GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

253RD MEETING

FULL COUNCIL SESSION

Golden Nugget Casino Hotel Biloxi, Mississippi

APRIL 1-2, 2015

April 1, 2015

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 (designee for Jamie Miller) ................. Mississippi
Myron Fischer (designee for Randy Pausina) ........ Louisiana
Johnny Greene ....................................... Alabama
Campo Matens ......................................... Louisiana
Harlon Pearce ....................................... Louisiana
Corky Perret ........................................ Mississippi
Lance Robinson (designee for Robin Riechers) .... Texas
John Sanchez ........................................... Florida
Greg Stunz ........................................ Texas
David Walker ........................................... Alabama
Roy Williams ........................................... Florida

NON-VOTING MEMBERS
LCDR 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
Cathy Readinger ...................................... Administrative Officer
Ryan Rindone .......................................... Fishery Biologist/SEDAR Liaison
Bernadine Roy ........................................ Office Manager
Charlotte Schiaffo ................................ Research & Human Resource Librarian
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The Full Council of the Gulf of Mexico Fishery Management Council convened at the Golden Nugget Casino Hotel, Biloxi, Mississippi, Wednesday morning, April 1, 2015, and was called to order at 10:48 a.m. by Chairman Kevin Anson.

CALL TO ORDER AND INTRODUCTIONS

CHAIRMAN KEVIN ANSON: Let’s get started. Welcome to the 253rd 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 drop it in the box or give it to council staff. One card per person, please. 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.

MR. ROY WILLIAMS: Roy Williams, Florida.

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

LCDR JASON BRAND: Lieutenant Commander Jason Brand, U.S. Coast Guard.

MR. DAVID WALKER: David Walker, Alabama.

MR. JOHNNY GREENE: Johnny Greene, Alabama.

MR. CAMPO MATENS: Camp Matens, Louisiana.

MR. HARLON PEARCE: Harlon Pearce, the great state of Louisiana.

MR. JOHN SANCHEZ: John Sanchez, Florida.

DR. PAMELA DANA: Pam Dana, Florida.

MS. MARTHA BADEMAN: Martha Bademan, Florida.

MR. BEN HARTIG: Ben Hartig, South Atlantic Council liaison.

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.

DR. GREG STUNZ: Greg Stunz, Texas.

MR. LANCE ROBINSON: Lance Robinson, Texas.
MR. DOUG BOYD:  Doug Boyd, Texas.

MS. LEANN BOSARGE:  Leann Bosarge, Mississippi.

MR. DALE DIAZ:  Dale Diaz, Mississippi.

MR. CORKY PERRET:  Corky Perret, Mississippi.

EXECUTIVE DIRECTOR DOUGLAS GREGORY:  Douglas Gregory, council staff.

CHAIRMAN ANSON:  Thank you, everyone.  We have next on the list is Adoption of the Agenda.  Is there anyone with any additions to the agenda?  Any changes to the agenda?  We have got some changes.

ADOPTION OF AGENDA

EXECUTIVE DIRECTOR GREGORY:  We wanted to move the closed session to first thing Thursday morning, to ensure that the webinar is not running inadvertently, because it’s difficult, as you said earlier, to turn it on and off during the day.

I would like to add to Other Business a discussion of the state director reports and have the council consider whether we want to continue receiving them or not and also give like an overview of the -- We have a Council Coordinating Committee meeting in June and we’ll just talk a little bit about that under Other Business.

CHAIRMAN ANSON:  I would just -- I am going to talk a little bit about dress code for June in Other Business and we did -- If it’s approved, the Advisory Panel appointments being moved to tomorrow morning, that is going to push up some committee reports and we will put into that slot the hour timeline and I will suggest Administrative Policy and Budget, Law Enforcement, Gulf SEDAR Committee, and the Spiny Lobster Committee as the four that we will try to put into that hour.  If we can do it, great.  If not, we will just move those to tomorrow, what we can’t finish.  Does anyone else have anything?  We need a motion.

MR. PERRET:  Move to adopt the agenda as modified.

MR. BOYD:  I second.

CHAIRMAN ANSON:  We have a motion to accept the agenda as written and seconded.  Any objection to accepting the changes?
Thank you. It’s approved. Two other quick items that should be addressed now in the beginning, before we move into committee reports. Doug, you have one?

EXECUTIVE DIRECTOR GREGORY: Yes, I would like to introduce a new staff person, Brian Schoonard. If you would stand up. He has replaced Mark Mueller. He is paid off our Coral Grant and he is our GIS Analyst. If you have any mapping issues, he’s the guy to talk to and he just started with us about a month ago, in January. We welcome you, Brian.

He worked with FWC before coming here and he has extensive experience with GIS and he has already made some great improvements to our system and what we’re trying to do with the Coral Grant is we’re building a data portal for as much of the information pertaining to the Gulf of Mexico as we can identify. Thank you, Brian. We’re glad to have you here.

CHAIRMAN ANSON: Welcome aboard, Brian.

DR. CRABTREE: While we are doing introductions, I would like to introduce Jack McGovern, who is here today. Jack has taken the position that Phil Steele had, who retired at the end of last year. He is the Assistant Regional Administrator for Sustainable Fisheries and he will be coming to a lot of our meetings.

MR. PERRET: Just a heartbeat away.

CHAIRMAN ANSON: Welcome, Jack. The next quick item I wanted to address is -- Dale.

MR. DIAZ: Kevin, I just want to make a comment. I talked with Doug a little while back about this. I think there’s been some really good improvements to the way that we get information, especially the way we can access this briefing book on the website and getting the minutes early. I do know that Beth, Charlene, and Phyllis have been helping out with this and, Doug, if there is any other staff members, please relay to them that we notice the improvements and it’s very helpful and we thank them for that and thank you for your leadership on that, too. Thank you.

CHAIRMAN ANSON: Thank you, Dale. Well said and I concur. Some of you may have noticed or heard that we do have a National Geographic production crew visiting us today. It is part of a broader scope of a series on commercial fishing, but Dolph Scott, a producer of the show, is here and, Dolph, if you
wouldn’t mind coming up and just provide a very brief summary of what the content of this production will be and that will be appreciated. Thank you.

MR. DOLPH SCOTT: Hello. Thank you for this. I am with National Geographic and we’re doing a documentary on fishing, specifically sustainable fishing, and the Gulf region. We have been filming in Galveston for a couple of weeks and we heard about this conference and obviously this conference is incredibly important and so we would like to cover it.

We’re going to have a couple of cameras in here. We’re going to stay out of the way, as much as possible. We are not going to interfere and, also, we are going to be filming members of the council, members back here, and the public testimony that’s coming up a little later. We would really appreciate it if you guys would sign a release so we could show it on television and that’s really what it is. I mean it’s just a documentary on fishing and it’s with National Geographic.

EXECUTIVE DIRECTOR GREGORY: I would like to explain. I have a copy of the releases and I will pass them out and at the same time, I have asked them to consult with their legal people and maybe, Mara, you know the answer.

Since we are government employees or government appointees, I thought maybe they could film us without us having to sign a release. Mara, do you have any idea of that? No? I will pass out the release anyway to everybody.

MR. SCOTT: Okay and thank you very much.

APPROVAL OF MINUTES

CHAIRMAN ANSON: Thank you. That will take us to Approval of the Minutes. Are there any changes to the minutes? Seeing none, could I get a motion to accept the minutes as written?

MR. DIAZ: I did have one change. On page 19, line 21, there is a misspelled word and the word that’s misspelled is the number “two” and that was the only change.

CHAIRMAN ANSON: All right. Any other changes? Is there a motion?

MR. DIAZ: So moved.

MR. PERRET: Second.
CHAIRMAN ANSON: There is a motion to accept the minutes as written by Dale and seconded by Corky and any discussion on the motion? Does anyone object to the motion? The minutes are approved. That will take us to Administrative Policy and Budget. Mr. Perret, are you going to take that one?

COMMITTEE REPORTS

ADMINISTRATIVE POLICY/BUDGET COMMITTEE

MR. PERRET: With ex-Chairman Boyd’s permission, yes, I will, Mr. Chairman and thank you. The Administrative Policy and Budget/Personnel Committee had a joint meeting and you should have a copy that’s been sent to you.

Anyway, I will go through it. The first thing was Review of the 2014 Carryover and 2015 Budget, Tab G-4. Staff reviewed the 2014 carryover budget and the proposed 2015 budget, noting that we have not received any 2015 funding from NOAA to date.

EXECUTIVE DIRECTOR GREGORY: One exception. We just were notified this morning that we got our full funding.

MR. PERRET: So you see what good we do? We met for one day and we already got money from NOAA. Thank you, Doug. We have spent about $550,000 on 2015 expenses to date, using 2014 monies. Staff is considering the accounting of year-to-date 2015 expenses to the 2014 carryover funds rather than to the 2015 budget, since we have no actual 2015 funding at this time. We are not sure that NOAA will approve, but the North Pacific Council is planning to do the same type of accounting. I guess since we’ve been notified of receiving funding, we’re in a lot better shape.

We have a motion. By a unanimous voice vote, the committee recommends, and I so move, that the council, starting in 2015, increase liaison funding by $10,000 to a total of $45,000 annually to each of the Gulf States and the Gulf States Commission for the liaison contracts. Mr. Chairman, that’s the motion.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any objection to the motion? The motion is approved.

MR. PERRET: Thank you, Mr. Chairman. The second item we took up was Review of Benefits Analysis by Markley Consultants, Tab G, Number 5. Staff reviewed the evaluation provided by Markley
Consultants regarding the status of our 401K plan relative to IRS regulations. Staff intends to follow the recommendations that we restate our 401K plan with the IRS before April 2016 and to send a request to the IRS for a letter of determination regarding the status of our governmental 401K plan.

The consultants also compared the staff retirement benefits relative to that of the federal government and concluded that the current council retirement plan is adequate and comparable.

Staff plans to follow the recommendation to pursue avenues for potentially supplementing the retirement levels of those employees with greater tenure who are below par with the federal retirement system by making our 401K agreement to allow discretionary contributions by the employee, as needed. There were no motions necessary or made on this issue and is there any questions?

Next, there was Review and Approval of Early Retirement Health Plan, Tab G-4. Staff reviewed the policies of other councils regarding early retirement health plans and presented data on projected costs for providing the same for the Gulf Council staff.

By a unanimous voice vote, the committee recommends, and I so move, that the council implement an early retirement plan for employees with twenty years of tenure and at an age of 55 or older, with a 75 percent subsidy for health care premiums up to Medicare eligibility age for staff.

CHAIRMAN ANSON: It’s a committee motion. Any discussion on the motion? Any objections to the motion? Seeing none, the motion carries.

MR. PERRET: Thank you. Next, there was a Review of Advisory Panel Term Limits, Tab G, Number 5. Staff reviewed the policies of all the other councils regarding term limits and staggered terms. Only one council had staggered terms. We have a motion.

By a unanimous voice vote, the committee recommends, and I so move, to recommend that the AP and SSC members serve three-year terms without term limits. The AP will have staggered terms but the SSC will not.

CHAIRMAN ANSON: It’s a committee motion. Any discussion? Any objections to the motion? The motion carries.

MR. PERRET: Thank you. Next, we discussed Changes to the Title
and Appointment Process for Select APs. Staff presented a summary of the structure of select APs that are comprised of members with specific membership dictated by specific job titles or in combination with general public appointees.

Staff requested the council consider retitling the Law Enforcement, SEDAR, Outreach and Education and the Aquaculture APs as technical committees and to allow appointments to be made jointly by the Executive Director and Council Chair. Staff also requested that the SMZ Monitoring Team be discontinued.

The committee, by a unanimous vote, recommends, and I so move, to retitle the following APs as technical committees, with appointments to the SEDAR, Outreach and Education, and the Aquaculture Technical Committees made jointly by the Executive Director and Council Chair. So moved.

CHAIRMAN ANSON: It’s a committee motion. Any discussion on the motion?

MR. BOYD: Mara made a comment about the change in the names of the committees and I would just like to have her tell us again what she said, because I can’t remember exactly what she said, but I think it had do with the fact that these are FACA committees.

MS. LEVY: All I said was that you can call them whatever you think is appropriate to help people understand what they’re doing, but that they’re all advisory panels under the Magnuson Act and their meetings have to be conducted under the procedures required under the Magnuson Act, which then allows them to be exempt from that Federal Advisory Committee Act procedures. The names are fine, but legally they are all advisory panels.

MR. BOYD: Thank you. That’s clear.

CHAIRMAN ANSON: Any other discussion? Any objection to the motion on the board? Seeing none, the motion carries.

MR. PERRET: Thank you. By a unanimous voice vote, the committee recommends, and I so move, to discontinue the SMZ monitoring group and reinstitute it as a working group, on an as needed basis.

CHAIRMAN ANSON: It’s a committee motion. Any discussion? Any opposition to the motion? Seeing none, the motion carries.

MR. PERRET: Thank you. Under Other Business, staff recommended
the council consider allowing the payment of health insurance for employees on extended unpaid leave due to medical reasons. Let me read that section with the modification and then I will read the motion.

Section 4.6 deals with unpaid leave and the Executive Director may grant unpaid leave to an employee for any period as deemed appropriate. The unpaid leave status may be terminated at any time with seven days notification to the employee. Except when the unpaid leave is under the Family Medical Leave Act and here is the new language: “or due to a medical condition that extends beyond the Family Medical Leave period.” That ends the new language. The council’s current practice of wholly assuming the cost of health, life, dental, and disability insurance premiums will not continue after the first thirty-day period of unpaid leave.

The committee, by a unanimous voice vote, recommends, and I so move, to amend the administrative handbook language by adding the highlighted language below and that highlighted language is “or due to a medical condition that extends beyond the Family Medical Leave period.” Thank you.

CHAIRMAN ANSON: It’s a committee motion. Any discussion? Any opposition to the motion? Seeing none, the motion carries.

MR. PERRET: Thank you, Mr. Chairman. That concludes the report.

CHAIRMAN ANSON: Thank you, Corky. That will take us to the next committee report of Law Enforcement and Mr. Boyd.

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LAW ENFORCEMENT COMMITTEE

MR. BOYD: The Law Enforcement Committee met and staff reviewed the comments made by the LEAP on various issues. The first topic that came up was Illegal, Unreported, and Unregulated, or IUU, Fishing in the Gulf of Mexico.

Dave Donaldson noted that the Gulf States Marine Fisheries Commission is in the process of drafting a letter to the Secretary of Commerce requesting additional funding for the Gulf States to combat IUU.

Lieutenant Commander Brand noted that the seized fish were considered unfit for human consumption, but the Coast Guard was working on a Memorandum of Understanding to allow the seized fish to be donated to non-profit sea turtle rehabilitation
facilities and to researchers.

A suggestion was made that biological data be collected on the seized fish. Lieutenant Commander Brand responded that the fish are weighed to obtain an average weight, but the fish often come to the dock in the middle of the night. A question was asked whether the seized equipment could be utilized rather than destroyed. Seized equipment is currently not utilized.

Lieutenant Commander Brand reviewed a portion of a report to Congress on “Improving International Fisheries Management” that was discussed by the LEAP and attached to the summary.

In the current fiscal year, twenty-two seizures of Mexican lanchas have been made and there have been a record number of sightings. In the report, Mexico has been included in a list of six countries that conduct IUU fishing in U.S. waters. Mexico has two years to address the problem or face possible sanctions.

