines the management unit. I want to offer Alternative 2 as the preferred alternative for Action 1 in the hogfish amendment.

MR. SANCHEZ: Second.

CHAIRMAN ANSON: We have a motion in Action 1 of Amendment 43 to make Alternative 2 the preferred. It’s been seconded by Mr. Sanchez. Martha, do you want to just have some discussion?

MS. BADEMAN: Just to explain this one, this is the alternative that the South Atlantic has chosen. It’s also what we have been talking about for the yellowtail snapper line in the other amendment that we’re going to get to and so that would be consistent. What else was I going to say?
Where this line has come from, we use that line for management of a couple of things, other than potentially yellowtail snapper, but also we were working with our law enforcement and FWC in trying to find a line where there were going to be fewer jurisdictional boundaries and this seems to be something that works for Collier County folks and Monroe County folks and so that’s where this is coming from.

CHAIRMAN ANSON: Thank you for that rationale explanation. Any other discussion? All right. The motion is on the board. I guess I will read it quickly, just for the record. It’s in Action 1, make Alternative 2 the preferred alternative. Alternative 2 is south of Cape Sable the hogfish management unit in the Reef Fish FMP is defined as the West Florida Shelf or Gulf of Mexico stock of hogfish. The geographical range of this unit is all waters of the Gulf of Mexico north of a line extending west from 25 degrees, 9 minutes North latitude to the outer boundary of the EEZ and northward and westward throughout the rest of the Gulf of Mexico. Is there any opposition to the motion? Seeing no opposition, the motion carries. Mr. Greene, I think you can continue now. Thank you.

MR. GREENE: Back to my earlier question about the meeting locations.

CHAIRMAN ANSON: Is there any -- It’s not a committee motion, but it’s a recommendation from the committee. Doug, do we need a formal motion for these? Typically we do, but --

EXECUTIVE DIRECTOR GREGORY: Not really, as long as it’s clear.

CHAIRMAN ANSON: All right. So I don’t see anybody else having any comments and so I think we’re good. Thank you.

MR. GREENE: Draft Framework Action, Modify Gear Restrictions for Yellowtail Snapper, staff reviewed the action and alternatives in the draft framework action and brought up the potential issue of bycatch of other finfish on yellowtail snapper trips.

Currently, if the circle hook requirement is lifted for commercial yellowtail snapper fishermen, those fishermen would not be able to retain any other species in the Reef Fish FMP for which circle hooks are still required. A Gulf-specific, trip length-delineated analysis has been requested by staff and is scheduled to be available by the end of February.
Staff asked the committee if there were alternatives which could be removed. A motion to remove Action 1, Alternatives 2 and 3, to Considered but Rejected was withdrawn after discussion.

Staff noted that a proposed season change for commercial and recreational yellowtail snapper in the South Atlantic has been sent to the Secretary of Commerce for approval. Adopting such a measure in the Gulf would ensure homogeneity in fishing seasons between the councils and was proposed in a plan amendment examining yellowtail snapper ACLs at the Gulf Council’s October 2015 meeting.

The South Atlantic has since abandoned efforts to consolidate yellowtail snapper ABC and ACLs and sector allocations in the Atlantic. Staff crafted a season change action to be included in the circle hook framework action. Motion to add Action 2 to the document as recommended by staff.

CHAIRMAN ANSON: All right and that motion is on the board. I will read that as well for the record. In Action 2, Modify the Fishing Year for Gulf Yellowtail Snapper, Alternative 1, no Action, do not modify the fishing year for yellowtail snapper. The fishing year, commercial and recreational, is the calendar year, January 1 through December 31. Alternative 2 is modify the fishing year for the commercial sector for yellowtail snapper: Option a: June 1 through May 30; Option b: July 1 through June 30; Option c: August 1 through July 31. The South Atlantic Council adopted that. Option d: September 1 to August 31. Alternative 3 is modify fishing year for the recreational sector for yellowtail snapper: Option a: June 1 through May 30; Option b: July 1 through June 30; Option c: August 1 through July 31, the South Atlantic Council adopted; and Option d is September 1 to August 31. Any discussion on the motion? Mr. Sanchez.

MR. SANCHEZ: I want to make a motion that we select Alternative 2, Option c as the preferred.

CHAIRMAN ANSON: I think, procedurally, this would be the motion -- Let’s maybe pass this motion first and then we can come back and deal with that. Any other discussion? Is there any opposition to the motion? Seeing none, the motion carries. John, do you --

MR. SANCHEZ: Thank you. For Alternative 2, select the preferred as Option c, August 1 through July 31.

CHAIRMAN ANSON: All right. We have a motion and it’s been
seconded by Ms. Bosarge. That motion reads: In Action 2, to select Alternative 2, Option c, as the preferred. Any discussion on the motion? Martha.

MS. BADEMAN: I think we need to do the same thing with -- We also need to choose something with Alternative 3. I don’t know if it’s better to do that in one motion with this or dispense with this and add another preferred.

CHAIRMAN ANSON: I would say, since this is already on the board, let’s go ahead maybe and dispense with this one and then we can deal with that one separately. Any other discussion? Any opposition to the motion? Seeing none, the motion carries. Martha.

MS. BADEMAN: I would like to also, in Action 2, select Alternative 3, Option c as an additional preferred.

MR. SANCHEZ: Second.

CHAIRMAN ANSON: We have a motion on the board. Is there any discussion on the motion? It’s been seconded by John Sanchez and is there any discussion on the motion? Is there any opposition to the motion? No opposition and the motion carries. Mr. Greene.

MR. GREENE: Discussion of Scoping Document for Amendment 33, Reef Fish Limited Access Privilege Program, staff provided an overview of the amendment and discussed the steps previously taken by the council in the development of this amendment. The committee discussed the list of species included in the amendment. The committee did not advise staff to continue work on this amendment.

Discussion of Amendment 36, Red Snapper IFQ Modifications, staff reviewed the potential actions being considered for modification of the red snapper IFQ program and the committee discussed several items. A motion to remove allocation caps from the document failed. Staff will continue developing a draft amendment.

CHAIRMAN ANSON: We have a question from Mr. Williams.

MR. WILLIAMS: Regarding Amendment 36, you know some of Amendment 36 is going to be very difficult and I think some of it has some low-hanging fruit that would be relatively easy to deal with.
I had some discussion with a couple other members about maybe dividing it into a 36A and a 36B. 36A would be to do the things that would be relatively easy, which I think would be to deal with those inactive accounts, that 27,000 or 28,000 pounds of red snapper that’s never been activated, and figure out a way to distribute that, whether it would be to all the existing shareholders proportionately or somebody suggested yesterday, it might have been David, but somebody suggested distributing it to eastern Gulf grouper fishermen to deal with their bycatch problem of red snapper. I kind of like that idea, but I think we could dispense with that one fairly easy.

The midyear quota change, it seems like that would be pretty easy to do as well. I know it’s going to draw some fire from the industry, but still, they would get everything they needed and it’s just some of it would be held back.

Then the hail-in and hail-out seems to me to be fairly easy too and I didn’t detect that there was much opposition from anybody to that and so, if I could, I would like to offer a motion that we divide Amendment 36 into two parts, Amendment 36A and Amendment 36B, and deal with the three easy things that I listed in Amendment 36A.

CHAIRMAN ANSON: All right. We have a motion and is there a second to that motion?

MR. SANCHEZ: I will second it.

CHAIRMAN ANSON: Thank you, John. Is there any discussion on the motion? Mr. Riechers.

MR. RIECHERS: Roy, I guess I’m a little concerned about dividing it at this point, because I mean the document is not very fleshed out. We don’t really know what our various options are and alternatives and I am just -- I don’t want to preclude us from looking at it and how some of those things interact with the other things that are still left in the document.

We may end up there anyhow and I just think it’s premature at this point. I think we need to let it evolve a little bit more. Once you start fleshing it out, it’s definitely easy to carve off things, because then you’ve got the text written around it and alternatives and you can fast-track one or the other. We’ve done this before, thinking we were going to fast-track things, and in fact, then it hasn’t worked out that way either. That’s the only reason I am going to speak against the motion at this point.
CHAIRMAN ANSON: Leann.

MS. BOSARGE: I hadn’t talked to you about this, but I do think this is a good idea, simply because it seems like every time that we come to the table and we look at this 36 document that we’re not really making any progress, because it’s kind of overwhelming. It really is.

If this, then that and I think if we can split these things out and maybe see if we can come to a conclusion on a few things that do seem to be slightly more simplistic, maybe with less unintended consequences to those few items, and that will streamline the other one, whichever one that would be, 36A or 36B, so that maybe we can hone in on the more complicated issues and really see if we can have a good discussion and come to some consensus and some good alternatives in there.

CHAIRMAN ANSON: Any other discussion or comments? Mr. Walker.

MR. WALKER: I would speak in favor of this motion as well. I think it would help move things along faster on these items.

CHAIRMAN ANSON: All right. There doesn’t appear to be any more -- Mr. Fischer.

MR. FISCHER: Would these be the only three bullets we would have in 36A or should we get a little deeper into the document, because just see if this is inclusive of everything. I guess my question is, is this premature by maybe one meeting and get just a little deeper in the document and then we see how to divide it?

CHAIRMAN ANSON: The motion reads those specific items and so unless we did take time to go through that and identify those additional items, maybe, that are currently in the document, these are them and so it depends on how you look at it as to whether or not we’re doing anything premature. Leann.