The next topic that came up was Ideas for Action by the Gulf States Marine Fisheries Commission and the Gulf of Mexico Fishery Management Council. Steven Atran related that he had suggested that the council or Commission develop a smartphone app for reporting violations to a central source, which could then relay the report to the appropriate enforcement agency. Committee members agreed that this was a good idea. One suggestion was made to see if this could be incorporated into the existing council fishing app.

Proposed Officer of the Year Program, Steven Atran related that, when presenting the proposed program to the LEAP/LEC, he thought that the review of applicants by the LEAP/LEC to select the top three might require a closed session.

Since the Gulf States’ Law Enforcement Committee is not authorized to conduct closed sessions, the LEAP/LEC passed a motion recommending that the review be done as just a LEAP function. However, NOAA General Counsel has since advised that the review does not need to be in a closed session.

The LEAP had recommended that there be a second award for team of the year. Committee members expressed concern that adding a team of the year award could add to logistics issues and costs.

Other Business, the LEAP/LEC meets as a half-day meeting, but is considering changing to a full-day meeting because of the increasing amount of items to review. The next LEAP/LEC meeting is currently scheduled for the week of November 3 during the
joint Gulf States and Atlantic States Marine Fishery Commission meeting in St. Augustine, Florida.

Because of the cost and logistics of the meeting on the east coast as part of a joint commission meeting, council and commission staff are considering whether to hold the joint LEAP/LEC meeting or defer the LEAP portion of the meeting until the next meeting in the spring 2016. Mr. Chairman, this concludes my report.

GULF SEDAR COMMITTEE

CHAIRMAN ANSON: Thank you, Mr. Boyd. That will take us to the Gulf SEDAR Committee Report. Before I read the report, I just want to draw your attention to two items that were emailed to you, I-4, SEDAR Gulf Assessment Schedule, and I-4(b), Alternate Stock Assessment Schedule. Those are to be included as addendums to the report.

Staff reviewed the status of planned stock assessments in the Gulf through 2017, Tab I, Number 4, and summarized minor updates to the timelines presented in the schedule. The committee was encouraged to consider which data-poor species to assess in 2016.

The Southeast Fisheries Science Center provided a list of species by the respective amount of data available for informing the council’s decision on which species to include in the data-poor assessment.

The committee was informed that at least five species could be assessed, with a realistic goal of assessing seven to eight species likely being possible. These were separated into two categories. Category 1 had the highest level of data and that included gray snapper, scamp, red drum, lane snapper, and wenchman. Category 2 was the second highest level of data and in order of committee priority, in case not all the ten species could be assessed, the priority was yellowmouth grouper, speckled hind, snowy grouper, almaco jack, and lesser amberjack.

The committee approved assessing the species listed in Categories 1 and 2, with the understanding that assessments on all species in Category 1 would be completed in 2016. The species in Category 2 would be assessed in 2016, if possible, in order of priority.

The Southeast Fisheries Science Center also reminded the committee of a change in effort estimation for MRIP from which
new calibration estimates will be available in 2017. The calibration estimates would require Southeast Fisheries Science Center assessment scientists’ time to update ABCs for previously assessed species, which could reduce the number of assessments which could be completed in 2017.

The committee asked if an update of red snapper could be completed in 2016 while keeping the red snapper standard assessment beginning in 2017 on the schedule.

The Southeast Fisheries Science Center remarked that the 2017 standard assessment of red snapper would allow the incorporation of recalibrated MRIP estimates from the aforementioned new MRIP effort survey and that they would query their staff as to the feasibility of an update assessment for red snapper in 2016. That refers to the I-4(b), the Southeast Fisheries Science Center assessment schedule. Dr. Ponwith, did you have any comments to that?

DR. PONWITH: I did. Thank you very much, Mr. Chairman, and I do appreciate the council’s input on the prioritization of those data-poor stocks. That’s going to be very helpful. Our hope is we can make our way through as deep a stack of those as we can, but the prioritization helps us if the dotted line lands above the total list.

I have sent a document and it is Tab I-4(b). It’s a little bit different format, but it’s the same concept. You will see in that that 2016 remains unchanged and 2017 basically also remains unchanged and lists those stocks, but now you have provided the better information, which is those stocks that are listed in order of priority.

The difference begins in 2017 and I just wanted to make sure that we were on the record that it is likely that will be the year that we will be doing those calibration updates and what that does is puts a delay in the stocks that we had listed for 2017, because that will be a pretty enormous task getting through those calibration updates.

You will also see in the document that I sent that we’re including red snapper standard. The approach would be instead of doing the calibration update for red snapper that we would take that calibration information and run a full standard on red snapper in addition to all of the calibration updates for the other stocks that we’ll be looking at.

Then if you look at 2018, which I know is a long way out, but
talking about this now gives our data people opportunities to begin preparing the data. More importantly, it gives the age readers the opportunity to understand what’s in queue for reading those ages.

I know we listed gray snapper and scamp in the list of the data-poor. In circling back, the analysts believe that we should keep those as benchmark stock assessments, the more traditional stock assessments, because the data are adequate to be able to support that level of an assessment for them, and so those in 2018 and then add to that a standard stock assessment for yellowedge grouper.

The timing and the terminal year is driven by the time of assessment. We would use 2016 as the terminal year for those two benchmark stock assessments, to be able to accommodate that longer time period that it takes to get them done, and the standard, we would use 2017 as the terminal year for yellowedge grouper. Those are my comments, if anybody has questions.

**CHAIRMAN ANSON:** Any questions for Dr. Ponwith? Just to be clear then, Dr. Ponwith, the schedule that we have here that you sent, with gray snapper and scamp then being segregated, taken out of the data-poor category or slot in 2016, you anticipate then that all of the other species potentially that were identified could be done? Because we talked about seven or eight and so I just view this as a slot of assessment time and resources and so do you anticipate then of the ten that we identified as Category 1 and Category 2 as being completed when you include gray snapper and scamp as being conducted in 2018?

**DR. PONWITH:** What I will say is we absolutely can make it through the Category 1 and we will work our way through the Category 2 to the fullest extent possible. Having moved scamp and gray snapper out into benchmarks improves the odds that we’re going to be able to get all of those done, but what we need to do is take a look at the data and what kind of prep needs to happen on those and that will drive, but the objective will be to get as far through that complete list as we possibly can.

**CHAIRMAN ANSON:** I thought I heard you correctly, saying you would like for some guidance at this point for some of those other species, for looking on down the line, or to fill in to 2018 or 2019? Is that --

**DR. PONWITH:** I think I have the input that I need from you, because you’ve done a good job of prioritizing that list of
data-poor species. That was the most important thing. The other is you had asked me can we do an update stock assessment for red snapper in 2016.

The answer to that is no, we can’t do that. That won’t be physically possible, given what else is there plus the challenges of doing an update when we know that those calibrations are coming through.

I guess it would be just looking at what the inclusion of those calibration updates does to the 2017 slate and then recognizing that we’ve moved two stocks from 2017 to 2018 to accommodate that and make sure you are comfortable with that, because basically what will happen from this point is the council looks at this and makes sure they’re comfortable with these as the priority and then your representatives to the SEDAR Steering Committee will carry this to the committee to get it on the schedule on behalf of the broader enterprise.

CHAIRMAN ANSON: Council members, do you have any comments to what Dr. Ponwith has reviewed in regards to a proposed schedule, looking at 2016, 2017, and 2018? I take that as that’s where we will land. That concludes my report, if there is no other comments. All right. That will take us to Spiny Lobster and Ms. Bademan.

SPINY LOBSTER COMMITTEE

MS. BADEMAN: Thank you, Mr. Chairman. For Spiny Lobster, staff reviewed the landings from the 2013/2014 season for spiny lobster and presented the recommendations from the Spiny Lobster Review Panel, which met on February 9, 2015.

The review panel recommended that spiny lobster be exempted from an ACL requirement, the OFL be redefined as MFMT, and that a new stock assessment was not necessary. It was clarified in committee that an ACL is required by the Magnuson-Stevens Act.

On Spiny Lobster SSC Summary Report, the SSC representative reviewed the summary report of the March 10, 2015 Special Spiny Lobster SSC meeting. The SSC discussed the Spiny Lobster Review Panel’s recommendations and concurred that a new stock assessment is not necessary for spiny lobster.

However, the SSC was unable to come to a consensus about an ACL exemption of spiny lobster recommended by the Spiny Lobster Review Panel. The SSC did not recommend redefining OFL in terms of MFMT, because MFMT cannot be calculated without a stock
assessment and a stock assessment is not recommended at this time. Mr. Chairman, this concludes my report.

MR. SANCHEZ: I would like to make a motion that the council sign a letter to the RA requesting that spiny lobster not be subject to an ACL, given the reasons outlined by the Spiny Lobster Review Panel. If I can get a second, I will explain.

CHAIRMAN ANSON: There is a motion on the board. Is there a second?

MS. BADEMAN: I will second it.

CHAIRMAN ANSON: Ms. Bademan seconds. Any discussion?

MR. SANCHEZ: The rationale is I understand we’re required to have an ACL and the reasons are treaties and requirements and legalities and politics, but the science seems to indicate that recruitment does come from elsewhere and they’re not even looking for a stock assessment on it.

The fishery has been around forever and endured far more pressure than is currently done, due to the trap reduction program, and I am totally agreeable to perhaps other ways to address this non-need, shall we say, other than legal for an ACL, but different avenues lead us to the same place and I would just like to get to that place.

DR. CRABTREE: You can write a letter if you want, but we are not going down a productive path, because I have absolutely no authority to grant you an exemption from ACLs. Where we ought to be spending our time is figuring out what’s the best way to handle this? Should we use multiyear averaging or how are we going to deal with it?

But I think we’ve already expended more time than is productive trying to get an exemption, but I have no authority to give you such an exemption.

DR. PONWITH: I just feel like I need to make a technical correction. Spiny lobster do have a very long larval stage and so they are adrift in the water column for a long time before they migrate down to the bottom and begin their benthic existence.

What I heard was that they come from somewhere else and the fact of the matter is a large portion of larvae can come in from outside of this council’s management area, but that doesn’t
preclude at least some of the recruitment being self-recruited. In other words, Gulf of Mexico lobster providing recruits to the Gulf of Mexico or the South Atlantic Council’s jurisdiction. That’s just a technical correction.

CHAIRMAN ANSON: Any other discussion? We have a motion that the council send a letter to the RA requesting that spiny lobster not be subject to an ACL, with the reasons outlined by the Spiny Lobster Review Panel. All those in favor of the motion please signify by saying aye; all those opposed same sign. Can we have a show of hands, please? All those in favor of approving the motion on the board, please raise your hand.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six, seven, eight, nine, ten, eleven.

CHAIRMAN ANSON: All those opposed raise your hand.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five.

CHAIRMAN ANSON: That was eleven to five and motion carries.

EXECUTIVE DIRECTOR GREGORY: Just to inform the council, my plan for moving forward is to convene our advisory panel with the same information and see what suggestions they may have for addressing this dilemma and then take those suggestions to the SSC for their review. I imagine the South Atlantic Council will probably do something similar, but I haven’t really coordinated with them on anything.

CHAIRMAN ANSON: Thank you. That concludes the committee reports that were available and we are actually just --

EXECUTIVE DIRECTOR GREGORY: We’ve got more available. Data is available.

CHAIRMAN ANSON: Data Collection and, Mr. Pearce, would you be available to do that?

MR. PEARCE: Yes, let me get set up quick and I will have it.

CHAIRMAN ANSON: Mr. Pearce is getting to the report.

DATA COLLECTION COMMITTEE

MR. PEARCE: Yes, I’m getting there. All right. Data Collection was called to order and the committee reviewed the charterboat reporting discussion paper, Tab F, Number 4,
including the current range management alternatives for three proposed actions.

Action 1 considers modifying for reporting requirements for federally-permitted charterboats. The committee modified the wording of the action alternatives concerning reporting software.

The rationale is to incorporate guidance from the Technical Subcommittee report that recommended guidelines for software be established and certified by NMFS, thus allowing flexibility in the software and devices used to submit fisheries data.

The committee recommends, and I so move, to change the language in the document that reads “via computer or internet” to “via National Marine Fisheries Service approved electronic logbook devices”.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion?

MR. FISCHER: Yes, Mr. Chair. Just I guess it’s the necessity of term, but could you -- I just wanted to discuss, just a brief second, removing the term “logbook” on “via National Marine Fisheries Service approved device” and what’s the dilemma? I have an iPad and if it has the correct app, is that a logbook device or is it just an electronic device? I know it’s picky and maybe I’m the only one that sees it that way.

CHAIRMAN ANSON: Mr. Pearce, do you have a comment?

MR. PEARCE: I just think that before we get too deeply into this that we need to make sure that the devices actually do the jobs they’re supposed to do and not just pull one out of your pocket and maybe it works. I think that we have to have some oversight as to the devices that we’re going to use for the electronic reporting. It’s not about a specific one. Anything that will do that job is important, as long as it does the correct job.

DR. PONWITH: I agree with Mr. Pearce in terms of the intent. The intent is to make sure that however this is being done that it’s done in the right way. The technical aspects of this haven’t been set in stone yet and so what that means is you want it to be correct, but you don’t want to handcuff yourself.

I am wondering if it would be advisable to consider changing that wording to say “via approved hardware or software”, because
you may have a software that is completely immune to what type of hardware you use to send that information or you may have very prescribed hardware that does that job for you that deals with the thing that Mr. Pearce raised and that is you want it to be something that’s approved and not just showing up in a gunny sack. I am wondering if you change that to “approved hardware or software”, it gives you the flexibility. The key word here is “approved”.

MR. PEARCE: Those are good comments and what is the pleasure of the council?

CHAIRMAN ANSON: We probably need a substitute motion, Mr. Fischer.

MR. PEARCE: I think we would.

MR. FISCHER: Thank you, Mr. Chair. After listening to Bonnie’s comments and that’s the whole point, is not to get handcuffed at this stage by specifying electronic logbooks and so if we could craft it to say via National Marine Fisheries Service approved --- I am not sure of the verbiage, but hardware or software devices. I don’t recall what she stated, but I was in agreement with it.

CHAIRMAN ANSON: I think it was just “approved hardware or software”. It could be “and/or software”, to help cover the full gamut of potential possibilities. Mr. Fischer, is that your substitute motion? Does that capture it?

MR. FISCHER: Sure.

CHAIRMAN ANSON: All right. We have a substitute motion and is there a second? Ms. Bademan seconds. Any discussion on the motion? Any objection to the motion? Seeing none, the motion carries. It appears that the other reports are still being worked on.

MR. PEARCE: I am not done yet.

CHAIRMAN ANSON: Sorry, Mr. Pearce.

MR. PEARCE: This concludes my report, but the one thing I wanted to say is I wanted to -- I wanted to say something before I finished here. That’s our report, but I am hoping that we can direct staff to begin the ELB discussion document for the scoping, so we can keep moving this thing down the road. That’s the only thing I had to say as the Chairman of the Data
Collection Committee. I want to make sure that this thing keeps moving, so we can get it going.

CHAIRMAN ANSON: Doug tells me he hears your words of encouragement and so they will put that on their list of things to do.

MR. PEARCE: Now that concludes my report.

CHAIRMAN ANSON: Thank you, sir. We do have a few minutes left before our scheduled break and so if we can take care of some of the Other Business items that were brought up and so, Doug, you have inclusion of state directors’ reports.