MS. BOSARGE: Myron, to your point, I think once staff brings us back the two documents, at whatever meeting that is going to be, the next meeting or the meeting after, if you see some more low-hanging fruit in the one that is still the kind of overwhelming document, I think we could certainly ask staff to shift that over to the more streamlined one.

MR. FISCHER: That’s fair and that’s what I was getting to. So in the next one or two meetings, we will see what the two
documents look like and we can make the final shifts.

CHAIRMAN ANSON: I guess my question would be to staff, to avoid a little bit of the ping-pong situation. I mean is that -- Would that create too much extra work to start working on these and then come back at a later date and add or remove or move them around? I mean eventually you’ve still got to come up with the analysis and explanation and everything and so I don’t see that being any problems for staff, but I’m just making sure.

DR. LASSETER: Because you’re initiating both of them at the same time, it appears to me that there would be individual actions and if you did want to move one from A to B or B to A, I don’t see a problem with that.

CHAIRMAN ANSON: Thank you. Just checking. Mr. Boyd.

MR. BOYD: I am assuming that when we move these to A and divide into an A and B that that would include the red snapper IFQ and the grouper/tilefish IFQ? You are not going to leave one species or one type of IFQ in one plan and deal with it and then deal with it in another plan also and is that correct?

CHAIRMAN ANSON: We’re dealing with red snapper IFQ modifications and that was what the original document was addressing and the grouper IFQ has its own schedule and will have a review at some point in the future and so we’ll deal with that individually or separately from this particular Amendment 36 process. Dr. Crabtree.

DR. CRABTREE: It is a red snapper amendment, you’re right, but I suspect all three of those apply to both programs in a similar fashion and so that’s something staff, I think, can evaluate, is to whether this could be more general and apply to both programs.

CHAIRMAN ANSON: My take on it would be that it would apply to all commercial reef fish trips, whether or not those vessels were also in the grouper/tilefish IFQ or not. Yes, to be specific, it does apply at least for that particular item, but it also includes all the other commercial reef fish boats as well. That’s my take on it. Mara.

MS. LEVY: I think the enforcement of all commercial reef fish trips applies to everyone, if you’re making everyone hail-in and out. I think the issue was that inactive accounts are also an issue in grouper/tilefish, as well as they have allocations that you might want to withhold if we’re going to reduce a quota and
so you could potentially make this amendment more general, applying to both IFQ programs, if you felt that that was warranted. Then the other stuff might be, in 36B, very specific to red snapper.

CHAIRMAN ANSON: That’s a good point. I was just -- My comment earlier was just to Doug’s question, as to whether or not it did include grouper/tilefish, and it’s my understanding it does not and so if that’s the intention of the council, is to move forward and include grouper/tilefish into that, for certain elements that have been identified, either here or elsewhere in the scoping document, then that would be up to the council members to decide. Any other comments? Martha.

MS. BADEMAN: It seems to make sense to handle them both in the same amendment, but it’s Roy’s motion.

MR. WILLIAMS: I don’t have any objection to that. You were right originally though, Kevin, that 36 is a red snapper amendment, but I certainly, especially if staff explores it a little bit and comes back and says you really have the same issues in grouper/tilefish, we could fold it right in there and I wouldn’t have any objection to that.

CHAIRMAN ANSON: All right. Well, right now, it doesn’t really say that, in my mind, and so we need to, I think, include it here if we want to give staff direction.

MR. WILLIAMS: Do you want me to make a motion to modify my motion or can we just go with the understanding that staff will look at the possibility of including grouper/tilefish into it as well?

I mean these red snapper accounts have been -- They have had since, what, 2006 or 2007 to activate these things and they still haven’t. Grouper/tilefish was another three or four years after that and so they haven’t had as much time, but the issues, I agree, are all the same and I don’t have a problem with doing it, but it just was prompted by this document here and so that’s the basis of my motion.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: They are telling me that the inactive status is based on inactive since 2010 and so that could be applied to both fisheries, because grouper/tilefish, I think, went into place in 2010, right?
MR. WILLIAMS: If I could ask Dr. Crabtree, do you think I ought to go ahead and modify the motion or just make it explicit that I intend for this to include both red snapper and grouper tilefish?

DR. CRABTREE: I don’t really have a preference how you do it, as long as we do it, but I think they should apply to both of them, whether staff wants it in the motion or --

MR. WILLIAMS: I will just state for the record then that it’s my intent that this would apply to both red snapper and grouper/tilefish.

DR. CRABTREE: You’re referring to 36A?

CHAIRMAN ANSON: Or 36B, but yes. Doug, did you have a comment?

EXECUTIVE DIRECTOR GREGORY: Only that we will definitely report back as we do our research and look into this more in-depth and if any obstacles or complications arise, we will certainly report back it back to the council.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I was just going to say that I mean it could be very simple, I would think, in 36A. If you have an action item like regarding the inactive accounts, then you could have your alternatives and you could have a subalternative of, okay, are we going to have this apply only to the red snapper IFQ accounts or all reef fish or -- So we can have some subalternatives and make that decision and flesh it out, I would think, in the document, either way.

CHAIRMAN ANSON: John.

MR. SANCHEZ: This is a question or more a curiosity thing, but with regards to withholding IFQ allocation before a possible quota reduction, what is the typical approach to that? Is it kind of a percentage that marks in step, a percentage of allocation reduction, in step with an anticipated quota reduction percentage or can you blanketly withhold everything? I mean how does that typically work in a real-world scenario?

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Generally, we would have a council amendment that the councils approved, but we can’t get to a final rule before January 1 and so we would withhold whatever amount of quota
decrease the council was proposing until we got to a final rule.
I guess it’s conceivable if the proposal was to shut the whole
fishery down, but, in most cases, it’s to withhold some
percentage of it.

CHAIRMAN ANSON: All right. Is there anyone else that has any
questions or comments? All right. So we will take a vote on
this. Will you please indicate by raising your hand if you are
in support of this motion? Thirteen in favor. All those
opposed? Thirteen to two and the motion carries. Mr. Greene.

MR. GREENE: Final Action, Amendment 39, Regional Management of
Recreational Red Snapper, staff summarized the concerns of the
Law Enforcement Technical Committee regarding reliance on
dockside enforcement under regional management. Staff then
summarized the written comments received on the amendment and
those from public hearings.

Staff reviewed the amendment’s actions and preferred
alternatives. In Action 2, motions to make each of Alternatives
2, 3, and 4 the preferred alternative failed by roll call vote.
Therefore, there is no preferred alternative for Action 2.

The committee further discussed enforcement issues. Lieutenant
Commander Brand expressed concerns with relying on dockside
enforcement, noting that many anglers return to private docks.
A committee member noted that the public expressed concerns
about enforcement during public hearings.

CHAIRMAN ANSON: I have some questions. Dr. Dana.

DR. DANA: I was going to make a motion that in Action 2 that
Alternative 2 be the preferred alternative, if I can get a
second.

MR. SANCHEZ: I will second for discussion.

CHAIRMAN ANSON: All right. We have a motion on the board in
Action 2 to make Alternative 2 the preferred alternative. It’s
been seconded by Mr. Sanchez. Mr. Riechers.

MR. RIECHERS: Mr. Chair, you may consider this a non-substitute
motion or you may -- I am going to ask, but I will make it and
then we will see how you consider this. I would make a motion
to table Amendment 39 today. If I get a second and you consider
that germane here, I will go into some discussion.

CHAIRMAN ANSON: We have a second. Dr. Stunz seconds. Doug.
EXECUTIVE DIRECTOR GREGORY: I hate to get technical, but you probably mean postpone indefinitely, because tabling is to a later time in the meeting.

MR. RIECHERS: Okay. Postpone indefinitely then.

EXECUTIVE DIRECTOR GREGORY: Am I right, Mara?

MS. LEVY: Well, probably. Also, if you do a motion to table, you can’t debate it. If you do a motion to postpone, you can debate it.

CHAIRMAN ANSON: Robin, based on that, you want to change that to postpone?

MR. RIECHERS: That’s fine, yes. We have used them interchangeably here and so we really haven’t made that difference in the past, but yes.

CHAIRMAN ANSON: We’re still learning. Dr. Crabtree.

DR. CRABTREE: Does this mean we postpone it until -- I mean we’re done with it is what we’re saying and we’re not going to take action on it, unless down the road we pass a motion to bring it back on the table? That’s what I am hearing, Robin?

CHAIRMAN ANSON: Robin.

MR. RIECHERS: Do I have a second before we start all of this discussion?

CHAIRMAN ANSON: I think it was Dr. Stunz.

MR. RIECHERS: Yes, Roy. At least that’s certainly the thought process. We heard a lot of testimony yesterday regarding the current amendment, regarding how it’s not meeting the purpose that it originally set out to meet. I certainly share some of those concerns as well.

The other thing that we have going on, of course, is we have dealt with this particular -- The motion previously, that Action 2. We have dealt with that for three meetings and we went through a series of motions, three different times, and we haven’t been able to come up with a preferred alternative on those sets of motions.

My thought is that, instead of us going through that again
today, let us go back and reflect on the document a little bit and think about what are some of those -- If there are places where we thought, each of us individually thought, that we could come back and modify that document in a way that moves it back towards the original intent or also just helps to solve the gridlock we’ve been in on that Action 2, then we would come back and someone would make a motion and we would see if we could untable it and we would talk about it again, but, right now, you’re right, Roy.

I think the notion is to basically just not go into this whole scenario of Action 2 again today and let us go ahead and dispense of that, if that’s where we’re heading.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: I am going to support Robin’s motion here. We, of course, went to public hearings at the council. The public hearings that I attended, and those were the Florida meetings, there was a lot of concern about Amendment 39 as it is written.

There was a lot of confusion about what it really means and there was concern about how it was going to be enforced. We have those concerns from our own Law Enforcement Technical Committee.

We also discussed this at our last commission meeting in Panama City, at the end of last year, and we walked our commissioners through the nitty-gritty details of this amendment and what it really would mean for them as commissioners and what it would mean for anglers in Florida, whether it’s private anglers or whether it’s for-hire, under any circumstances, and they were very concerned about this.

They felt that it really does not provide additional flexibility and a lot of benefits at this point. I am not saying that this isn’t something that we couldn’t pick up again at a later date, but we have some issues that we need to work through if this is going to come and really be a viable solution for the recreational fishery.

CHAIRMAN ANSON: I have Roy, followed by Johnny and then Dr. Stunz.

MR. WILLIAMS: I support Dr. Dana’s original motion; however, I would vote for this one. In fact, I am going to vote in favor of it, but I also want to reconsider the motion that was defeated in committee that I made about either doing away with
the sunset on sector separation, or at least postponing it. I am going to vote for this, so that I can reconsider this if my motion that’s going to come after this is defeated.

CHAIRMAN ANSON: Johnny.

MR. GREENE: Well, I’m kind of at a mindset of let’s either do it or we don’t. The information in here, there’s a pile of it, as you all know, in Amendment 39. It’s still there and they could go back and pick pieces of it up if we decide to move on.

My concern with this is that we all, in committee, agreed to support a Gulf-wide recreational focus group. I don’t want to sway these people into assuming that they have to conform their ideas and thought processes into this type of deal, because they may come up with something bigger.

I think we need to vote it up or down and be done with it here today. If there’s no support for it, let’s just clearly vote it down and wipe the slate clean and allow that group to do as they indicated and then we can move forward.

CHAIRMAN ANSON: To that point, Robin?

MR. RIECHERS: Johnny, I don’t necessarily see it the same way you do in that respect, but obviously one of the things you mentioned is that group is working and certainly if they get a little further along and this conforms to something or that we could salvage things out of here that would be useful, then it’s still there.

I mean let’s face it, guys. We have done this before on many different amendments. They come and we work on them for a while and sometimes we get to a point where they’re not moving forward and they either sit for a while, either just within activity, or we table them and then they come back again, in various forms.

This isn’t unusual at all. It’s just this one may have been more controversial on this particular subject, or on a particular subject, but we’ve done this before.

CHAIRMAN ANSON: All right. I have several folks here. I have Dr. Stunz and John Sanchez and Jason Brand.

DR. STUNZ: I speak in favor of the substitute motion. At the end of the day, as an individual council member, I hear the states and their concerns and the issues that they have in this amendment and that’s really, to me, what makes a difference. I
mean for this to be successful, whether we pass it or not, the states are going to have buy-in on it and I don’t know if we’ve reached that point yet and so, therefore, I would support postponing discussion on this amendment.

CHAIRMAN ANSON: John.

MR. SANCHEZ: I am going to support this as well, because we’ve been discussing this for years now and it’s kind of frustrating that the states couldn’t come to an agreement on this situation and we haven’t even really got to the heart of the matter, where the rubber would meet the road, where we’re really talking about state allocations and such.

In the meantime, it’s the recreational angler that is suffering without a meaningful plan and so if we’re just going to keep kicking this back and forth, I would just say let’s postpone it indefinitely or, better yet, like you were saying, let’s wipe the slate clean with it. It’s really accomplished nothing.

CHAIRMAN ANSON: Mr. Brand.

LCDR BRAND: Thank you, Mr. Chair. Before we vote, I just wanted to clarify the enforcement piece. As we heard from Captain Scott Hickman yesterday, regional management does address some of the concerns of the domestic kind of IUU fishery, where we have the recreational sector catching red snapper outside of state waters and sometimes claiming that they were caught in the open state waters.

This addresses that issue. However, Action 5, if we have closed areas, kind of nullifies that benefit to enforcement and so I just wanted to clarify that concern, that it does help us with kind of the poaching of fish in closed federal waters. However, there is a lot of other complex factors for enforcement to figure out and then Action 5 would nullify some of those benefits.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: Strangely enough, I am not sure if I support this motion. The thing I want more than anything is closure on and yet, I am not sure if I support this substitute motion. You know we had a committee of the whole during Reef Fish, which was interesting and I thought it worked really well, but we did have one member of the council that wasn’t able to be present for the committee of the whole and so saying that we have a good handle on what Action 2, Alternative 2 would do is -- I am not sure if
we’re really there yet.

If I support this substitute motion and it passes, then we don’t have the opportunity to really see how the full council would vote on Action 2, Alternative 2.

The other thing that concerns me is that if we’re simply postponing the discussion of Amendment 39, you know one thing that has been very hard for me to grapple with is that recreational angler, private angler, AP and whether we’re going to put that to the side and allow the private groups that are getting together to come forward to us in that manner with some ideas.

If we simply postpone discussion on 39, that poor group has so many unknowns that I don’t know how they could come up with anything. You know we’ve got a sunset in 40 that’s on the horizon and we don’t make any decision as to if we’re really ready to pursue Amendment 39 and regional management and, if it is something we’re thinking about in the future, we really haven’t given them a definitive indication of will it be for the entire rec sector or will it be just for them.

This, to me, this doesn’t seem to do much. I think we need to come to a conclusion and essentially there’s another discussion that’s going to happen as to the sunset in 40. Roy has already said that he’s going to want to talk about that, depending on how things go.

I would like to make a second substitute motion, because that’s going to determine really what happens in regional management, in my opinion. The second substitute motion would be to postpone discussion on Amendment 39 until the council approves an amendment to modify or remove the sunset provision for sector separation. If I can get a second, I will explain.

CHAIRMAN ANSON: Is there a second to the second substitute motion?

DR. CRABTREE: We are mixing unrelated things now into a substitute motion and I think you ought to rule whether that’s appropriate now.

CHAIRMAN ANSON: Mara, do you want to weigh in on this? I mean I don’t see any limitation on the items in a motion.

MS. LEVY: Technically, the substitutes need to be germane to the motion it’s substituting and the original motion. We may
have strayed a little bit from that germaneness by going to the substitute motion to postpone on a motion to pick a preferred, but since we're already there, a second substitute to change the postponement -- It seems like it’s in line with the first substitute and so we may have strayed a little bit from allowing the first substitute, but once we allowed that, it seems like those are related.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: A question. If this passes, that does not mean that we have approved Roy’s motion to begin work on an amendment to remove the sunset provision. It just means we’re postponing the discussion and so it seems to me the original substitute motion, and then followed by Roy’s motion, more clearly gets at the same thing.

CHAIRMAN ANSON: Well, yes. Roy.

MR. WILLIAMS: I am wondering if we simplified modified this a little bit that the maker would -- If those would solve the problem. To postpone discussion of Amendment 39 and direct staff to begin preparation of an amendment to modify or remove the sunset. Does that make it clearer?

MS. LEVY: That’s not germane.

MR. WILLIAMS: That’s not germane?

CHAIRMAN ANSON: That goes outside the bounds, yes. If we can remove that. I don’t recall hearing a second to this and so technically we’re discussing it and so is there a second to this second substitute motion?

MR. SANCHEZ: I will second it.

CHAIRMAN ANSON: All right. It’s seconded by Mr. Sanchez. Is there any other discussion on the second substitute motion? Leann.

MS. BOSARGE: I just don’t want this body to sit around and do nothing waiting for a sunset and thinking, for some unapparent reason, that if 40 sunsets that everything was beautiful before 40, because we had one heck of a problem still before 40. I mean things were not rosy for anybody.

I just want to make sure that we don’t do something today that doesn’t allow us to, as a full council with everybody here,
really figure out if the full council would actually take action on regional management or not.

CHAIRMAN ANSON: I have Dale, followed by Myron.

MR. DIAZ: I mean I had some thoughts on Robin’s motion and they’re still applicable to this motion. I do understand there’s a lot of problems with Amendment 39, but my hope for Amendment 39 is it would help get us out of the state non-compliance box.

We don’t have anything really on the horizon to help with that and that’s a pretty big problem and that’s why I’ve been hanging in there and hoping we could come together on 39, in some way, shape, or form. I am kind of mixed on the motion, because I do realize it’s got problems.

Obviously some of the states aren’t happy. If we ever get to pass it and we’ve got a few states that aren’t satisfied with it, I don’t know what kind of compliance we’re going to get and how successful it’s going to be.

This state non-compliance thing is a big problem and I don’t know what we’re going to do about that. I don’t know what other ideas we are going to have come to the table to move it forward and so I’m still struggling on how to vote on this, but the big problem is still there and we’re not doing anything to solve that and we have to try to do something to eliminate that.

CHAIRMAN ANSON: I have Myron, followed by Roy Williams and then Dr. Crabtree.

MR. FISCHER: I would like to either ask Roy or Mara -- I am just curious of the outcome. So if this motion passes, but the council struggles and just cannot adjust the sunset provision, then you can never discuss Amendment 39 again? Is that what it states?