OTHER BUSINESS
DISCUSSION OF STATE DIRECTORS’ REPORTS

EXECUTIVE DIRECTOR GREGORY: A number of years ago we had on the agenda, at the end of the agenda, verbal reports from each of the state directors. Over time, that was changed to written reports, because of our agenda growing in size and length, but lately not all the states are providing written reports and so I would like to consider doing away with that requirement or, if the council wants to keep that requirement, then we will be more diligent in reminding each of the state directors to provide their written reports before each council meeting.

I would like some guidance as to how we want to handle providing reports to the council at each council meeting from the state and National Marine Fisheries Service directors.

CHAIRMAN ANSON: My two-cents, representing our state director, is they can be a challenge to compile and bring forth and oftentimes Alabama doesn’t provide a report and so I think we would look favorably upon not having the requirement or the expectation, at least, that the report is to be submitted.

MS. BADEMAN: I would agree with that. We also do not submit a report. If there is something going on in a committee, there is something relative at the state level that should be discussed in a committee, I am happy to bring that up, you know seasons and that kind of thing. There is also other forums for those state reports, Gulf States, where a lot of these side issues are discussed and so I would be supportive of just taking that out.

MR. PERRET: If state directors had a permit, they are not renewing their permit every meeting?
MR. DIAZ: We do submit a report. I don’t think we’ve missed a time. I could be corrected about that, but it does take a fair amount of staff time. Somebody has got to coordinate it and all of the bureau directors have to participate or assign somebody to write their section of the report and I have always been a proponent of if there’s something that we’re not using, why go through all the trouble to generate it?

I think that’s kind of where we’re at now. We are going through it to meet the obligation, but it’s really not being used and so I don’t know that where we’re at now it’s providing any benefit to the council and so I would be in favor of doing away with the reports, because of the way they’ve been used recently. Thank you.

MR. WILLIAMS: Mr. Chairman, I would move that we do away with the requirement for state directors’ reports.

CHAIRMAN ANSON: There is a motion and is there a second to the motion?

MR. PEARCE: Second.

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

DR. CRABTREE: I assume in addition to state directors’ reports that the Regional Administrator’s report is also done away with if this passes, because I always send one in.

CHAIRMAN ANSON: The motion, as I see it, says state directors’ reports. I guess if one wanted to get picky, that would exclude the federal agency.

DR. CRABTREE: I think if we’ve got to send a report that they should send a report.

MR. WILLIAMS: Why don’t we just strike the word “state” and just make it “directors’ reports”?

DR. CRABTREE: An excellent idea.

MR. PERRET: Well, I may have a -- You know, Roy, you and I had to write reports every month in the old days. It was a monthly meeting and we old guys were able to do that, but I agree with the motion.

CHAIRMAN ANSON: Any further discussion on the motion? Any
objection to the motion? The motion carries.

**DISCUSSION OF JUNE COUNCIL MEETING DRESS CODE**

We have got one minute and so that would take the other item under Other Business of dress code and I won’t need the full minute either, but everyone -- As everyone knows, we are going to Key West in June. Key West in June is a little on the warm side and to blend in more with the locals, if we wear our fancy clothes, we might stick out a little bit more than we currently do and so I am going to waive the requirement for the jacket for the men and business attire and more formal attire for the women and so we won’t have to worry about packing those clothes.

**MR. PERRET:** If Camp violates it, we are going to fine him.

**EXECUTIVE DIRECTOR GREGORY:** I wouldn’t go so far as to suggest just Hawaiian shirts, Havaianas, and Bermuda shorts.

**CHAIRMAN ANSON:** Seeing that I like to wear my Hawaiian shorts, particularly in Key West, I mean my Hawaiian shirts, I will say the shirts would probably be okay, but the shorts -- I do draw the line at the shorts. Wear long pants. No other business was on the agenda and we are at the break and so we will go ahead and take our full scheduled break and I will see everyone back at one o’clock. Thank you.

(Whereupon, the meeting recessed at 11:30 a.m., April 1, 2015.)

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April 1, 2015

WEDNESDAY AFTERNOON SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Golden Nugget Casino Hotel, Biloxi, Mississippi, Wednesday afternoon, April 1, 2015, and was called to order at 1:00 p.m. by Chairman Kevin Anson.

**PRESENTATIONS**

**MANDATORY SAFETY EXAMS FOR ALL COMMERCIAL FISHING VESSELS**

**MR. BOB PERKINS:** Good afternoon. My name is Bob Perkins and I am the Uninspected Vessel Coordinator for the 8th Coast Guard District in New Orleans. I came by today to -- This is about
the third time now I guess I’ve addressed the council and to
give you an update of where we’re at with the 2010 Authorization
Act. While it doesn’t have a lot to do with the council
directly, it has everything to do with all of the people that
you represent.

That said, the Coast Guard Authorization Act of 2010 brought in
some very significant changes to the fishing industry and there
were a couple of updates, one on the Maritime Transportation Act
of 2012 and again in 2014, where it changed some things.

What did the law do? Well, the law changed Section 604 or
Section 604 of the 2010 Authorization Act made numerous changes
to Chapter 45 and 46 of the USC, which is the chapters that
directly affect commercial fishing vessels.

The major items that were impacted here, the boundary line in
the Gulf of Mexico and everywhere in the United States is going
to move to three miles for safety purposes only and so any
vessel transiting seaward of three miles will have to meet all
of the requirements or any vessel fishing beyond the boundary
line.

Parity of vessels, state-registered and documented vessels are
going to be treated exactly the same. It doesn’t matter if
you’re state-registered and documented, but all of the rules are
now going to apply to them equally.

Probably one of the biggest changes for everybody is going to be
an out-of-the-water survival craft. Every vessel is going to be
required, by next February, to have a survival craft that will
keep everyone onboard that vessel out of the water. What that’s
going to do is do away with the shark feeders that everybody has
been using for years. Those are gone. They are no longer going
to be authorized. You are going to have to have an IBA or a
life raft that will take every person on the boat and put them
out of the water.

You are going to have to record your drills and inspections on
the vessel and mandatory inspections or mandatory examinations
of vessels is coming back on October 15 of 2015. All vessels
operating seaward of three miles after that date must have a
Coast Guard exam on the boat.

This next item is a little bit more up in the air at the moment,
but there is mandatory training for all operators of vessels.
Every captain who operates a boat seaward of three miles is
going to have to have some type of training dealing with
navigation, ship handling, stability, damage control, first aid, firefighting, and they are going to have to be able to demonstrate their ability to perform those tasks.

Construction standards for smaller vessels, this has been in effect since 1 January of 2010 and I think we’re all aware of that. Those standards are that any vessel less than fifty feet, as of January of 2010, had to be built to rec boat standards. That is a very straightforward kind of item and I don’t think there’s a lot of discussion. Load line requirements for vessels greater than seventy-nine feet --

CHAIRMAN ANSON: Mr. Perkins, hold on. Yes, Dr. Dana.

DR. DANA: Thank you, Chairman Anson, and forgive me for interrupting. When you said that the captains going further than three miles out would be required to go through set training, is that for commercial only, commercial vessels, or would that be charter for-hire or can you --

MR. PERKINS: Charter for-hire, they already have to have licensed captains onboard and so those guys, we have already covered them. Commercial fishing vessels do not have to have a licensed captain onboard.

What this is going to do is it’s going to require a certain level of skill to be demonstrated on the part of any fishing boat captain, commercial vessel. Not recreational. This has nothing to do with recreational, but strictly commercial fishing vessels.

All vessels greater than seventy-nine feet are going to have to have a load line. Load lines are going to have to be maintained on the vessel. Any vessel that is fifty feet or longer that is built after July of 2013 is going to have to be classed. I think everybody is aware of that and aware of the impact that that has on the industry and there is some concerns about that, but that is the law and that’s the way it reads at the moment.

Alternate Safety Compliance Program, any vessel -- By 2017, the Coast Guard is required to have an Alternate Compliance Safety Program in place. By 2020, we have to start implementing that program.

Any vessel built before 1995, when 2020 rolls around, is going to have to come into compliance with the Alternate Compliance Safety Program. We have not written all the parts of that yet and we don’t know exactly how that’s going to be implemented,
but it’s being worked on and some of the initial steps of that are at the Department of Homeland Security already.

MS. BOSARGE: As you all are working on that Alternate Safety Compliance Program for some of these older vessels, is it something that’s essentially just Coast Guard, as far as the working group that’s doing this, or is there any industry involvement at all?

MR. PERKINS: There is involvement from the Commercial Fishing Vessel Safety Program, the --

MS. BOSARGE: Is it AMSEA?

MR. PERKINS: No, not AMSEA, the Fishing Vessel Safety Advisory Committee. They are involved with the training aspect of this and they’re involved with the Alternate Compliance Safety Program. Now, we do have an up and running Alternate Compliance Safety Program that we use for the head and gut fleet in Alaska and that is what the new program is going to be based off of, is that.

Basically, the Coast Guard is going to be inspecting the vessels to make sure that they are seaworthy and they have the basic essentials and they’re in good working order to be going out to sea.

MS. BOSARGE: So that smaller group you’re talking about has some industry people on it, essentially?

MR. PERKINS: Yes. The Coast Guard does intend to issue interim rules. I do not know exactly when those are going to be in place. Now, there are some items, like the life raft mandatory exams, that don’t require any public comment period and there is not necessarily going to be any public comment period.

They are going to be implemented without public comment. Now, the other items, where we’re talking about the training for the captains and we’re talking about the material condition of the boats, those items will be put out for public comment before we go to a final rule with those.

There is a lot of time and effort and this is not going to happen overnight. It’s very cumbersome to get this through. Homeland Security, which I’m sure all of you are aware of how long it takes to get things through agencies in D.C.

The next page, we’re just going over the dates that I’ve already
given you for the Alternate Compliance Safety Program. Owners of fleets of thirty vessels or more are going to have until January 1 of 2030 to come into compliance instead of January 1 of 2020. I am not sure that’s going to affect a whole lot of people in the Gulf of Mexico. I am not sure there’s too many fleet owners that own in excess of thirty vessels.

Going ahead, instead a two-year decal on boats, we are going to have a five-year cycle on the vessels. That five-year cycle is going to basically be you’re going to have to have two exams within a five-year period and so that break point in the middle may be a two or a three-year period, but within five years, you’re going to have to have two exams on your boat.

Instead of just a mandatory exam, we are going to issue a certificate of compliance, which is similar to, but it’s not the same, as a certificate of inspection that we do on inspected vessels. Basically, it will do the same thing, where it’s going to list all of the equipment that’s onboard and the dates that that equipment was serviced. It’s all going to be included in the exam form that we’re tracking. I have talked about the life rafts already and I have pretty much covered all that.

LCDR BRAND: Bob, one question. If you have a certificate of inspection, carrying observers and such, does that supersede the certificate of compliance?

MR. PERKINS: If you’re talking about a dual-permitted boat, it would have to have both. If it’s a boat that carries passengers for hire and commercially fishes, it would --

LCDR BRAND: No, just commercial and they have a COI.

MR. PERKINS: If you have a COI on a -- Okay. Then that is sufficient. I can’t think of anything that would be on a COC that would not be on your COI already. If there is something that’s not on your COI that you’re required to have -- I didn’t know we had any commercial fishing vessels that were inspected vessels. Dual-permitted boats, yes. That’s what I said, but a dual-permitted boat, you have to meet the greater standard based on what you’re doing.

LCDR BRAND: Okay. I guess this is a little bit different. It’s an inspection sticker for our observer program?

MR. PERKINS: We have to -- Any vessel carrying an observer has to have a current exam on it and so we have to do an exam. The observer program requires to have a current exam on the boat
prior to taking an observer onboard.

As far as built, apparently there’s been a little confusion about when a vessel is considered to be built, when we gave an on or before date. The vessel has to have had a keel laid or be in a similar stage of construction where it is actually that vessel.

A contract has been let and money has exchanged hands and steel has been cut and it can’t just be a shipyard that has a hunk of steel laying there with a number on it and this is Hull 12345 and they are going, well, we are building these and basically waiting for somebody to come buy them. If they have got a keel laying in their yard, that does not count as a vessel and that vessel will have to be classed.

There seems to be some confusion about where we’re at, but basically every vessel right now has to be either built to recreational standards or classed if it’s being built at this time, unless the keel was laid or a contract was let before July of 2013. I am not sure we have any. We have checked the yards and I don’t think we have any vessels that are in that condition, but if someone does or has that issue, then you need to talk to the Coast Guard directly and we will try to resolve it for you.

If you are building one in your backyard or you know somebody that’s building one in their backyard, the Boat Builder’s Handbook or the American Boat and Yacht Council has a handbook that will tell you what the recreational vessel rules are. Quite honestly, they are not that stringent and they should be very easy to comply with and it shouldn’t be a big deal.

I think we’re just basically rehashing things that we’ve talked about and other changes of interest that are coming into line, I can’t see the slide well enough, because it’s not big enough, but I think that’s the right slide there. It is.

Okay. EPA has a requirement for a pollution plan for vessels. That has been put off until 2017 and the Coast Guard is not at this time enforcing that. It’s not an issue for any vessels. The moratorium was extended until December 18 of 2017.

The next item that’s going to be of interest to everyone is AIS, Automatic Identification System. Any vessel sixty-five feet in length or greater, as of next March 1, will be required to have an AIS on it. We are not talking about a VHF radio that just has an AIS receiver in it. This will have to have a transmitter and receiver.
It can still be a B unit and not an A unit, but it has to have both of those functions within the radio that transmits the name of your vessel, your position, your course and speed, and it’s visible by the vessels around you.

It’s a safety issue and it’s to avoid collisions at sea. That’s the purpose in having it on the boat. There is no fishing vessel that’s going to be required to have an A unit except for the pogy boats. That’s the only one.

Now, the charter boats, passenger vessels, that’s going to be a different issue and some of those guys are going to have some issues to deal with. If you’re running in a VTS area or the vessel exceeds fourteen knots, those vessels are going to have to have an A unit in it, which is more costly, but it transmits a lot more data.

Notice of arrival will not apply to any of the fishing boats in the Gulf of Mexico, with the exception of the pogy fleet. The pogy boats, we’re already working with them directly to deal with the notice of arrival requirement.

If your vessel -- Technically, if your vessel is coming from a foreign port, and I don’t know of many of our fishing boats that transit to foreign ports on voyages, you would be required a notice of arrival, but I don’t think that’s a major issue for anyone in the Gulf, not that I’m aware of anyway.

Points of contact at headquarters are myself or, if you have issue with classing a vessel, the class desk up in headquarters. If you have any questions, I would be more than happy to do the best I can to answer them for you.

CHAIRMAN ANSON: Bob, are you going to be around?

MR. PERKINS: I will be around until tomorrow.

CHAIRMAN ANSON: Until tomorrow? Okay, great. I have a question for you and I will get with you. It’s non-related to this topic.

MR. PEARCE: Thank you for your presentation. It was great. Now, you are real early in this process right now and there’s a long way to go before this is finalized?

MR. PERKINS: We have been working on this since 2010 and so are we real early in the process? I don’t know. How long does it
take sometimes to get rules about fish changed? So we have had pieces of paper, documents, forwarded to Homeland Security that have gone into the building and have not come back out and then changes in other authorization acts have changed that and so they came back out at that point.

We have resubmitted them. It’s a work in progress and I can’t tell you when it will really happen, but I can tell you that exams and the life rafts and the AIS are on the horizon and they are coming.

MR. PEARCE: 2010, that’s early in council years, that’s for sure.