CHAIRMAN ANSON: To that point, Dr. Crabtree.

DR. CRABTREE: You could come in at the next meeting and make a motion and pass it to undo all of that and start talking about it. You can’t bind yourselves, but I think the intent of this is you’re going to wait until you take final action on an amendment to remove the sunset. That’s how I’m reading it, but I mean you can undo all of this at any moment.

CHAIRMAN ANSON: Roy Williams.
MR. WILLIAMS: Ken Haddad made reference to those old if-then statements in computer programming and that’s kind of where I’m hung up here. If we postpone -- I mean this is kind of an if-then thing and I’m just not sure -- If we approve this motion to postpone discussion of 39 until we’ve approved an amendment to modify or remove the sunset, what happens if we never approve that amendment to modify or remove the sunset?

So I come in behind this and make a motion to modify or remove the sunset, but it’s defeated and where are we? I don’t know and so I think I’m going to vote against this, just because I am not certain what it is that it does. I know what you want to do, but I’m not sure that it does it.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I may withdraw it, depending on the answer to this question, I guess, from Mara. If we started an amendment or a framework action to look at this sunset and it’s based on this second substitute motion, which somehow ties it into regional management, and say we get to 2018 and it sunsets, 40 sunsets, then all bets are off, right? I mean it doesn’t matter anymore.

MS. LEVY: Well, I mean really what this is doing is changing it from postpone indefinitely to postpone until this happens, but, like Roy said, you could come in at the next council meeting and decide you don’t want to postpone it anymore. You can’t bind yourselves to some future action and so it’s an intent. It changes it from indefinitely to when this happens, but if this never happens, you could still bring 39 back up again.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: So I’m kind of like Roy. This, to me, just kind of muddies things. I assume Roy is still going to make the motion to direct staff to begin work on it and so, to me, it’s cleaner to vote on the original substitute and then vote on the next motion, but that’s just --

MS. BOSARGE: I have been convinced. I will withdraw the second substitute motion if the seconder agrees, if John will agree. I will go back to my original comment that I still am not sure I will support the first substitute motion to postpone this discussion. I would like to see where the cards fall if we actually all vote on this as a body.

CHAIRMAN ANSON: Any other discussion on the substitute motion?
MR. WALKER: I don’t support slowing it down. I would like to continue discussion. I support 39 for the private anglers. They need a solution.

CHAIRMAN ANSON: Roy and then Dr. Dana.

MR. WILLIAMS: I am going to vote for, as I said earlier, for the postponement. I would sure like it if 2.2 were passed, but the problem, I think, is that -- You know we’re going to turn it over and ask the states then to manage their own fisheries and at least a couple of the big ones I don’t think are going to do anything and so where are we then, once we’ve turned it over to them and given them the right to manage their own fishermen?

I just don’t think they’re going to and so what have we accomplished? I don’t think it’s anything. I think we’ve accomplished very little and so, for that reason, I am going to vote to postpone further discussion on it.

CHAIRMAN ANSON: Dr. Dana, followed by Martha.

DR. DANA: Thank you, Chairman Anson. Obviously my original motion is where I would have liked this to go, being the Action 2, Alternative 2 being the preferred, and that’s based on meeting after meeting and what we were hearing from the charter boats being okay with state management of the snapper for the private recreational and then the charter for-hire being managed by the federal.

I have received as well a letter with unanimous support from the Mississippi Fish and Wildlife Commission saying that they also supported the federal for-hire fleet being managed by the federal, but, all that said, if this -- If the substitute motion to postpone discussion on Amendment 29 passes, and I agree with Martha that Amendment 39, as it is written, is not good for Florida and so I can’t support Amendment 39 as it is now.

If Amendment 39 is brought up at a later date, then you can expect that the charter for-hire will readdress the Action 2, Alternative 2 ideal and being managed under a federal -- By the federal. Thank you.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: I just wanted to note, and maybe it wasn’t clear
when I spoke before, and maybe I didn’t say it, but I mean private anglers, charter for-hire, everybody that I’ve talked to about this amendment, they are not supporting it and so the people that would be managed under this amendment do not support it.

CHAIRMAN ANSON:  John.

MR. SANCHEZ:  After hearing everything that we’ve discussed for a while, and particularly this morning, I guess, in my mind, to make it clear, I would make a substitute motion that we make Action 1, Alternative 1 the preferred, no action, retain the current federal regulations for management of recreational red snapper in the federal waters of the Gulf of Mexico.

CHAIRMAN ANSON:  Hold on.  Let me make sure we’ve got the motion on the board correct.  John’s second substitute motion is to make Action 1, Alternative 1 the preferred alternative.  Is there a second to the motion?  It’s seconded by Leann.  Robin.

MR. RIECHERS:  John and Mr. Chair, I thought I was trying to get us out of not having a long debate here on 39 and I apologize. Obviously we’re still going to have that.  John, if we do that, then we basically walk through the entire document, because what you’ve done is you’ve just picked a preferred.  Then we can go to the next one and then we get to the end and we have to vote or we don’t have to vote, whatever the case may be.

What I was trying to do, by doing what I did, was not walk us through the entire document.  We know that there are some issues and we know that some folks -- We heard a lot of testimony yesterday about how it’s not going to work right now and, again, I am not precluding the fact that it may come back again, because it may.

Even if we said, as people said, wipe the slate clean, the document is still over here in computers and if we ever need to bring it back, we’re bringing it back.  That’s what we did with many other documents through time.  Aquaculture, sector separation, I mean I can go on and on with documents that we’ve done that with.

You know I understand what you’re trying to do, but I’m afraid it’s going to lead us down the road we were trying not to go down, but certainly we can vote on that substitute and hopefully we’ll get back to the second one.

CHAIRMAN ANSON:  Mara, was your comment to Robin’s point?  Go
MS. LEVY: I think if you vote to make Alternative 1 the preferred -- I thought we were talking in Action 1 and is that right?

DR. CRABTREE: Yes.

MS. LEVY: Okay. Then, really, there is no more decision points. I don’t think you would have to walk through the document, because everything else flows from making a decision to actually implement the delegation or the CEP, except for the size limit change, but if you’re not going to do that, then nothing else cascades from that decision.

Saying that, I think both of these things do the same thing. If you decide not to take action right now and choose CEP or delegation, you can come back at the next meeting and decide you want to bring it up and change your preferred. If you postpone the discussion indefinitely, you can come back at the next meeting and decide you want to start the discussion again and so I really think at this point it’s a distinction without a difference.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: Ditto what Mara says. I think, to me, the original substitute motion though -- I guess it’s clearer with the intent that we are postponing this indefinitely. If you pass the second substitute motion, then, okay, we did Action 1 and we made Action 1, Alternative 1 the preferred alternative. Do we talk about this again in April? I don’t know, but I think I would prefer the substitute motion here, the original substitute.

CHAIRMAN ANSON: All right. Any other discussion on the second substitute motion?

DR. CRABTREE: Can I request a roll call?

CHAIRMAN ANSON: We have a request for a roll call vote. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana. We are talking about the second substitute, which is Action 1, to make Alternative 1 the preferred alternative. Dr. Dana.

DR. DANA: Yes.
EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: No.
EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: No.

EXECUTIVE DIRECTOR GREGORY: We have four yes and thirteen no. The motion fails.

CHAIRMAN ANSON: Just for the record, I think Dr. Stunz’s vote was no and not yes.

DR. STUNZ: That is correct. It was no.

EXECUTIVE DIRECTOR GREGORY: Do you want us to start putting them on the screen like this? We haven’t done that before.

CHAIRMAN ANSON: I think it helps -- Well, it helps address the previous discussion we had.

EXECUTIVE DIRECTOR GREGORY: I mean I had the official tally.

CHAIRMAN ANSON: Yes and if staff can keep up, which it appears they can, I don’t have a problem with it.

EXECUTIVE DIRECTOR GREGORY: Okay.

CHAIRMAN ANSON: That will take us back to the substitute motion. Is there any other discussion on the substitute motion? I just might want to make a comment that I kind of ally myself with Dale and your comments. Trying to work to get to a point that offers some protection and guarantees and regional management, at least from my perspective, is that it offers a little bit more guarantees and protections to a wider group of anglers and certainly we’re interested in continuing the discussion and trying to get to a point where we can get some general consensus, but also realize that there is a window.
Robin, you mentioned that we bring documents up from time to
time and put them to bed, so to speak, from time to time during
that process and at some point there becomes a point where
you’ve got to make a determination as to what you’re going to
do, because it doesn’t give any guarantees and it doesn’t give
any securities to the folks in the industries, and you know at
some point you’ve got to come to the table and make a decision
and I would hope to think that that time is sooner than later.
That brings us to our first substitute motion. Do you have a
question, Leann? Go ahead.

MS. BOSARGE: Say this passes and we postpone discussion of
Amendment 39 indefinitely and we’ve already had a discussion
about a private rec AP and, in committee at least it didn’t
sound like we were going to form that group.

I agree with Dale. I want 39 to get to a point where the states
can succeed with it, but if we’re not working on it anymore,
which is what this would do, how are we going to get to that
point, if we say we postpone that indefinitely and it looks like
we’re probably not going to form a private rec AP and so we’ve
got that postponed indefinitely and what are we doing for the
private recs at that point?

I think if we’re not happy with 39 that we have to keep working
on it. We have to do something for these private recs. We
can’t postpone 39 indefinitely and not form an AP and then do
nothing. I mean we have something in the works for the for-hire
sector. We’ve got some plans that they’re working on with us
and we have a sunset we’re up against, yes, but we’re working on
something.

To me, the only thing that we’re working towards, if we get rid
of 39 and we don’t do a private rec AP, is a sunset to go back
to the way things were. What are we going to do if we postpone
this? I don’t think it puts any impetus on coming together as a
body with federal representatives and state representatives and
then regular people, I guess, like me, to come to a consensus
and do something if we postpone this.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Leann, I understand your concerns, but I would
say that obviously at the next meeting, all things -- Red
snapper will be up on the table again. I mean we will be having
those discussions.
We will be having the discussions about the private rec AP and
we’ll be -- I mean it’s not like these things ever really --
When we stop for a moment, in the next two months, I mean --
People are still going to be talking about them and you’re going
to be getting calls, phone calls, and letters and emails and if
we have to come back to the next meeting and that’s the time of
indefinitely, because there is a magic solution, then we bring
it back up.

I don’t think it’s not working on things. I think it’s just
saying for right now let’s park this and let’s see what else we
can do. In fact, I think it is working on things, but it’s just
I don’t think they’re either-or.

CHAIRMAN ANSON: There doesn’t appear to be any -- David.

MR. WALKER: I was just going to say I don’t think it sends a
good message to the Hill. I mean you know they would like to
hear some better solutions for the recreational private angler
too. They’re hearing a lot from them too and you don’t want to
stop your line of communication and discussion and I certainly
don’t want to see any discussion stopped.

You know they’ve come and testified they want to work on it and
that’s good. Let them work on it, but let’s don’t postpone our
discussion here. I would like to see the state directors work
with the private anglers better and help work with them to get
them a solution and anything that keeps the communication open
seems like it benefits those who need it and that’s the private
angler.

You already have the commercial that has a good FMP and the
charter for-hire and headboat, they’re working on their FMP and
we heard discussion from the private angler that they’re working
and so I mean let’s keep the discussion going.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: I speak in opposition to this motion. I’ve sat
here and I’ve thought about it and I don’t think I slept but an
hour last night trying to piece all this together. If we do
what’s suggested right here, here is the big issue. There is
nothing on the board.

Now, I know that we can come and talk about things and I know
that we can do all this great stuff, but sometimes we just don’t
do anything and I think it’s time for us to do a little
something here and, picking up on what Mr. Diaz and Mr. Swindell
have said in the last couple of days, I think it’s time to do something.

I think in any type of decision, whether it’s business or personal or whatever, you have to back up and say, okay, well, where can I take a sure win? It may not be exactly what I want right now and I may not win the battle or the war, but I’m going to take the sure win right here.

Now, there is proposed congressional and senatorial language that may come about that may change a lot of this. We have a nine-mile fishery, through appropriations right now, that we don’t even have nine-mile boundaries on navigation charts for Alabama, Mississippi, or Louisiana yet. I think that we need some mechanism in which we can work, on the short-term, to regulate the recreational fishery.

CHAIRMAN ANSON: I have Mr. Swindell and then Myron.

MR. SWINDELL: The problem I am having right now with all of this is that we have all these people that came here and they testified to us and we really want people to come and we decide, well, we’re not going to pay attention to you now. We have been listening to this meeting after meeting and people have come and testified about this particular proposal.

Somewhere along the line, if we’re in a corporation, you have to make a decision and I am ready to make the decision. I think we all are being very petty with not knowing -- Robin, I would really like to know, what are you waiting to hear or what information is it that you don’t have that maybe someone else can provide to you?

I am just concerned about why are we going to keep postponing it, with not knowing what else you want to know. I don’t want backroom talking and trying to solve this stuff. Let’s do it in front of everybody and let’s get it all done and I’m ready to do it. Thank you.

CHAIRMAN ANSON: Myron. No? All right. There doesn’t appear to be any more comments or discussion and so we have a substitute motion to postpone discussion of Amendment 39 indefinitely. Another roll call? Just testing you, Dr. Crabtree. Go ahead.

EXECUTIVE DIRECTOR GREGORY: My apologies, Leann, but Ms. Bosarge.
MS. BOSARGE: It’s all right. I’m ready for this one. No.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.
MR. SWINDELL: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: No.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: We have nine yes and eight no. The motion passes nine to eight.

CHAIRMAN ANSON: The motion passed nine to eight. Mr. Greene.

MR. GREENE: For-Hire Management, Draft Amendments 41 and 42, staff summarized the comments from the scoping workshops. For Amendment 41, staff reviewed the document structure and actions. The committee suggested additional alternatives be included in Action 2, distribution of quota to charter vessels. Staff noted that the additional actions described at the end of the document would be developed in future drafts, including an action to address voluntary participation.

For Amendment 42, staff discussed the organization of the amendment and the management actions. The committee discussed the use of auctions for initial allocations and inquired about public support for cooperatives. Committee members requested the addition of an action that would allow headboats to opt out of the program.

CHAIRMAN ANSON: I have Dr. Crabtree.

DR. CRABTREE: I talked a lot to people about Amendment 42 and Action A-2, which is the species to include in the program, and talking to staff, generally speaking, they don’t think it would require any additional work to include all five of these species, any more work than to do it for the two species.

Right now, we have two preferreds, which are red snapper and
gag. The other species under consideration are gray triggerfish, greater amberjack, and red grouper. It seems to me that it would make sense to go ahead and include all five of these species in the program.

I would make a motion that under Action A-2, in addition to Alternative 2 and 5 as preferreds, we also make Alternatives 3, 4, and 6 preferreds.

CHAIRMAN ANSON: Dr. Crabtree, is that your motion? Is there a second to the motion?

MR. GREENE: Second for discussion.

CHAIRMAN ANSON: There is a second for discussion by Mr. Greene. We do need to wordsmith it a little bit, potentially. Essentially, it’s, as Dr. Crabtree stated, to include the three additional species, to make a total of five that’s being incorporated into the document. Dr. Crabtree.

DR. CRABTREE: It just seems, to me, if we decide we’re going to go through this and this is how we’re going to manage the fishery, we may as well solve these other problems while we’re at it. We’ve had closures of greater amberjack, gray triggerfish, and red grouper now on the recreational side, with some fairly short seasons.

I am not making a judgment as to where the council is going to go with it, but it just seems, to me, if we’re going to do this and we think it’s a viable way to solve this problem, let’s go ahead and address these other species while we’re at it.

CHAIRMAN ANSON: Is there any other discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Is that all you had, Dr. Crabtree?

DR. CRABTREE: For now.

CHAIRMAN ANSON: For now, of course. Mr. Greene, do you want to continue, please? Wait. Mr. Williams.

MR. WILLIAMS: Thank you, Mr. Chairman. I am looking for the portion of the document where there was the discussion about the cooperatives, because I don’t think there is much, if any, support for those cooperatives and I think it’s a waste of time to have staff analyzing the cooperatives.

If I could, I would like to offer a motion that in the headboat,
under Amendment 42, that we remove the discussion of cooperatives and that those not be considered an alternative.

CHAIRMAN ANSON: All right. We’re going to need a couple of minutes for staff to get the motion fully up on the board. Mara.

MS. LEVY: I just want to make sure that we’re looking at the right document, because there is one for headboats and one for charter and they both have cooperatives. The headboat one, Action A-1 is the type of recreational management program for headboat survey vessels and Alternative 3 is to manage by cooperative. It looks like what you’re saying is you want to move that to Considered but Rejected, or not consider that for the headboats.

CHAIRMAN ANSON: Roy, can you help staff?

MR. WILLIAMS: I apologize. I have got different page numbers than other people for some reason and so Steve has loaned me his document. Steven Atran has loaned me his document. What I want to remove is to remove on page 9 of Amendment 42, B-10(b), I want to remove Alternative 3 under Section 2.1, Section A. I know this isn’t a very good motion so far and I apologize.

In Action A-1, Type of Recreational Management Program for Headboat Survey Vessels, I want to remove Alternative 3. Alternative 3 is manage the reef fish species included in the headboat management program by establishing a recreational fishery cooperative program.

CHAIRMAN ANSON: Half the battle to recognizing you have a problem, and we’re talking about creating motions, Roy, is that’s half the battle, is recognizing you have a problem. We are working towards getting the motion and I guess people know the intent is for the headboat amendment only is what you’re talking about removing this item to the Considered but Rejected and is that correct?

MR. WILLIAMS: That’s correct, yes.

CHAIRMAN ANSON: Is there a second to that? Is there a second to that motion?

MR. GREENE: Second for discussion.

CHAIRMAN ANSON: Second for discussion by Mr. Greene. Go ahead, Roy.
MR. WILLIAMS: You know, in talking to a lot of the fishermen, I didn’t hear anybody that was really in favor of a cooperative. What they said was we can always form a cooperative if we want. They are used in fisheries and they’re using in agriculture, as Ed said, but they would rather do it privately among themselves, if they decide they want to do that, and not have it be part of this, where an allocation was being made to that cooperative. In my discussions, they didn’t really like that idea and so that’s the basis of my motion.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I am not generally opposed to that, Roy, at all, but I mean at this stage of development of the document, I just feel like having all the tools on the table that are needed and so at some point we remove it later down the line, and we might discover that that is in fact the case, or we might discover that in fact we would like something like that. I would prefer to keep it in the document at this point.