DR. DANA: Thank you for the presentation, Bob. Back to the automatic identification system. You noted that on the Class A portion, which would be required for charter boats going faster than fourteen knots, that the cost would be higher than Class B and I am seeing that it really is. It’s $3,200 and is there any program in place that helps the individual vessel owners to offset that cost?

MR. PERKINS: Not that I am aware of. I wish I had a better answer, but I don’t. Not that I’m aware of. I know of no program to help offset those costs for the vessel owners.

MR. GREENE: Thank you, Mr. Perkins. The designation of sixty-five foot and greater is based off of documentation?

MR. PERKINS: Length overall.

MR. GREENE: Length overall, okay, but if it’s documented at a specific length, that is whatever it reads on your documentation is correct -- There are a lot of guys in the audience here that have probably got the same question and I’ve got a couple others to follow up with, but --

MR. PERKINS: Length overall can vary from the documented length of the vessel, but the builder’s certificate should give a length overall of the vessel and if that length overall puts you under sixty-five feet and you are documented length puts you at sixty-five feet, length overall is what we’re going by.

MR. GREENE: Okay. Next question. If you are a dually-permitted certificate of inspection vessel, does that trump the new commercial fishing regulations or do you have to meet both requirements or how does that work?
MR. PERKINS: Depending on what you’re actively doing at the time, you have to meet the requirements of that vessel.

MR. GREENE: Okay. The reason I ask is about the life float compared to a life raft that we talked about earlier with it being out of the water. If I own a certificate of inspection vessel, which I do, and I wanted to go commercial fishing, do I have to purchase the life float at this time to adhere to that regulation, being that the Coast Guard recognizes the COI?

I mean we’ve got two conflicting regulations. The commercial fishing regulations say we’ve got to have a float to keep us out of the water, but the Coast Guard COI regulation hasn’t changed at this point, to my understanding.

MR. PERKINS: Correct and if you are taking the boat out to go commercially fishing after next February, you are going to have a life raft or an IBA onboard. If you are taking it out to haul passengers and your certificate of inspection says you can get away with a float, you can take your raft off and go with a float, but when you are commercially fishing, you have to have a raft on that boat that keeps everybody out of the water.

MR. BOYD: Mr. Greene asked my question, but let me ask it in a little bit different way, so I’m sure I understand. You do not have to comply with the more stringent regulation if you’re a dual-permitted vessel, is that correct?

MR. PERKINS: You have to comply with the regulations for the vessel for the activity that you’re involved in. If you’re commercially fishing, you have to meet those requirements. If you’re hauling passengers for hire, you have to meet those requirements.

MS. BOSARGE: Just remind us again, because you know -- On our vessels, we have a lot of this already and now, there are going to be some new things that are going to affect us, but we have the out-of-the-water life raft, the Solas A rafts. We have AIS on a lot of our boats and VMS and electronic logbooks and the list goes on and on, but what brought all of this about? Obviously it must have been a safety concern, but what are the statistics that we’re looking at?

I know the fishing industry is a dangerous industry and it’s a little different depending on where you’re doing it. It’s a little different in Alaska than it is in the Gulf of Mexico. In Alaska, you have a lot more people on the boats and so if it goes down, you’re looking at maybe ten or fifteen lives, whereas
in the Gulf of Mexico, we have a lot of man overboard one-man incidents and things like that, but what brought it about, so that we know why this is important?

MR. PERKINS: Where exactly it came from -- I have some idea, but I really am not well versed enough to speak to it, but in 2010 a Senator tacked on to the Coast Guard’s authorization act for that year, the money bill that authorizes our money, that this and some other items -- Why they felt it was necessary at the time to do it, I am not sure. I can’t give you a good answer to that, but I do know that at that point in time they felt it was necessary to take all these steps to make fishing safer.

Actually, fishing is the number two most dangerous industry in the U.S. now. Number one is logging. We have fallen to second place and so we’re doing something right, but as far as districts go or areas to fish, there are more people lost in the Gulf of Mexico than there are in Alaska or in the Northeast or in the Northwest, traditionally. For a couple of years, the Northeast was the deadliest place to fish, but they had some major accidents and lost a couple of boats.

On a year-in-year-out type of basis, the Gulf is more dangerous, but it’s because we have so many more boats out there fishing than anybody else does. Out beyond three miles, we only have somewhere in the neighborhood of 1,500 vessels out there, but if you go to the inshore boats, the guys who are working inside of three miles, there is 20,000-plus boats running around in there commercially fishing, the bay boats. It’s a dangerous place.

MS. BOSARGE: Thank you and we do appreciate it. The only difference I think, just right offhand, and I may not -- Maybe the COI boats already have this, but the only thing I can think of that might not be required on a COI that may be required under the commercial inspection is to have that certified fishing vessel safety drill conductor onboard to do the drills. You have to be certified to do the drills and so I don’t know that that would probably apply to a COI boat. That might be the only extra thing that they would have to do, is get that class and do their drills.

If you would just please keep in mind, when you get to these boats that are twenty-five years and older and greater than seventy-nine feet, that’s essentially our fleet and so I know there’s a lot of variables and you are still working with that, but I would encourage you to please cooperate with the industry. The shrimp industry especially will be affected by this and Lord
knows we’ve got enough going against us that if we can work together and collaborate to try and make our industry safer, we would love to do that.

MR. PERKINS: One thing that I would add to that is if you have boats that are over seventy-nine feet and old, a lot of those boats don’t have stability books. If you don’t have a stability book for your boat, you may want to start working on that and make that a priority, because there is going to be a rush for those at some point in time. They’re already supposed to have them. Every boat over seventy-nine feet should have a stability book, but we all know that a lot of those were lost.

CHAIRMAN ANSON: All right. Mr. Perkins, thank you very much for the presentation.

MR. PERKINS: Thank you for your time.

CHAIRMAN ANSON: Just a reminder to council members or I will tell you that if we can save our questions for the very end, I think it helps the presenter and makes it a little bit more of an easier flow. Next would be Notice of Intent for a Draft EIS for Expansion of Flower Garden Banks National Marine Sanctuary, Tab A, Number 8, and Mr. G.P. Schmahl. Mr. Schmahl, welcome.

NOTICE OF INTENT FOR A DRAFT EIS FOR EXPANSION OF FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

MR. G.P. SCHMAHL: Thank you very much. My name is G.P. Schmahl and I’m the Superintendent of the Flower Garden Banks National Marine Sanctuary and I appreciate the opportunity to tell you about what’s going on with the proposal that we have out on the street right now.

On February 3 of this year, NOAA published a Notice of Intent to develop a draft environmental impact statement to consider the potential expansion of the Flower Garden Banks National Marine Sanctuary and the public scoping portion of this Notice of Intent is open right now through next week, through April 6.

Within that time, we have held three public meetings, one in New Orleans, one in Houston, and one in our offices in Galveston. We are approaching the end of the public scoping period for this proposal, but I wanted to kind of tell you where we are and how we got here.

First of all, I wanted to remind everyone that the Flower Garden Banks National Marine Sanctuary is a part of a system of
National Marine Sanctuaries around the United States. There is thirteen National Marine Sanctuaries and one Marine National Monument that is administered by NOAA in this program.

The Flower Garden Banks is the only National Marine Sanctuary in the Gulf of Mexico. It is located about a hundred miles due south of the Texas/Louisiana border right at the edge of the continental shelf and it consists of three separate areas, the East Flower Garden Bank, West Flower Garden Bank, and Stetson Bank.

The Flower Garden Banks National Marine Sanctuary was designated in 1992 for the East and West Flower Garden Banks and Stetson Bank was added in 1996. The most important reason why it was designated as a National Marine Sanctuary was because of an incredibly healthy and flourishing coral reef that occurs at the East and West Flower Garden Banks.

It is, surprisingly perhaps, one of the least impacted and one of the healthiest coral reefs in the entire Caribbean and western Atlantic region, with upwards of 50 percent living coral cover. This is a higher percentage of living coral cover than pretty much anywhere in -- Definitely anywhere in the jurisdiction of the U.S. waters and rivals the most flourishing coral reefs anywhere in the Caribbean.

Within the National Marine Sanctuary, as it exists now, several things. I just want to go over the existing regulations first of all, especially as it relates to fishing.

Anchoring is prohibited within the sanctuary, all anchoring of any sort. We do provide mooring buoys in the shallow portions of the sanctuary, especially in the coral reef cap area of the East and West and Stetson Banks, but vessels over a hundred feet are not allowed to use the mooring buoys, because of potential damage to that infrastructure.

Most discharges are prohibited within the sanctuary, with certain exceptions. Discharges related to approved marine sanitation devices are allowed and, as I will mention in a moment, certain types of fishing are allowed and chumming, discharge of chum materials, within the sanctuary is allowed as well if it’s in relation to an allowed gear type.

The pretty much taking of any bottom feature or any tropical fish or invertebrate is prohibited and that includes spiny lobster and conch, but fishing by hook and line is allowed in the sanctuary.
We have a definition for what’s known as conventional hook and line gear and this includes -- It includes essentially electric reels and it includes bandit rigs. Those are an allowed gear type within the sanctuary.

Pretty much all other forms of gear is not allowed, including spearfishing. In fact, the way our regulations are written, possession of unauthorized gear is essentially not allowed. If you have that kind of gear, you can be in the sanctuary, but you have to be moving through without interruption.

Beginning about in 2006, we started a process to look at our management plan. All National Marine Sanctuaries are governed by a management plan and we are required to review those plans at frequent intervals.

We started a process to look at our existing plan and through that process, one idea that came up consistently was that the sanctuary should consider expansion and should consider some of other reefs and banks in the northwestern Gulf of Mexico to be included in the National Marine Sanctuary Program.

In fact, it served as a component of our revised management plan, which you see here and it was published in April of 2012. One of six action plans is a sanctuary expansion action plan and it essentially says that we should evaluate and expand, as appropriate, to a network of reefs and banks in the area of the Flower Garden Banks and there is actually a recommended expansion map in our management plan that was developed by our Sanchez Advisory Council. This map is shown here.

Now, this is the East and West Flower Garden Bank right there in red and the areas that are designated around the East and West Flower Garden Banks and to the east of the Flower Garden Banks are the areas that were recommended by our advisory council for potential expansion.

If that recommendation was adopted, it would increase the size of the sanctuary from the current fifty-six square nautical miles to about 280 square miles.

I wanted to -- First of all, the advisory council that we have and all National Marine Sanctuaries do have advisory councils associated with them and we have one that includes two representatives from eight constituent groups that we feel are the most involved and most affected by actions within the sanctuary, including recreational diving, diving operations, the
oil and gas industry, recreational and commercial fishing, education, research, and conservation. We also have a number of agency non-voting members that sit on our council as well.

The area that we are looking at is -- I think most of you know this, but along the edge of the continental shelf drop-off in the northwestern Gulf of Mexico, there are a whole series of reefs and banks that punctuate the seafloor right before it drops off into the deep part of the Gulf.

The Flower Garden Banks and Stetson Bank are just three of over -- There is dozens of them. In this particular map, there is twenty-eight or thirty that have been identified and named as prominent features and all of which have been researched quite heavily over the years and are known to be very important, very biologically significant, and very productive in terms of fishery habitat in this portion of the Gulf.

Some of these should be very familiar to this council in the process of the essential fish habitat work that was done a number of years ago. A number of these areas were identified as habitat areas of particular concern and this is the western portion of that area and, of course, the Flower Garden Banks were already designated as HAPCs, but a number of other areas were also designated.

The important ones, in terms of regulations, are the ones that are designated as coral HAPCs and the East and West Flower Garden Banks and Stetson Bank are coral HAPCs and there was one added at this time known as McGrail Bank to the east of the Flower Garden Banks and that’s shown on this map as well. Many of these areas have been looked at by the council in the past as important areas for fishery habitat.

We have done a lot of work since the early days of exploration in these areas and we have been able to map in quite some detail, using multibeam bathymetry, a number of those areas and the areas in color are ones that we have mapped since 2001 to investigate the biological and geological features associated with these areas.

We have used ROV primarily, because most of these areas are too deep for scuba diving depths. They are on the order from fifty meters down to 200 meters or so in depth. Through that process, we have been able to characterize many of these areas and identify the habitats that are important within many of the areas associated with these reefs and banks.
The Flower Garden Banks, as I mentioned, contains what is known as a true coral reef, ahermatipic coral reef, the hard corals that you’re familiar with in many parts of the Caribbean, and there are some of these areas that are associated with the areas that we are looking at for expansion as well.

McGrail Bank that I mentioned is actually quite high in coral cover and has over 20 percent living coral cover at McGrail Bank. Some of other banks, like Bright Bank and Sonnier Bank, also contain true coral reef communities, but most of the areas that we are looking at are not these shallow-water coral reefs, but are characterized more by the deep water and mesophotic coral communities that are found deeper than fifty meters.

These are characterized by black coral and by gorgonians and other types of soft corals and by sponges, crinoids and these types of organisms, but also are very important as fishery habitat as well.

When our advisory council looked at these range of banks that occur mostly to the east of the Flower Garden Banks, we conducted a process where we identified a number of criteria categories, including the type of biological communities that we knew about from our investigations. We looked specifically at connectivity issues, both structural and biological connectivity.

We looked at potential threats, or perceived threats, in many of these areas and to gauge the public and scientific interest in many of these areas and what we did was put together a matrix of information based on those categories and came up with a ranking system of what we felt were the most important of these features that should be considered in a boundary expansion and that is what essentially led to that advisory council recommendation that is included in our management plan.

We also looked at how would we draw boundaries around these areas, because there is so much activity out there, not only fishing, but certainly this is the most intense development, in terms of oil and gas resources, in the world and there is quite a bit of existing oil and gas infrastructure out there already.

There is a whole host of other activities and regulatory regimes that occur out there and so as we put together potential boundaries, we wanted to minimize impact, as much as possible, with those other activities and essentially what we did was draw pretty tight boundaries around what we considered the core biological features of these areas, with a small buffer zone in
addition to that.

This is just one example from -- This is McGrail Bank and it’s a little bit difficult to see on this, but there is an outer blue line that’s kind of a square here and that is the current HAPC boundary and so the recommended boundary that our advisory council came up with is actually inside the boundary of the current HAPC and it tracks the primary feature itself. The coral reef part of the feature is this part in red, which is the shallowest portion of McGrail Bank.

I wanted just to highlight a couple of these banks to show you what I feel are some issues of why it would benefit to become part of the National Marine Sanctuary Program. This particular one is Bright Bank. It’s located about twelve miles east of the East Flower Garden Bank. It is a feature that has coral on it, shallow-water stony coral on it, but it is not a true coral reef.

It still contains very important biological communities. One of the reasons that the coral reef is not so well developed there anymore is that it was subject to some pretty severe excavation in the 1980s, including some dynamite activity and some large excavation activity that was related to a group that thought there was a treasure galleon associated there at Bright Bank.

This was an interesting one, because what it kind of pointed out to people was there is areas like this that can fall between the cracks in terms of regulations. Even though already at that time coral was already protected by the Gulf Council, but they were not fishing and so it was not a fishing activity and so the Gulf restrictions on taking coral did not apply to this activity.

These were already determined to be no activity zones by the Minerals Management Service and you couldn’t go in there and drill for oil, for example, but they were not drilling for oil. They were drilling for other kinds of treasure and so in this particular case, there was no way to take a formal action against this activity for destruction of coral. At least in my opinion, it shows that the need for a more comprehensive approach to protection of some of these features.