CHAIRMAN ANSON: Doug.

EXECUTIVE DIRECTOR GREGORY: I think this was prompted by public testimony, and maybe Robin can confirm this, but I thought I heard yesterday that somebody said that cooperatives were not legal in Texas. That does throw a monkey wrench into it, if that’s true.

MR. RIECHERS: Okay and so you write “collaborative” here. I mean that’s the difference that they were saying. I am not certain about the legality. Given the number of ag cooperatives that we have in the state -- Like I said, I certainly don’t -- I am not familiar with that, but I haven’t checked into it. Others who set up the other collaborative may have.

CHAIRMAN ANSON: Is there any other discussion on the motion? Roy, this would just apply to the headboat amendment, right, because there is similar language in the for-hire charter boat amendment as well. I just want to make sure that, if your intent was to include the whole for-hire sector, then maybe --

MR. WILLIAMS: I am going to go for the small one first and then maybe I will go for the other one, too.

CHAIRMAN ANSON: All right. Is there any further discussion on this motion? All those in favor of the motion, please signify by raising your hand; all those opposed like sign.
EXECUTIVE DIRECTOR GREGORY: Four.

CHAIRMAN ANSON: The motion carries twelve to four. I think staff had suggested, Doug, that they bring those things you take to like baseball games with the hand and everything, the big sponge. We might get that for Dr. Crabtree. I think, Mr. Greene, you can continue on the Reef Fish Committee Report, please.

MR. GREENE: Draft Options, Red Snapper Recreational ACT Adjustment, staff reviewed the options paper to revise the recreational red snapper ACT buffer. It was noted that the SSC could not establish scientific justification to either change or retain the buffer, due to numerous sources of uncertainty and only two years of landings data under the 20 percent buffer.

Committee members suggested that action on the options paper could be deferred, but they would like to review it again once 2015 landings are finalized. It was also suggested that different buffers be considered for the private and for-hire components, based on appropriate risk tolerance.

CHAIRMAN ANSON: Excuse me one second, Mr. Greene. We had just a little bit -- I meant to, before Johnny started back into the report, but we have just a little bit more time here remaining in this report and there are just a couple of other agenda items remaining that probably won’t take but a half-hour, at most, and so I was planning to go straight through and not break for lunch or any other break and try to get through this in the next forty-five minutes or so. Dale.

MR. DIAZ: I am okay with that. I have not checked out yet though and I believe checkout is at twelve. If we could take a short break to checkout, that would be fine with me.

CHAIRMAN ANSON: Yes and a ten-minute break then for everybody to do that and then we’ll reconvene and try to finish full council. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN ANSON: We will try to finish up Reef Fish. Mr. Greene, if you want to continue.

MR. GREENE: Thank you, Chairman Anson. Gray Triggerfish OFL, ABC, and Rebuilding Plan Parameters, staff reviewed the OFL and ABC recommendations provided by the SSC. The time to rebuild in
the absence if fishing mortality, $T_{min}$, is six years and ABC for the first three years of rebuilding were presented for eight, nine, and ten-year rebuilding timelines.

The earliest an update assessment can be scheduled is 2019. Staff will develop an options paper for an amendment to establish a new rebuilding plan based on the ABCs provided. A committee member asked that the amendment also look at reducing the bag limit, increasing the minimum size limit, and providing a later opening date. Discussion on Ad Hoc Private Recreational AP, committee members noted that a new private group --

**CHAIRMAN ANSON:** Johnny, excuse me one second. Roy.

**MR. WILLIAMS:** Just before we totally finish Reef Fish, I have a motion regarding sector separation and Amendment 40. Karen has it and so if you would just, before Reef Fish is totally over, give me a chance.

**CHAIRMAN ANSON:** Okay.

**MR. GREENE:** Committee members noted that a new private group has been formed, the Gulf Angler Focus Group, to develop recommendations for the private recreational component. Ken Haddad from American Sportfishing Association explained that the group is holding meetings facilitated by the Florida State University’s FCRC Consensus Center to develop consensus positions for recreational fishermen.

Mr. Haddad felt that forming an AP through the council process at this time would be counterproductive to the group’s efforts and suggested that the council wait at least a year before forming an AP. Several committee members agreed that the council should wait and give the private group a chance to work.

**CHAIRMAN ANSON:** Go ahead, Roy.

**MR. WILLIAMS:** I’ve got two things then, I guess. One is on this ad hoc private recreational AP. I just -- You have already heard me say it, but I have to say it one more time. This new Gulf focus group, at least the names that are on this initial meeting, or maybe the second meeting they’ve had, are certainly not meeting the criteria of what we were talking about, a private recreational group.

I mean let’s just go through the names that were on this letter that they sent to us: Ken Anderson, owner/operator of the Captain Anderson out of Panama City; Pam Anderson, Operations
Manager of Captain Anderson’s Marina; somebody by the name of Hughes Andry, who is with Sportco Marketing, light tackle industry; Jim Donofrio, Executive Director of the Recreational Fisheries Alliance; Chris Horton, Congressional Sportsmen’s Foundation; Mike Nugent, Port Aransas Boatmen’s Association; Kellie Ralston, ASA; Ted Venker, Conservation Director, CCA; Bob Zales, President of NACO; Gary Zurn, owner/partner of Big Rock Sports.

None of those people, I don’t think, represent those three or four people that came up here in the meeting yesterday and asked us to form this group. It’s notable that all of these people -- I said this yesterday, but I am going to say it again. All of the people that I know on here, and I don’t know each and every one of them, but they were all against sector separation and they were all for reallocation.

My guess, and I am not certain of this, but I am guessing they want state management rather than federal management of the red snapper fishery. I am not going to make that a universal statement, because I’m not sure of that, but these are all birds of a feather.

I know what they want and it’s not necessarily what I want. I am not going to be an obstacle at this point. Ken Haddad asked that we give them some time and so I am willing to give them some time, but I don’t see them representing those three or four guys that came -- One guy came clear from Texas, clear from Galveston, to talk to us.

I don’t see him being represented on here and if they don’t pick up those people somehow, if they just stay this particular group here, I already know what all these guys want and so that’s all I have to say, but now I would like to make a motion.

CHAIRMAN ANSON: Go ahead.

MR. WILLIAMS: Maybe other people want to speak to that. I don’t know, but --

CHAIRMAN ANSON: Okay. I thought the motion was related to your comments, but --

MR. WILLIAMS: The motion -- Karen has my motion, if she could bring it up. This goes back to the -- Since we did not do anything in Amendment 39, there were portions of Amendment 39 that would have eliminated the sunset. Since we didn’t do anything with it, I offered this motion in committee and it was
defeated, but I am going to offer it again.

The motion is to direct staff to prepare an amendment to modify or eliminate the sunset on sector separation created by Amendment 40.

DR. DANA: Second.

CHAIRMAN ANSON: We have a motion and it’s been seconded by Dr. Dana. Is there any discussion on the motion? Robin.

MR. RIECHERS: We went through this in committee, Roy, and I think you -- I voted against it in committee and I am going to do so again as well. I don’t think we’re under the time crunch that many people act like we’re under. In fact, I know we’re not, given how simple this amendment would be.

I will speak to your previous comments though and I didn’t want to just chime in and have a long discussion without a motion, but I think we can often say we know what people think, because we hear a lot of them up here and we know what they’re thinking, but I think you’ve got to give that group, first of all, a little opportunity to work.

When you say the private rec guy is not represented, you have a couple of the biggest organizations that represent private anglers along the coast. Now, the difficulty, as we’ve seen many, many times, is getting enough of those people with those diverse interests into a coalition and have them gel around something and they’ve got some work to do, but I would say let’s not paint that brush and just assume we know what they want.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: A question for Roy. What are we thinking here with this “modify”? Is this extend for a year or two years or three years or ten years? What are we thinking here?

MR. WILLIAMS: I am thinking at least three. I would prefer five or ten. I would prefer eliminate it altogether, but, at minimum, I would think, at the low end, it would be another three years, but that would be at the absolute lowest. I am assuming staff would bring us alternatives. Well, they would have to bring us alternatives and so I would think they would start around three years and go from there.

CHAIRMAN ANSON: Any other discussion? David.
MR. WALKER: I would just like to mention, and maybe I’m wrong, but I thought when Ken was mentioning they were working on their -- Their group was working together to develop and he mentioned how the commercial had the time to work on their group and the charter had a chance to work on their group. It didn’t sound like they opposed them working on it and so I think we could extend them this -- I agree with it. I think that 40 needs to be extended and eliminate the sunset.

CHAIRMAN ANSON: John.

MR. SANCHEZ: I would echo that, for the same reasons. Just like Ken came and I support him in asking for time to put their plan and their thoughts and their ideas together. This group has been putting their plan, their thoughts, their ideas together. It is a very slow process and when we voted on it, the sunset was thrown out. That wasn’t original.

When that came, we voted down a five-year in lieu of a three-year and so here we are and the time is marching and the process isn’t getting any quicker and so it’s just basically giving this group of folks, this sector, more time, just like the other group is asking for. I mean it’s all about just more time.

CHAIRMAN ANSON: Dale.

MR. DIAZ: I just want to make sure I thoroughly understand the motion. The motion is not to do away with sector separation today. It’s to get the staff to work on an amendment and then we’ll make a decision on this probably at the next meeting. So it’s not a decision today and it’s to get the paperwork ready so we’ll have some options at the next meeting?