One of the other major threats to these areas is anchoring and the primary anchoring that we’re talking about is by large boats. This is right off the shipping fairway and there are situations where major vessels come on to these shallow areas to anchor and this particular photo is not from this area. It’s
actually from the Dry Tortugas, but it shows you the size of the anchor and chain that’s related to these anchoring incidents.

It does occur out there. This is a situation that occurred at Geyer Bank a few years back, where a very large freighter, about a thousand-foot freighter, was anchored on top of Geyer Bank. We are not able to dive directly on that anchor point, but it could cause some considerable injury.

This is just some shots of Geyer Bank. Geyer Bank, again, is a little bit deep for true coral reef development, but it is an incredible area for other types of benthic communities and very large fish populations are associated there.

Related to fishing, in our recent public meetings we have had engagement by a number of fishermen that have pointed out some concerns about this proposal and they have to do primarily to two major issues and one is anchoring.

As I mentioned, hook and line gear is allowed in the sanctuary and by default, we would think that the new areas would also be subject to the same regulations that occur in the existing sanctuary, but even though the fishing gear is allowed, anchoring would be prohibited and so the ability to anchor in some of these areas is important to some of this fishing activity.

We have committed already to work through our advisory council to get together with the fishing interests that may be affected. We are going to put together a working group and invite the fishermen who have identified this as an issue and sit down with them and see if we can come to some kind of agreement on exactly what kind of fishing activity or anchoring activity would be necessary to allow this fishing to continue.

The other issue that has come up relates to bottom longlines and this is just a map, again, of our recommendation area. This yellow line is a little bit faint on this photo, but this is the fifty-fathom restricted area line that occurs in the western Gulf of Mexico, west of Cape San Blas.

As you can see, all of these features are essentially seaward of that line and so bottom longline and buoy gear is an allowable gear type now. Of course, that type of fishing takes great pains to try to avoid these kind of features, because they lose their gear for one reason, but, at the same time, restrictions that might come into play with the expansion of the sanctuary may affect the bottom longline fishery as well.
Those are the two primary areas that we have identified already related to fishing that have come up in our public scoping process and I wanted to remind you, and I know you have probably worked a little bit with the Florida Keys National Marine Sanctuary already, but the National Marine Sanctuary Act, which governs our activities, of course, does specifically talk about the promulgation of fishing regulations in National Marine Sanctuaries and it does require that we coordinate directly with the appropriate regional fishery management council and actually allow the council the opportunity to prepare the draft regulations for fishing as it relates to the National Marine Sanctuary designation.

As we move forward with this process, we will be working with you directly and at some point, we will need agreement on how to move forward with fishing-related regulations within the sanctuary.

Where do we go from here? Like I mentioned, the Federal Register notice came out in February and the scoping period ends next week and then we will go into a process where we will take the public comment and evaluate and analyze it.

We will, like I mentioned, be working through our advisory council and working groups to identify specific issues and try to come to resolution on those and our target is to come up with a draft environmental impact statement in six to nine months and when this is published, this will be a formal proposal.

It will identify the range of alternatives and a preferred alternative to implement a boundary expansion and so at that point, of course, we will go through another round of public comment and review and, depending on that review, to finalize it in a final environmental impact statement sometime after that. That’s basically what I have today and, again, I appreciate the opportunity to address you today.

CHAIRMAN ANSON: Thank you for the presentation.

MR. PEARCE: Good presentation and a little scary, but a good presentation. On your sanctuary advisory council, who from the recreational or commercial fishing industry in the Gulf is on your advisory council?

MR. SCHMAHL: We have several and, in fact, several are here today. In fact, Scott Hickman is on our council and Shane Cantrell is on our council. Buddy Guindon is on our council and
Mike Jennings, who I saw here, is a former member of our council as well. We also have -- There is four fishing representatives and the other person’s name is Keith Love and he is a very active recreational spear fisherman.

**MR. PEARCE:** You have no one from Louisiana? No one from Louisiana?

**MR. SCHMAHL:** You are correct. No one from Louisiana. That’s right.

**CHAIRMAN ANSON:** So you are starting the process and you’re fairly early on in the process and you made comments to working with the council or at least the council has an opportunity to go ahead and develop some of those proposed regulations relative to fishing.

I haven’t been around the last time it was done for the Flower Gardens Marine Sanctuary and so, Doug, do you have any thoughts on how we might proceed or do you have any thoughts on where we would fit in? You provided the timeline, but will we be getting the analysis or the summary of the scoping document comments and at that time you would suggest we work on it independently with you or your group or are you going to offer some suggestions out of your advisory panel or how is this going to work?

**MR. SCHMAHL:** Yes, the way the law is written, the formal part of the consultation happens at the time of the publication of the draft environmental impact statement, but we would like to work much earlier than that, so there is no surprises or no issues that have not been identified at that time.

We are definitely open to working with the council and the council staff however you think is appropriate. At a minimum, we will be inviting council staff to participate in the working groups that we’re going to be putting together specifically on the fishing issues.

Then I would hope that we could -- As we’re developing the draft EIS, we would be providing those documents to the council, to council staff, and I assume that if Doug thought it was appropriate to bring it to the full council before the DEIS came out, that would be perfectly fine as well.

It’s been handled different ways for sanctuaries throughout the country. Some councils have chosen to a take a very active role in the development of any fishing regulations related to the sanctuary. In other cases, councils have said we’ll step back
from this one and allow the sanctuary program to promulgate those regulations and so it’s been done both ways and so it will kind of depend, I think, on the degree of interest and perhaps controversy related to it.

CHAIRMAN ANSON: Council members, do you have any thoughts on that? Should we just let them work on the process and feed us kind of documents as they develop them or do we want a more engaged, direct interface with them, either through staff or period reviews of those documents that they come forward with? Does anybody have any thoughts on it? I guess, Doug, unless you have some comments, do you want to just let them --

EXECUTIVE DIRECTOR GREGORY: I think what G.P. laid out is an appropriate way. Depending on our work schedule, we would love to cooperate and work with the working groups. I have some experience with the sanctuary program and the process in the Keys and it tends to be more involved sometimes than even our process, but at a minimum, the different draft documents we will bring to the council’s attention, through the Sustainable Fisheries/Ecosystem Committee, as they’re developed. At a minimum, we will do that on an ongoing basis.

CHAIRMAN ANSON: Thank you. Any other questions for Mr. Schmahl? Thank you, sir.

MR. SCHMAHL: Thank you.

CHAIRMAN ANSON: Next we have a Draft Environmental Assessment for Amendment 6 to the Highly Migratory Species FMP, Tab A, Number 9, and Karyl Brewster-Geisz. Karyl, welcome to the council.

DRAFT ENVIRONMENTAL ASSESSMENT FOR AMENDMENT 6 TO THE HIGHLY MIGRATORY SPECIES FMP

MS. KARYL BREWSTER-GEISZ: Thank you, Mr. Chairman. Good afternoon, everyone. As you said, my name is Karyl Brewster-Geisz and I work for the Highly Migratory Species Management Division of NOAA Fisheries.

This amendment has to do with the shark fishery. It’s been a long time coming for this amendment. We have taken comments from a lot of fishermen, states, NGOs, and the various councils and so we really appreciate the opportunity to present what we have proposed.

There are a lot of issues currently facing the shark fishery.
These issues have caused a lot of shark fishermen to leave the shark fishery and so there aren’t as many fishermen as there have been even a few years ago. Some of these include commercial landings that exceed the quota and derby fishing conditions.

The objective of this entire amendment is to try to provide a fishery that fishermen actually want to fish in and make a profit from, but we also need to continue rebuilding overfished stocks, along with preventing overfishing of other shark stocks.

In addition, while we were doing this rulemaking, we had two new stock assessments done through SEDAR-34. One was for bonnethead sharks and the other was the Atlantic sharpnose sharks. During the course of this assessment, it was found that both of these species have two stocks, one in the Atlantic and one in the Gulf of Mexico.

For bonnethead sharks within the Gulf of Mexico, we now have an unknown status and for sharpnose sharks, the stock within the Gulf of Mexico is not overfished and no overfishing is occurring and so we are now taking a look at the small coastal complex and seeing what changes we need to make for the total allowable catch and commercial quotas. On to the alternatives. I am going to try to go through this really fast and so if I’m going too fast, slow me down and if you think I’m going too slow, feel free to let me know and I will try to go faster.

The first set of alternatives we looked at was permit stacking. This is a set of alternatives that the fishermen introduced to us. It would basically mean if you had multiple permits that you would be able to take multiple trip limits.

We decided not to go forward with permit stacking at this time. We felt it would be really beneficial to those fishermen who had multiple permits, but most of the shark fishermen do not have multiple permits.

Instead, we decided to move forward with commercial shark retention limits. The current retention limit is thirty-six large coastal sharks per trip. This was established in 2008 and, at the same time, we established a sandbar commercial quota of 116 metric tons.

This retention limit, the thirty-six large coastal, was established to try to balance the sandbar quota, because we knew that there would be a number of sandbar sharks caught as the fishermen were catching large coastal sharks and so it was a
balancing act.

We are proposing to increase that trip limit to fifty-five large coastal sharks and as part of that balancing act, we are now also proposing to reduce the shark research fishery quota to about seventy-six metric tons. This quota, the research fishery quota, has not been fully utilized in the past few years and so we think this shouldn’t be a bad thing for the research fishery, although the research fishery has provided a tremendous amount of data and has really moved the shark fishery and shark research forward.

The most contentious part of the alternatives that we’re looking at are regional and sub-regional quotas. Right now, the shark fishery has two regions, a Gulf of Mexico region and an Atlantic region.

We are now proposing to separate the Gulf of Mexico region and the Atlantic region into subregions. For the Gulf of Mexico, that means eastern and western. This is something that a lot of fishermen and dealers have wanted for a while, because based on the migration of sharks and based on what the fishermen in certain regions within the region are fishing for, they may not have an open season when sharks are actually in their area.

We are proposing similar things for both the Atlantic and the Gulf of Mexico. I am going to skip through the Atlantic. I just want you to know that there are proposals for the Atlantic as well.

Within the Gulf of Mexico, just for large coastal sharks, we looked at separating this region into two subregions based on either the 88 degree or the 89 degree lines. The landings history started in 2008 and this was when Amendment 2 went into place, when we had the retention limits go into place, fins naturally attached, and so we figure this is a really good place to start the fishery.

We also have quota linkages within the Gulf of Mexico and so the aggregated large coastal and the hammerhead shark quotas are linked. When the quota of one of them is met, we close both of those groups.

This is what we are proposing within the Gulf of Mexico is right at the 89 degree line and I can’t read those numbers and so let me just bring it up here so I can read them for you. You have the blacktip quota and so for the western group, the western subregion, we are proposing about 66 percent of the blacktip
quota would go to that group and 35 percent or so would go to
the eastern Gulf of Mexico. The blacktip shark quota is not
linked to the other quotas. It is a stand-alone quota and so
that’s just what we are proposing.

For the aggregated large coastal in the western, we are
proposing about 43 percent and in the eastern, about 58 percent
of the quota. In the eastern Gulf of Mexico, the aggregated
large coastal shark would be continued to be linked to the
hammerhead shark quota and the hammerhead shark quota in the
western would be zero metric tons and that’s because in recent
years very few hammerheads have been landed and we came out with
a quota of one metric ton.

Rather than try to link it, we decided to essentially prohibit
hammerhead sharks in the western Gulf of Mexico. We have
received a lot of comments on these subregions, both the lines,
the hammerhead quotas and the percentages and we are taking a
very close look at some of the percentages and numbers. We have
had comments that there are a lot more hammerhead sharks taken
in the western Gulf of Mexico than our original data indicated.

We are not proposing subregions for small coastal sharks, but,
as I said before, based on the new assessments, we are coming up
with a number of proposals for the total allowable catch in the
commercial quota.

Alternative D-6 is our preferred. This is using the current
adjusted quota and using that as the proposed quota and so that
would be about 68.3 metric tons.

The last alternative we looked at is modifying the vessel
upgrading restrictions. Currently, anybody with a directed
shark permit needs to meet certain upgrading restrictions before
they can increase the size of their vessel. We are proposing to
remove these upgrading restrictions. We feel the trip limits
are enough of a limitation for the vessels.

The comment period for this ends on April 3. We are hoping to
have this in place this coming summer. We have already held all
the public hearings and you are actually our last group that we
are presenting to and so thank you very much for this
opportunity. This is all the information you need to submit a
comment and then if there are any questions or comments, I will
be happy to take them now.

CHAIRMAN ANSON: Thank you.
MR. DIAZ: Thank you for coming. It was a good presentation. Your Slide 18 that shows the line, I’m sure you got a lot of comments about this in the past and I know you have the curve out to the east and I’m sure that’s to take in the Chandelier Islands, but it seems to me that -- There might be some advantages and disadvantages, depending on how this line is, but if that line started at the South Pass of the Mississippi River and went south, then everything east of the river would be in one zone.

Right now, it’s split into two zones and it’s got this odd-shaped line that goes around the Chandelier Islands and I’ve got to believe there’s probably some law enforcement folks that probably would not like that line. Are you all considering shifting that line a little bit further to the west and taking off from the South Pass of the Mississippi River? Is that one of the options you’re considering and what other negative pros and cons comments have you got related to that line?

MS. BREWSTER-GEISZ: The line is currently based off the reporting areas. The subregions would be based on where the sharks are caught and not necessarily where they are landed and so we are using the same reporting areas that are used in all the trip tickets and the logbooks, which is why there is that curve at the 89 degree line up at the top, because that’s how they are for the reporting.

We have had a lot of comments that we should move it to the 88, which is the other alternative we looked at, or even that we move it farther east. A lot of the concern is that some of the Louisiana fishermen, when they notice that their quota is about to be taken, will go and move over or at least report over the 89 into the eastern Gulf of Mexico area and so those are some of the comments we’ve gotten.

There are not that many fishermen actively fishing in the Mississippi/Alabama area and so we are actively considering moving that line based on the comments we’ve received so far. It’s been a lot of concern both from the State of Louisiana and the State of Florida about that line.

MS. BADEMAN: Hi, Karyl. I was just going to say, for what it’s worth, on the line, that it sounds like a lot of people from Florida support the 88 and I think that’s what we’ll be supporting in our letter that we send to you guys.

MS. BREWSTER-GEISZ: Thank you.
CHAIRMAN ANSON: Any other questions? Thank you, Karyl.

MS. BREWSTER-GEISZ: Thank you.

CHAIRMAN ANSON: We are ahead of schedule and, Doug, Sustainable Fisheries/Ecosystem, who is going to handle that? Who has that? Who chaired that committee? Was it Leann? Leann, are you ready to do the Sustainable Fisheries Committee Report?

COMMITTEE REPORTS (CONTINUED)
SUSTAINABLE FISHERIES/ECOSYSTEM COMMITTEE

MS. BOSARGE: The Sustainable Fisheries/Ecosystem Committee met and the first item discussed Categorical Exclusion for Charter/Headboat Decals. Some council members felt that the council had not provided enough public access to this proposed action.

They stated that they had spoken to charter boat operators who were unaware of the action and were opposed to it. The charter boat operators felt that the decals allowed them to differentiate federally-permitted vessels from non-federally-permitted vessels and that this would allow them to police themselves.

They suggested that, if anything, the decals should be made larger and easier to read. Dr. Crabtree passed around a sample decal for us. He stated that the decals are not legible unless up close and that enforcement is based on the vessel’s permit, not the decal.

Vessels can transfer a federal permit and are supposed to remove the decal, but do not always do so, making the decals unreliable to identify federally-permitted vessels. Because the document was intended to be a categorical exclusion, it did not contain any alternatives and only a proposed action to eliminate the decal requirement.

By a voice vote with one opposed, the committee recommends, and I so move, that the council stop work on the document to eliminate the decals for federally-permitted for-hire vessels.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Any opposition to the motion? The motion carries.

MS. BOSARGE: Next, the committee examined the Draft NOAA Climate Change Strategy. Doug Gregory related that the council received a presentation on the Draft Climate Change Strategy in
January, but did not have the actual draft document to review at that time. The document is in the current briefing book materials and Mr. Gregory gave a brief presentation highlighting the major features of the draft strategy.

One council member asked what NMFS could do about climate change. Mr. Gregory responded that the document was primarily about adapting to changes and did not address any mitigation factors.

Dr. Will Patterson presented the SSC comments and recommendations. He noted that mitigation actions, such as alternative fuels, had been discussed by the SSC and could possibly be added to the document. He noted that in the Gulf climate change is being addressed by incorporation into integrated ecosystem assessments.

Mr. Gregory then reviewed a draft letter to the NMFS Office of Science and Technology commenting on the draft strategy. The recommendations in this letter were based on staff review of the draft strategy and also contained the SSC recommendations.

By a unanimous voice vote, the committee recommends, and I so move, that the council give staff editorial license and approve the draft letter on Climate Change Strategy for submission to the NMFS Office of Science and Technology.

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

MS. BOSARGE: Next, the committee considered proposed revisions to National Standard 1, 3, and 7. Alan Risenhoover gave a presentation outlining the proposed changes to National Standard 1, including changes to National Standards 3 and 7.

Will Patterson reviewed the SSC comments, which focused on the relationship between OY, ACL, and ACT. Steven Atran noted that staff reviewed the redline draft of the proposed changes and had several proposed comments.

The public comment period for the proposed revisions runs through June. Staff will prepare a letter to send to the NMFS Office of Sustainable Fisheries based on staff review, SSC comments, and any council recommendations for review and approval by the council at the June meeting.

Lastly, the committee took up the Ecosystem SSC Report. Steven
Atran summarized the report of the September 19, 2014 meeting of the Ecosystem-Based Fishery Management Working Group. This group was charged with developing suggested goals and objectives and with identifying and prioritizing information needs for ecosystem-based fishery management.

The group’s recommendations were submitted to the Ecosystem SSC. Dr. Wei Wu presented a summary of the February 25, 2015 meeting of the Ecosystem SSC, which focused on the effect of the Madison-Swanson, Steamboat Lumps, and Edges Marine Reserves on gag, red grouper, and other species in the reserves.

Monitoring by FSU researchers found that gag, red grouper, and red snapper were larger inside the reserves than outside the reserves. In addition, commercial CPUE of gag and red snapper declined in a linear rate with increasing distance from the reserves, suggesting a spillover effect that decreased with distance. The Ecosystem SSC had seven recommendations for the council to consider for actions to proceed with ecosystem-based management.

Due to time constraints, the committee did not discuss the Ecosystem SSC’s recommendations. Instead, the acting chair, myself suggested that the Ecosystem SSC report be submitted for review to the new consolidated SSC once that body is formed. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Ms. Bosarge. We are still a little ahead of schedule, but the other committee reports are either not done or it will be helpful to hear from public testimony and so we’re just going to take an extended recess and reconvene at three o’clock sharp. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN ANSON: 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 interests 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 on the council’s website for viewing by council members and the public and will be maintained by the council as part of the permanent record. 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 complete a public comment registration card and give to council staff. We accept only one card 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. With that, Roy Howard, you will be first, followed by Jason Delacruz. Good afternoon, Mr. Howard.

PUBLIC COMMENT

MR. ROY HOWARD: We’ve got it on now. My name is William R. Howard and I represent RFR, the Recreational Fishermen’s Rights, and a small boat and I am a small boat recreational fisherman.

I would like to thank the panel for just listening to me for a few minutes. I have a few comments and a few suggestions and I have run into a lot of problems that you guys have with Congress on trying to get some sense made out of what’s going on and I would hate to be in your position.

All my friends call me Bub and I want you all to look at Bub right now and I want you to understand when you see “recreational” on a piece of paper that you will see me. It’s not just a name. It’s a person. I am blood and bones and I am real old. I am eighty-one years old and I have been fishing the Gulf for red snapper since I was fifteen years old. That’s a long time.

What point we need is a few -- I am going to make a few suggestions that’s going to be hard, because I have already talked to my congressman and a couple other congressmen about how these things are done and the only way it’s going to change, basically, is Congress do it, but speaking for the small boat recreational people, we come down to several facts when we get into them.
One is when you cut the days out, the small boat recreational fishermen are working people. They work five days a week and they have weekends only, basically, about 90 percent, to go out and catch a fish.

Now, if we have one bad weekend, that cuts them down a weekend. That needs to be taken into consideration as to just how many days we can go, but the whole gist of the thing is I read an article made by the Gulf Council and it went into some detail about what was happening in the recreational sector as to why we kept cutting days and cutting days and cutting numbers and cutting days and cutting days.

Finally, at the end of that whole page, it come out and told what the problem was and that paper said that at this time we are catching fish that are twice as large as fish were four to five years ago. There is the whole problem.

We are not catching more fish. We are catching bigger fish and, therefore, we get less when that happens and the whole gist of the entire thing is that we need to change the recreational sector from pounds, which are estimated and they are not correct.

I worked in estimates for too many years and one figure can change an estimate thousands of pounds, just one figure. If you were to figure that fish at twenty pounds we’re catching now, if we come back and said, hey, let’s figure that fish at fifteen pounds, what does that do? That puts you back in the game again.

See, it’s too much commonsense that’s not being applied to what’s happening and I know you guys are regulated to death, like everybody else is, and I know the problems we’ve got for even making any changes at all, but I would like to suggest a few things that you might consider.

CHAIRMAN ANSON: Mr. Howard, you have exceeded your three minutes and if you could wrap it up, please.

MR. HOWARD: Do what? My time is up?

CHAIRMAN ANSON: Yes, sir.

MR. HOWARD: You’ve got to be kidding.

CHAIRMAN ANSON: No, sir. Three minutes and we have a question over here though for you, sir, from Dr. Dana.
MR. HOWARD: You don’t want me to go ahead with my suggestions then?

CHAIRMAN ANSON: Unfortunately, sir --

MR. HOWARD: You didn’t have time to learn who I was.

CHAIRMAN ANSON: You can provide those as written testimony if you would like and provide them to council staff. We have a few questions though for you, okay? Dr. Dana.

MR. HOWARD: Yes, but you’re going to have to talk up. I am old. I am eighty-one years old and I am hard of hearing too and so if you’ve got a question, ask me what you want. What is it? I don’t like the idea of being cut off before I am half through. I ain’t been one minute yet. I mean I’m an old fellow and I think I need a little more consideration than that. I don’t know how many hundred people you’ve got to talk today.

CHAIRMAN ANSON: Dr. Dana, could you ask Mr. Howard some questions?

MR. HOWARD: Who has got a question?

DR. DANA: Mr. Howard, I would like to hear your suggestions, but out of consideration for the Chair, would you lay them out briefly?

CHAIRMAN ANSON: Mr. Howard, could you provide your suggestions very quickly, your points, very quickly?

MR. HOWARD: I didn’t come up to try and make a long speech, Mr. Chairman. I will just leave you guys to your little thing and I will deal with Congress from now on. Thank you.

CHAIRMAN ANSON: Mr. Pearce.

MR. PEARCE: That’s all right.

CHAIRMAN ANSON: Okay. We have Jason Delacruz, followed by Bill Kelly.

MR. JASON DELACRUZ: Good afternoon. Thank you guys very much for having me today and giving me an opportunity to speak. I am going to show that I have been here long enough that now I need glasses. I didn’t when we started this process.
The first couple of things I just want to go through is let’s start with Amendment 28. I am definitely one of the allocation holders of the 70 percent of the people that don’t see this reallocation amendment as a useful amendment. It accomplishes very little and I don’t support it for that fact alone.

I also supply fish to the 97 percent of the consumers out there that actually can’t go catch the fish themselves and I am quite certain they don’t support that on their own. We have seen that too from the Fish for America Campaign and the people that have come here and represented.

Also, it seems a little sketchy in Amendment 28 that we’re working on these recalibration numbers, but yet we hear there is two different versions that we haven’t even explored that we don’t even know what they’re going to come out with and so recalibrating on the very first thing just to get this off our plate so it moves forward, even if it’s not right -- Again, that’s a challenge for me as well.

I think the fundamental -- Most importantly, and I think we just saw a perfect example of that, is this is an extremely challenging issue. The goal with 28 originally was to get a longer season and better access for the recreational fishermen. I am here all the time and so I understand the process. A fellow like that was just up, he doesn’t. He doesn’t have the time. He does this for recreating.

I fall back to the same thing I said in my last public testimony. These people have advocacy groups that they support. Those advocacy groups need to do their job. They need to come up with a solution for these people so that he can go fishing when he wants to, whether it be whatever system it is, but instead of just going down the same course and then trying to reallocate with this amendment that actually accomplishes nothing.

It will not get them what they want. It doesn’t get him another day and it doesn’t get him anything. It gets him a half a day this year and maybe nothing next year and so it’s completely illogical and it doesn’t make any sense to me.

I will talk a little bit about Amendment 36 real quickly. It really doesn’t really need to be done. I mean there is a handful of things that we can do to make that amendment stronger. I mean the red snapper fishery is the best it’s ever been and arguably that’s one of the two top reasons that it’s the way it is, is because we went to an IFQ with that fishery.
We need to respect that and try to do something with it. I mean if you guys really want to do something good for this management plan, push the national office and the Regional Office to move forward with the loan program that we asked for three or four years ago.

We asked for an income -- It was a nationally-backed IFQ loan program and that would solve the new entrants problem. Guys could show that they were useful and that they actually had -- They knew how to catch fish and that they were a viable, bankable scenario and do that. All the instability that this council has offered forward has done nothing but make it completely impossible for a bank to touch you.

Even if a guy, a young man, wanted to get in and he could show it all, you guys have undermined that process and you guys need to come up with a solution to strengthen it so that we can help these young people get in there. My time is up and thank you very much, Kevin.

CHAIRMAN ANSON: Thank you, Jason. Mr. Pearce.

MR. PEARCE: Thank you, Jason. You made a couple of comments that I’m curious about. First off, what alternative in Amendment 28 do you support?

MR. DELACRUZ: Status quo.

MR. PEARCE: Okay and the second thing is in the beginning of your presentation, you threw a 70 percent number out at us and what is that?

MR. DELACRUZ: You have the commercial fishery, which is the 51 percent. Then you have the charter boat fishery, which represents about half of whatever their percentage is of the rest of the recreational fishery. All the charter boat fishermen, all the commercial fishermen, that 70 percent we do not support anything on reallocation. It makes no sense and it solves no problems whatsoever.

MR. PEARCE: Just a quick follow-up. Will we hear from these charter boats that will back up that 70 percent for you today?

MR. DELACRUZ: Absolutely. Absolutely. We have discussed it. Thank you.

MR. BOYD: Jason, you just said that the charter for-hire
industry would not support reallocation. Reallocation to the
recreational industry would give them more fish and why would
they not support that?

MR. DELACRUZ: Because it gives them more fish, but it doesn’t
give them any more time. It’s an illusion. That’s what I have
been saying all along. It doesn’t accomplish anything. You are
doing something basically to be able to say you did it.

Like Eric Brazer said for our organization last public
testimony, you are a solution in search of a problem and that’s
not it. If you want to help him that was up here earlier,
advocate for something that will really change the way you guys
go fish and give him the opportunity to go fish all he wants.

The tag system is the perfect idea and whether it is or not, it
makes sense, because he can go fish when it fits his time. He
does have a full-time job and he does go work and they have
soccer and there is a whole thing there and you need to come up
with a solution for that instead of staying in this bag. Thank
you very much.

CHAIRMAN ANSON: We have Bill Kelly, followed by Gary Bryant.

MR. BILL KELLY: Mr. Chairman and members of the council, Bill
Kelly. I am the Executive Director of the Florida Keys
Commercial Fishermen’s Association. First off, I would like to
applaud you for your motion this morning regarding spiny lobster
and considering developing a language for an ACL transboundary
exemption.

I think the science is there. We’ve seen what’s going on in
that fishery over a long period of time. Those fluctuations
that we saw in the 2000s, primarily due to Mother Nature, in the
form of Hurricanes Katrina, Wilma, and Rita, impacting us in
2005 and beyond with lost gear and so forth have restricted
harvest as well as one of the worst recessions that we’ve ever
encountered in this nation.

We now see an increase in that fishery there and I think we’re
in the right direction here, following the science and the
conclusive evidence and genetic support for external recruitment
and so thank you very much and that’s something that we promoted
and I asked for in my address during Manage our Nation’s
Fisheries III, giving all of you additional management
responsibility and flexibility to develop things like ACL
transboundary exemptions.
Secondly, I would like to talk to you about the CMP Framework regarding kingfish and gillnets. We are looking at one of the most robust and healthy fisheries that we have in the Gulf of Mexico, with virtually zero bycatch. You have seen us be very proactive here in accountability measures and so forth as we try to streamline that fishery and improve profitability and reduce the carbon footprint out there and make things happen in a much more palatable fashion.

We would like to see you retire the latent permits in that industry to support our measures and industry-supported accountability measures, both in-season and post-season.

With regard to these trip limits, an increase to 35,000 pounds would reduce about 50 to 60 percent of our problems with regard to overruns on trip limits and you understand the nature of that, the high-yield fishery that it is, these things happen. There will always be over and under, but it’s how can we best manage them.

The best way to do that would be through a 45,000-pound trip limit that would resolve about 95 percent of our issues there. Also, it would eliminate the possibility of a twenty-four-hour turnaround, as you heard from some of our fishermen.

The accountability can be real time. We have proven that over the past couple of years in reporting to NMFS and so forth and we can continue with that level of dependability. It’s based on -- That fish down at 25 percent of the quota remaining is based on nets in the water and not boats on the scene and we have lead pilots that have been designated with the responsibility of drawing that fishery down.

Two more items here. One, the south Florida regional management, we promoted and asked for that in the Florida Keys, but we were looking to streamline rules and regulations so they would be the same on both sides of the overseas highway for us.

For example, you can harvest red grouper at eighteen inches on the Gulf side and twenty on the South Atlantic, but this has morphed far beyond control here and we really need to get back to the basics of what we’re looking for. We have seen the state suggest they take over control of economically-important species like yellowtail, mutton snapper, black, red, and gag groupers. That is totally inappropriate. They are so vital to our economies. We have suffered a four-year closure on groupers.

**CHAIRMAN ANSON:** Bill, if you can wrap it up.
MR. KELLY: Yes, sir. Ostensibly to protect gag and black groupers, but we are catching less than 1 percent of the gags here. It has created economic hardships and created an actual grouper derby beginning on April 1 of each year and so we have serious concerns there and we also need to voice our strong opposition to the Gulf States five states plan. Thank you.


MR. GARY BRYANT: I am Gary Bryant, owner and operator of Red Eye Charters out of Fort Morgan, Alabama. I will try to cover several topics very quickly. Amberjack, I support thirty-four inches. I would like to see the closure remain in June and July. We need something to fish for in the spring and the fall.

On king mackerel, there is talks of increasing the limit. Personally, I don’t think that would benefit my business. I don’t oppose increasing the limit, but I don’t see any personal benefit at this time to my business.