MR. WILLIAMS: That’s correct, Dale. That’s my intention.

MR. DIAZ: Thank you, sir.

CHAIRMAN ANSON: Any other discussion? Pam.

DR. DANA: Thank you, Chairman Anson. I am going to vote in favor of this motion. First of all, when the sunset was put on the Amendment 40, it was based on the progression of Amendment 39 and whether eventually there would even be a need for Amendment 40.

Since Amendment 39 has been postponed indefinitely, then, at the very least, we allow an amendment to move forward with some level of certainty, that certainty being, at the minimum, an
extension of time to Amendment 40.

We fought very hard, for years, the battle over Amendment 40. We heard it and it was brutal and we finally acted on it. At the very least -- Well, I speak in favor of this motion.

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: Roy, I’ve been sitting here contemplating it and I still think my comments from yesterday stand. I think this is going to eventually have to happen, but I am kind of like Robin on this. I don’t think it has to happen right away.

I still think we have time and I still think they’re moving towards solidifying things in 41 and 42, which we know will take some time, but I don’t think we have to start this right away, because I think it is going to be a simple amendment or whatever that will probably consist of one action with a couple of options. I don’t think it has to be started right away. Where I do think it needs to be done, I can’t support it at this time.

CHAIRMAN ANSON: I will just add that I agree with Robin and Dr. Lucas’s comments that it shouldn’t take too much time, but I guess, looking at it a little bit pragmatically, there always seems to be a little hiccup along the way and so I think I would be in support of this motion, just to try to make sure that that timeline is met. Mr. Swindell.

MR. SWINDELL: How long have we been into, what is it, a three-year now sunset provision on this?

CHAIRMAN ANSON: It’s a three-year sunset and we just finished up year one and year two will be this year.

DR. CRABTREE: It sunsets after the 2017 season.

MR. SWINDELL: Okay. One of the things that I have noticed, in a lot of comments by people, is that this amendment has given a particular industry a lot of assurance that they are going to at least have an industry of some fashion.

I would hate to be down to one year, or even within the last year, making a decision for them to continue fishing under at least some circumstances that they are dealing with now. I would rather see us extend this for a few more years now, almost, if not next meeting, to give them some more assurance that here’s a segment that they’re still going to have a job to do, rather than waiting until the end of the sunset period to...
make the decision. That’s my real concern. Thank you.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I support this motion as well. I think we need to start this discussion. I think everything we do seems to get slowed down, but mainly so that we can have this discussion on the record and begin the conversation. Since we’re not forming a private rec AP, we at least need to have this discussion, so that maybe the focus group that’s out there can eliminate a little bit of uncertainty as to where they need to hone in and focus on.

We at least need to give them some direction, even if it’s not by forming an AP. We need to talk about this and decide where we’re going in the future, so that these people can make plans and not just the for-hire sector, but the private angler sector.

They need to understand what our long-term direction is, whether it’s to keep it or do away with it or extend it. They need to understand that. These people need to be able to make their own plan and they can’t do that with uncertainties like this hanging over their head.

CHAIRMAN ANSON: Johnny.

MR. GREENE: Building on what Leanne said, just think back to the public testimony yesterday. You heard one individual say that he was spending a fairly significant amount of money repowering his boat, with some engine company out of Mississippi.

I can sit here and think of about eight to ten boats right now that are being repowered and the economic impact of that is pretty big. Any business person always contemplates future expenses and you get into boats the size of mine -- There was one that was similarly repowered ten or twelve years ago and $400,000. That’s a big economic impact.

Now, the engines didn’t cost $400,000. They were probably $250,000 and it probably cost the remaining $150,000 to have a local company here in town install the engine and fabricate the motor mounts. There’s a lot to this.

Understand that it’s not just letting the fishermen have the opportunity to fish, but there are local businesses and fuel sales and marinas. It’s bigger than that and I just wanted to share that with you.
CHAIRMAN ANSON: Doug Boyd.

MR. BOYD: Thank you, Mr. Chairman. I am not going to vote for this, for a couple of reasons. One, we heard Roy say, and, Roy, if I get this wrong, please help me, the sunset takes place in 2018. Is that correct?

DR. CRABTREE: It’s good for three seasons and so it sunsets after the 2017 season.

MR. BOYD: Okay and so we still have plenty of time to work on this. It’s not going to be, as Dr. Lucas said, it’s not going to be a terribly long document. It’s going to have a couple of options that we’ll be able to discuss and so I think we can wait and we don’t need to be taking it up right now. I think it’s premature.

I would like to just speak to Johnny Greene’s statement. Businesses operate in the environment that they are in, regardless of what may come down the pike in the next year or the year after. The mortgage industry operated and they got a lot of new regulations, but I don’t know that anybody sat there and waited and made decisions about whether to invest in their business or not invest in their business based on what might come from Congress. The banking industry does the same thing.

Mechanic shops, regardless of what cars may come out, they’re not going to stop their business and go out of business because they don’t know what’s going to happen. I would submit to you that someone who is repowering probably is not going to go out of business based on what we do here and whether we vote on this amendment or not.

CHAIRMAN ANSON: Dale, did you have your hand up earlier?

MR. DIAZ: No.

CHAIRMAN ANSON: Roy.

MR. WILLIAMS: It’s been pointed out to me that my use of the word “modify” is open to interpretation and they asked if I meant “extend” and the answer is yes, I meant extend and if the seconder would agree, I would like to change “modify” to “extend”.

DR. DANA: I agree.
CHAIRMAN ANSON: Is there any further discussion on the motion? The motion is to direct staff to prepare an amendment to extend or eliminate the sunset on sector separation created by Amendment 40. All those in favor of the motion, please signify by -- We have a request for a roll call vote. The request was made by Mr. Walker. Doug, are you ready?

EXECUTIVE DIRECTOR GREGORY: Yes. To direct staff to prepare an amendment to extend or eliminate the sunset on sector separation created by Amendment 40. Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.
EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: We have eleven yes and six no. The motion passes eleven to six.

CHAIRMAN ANSON: Thank you. Roy, do you have anything else?

MR. WILLIAMS: No, sir.

CHAIRMAN ANSON: Okay. Johnny.

MR. GREENE: Red Grouper Stock Assessment Results, staff noted that the SSC presentation had included a review of the red grouper stock assessment and a five-year OFL and ABC yield stream. Staff suggested that work could begin on a framework action to adjust the red grouper ACL and asked for guidance from the committee.

DR. CRABTREE: It’s not clear in the report that we gave them that guidance and do we need to make a motion to ask staff to begin work on a framework action? It just says they asked for
guidance from the committee.

DR. SIMMONS: I think, for clarity, it would be nice to have a motion. If you feel comfortable, we can go ahead and proceed that way.

DR. CRABTREE: I would like to make a motion to ask staff to begin work on a framework action to adjust the red grouper ACL.

MS. BADEMAN: I’ll second it.

CHAIRMAN ANSON: There is a motion and it’s been seconded by Ms. Bademan. That motion is that staff begin a framework action to adjust the red grouper ACL. Any discussion? Martha.

MS. BADEMAN: Just to reiterate what I said in committee. I think this is a priority. We have had some issues with the red grouper ACL being exceeded, or the ACT being exceeded, the last couple of years and I would like to avoid that situation again, if we can, because it does have consequences for the recreational fishery, including closures at very important times of the year for that fishery.

CHAIRMAN ANSON: Johnny.

MR. GREENE: I agree with what Martha said and I also would like to just give a shout-out to the SSC, who came back and gave us that constant catch scenario that will be provided within this document and I appreciated the fact that Mr. Methot was there and I thought it was a very good start on something that potentially we may want to see more of in the future.

CHAIRMAN ANSON: Any further discussion on the motion? Is there any opposition to the motion? Seeing no opposition, the motion carries. Mr. Greene, I will give it you one more time.

MR. GREENE: Extension of Sector Separation Sunset Provision, committee members noted that sector separation will sunset after three years. Work will need to begin soon if the council wants to extend the sunset provision before sector separation expires. A motion to develop a plan amendment to either modify or eliminate the sunset provision failed.

Reopening Red Snapper Recreational Season to Reach the Annual Catch Limit, committee members expressed an interest in developing a procedure to allow the Regional Administrator to reopen the recreational season if the ACL has not been reached.
The Regional Administrator currently has the authority to re-open the recreational fishery if the ACT has not been reached, but not to re-open it to allow the ACL to be reached.

Motion to start the development of an action to develop a mechanism to allow the red snapper season to reopen in the event that the ACL is not exceeded during the initial season.

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: Mr. Chairman, that concludes my report.

OTHER BUSINESS

CHAIRMAN ANSON: Thank you, Mr. Greene. That concludes all of our committee reports and next on the agenda was the Vote on Exempted Fishing Permit Applications, of which there were none submitted. That will take us to Item Number VII, Other Business.

I don’t know if I mentioned it at the last meeting or not, but when I attend the South Atlantic Fishery Management Council meetings, they have on their agenda a time set aside and put on the agenda that gives the members who are representing non-voting agencies an opportunity to go ahead and provide some information that might not otherwise come up during our normal council deliberations and so I have done that for this agenda and I intend to do it for future agendas while I am Chair. We can just go down the list here. Mr. Brown, are you ready for the South Atlantic Report?