The headboat pilot collaborative, I would like to see this program continued and I would like to see it expanded into the charter boats and I would like to see it used as a model for the for-hire sector.

Amendment 39, I think Amendment 39 offers a great way to bring flexibility to the private boat owners. I have serious concerns though about the charter industry coming under state management and I would like to tell you my biggest concern. That is that all states have opened non-compliant seasons.

They opened these seasons knowing that they were benefiting their private boat owners at the expense of the non-boat-owning public and the charter boats that take them fishing and so it is my belief that once we’re divided into five pieces that we’re in a much weaker political position as a charter boat industry and we are subject to being picked off one state at a time.

Once one state moves their fish, the bulk of their fish, into the private boat category, we are going to see more political pressure put on the other states and then I think we’re in a position where the charter boat industry could be divided and conquered one state at a time and so I have serious concerns about that. I would have to see that issue addressed before I could support Amendment 39.
Amendment 36, as a charter boat operator, I would like to see the crew size restrictions eliminated on dual-permitted vessels and Amendment 28, reallocation, even though it would benefit me, I do not support taking fish out of an accountable sector and putting it into an unaccountable sector. I think the only reallocation should be between accountable sectors. I appreciate your time.

CHAIRMAN ANSON: Thank you, Gary. We have Ken Haddad, followed by Bob Zales.

MR. KEN HADDAD: Thank you, Mr. Chairman and council members. My name is Ken Haddad and I am here on behalf of the American Sportfishing Association, the trade organization for the sportfishing industry, and I appreciate the opportunity to provide comments.

I am speaking primarily to Amendment 28. We do appreciate that the council added two new alternatives for consideration at the last meeting and we ask that you accept the Reef Fish Committee’s recommended preferred Alternative 9.

You now have compelling evidence, scientifically vetted by the SSC, that concludes a long-term underestimate of the recreational landings and a change in size selectivity. The recalculation of allowable catch based on these data has produced additional quota.

The increase in quota found in Alternative 9 is based on those changes in the recreational sector and not collective changes in the entire fishery. Although it’s already been happening, there is not a real good rationalization that this defined increase in allowable catch should not be invested back into the recreational sector.

For the landings recalibration, this is simply unarguable. The argument that size selectivity is analogous to the generic benefits of management I don’t think is the case. For every pound increase in size selectivity, there has been concurrent reductions in fishing days for the recreational sector.

We are managed by bag limits, size, and season and not by IFQs and so even in the face of increasing stocks because of size selectivity, the fishing days for the recreational sector has been continually and substantially reduced.

We have always argued that the recreational sector is managed under a commercial-driven system and it creates problems in the...
recreational fishery. In essence, the recreational sector has been penalized for substantially and contributing to the increase in stock and, in fact, this very situation has created the additional growth or quota.

I would venture to guess that if size selectivity in the recreational sector went down and required a reduction in quota, the argument would be that that reduction should stay within the recreational sector.

Finally, when considering economic efficiencies, your Appendix G in the Amendment 28 states the following. Now this has to do with economic efficiencies. The economic efficiency and analysis shows that on economic efficiency benefits to the nation could be increased by redistributing some of the commercial -- Quota from the commercial to the recreational sector. In general, the larger the share of quota redistributed to the recreational sector, the greater the benefits to the nation.

This is understandably not the sole component in your decision making, but we ask that you realize that there is an appendix in your document that has an economic efficiency analysis and it needs to be part of your decision. Thank you, Mr. Chairman.

CHAIRMAN ANSON: Thank you, Ken. We have a couple of questions over here, Ken. Mr. Pearce, followed by Mr. Sanchez.

MR. PEARCE: Ken, thanks for your presentation and a couple of questions for you. The first one is that in a lot of the discussions we’ve had -- Would you support the development of a private recreational fisheries management amendment that helps take us away from a derby fishery and maybe figures out a different way to stretch that harvest out?

MR. HADDAD: We believe we need to move to a different management construct. Honestly, under the current structure of Magnuson, I don’t know if that can work, but we are open for discussion on that and moving forward, yes.

MR. PEARCE: That would be good and second, a follow-up, or it’s more of a comment. You mentioned the economic efficiency and I think that same report also said that in order to get reallocated that you still had to get your house in order and you had to be more accountable and so I think there’s both sides of that story.

Again, when it comes to recalibration, I believe that there’s
two sides to the equation and that we have to consider the
 growth and the fresh fish for the consumers in the country too
 that eat at the table and, look, I understand recalibration and
 I’m not against what’s going on, but I think there’s two sides
to that equation and we need to look at that. Thank you, Ken.

MR. HADDAD: Thank you and if I can respond to that second
question, we feel we have got our house in order at great
penalty, which is a 20 percent set-aside and buffer to keep us
from going over quota. We believe we have sacrificed to get our
house in order in the best method we can under the current
structure we’re operating under.

CHAIRMAN ANSON: John, do you have a question?

MR. SANCHEZ: Yes and I’m all in agreement for trying to give
groups as they come forth and try to be accountable, given the
present dilemma everybody is in with red snapper, the ability to
create their management schemes and constructs, such as -- Not
such as, but as the commercial group did with their IFQ.

They become accountable and they are managed and they’re staying
within the confines of their allocation. The charter boat
folks, the for-hire folks, they have come up with a notion to
try to do the same thing for them and I am all for an Amendment
39 giving the recreational, the private sector, their ability to
try to come up with something meaningful that keeps them
accountable in a way that allows them the best success, the most
access and everything, but I don’t want to mix the two anymore.

It seems like each group has respectively stepped up to the
table, and this is my opinion, and tried to go forward and do
something meaningful in terms of accountability and I will work
with you to the end if we keep this Amendment 39 purely a
private recreational issue and so I don’t know if you are
agreeable to that and my question would be in your intent, when
you view Amendment 39, would you see these two groups together,
for-hire and recreational, in terms of allocation issues and
such or would you be willing to separate them and give you guys
the same opportunity to create your own scheme of management?

MR. HADDAD: We would argue that the two should remain together
for management in 39 and that there are ways to manage them
differently within that framework.

CHAIRMAN ANSON: We have one more question for you, Ken.

MS. BOSARGE: Just out of curiosity, why is it that you want to
remain with that for-hire sector? It’s just me looking at it from an outsider. From the commercial side, you seem very different.

MR. HADDAD: From the sportfishing industry perspective, there is a broad recreational sector and we believe that we need to operate together and solve our problems together. There are businesses and we understand the charter for-hire is a business that takes recreational fishermen out. We just look at it as another vehicle to bring out the recreational fishermen and we need to look at solving our problems together, frankly, and we have offered to do that on many occasions.

CHAIRMAN ANSON: Just to let council members know, we have about fifty cards at three minutes per and that’s about two-and-a-half hours without question and answer. I am just letting you know. Bob Zales is up, followed by Jim Zurbrick. Jim, you supplied two cards, but we’re just going to give you one time’s worth. Thank you.

MR. BOB ZALES: Bob Zales, II, President of the Panama City Boatmen’s Association. When it comes to amberjack, I suspect you all have gotten a handful of emails from people around Panama City.

The March to May closure is not acceptable to us in Panama City, Florida. By doing that, what you’re going to do is you’re going to make the spring season, which we try to struggle through, limited to red porgies, vermilion snappers, and red grouper and every great now and then, it’s the Spanish mackerel and sheepshead, maybe. That fishery is needed for this time of the year and so the June/July closure, even though they’re not really happy with that either, is more acceptable.

The thirty-four-inch size limit, some of them want thirty-four and some of them would rather see, including me, the stepped-up move to thirty-four. Do thirty-two and then thirty-four. In my opinion and from my experience from fishing jacks and years ago and tagging hundreds of them, the bigger that jack gets, the more stressed he gets in the fishing activity and the more likely it is to die.

By moving from thirty to thirty-four immediately, you are going to kill a lot of fish and there’s going to be a lot of people out there trying to catch that thirty-four-inch that are going to be throwing fish back.

Between what dies naturally from stress, you are going to have
the marine mammals, the dolphins, out there grabbing them and
taking them away and so that’s going to be a problem. I think
it will be more successful and better for the resource to do it
in a stepped system.

The decals, Dr. Crabtree and I agree on this and that’s a rare
thing. The decal, in my opinion, is useless. To enforce it,
and when Dr. Crabtree did the little permit around the table, he
didn’t really do it the way it needs to be done, because you
need to be moving it around, because when you’re on the water
and an enforcement guy is looking for it, he’s not looking at a
steady sign. He is looking at a move.

Any time that I have ever been boarded, I have never once had an
enforcement person ask about the decal. They want to see the
permit and so it’s more money in their pocket to help them do
other things that might benefit us and so I don’t -- I think you
just need to go along with getting rid of it and put it back on
the table.

There is a problem that we hear all the time now about the
recreational fishery being unaccountable and that is not true.
We are managed by a bag limit and we are constrained by a bag
limit and a size limit and we fish that bag limit according to
the quota that we get.

The Fisheries Service is at fault for any excesses that the
recreational sector has done, because of the data system that
clearly does not work. So that needs to be fixed and the
recreational sector doesn’t need to be punished for that and be
told we’re not accountable all the time, because clearly we are.

Every fishery out there right now is accountable, because they
are all constrained by regulations in everything that they do
and, with all due respect to Jason, he doesn’t represent me or
my family as a charter fisherman and I support reallocation.

Any questions?

MR. PEARCE:  Thank you for your candid comments, as always. One
comment I’ve got that National Marine Fisheries is not doing its
job, it seems like Roy keeps chasing his tail backwards with
less days and less days to try and keep people accountable.

MR. ZALES:  I’m sorry, Harlon, but can you speak up? I can’t
hear you.

MR. PEARCE:  Yes. Dr. Crabtree and his staff keep trying
desperately to keep the recreational sector accountable and keep
them doing your job correctly, but as we cut days back and back and back, we still haven’t solve the problem and so I think we have to look at different ways, other than just what we’ve done in the past, to help solve that problem and that’s why I’m a big advocate of a private recreational fishery management amendment, to try and figure out different days, different ways, in these derby fisheries, because it is clearly not working to keep these days going back and as the states become unaccountable, it just makes that job a bigger and bigger job for Roy to solve and he is trying. I know he is, but it’s not happening.

MR. ZALES: No, I agree with you 100 percent. I told you when you got on that campaign when you first got on this council that I would stand behind you 100 percent to try to change it and you’ve done an excellent job in trying to do so, but we are still right there where we were when you started. It’s a big nut to crack.

CHAIRMAN ANSON: Thank you, Bob. Jim Zurbrick, followed by Tom Steber.

MR. JIM ZURBRICK: Thank you, council, for allowing me to speak. My name is Jim Zurbrick and I’m from Steinhatchee, Florida and I’m the owner of two boats and the owner/operator of one of them and a fish dealer.

You guys need to get some larger dinnerware, because you’ve got a lot on your plate. Lord, I am -- I mean I’ve got a list here and it’s a laundry list. Allocation, I am for status quo. This is a political decision. This is not a fish decision. You all know it and you search your hearts. Those of you that really understand it and search your hearts, you can come up with all the kind of excuses that you can.

You have heard some comments that the recreational fishery is accountable. Once again, you can change the definition in people’s minds, but actually what’s accountable is what the commercial sector has achieved in red snapper management and what the charter for-hire is getting ready to do. [Those are the standards. Those are the definitions of accountability.

As for gag grouper, listen, I fish for gag grouper. I live in the heartland of the estuary of gag grouper and there’s a problem, regardless of what the data says. I have to go on record of saying Jim Zurbrick, by what I’ve been catching, it’s less than ever and I have got effort and there is something wrong.
Of course, we had the red tide up in my area, but Gulf-wide our landings are down. Look at the landings. The proof is in the pudding in the landings in this case. The Headboat Collaborative gave you some gag landings and they were disappointing.

If you’re going to do something, because I understand that, once again, there is political pressure to give the recreational fishermen more days and more fish, and that’s what this is about and we understand, but the commercial sector, and I probably speak for many of them, keep it or give us very little, if you have to.

Also, amberjack and a council member said that he had heard some comments about amberjack commercially being a 2,000-pound trip limit. I don’t get enough days. I do some spearfishing trips and I have interactions with jacks and I would like to see jacks stay open as long as they can to cover some of these interactions.

You catch a fifty or sixty-pound jack and it’s got some monetary value and right now, I am throwing it back. Mr. Zales was right about some of the stress these bigger fish have, but I would like to see it go 1,500 pounds and I know it does hurt some of those people who are counting on them, but I think it does better good by allowing a longer season.

Regional management, let the recreational, the truly recreational, not like what the sport boat industry might lead you to believe, but we know what happens. We’ve been around and once it’s in their group, they can pick away at it. Let’s get the private recreational separate and let them come up with their own management plan and leave everyone else to stand alone.

CHAIRMAN ANSON: Jim, your time is up.

MR. ZURBRICK: Okay and I thank you.

CHAIRMAN ANSON: Thank you. Mr. Pearce.

MR. PEARCE: Real quick, Jim. You’re a charter boat and you’re against reallocation and you’re a charter boat and you don’t want to be in Amendment 39 and you want it private recreational only and is that right?

MR. ZURBRICK: Yes.
CHAIRMAN ANSON: Thank you, Jim. Tom Steber, followed by Chris Niquet.

MR. TOM STEBER: I am Tom Steber, President of the Alabama Charter Fishing Association, the GM of Zeke’s Landing Marina, Zeke’s Charter Fleet, and Gulf Shores Marina. I am just going to reminisce a little bit.

I spent twenty-three years in the retail business before I got in the fishing business. I managed and bought for Gayfers and Maison Blanche Department Stores, which most of you will remember twenty-five years ago, before Dillard’s bought them.

In 1995, I got in the marina business and I moved back to Baldwin County and, at the time, Zeke’s had twelve to fourteen charter boats and today, we’ve got forty-plus charter boats and have struggled.

In 2010, the BP oil spill hits us and put us all out of business. Most of the charter boats were able to make a decent living not doing what they wanted to do, but they made a living and got through the BP deal and actually came out pretty good. Zeke’s was not that way.

We still have $5.3 million worth of claims that are pending and that’s BP that has made us all hold. In 2014, Zeke’s filed for Chapter 11 and this past January, we are now owned by the bank, which I work for the bank and it’s working out fine for now. I think everything will be just fine before it’s all over with, but it kind of tells you where we’ve gone.

I want to thank you very much for passing Amendment 40. It gives the charter industry a light at the end of the tunnel. We have to have the ability to manage our own business and I can see that coming now. We agree with state management for private anglers only. We feel like the charter boats have to be managed by federal, along with commercial and along with headboats. Thank you.

CHAIRMAN ANSON: Thank you, Tom. Mr. Pearce.

MR. PEARCE: Thank you, Tom. You are the head of the Alabama association, right?

MR. STEBER: Correct.

MR. PEARCE: How many boats are in your association?
MR. STEBER: We have eighty-eight charter boats, permitted charter boats.

MR. PEARCE: Those eighty-eight want to come out of Amendment 39 and leave the private recreational in and what is your position on allocation, 28?

MR. STEBER: What do you mean?

MR. PEARCE: Amendment 28, are you for reallocation?

MR. STEBER: No, I am not. You know the commercial industry has done what they’re supposed to do and it just doesn’t make sense to take it away from them. I agree with the gentleman before and if there’s pounds that they don’t need, then use it as a buffer. Don’t award it to somebody that can’t be accountable.