SUPPORTING AGENCIES SUMMARY REPORTS
SOUTH ATLANTIC COUNCIL LIAISON

MR. BROWN: Yes, I am. I would like to thank you all too for having me here and I have learned a lot this week and I will be taking some interesting information back to the South Atlantic. I would like to go ahead and read this report.

During our December meeting, we approved the new fishery management measures and adopted a vision blueprint and the snapper grouper management improved measures for dolphin, blueline tilefish, yellowtail snapper, and black sea bass.

We established a new commercial trip limit for dolphin, because the ACL had been met a couple of years in a row, in 2014 and
then 2015. We actually had some industry reps from different organizations that came to the council and we talked to them and they said that this would be a good option for maybe a step-down, so that as they progress through the season and if they got close to that ACL, then it would help to extend it.

The new commercial trip limit, which the South Atlantic Council manages the dolphin also from New England to the Florida Keys, the new trip limit for the commercial sector is once it has reached 75 percent of the ACL, it’s going to be 4,000 pounds. That was established in December.

The blueline tilefish, the information that came back, we set a new ACL at 174,798 pounds and the rationale that came back from that was that the blueline tilefish -- There was an indication that all of the blueline tilefish in the South Atlantic and in New England are all of one stock.

We do have a scheduled stock assessment for 2017 that will give us a better idea, but the genetic studies do determine that this is one stock and so the commercial bag limit was increased from 100 pounds to 300 pounds per trip and the recreational bag limit also was increased from one fish per vessel per day to three fish per person per day, with the season being from May until August.

The yellowtail snapper, we modified the current fishing year for yellowtail snapper from the calendar year to an August to July 1 fishing year and basically we did have some industry reps that came to us and we talked about it and they said that this would work the best for them, because that way they can go ahead and catch the fish and get the best market price for them and then, if it did close, it would close during the time of the spring and summer spawning season.

Black sea bass, the black sea bass are considered not overfished anymore, with the most current stock assessment in 2013. We were able to go ahead and change the recreational bag limit, as of our last meeting, from five fish to seven fish per person per day, and, because there is being so many harvested and discards right now, we’re looking at changing the size limit also, from thirteen inches down to twelve inches, to try to reduce some of the discards.

The black sea bass pot fishery has been an ongoing work, with a lot of battles with trying to avoid any interaction with the South Atlantic right whale, and so, after a lot of years of work with Amendment 16, it looks like we’ve finally come up with some
alternatives to where the black sea bass pot fishermen will be able to continue fishing year-round, as long as they fish in certain depths of water that will avoid the South Atlantic right whale.

The vision blueprint for the snapper grouper fishery was a work in progress that we have been working on for many years and we had some meetings this past fall and came up with some good focal areas of what we were going to look at doing.

The focus areas were science, management, communication, and governance, and so, in December, we adopted the vision blueprint and so we’re going to be looking at putting this into our our actions over the next year, with sub-regional management and sector-based management and looking at a recreational stamp for the private recreational sector. Also, one of the other things was a traditional multiday bandit boat amendment.

We had items approved for public hearings in January and February, the charter/headboat reporting amendment, with mandatory weekly reporting, electronic reporting. We had the hogfish, Snapper Grouper Amendment 37, which included the creation of two separate managed stocks of the hogfish, with one stock in the Florida Keys and then the other stock would be the upper Georgia and the Carolinas.

We have Amendment 26 to the Coastal Migratory Pelagic Fishery Management Plan. The South Atlantic used the same document as the Gulf of Mexico is using and then the council is also soliciting public scoping on preliminary measures that may be considered for the mutton snapper, following a recent stock assessment. I think that’s about it. If you have any questions, I would be glad to answer them.

CHAIRMAN ANSON: I think we have at least one from Martha.

MS. BADEMAN: Not a question, but I just wanted to tag along with the report on mutton snapper. FWC is holding workshops on mutton snapper the next couple of weeks. The first week, we’ll be tagg ing along with the South Atlantic and they will be doing some public hearings on some things and we’ll be doing the mutton snapper hearings in conjunction with those, but we will be having some in the Gulf jurisdiction.

We will be in Key West on February 3, and that is a joint meeting with the South Atlantic. We will be in St. Petersburg on February 15th, Naples on the 16th, and we will be having a webinar on February 24th. That information is on our website,
which is myfwc.com. Thanks.

CHAIRMAN ANSON: Go ahead, Mark.

MR. BROWN: I would like to mention one other thing that’s not in this document. We had a citizen science meeting last week. It was a four-day meeting, where we brought people together that were in the industry, you know private and recreational fishermen along with scientists, and we all sat around in groups and had some discussion on a direction of putting together some projects in the future that would help to possibly close some of the gaps that we have in our science and our understanding of our fisheries and it was really good.

I really enjoyed that, because there was a lot of good interaction and a lot of good ideas and we kind of went through it and we narrowed them down and we fine-tuned it to where we kind of saw where we would like to go with this and so I just wanted to mention that.

CHAIRMAN ANSON: That’s good to hear and we look forward to hearing more about your progress in that avenue and it’s certainly something for us to keep kind of tabs on and consider, potentially, for trying to work in the Gulf.

It’s good to hear also that you guys are opening up the bag limits on a few species there. It’s been real tough for you all the last four or five years and so that’s also good to hear.

All right. Next, we have Dave from the commission. Dave.

GULF STATES MARINE FISHERIES COMMISSION

MR. DONALDSON: Thank you, Mr. Chairman. The commission has five major programs: the IGF program that deals with interjurisdictional fisheries; SEAMAP, which is a cooperative state/federal fishery-independent program; Sport Fish restoration that deals with recreational fisheries in the Gulf and focuses on anadromous fish restoration, artificial reefs, and fisheries data; Fisheries Information Network, or GulfFIN, that is a state/federal cooperative program for fishery-dependent data; and then the Aquatic Nuisance Species Program that coordinates the Gulf and South Atlantic regional panel and looks at the new introduction and monitoring of established invasive species in the Southeast.

A few activities that I thought might be of interest to the council and under GulfFIN, due to level funding over the last ten years, we have had to eliminate dedicated funding for
biological sampling, which has led to the reduction of the
number and frequency of biological samples from the recreational
and commercial fisheries. GulfFIN actually provides the
majority of the otoliths for recreational species.

This has the potential to have a significant impact on the
quality of stock assessments, because we don’t have this needed
age data. The good news is that we have been able to, over the
last couple of years, have been able to piecemeal funding
together and continue some level of sampling, but that is
certainly not a long-term solution.

Another activity under GulfFIN is the development of regional
implementation plans for MRIP. As a member of GulfFIN, the Gulf
Council, through their staff, has the opportunity to provide
input on areas of focus on future recreational data collection
and MRIP is very interested in hearing the perspectives from
these regional councils.

Then, lastly, under GulfFIN, we are coordinating the convening
of a national workshop to improve the accuracy of recreational
discards.

Under SEAMAP, the Shrimp Groundfish Trawl Survey, both the
summer and the fall, have expanded surveys into Florida, to
sample south of Tampa, beginning in 2010 and continuing to
present. There is more complete coverage in the summer, but
there is some sampling in the fall and it has provided needed
data on juvenile reef fish, snapper and triggerfish, et cetera,
and the good news is these data will be available for the next
red snapper assessment and hopefully improve that assessment.

They have also implemented a vertical line survey in Louisiana,
Alabama, and Texas, starting in 2010, and Texas just started in
2015, but also coordinating with Mississippi and Florida
sampling. They are using NFWF money to conduct a vertical line.
It will provide Gulf-wide coverage, targeting reef fish on
structured bottoms, artificial reefs, oil and gas structures,
and identifying this data gap and this data will be available
for future assessments.

Then the last program, under Sport Fish, to address the baseline
need for data on artificial reefs, we have established the Gulf
Artificial Reef Monitoring and Assessment Program, or GARMAP,
using standardized protocols to sample artificial reefs.

We are conducting a pilot in Mississippi this year and hopefully
we will expand to the other states, but the baseline data will
provide managers with the necessary information to make scientifically-based decisions about management of artificial reef habitats and the associated species on those reefs. That’s all I’ve got and if you have any questions, I will be glad to answer them.

CHAIRMAN ANSON: Thank you, Dave, for the report. Any questions for Dave? All right. Thank you. Lieutenant Commander Brand.

COAST GUARD

LCDR BRAND: Thank you, Mr. Chair. I just wanted to provide one initiative that we completed in 2015 with the Gear Management Team. Specifically, Dale Stevens worked with us and he provided at-sea TED, turtle excluder device, inspection training to all of our units around the coast and it did a great job in kind of increasing the confidence of our boarding officers’ skills and ability to be more consistent with the NOAA inspections for the inspection of the TED. That was great and I really appreciate Dale’s effort.

He went around the Gulf and traveled on his own time to help us with that initiative and all the feedback has been very positive. The boarding officers of the Coast Guard feel a lot more confident in checking those TEDs and so we’re going to continue that program. We’re going to meet with Dale to work on how we’re going to move forward with that, but I just wanted to thank him for that.

CHAIRMAN ANSON: Thank you and thank you, Dale. That goes through all of the people that are here from the non-voting agencies. There wasn’t any other business, as I recall, that was to be brought up at the meeting. Is there any other business that needs to be brought forward? If not, that concludes our meeting. Thank you, everyone.

(Whereupon, the meeting adjourned at 1:03 p.m., January 28, 2016.)

- - -