MR. PEARCE: Okay. You’ve got eighty-eight boats in your group and that’s what they want?

MR. STEBER: Yes.

CHAIRMAN ANSON: Next we have Chris Niquet, followed by Mike Whitfield.

MR. CHRIS NIQUET: Hello. My name is Chris Niquet and I’m from Panama City, Florida. I am part of the group that holds 70 percent of the IFQ allocation, with the charter boats holding the other part, and I am not in support of any reallocation. That would be the first choice, a. I guess it would be called Alternative a. I cannot support it, because of National Standard 4.

I don’t know if any of you have looked it up, but National Standard 4 says reallocation cannot be reasonably calculated to propose conservation. Now, if anybody here on this council can tell me how this reallocation can propose conservation, I am here for the next two minutes and one second.

Next, I support full retention of red snapper and elimination of the minimum size limit. I don’t know exactly how you’re going to do it and I don’t know if it’s going to be cameras on the boats, but I know you’re going to have to have some kind of a way to account for all the reef fish and the red snapper coming in.

I don’t know what they do with the very small snapper. That isn’t a problem in the eastern Gulf. We’ve got big fish there
and so that’s a problem to be eliminated. I support the use of industry quota banks. It will help stop discarding the snapper they catch in the eastern Gulf and it will give the industry a chance for the new entries to come in and get some allocation and get some shares and start their own business and become part of the fishery.

I support elimination of the crew size requirements on dually-permitted vessels. I think there’s 140 or 170 of them and there is no need for it anymore. There is no derby fishing in the commercial fishery.

I oppose these things: adding more restrictions on who can hold, access, transfer, and catch red snapper; creating additional caps in the red snapper industry; increasing capacity at this time, because the fishery is not rebuilt. I think everybody here says it hasn’t been rebuilt.

The use-it-or-lose-it provisions, I don’t know how you can take a man’s allocation away just because he isn’t using it and I strongly oppose withholding allocation at the start of the fishing year. Thank you very much for your time to speak.

CHAIRMAN ANSON: Thank you. Mr. Pearce.

MR. PEARCE: Thank you, Chris, for your comments. I am a little confused about your first one on allocation. You said Alternative a, but do you mean Alternative 1, no action?

MR. C. NIQUET: Alternative 1, no action at this time.

MR. PEARCE: Okay and what is your position on Amendment 39, regional management? Do you want the charter boats out of that amendment?

MR. C. NIQUET: I would think that 39 would be best if the charter boats were out of it and they had their own management system in place, so they could further enhance their business opportunities. Instead of being in a derby-style fishery, they would be able to choose when to go, because of bad weather concerns or breakdowns or lack of business or several other factors.

CHAIRMAN ANSON: Next we have Mike Whitfield, followed by Bob Spaeth.

MR. MIKE WHITFIELD: Mike Whitfield from Lynn Haven, Florida, a commercial fisherman for over thirty-five years in the red
snapper business and an AP member. First, 1,500 pounds on
amberjacks is, I think, a reasonable amount for the amberjack.

Amendment 36, we have done everything in the IFQ industry to
have a good system and we have one or two flaws, but they are
being worked out and so I don’t see any need for Amendment 36.

That brings me to Amendment 28. Amendment 28, I am going to go
back a few years with you. Back in the 1980s, late 1980s, we
want to a twelve-inch size limit that took 30 to 35 percent of
my production away from my vessel at that time.

Two or three years later, we went to a thirteen-inch size limit
and that took about another 12 to 15 percent of my production
away from my vessel and all the rest of these boys was fishing
back in those days. Myron can tell you, because he’s seen a lot
of it out of Grand Isle.

It took the production away from us, because we deal with a
small fish. This is the reason these fish has come back. We
have paid our dues and that’s over 45 percent, at least, that we
have put back in this industry to build this industry up and now
you want to take fish away from us and we have done everything
we can do to help it, to increase it, and then you take fish
away from us and you’re taking fish away from the American
public that can’t go catch them and so you’re taking fish away
from them just to satisfy another day or two of fishing and that
does not make any sense, to me.

Then you’ve got this buffer sitting here that there’s 20 percent
of their fish sitting aside because you can’t figure out how to
get to use them. If you would figure out a way to use that 20
percent of their buffer and put it over there where it ought to
be, that would cover anything that you want to take away from me
as a commercial industry and I’ve been doing it for forty years
and my family has been doing it for pretty close to ninety years
in the commercial red snapper fishery.

In the late 1980s, you had approximately thirty-five boats that
was considered as snapper fishing vessels and I was one of them
and Russell Underwood was one of them. You didn’t have that
many vessels. If you had went with a big -- If you had went
with a 20,000-pound when they first started the endorsement, you
would have probably had about twelve or fifteen boats, period,
and they all fish west of the Mississippi River and I was one of
them.

I don’t see taking fish away from one group that has added to
this industry for the last thirty years just to satisfy one or
two days of fishing. Thank you.

CHAIRMAN ANSON: Thank you. Bob Spaeth, followed by Eric
Brazer.

MR. BOB SPAETH: My name is Bob Spaeth with the Southern
Offshore Fishing Association. It was formed in 1976
representing commercial fishermen. I want to remind the council
that when the rebuilding plans were made the council had to
decide on constant catch or constant F. The council chose
constant F, which is take the pain now for the gain later, and
told the industry to take the pain now and you will gain the
rewards in the end.

The industry took the pain and now you want to reallocate those
fish to a sector that overfished and doubled their quota for
over ten years with no penalty. The commercial consumers were
held to strict quotas and accountability. I guess you could say
the commercial industry did more to rebuild the stocks than
anyone else.

Now comes the reward time and some want to change the game.
Tell me how you can justify breaking the word of the council and
giving the fish to a sector that’s unaccountable and still is
unaccountable and, under Option 8, the recreational will gain
one day and the consumer will be denied 240,000 dinners. How
does this make commonsense?

We realize that the recreational fishery is important to the
economy. The recreational sector has most of the fish now.
Blue marlin, they have 100 percent. White marlin, 100 percent.
Sailfish, 100 percent. Amberjack, 73 percent and 20 percent
commercial. Kingfish is 70 percent recreational and 30 percent
commercial. Gag grouper is 65 percent recreational and 35
percent commercial. Red snapper is 49 recreational and 51
commercial and red grouper is 24 recreational and 74 commercial.
Sea trout is 98 percent.

The regulations forbid the sale of recreational fish and that
leaves the commercial fishing the only access for the consumer,
the biggest user group to get fresh fish. All the citizens of
the U.S. have a right to those fish and not just the 3 percent
who have the wealth to own their own boats.

Eventually the truth will come out and the consumer will pay
more for the fish and have less access, because of a few wealthy
individuals that want to grab the resource that belongs to all.
We ask the council to keep its word that if we’re going to look at reallocation that we need to put all the fish on the table and look at fair distributions.

As you see who is getting the majority of the fish, it does not look very balanced to me. The most sensible thing is to straighten out the problem and one or five days is not the solution. Fix the problem of the science, the timing, the money, the modeling.

There is a 30 percent recreational TAC and if you eliminate that or give them 15 to 20 percent more fish, the problem would go away. Everybody in this room does not believe --

CHAIRMAN ANSON: Bob, if you can wrap it up.

MR. SPAETH: Okay. Wrapped up. Thank you.


MR. ERIC BRAZER: Thank you very much, Mr. Chairman. My name is Eric Brazer and I’m the Deputy Director of the Gulf of Mexico Reef Fish Shareholder’s Alliance. I represent some of the 70 percent of this fishery that holds red snapper allocation and they do not support red snapper reallocation.

I stand for the 97 percent of the over 300 million Americans that own this resource, but don’t catch it, and I do not support reallocation and a majority of them, we believe, do not support reallocation.

For some reason, the five state directors here, the ones in charge of representing the commercial and recreational fishermen in their state, they appear to want reallocation. Yet, you have heard from the fishermen at these meetings that they do not want reallocation.

70 percent of the allocation is held by those who do not want reallocation. The fishermen in this room do not want reallocation. The seafood-consuming public does not want reallocation. We cannot make it any clearer than that.

That being said, the red snapper IFQ is working. It is helping rebuild this resource and it’s helping achieve optimum yield, reduce capacity, and eliminate the derby. It’s doing what it’s supposed to do, what it’s intended to do, and the five-year review confirmed that.
We don’t want wholesale changes to the IFQ. We do not want more restrictions on who can own, lease, transfer, and catch red snapper. We don’t want additional caps. We are not in a fleet expansion mode yet, because red snapper is not rebuilt.

We don’t want use-it-or-lose-it and we don’t want quota withheld at the beginning of the year. We do want Amendment 36 to meet the goals of the IFQ program and improve the performance of this fishery. Amendment 36 should create opportunities for industry-led quota banks, similar to what the Shareholder’s Alliance has done thus far, and I am happy to talk about that with anybody.

It should start the discussion on full retention of red snapper to eliminate the discard problem. It should improve hail requirements and crack down on illegal poaching. It should eliminate crew size restriction on dual-permitted vessels, because they are not necessary, and it should prioritize a federally-backed quota loan program that you started to help stabilize and grow fishing businesses without hurting others.

We want to protect gag grouper and we don’t believe that doubling the quota will do that. You have heard from fishermen that they’re not catching them, because we believe the assessment is too optimistic. We would like a more conservative TAC increase or keep it at status quo.

We want regional management to work for the private angler. We support Action 2, Alternative 2 and we hope you will take every opportunity to expand the hugely-successful Headboat Collaborative Program any chance you get. Commercial and charter fishermen stand for accountability, sustainability, and profitability and we hope that you do too. Thank you very much, Mr. Chairman.

CHAIRMAN ANSON: Thank you, Eric. Mr. Pearce, followed by Mr. Walker.

MR. PEARCE: You didn’t discuss Amendment 39 and what is your organization’s position on regional management? Should we take charter boats out of that amendment?

MR. BRAZER: We support regional management for the private anglers.

MR. WALKER: Eric, you mentioned about the quota bank and could you tell us a little bit about the quota bank?
MR. BRAZER: Sure thing, if I may, Mr. Chair. The quota bank is a concept that’s used elsewhere in the United States. I spent nine years working in New England developing one up there and it has worked in Morrow Bay and it’s worked in Alaska and it’s an opportunity for fishermen to come together and form a cooperative and start to address fishery problems from the ground up.

The Shareholder’s Alliance has formed a quota bank. It’s a program of our organization and its goal is to help reduce red snapper discards. We have allocation that has been donated, outright donated, to this program that we are leasing to grouper fishermen on the west coast of Florida to help cover and reduce their red snapper bycatch.

We have accountability measures and we have an operations plan and agreement and eligibility criteria. We have a contract that they must sign and there is enforcement of this. We believe this program can work. It’s a ground-up, bottom-up, program and we believe a model like this is perfect for the Gulf. It has worked elsewhere and we want to try and make it work here. Thank you.

MR. WILLIAMS: Eric, thank you. You mentioned that you would want to see a full retention fishery for red snapper and how would that work? A guy has no quota and a guy has a small fish and how do you force a guy to keep a small fish and how do you force a guy to keep it if he has no quota?

MR. BRAZER: That’s why we wanted to start this discussion now. Obviously it’s going to be a lengthy one and it’s going to be a complicated one, but if done right, it will eliminate red snapper discards.

It will, in some cases, force more selective fishing behavior and it’s going to require a lot of collaboration and cooperation in the IFQ marketplace, but I think for those that want it, we can find a way to make it work. Thank you.

CHAIRMAN ANSON: Thank you, Eric. James Bruce, followed by Billy Archer.

MR. JAMES BRUCE: James Bruce from Cutoff, Louisiana, commercial fisherman. Amendment 28, we took a cut in the fish when we went to IFQs and recreational goes over all the time and I don’t see how you call could punish us and give them the fish.

If you all want it done right, you all do it right and separate
it three ways and manage them all three ways. They have got three amendments on the table and when I first started to come to these meetings ten years ago, they used to have three options. On Amendment -- I don’t even know the numbers no more, but 36 they’ve got ten options with three preferreds, when they only had three options to start off with.

Now, I know you all have got to keep you all’s jobs and that’s how it is and making laws and all. The more laws you all make, the more laws you all can haggle, but you all are making the industry not work good. I am done been put out of catching redfish already and then the TEDs come along and so we started fin fishing.

When I first come to these meetings, I said, cool, we’ve finally got a fishery that we don’t go to do nothing and we can follow the law and now, you all are pushing us in a corner and what are we supposed to do? Can you all tell me? Can I go eat at you all’s houses after you all take my fish and give it to the recreational? Who is going to feed the restaurants? Who is going to feed me? Who is going to pay my bills? Thank you.

CHAIRMAN ANSON: Thank you, Mr. Bruce. Billy Archer, followed by David Krebs.

MR. BILLY ARCHER: Billy Archer from Panama City, Florida. I’m a third-generation fisherman and first off, I would like to thank everybody here that voted for Amendment 40 to be passed. That’s a great way to start the New Year, having something to look forward to.

I’ve got a little checklist here I would like to run down. On the amberjack fishery, I support the thirty-four-inch size limit and the June/July closure. I heard Captain Zales talk about using it up a little at a time, but let’s just go there.

I also support, as petty as it is, leaving the decals on the boat. That’s one way you can distinguish who is an active charter boat and who is not.

As far as Amendment 39, I support Action 2, Alternative 2. Regional management should be included for private anglers only. Time and again, the charter fleet has presented a unified voice that Amendment 39 should include private anglers only.

The for-hire industry in the headboat amendment should be initiated and selecting and convening the advisory panels to move forward for these amendments. Currently, due to the
council inaction, the highly-successful Headboat Collaborative is facing a lapse in the ability to provide access to the American non-boat-owning public.

Amendment 36 needs to focus on the goals of the IFQ system and remove the size limit on dual-permitted vessels and create quota banks to address discards and initiate a federally-backed loan program and explore the full retention fishery. The red snapper IFQ program is working and please leave it alone.

As far as gag grouper, I support either a more conservative increase or no increase at all. We are not seeing these fish and believe the assessment is too optimistic and the things I oppose are adding more restrictions on who can hold, access, transfer and catch the red snapper. I also oppose creating allocation caps. The use-it-or-lose-it provision is unnecessary and also withholding allocation at the start of the fishing year. It makes no sense.

I support status quo for Amendment 28. Reallocation from a fully accountable sector to a totally unaccountable sector just does not make sense. Thank you.

CHAIRMAN ANSON: Billy, you have a question.

MR. PEARCE: Bill, thanks for coming. I appreciate your presentation. As a charter boat, you are against reallocation and you are for Alternative 1, which is no action?

MR. ARCHER: Yes, sir.

CHAIRMAN ANSON: David Krebs, followed by Mike Jennings.

MR. DAVID KREBS: Good afternoon, Mr. Chairman. My name is David Krebs, owner of Ariel Seafoods in Destin, Florida. I’m an IFQ shareholder, grouper/tile and red snapper. I am going to start off gently and congratulate Dr. Dana and Ryan and Martin Fisher for a wonderful King Mackerel AP that they held. I think that the commercial industry, once again, came together and found some solutions to better that fishery.

Having said that, here we are talking about Amendment 28 again. I don’t know what more I can say. My friend Mike Whitfield, who I have known for thirty-something years, who speaks the truth, couldn’t have said it any better. Why? You have had a 300 percent increase, over a 300 percent increase, since 2008 in the recreational quota and it’s still not enough. Will it ever be enough? The answer is no, because it’s not about the fish.
It’s about an agenda. The Florida net ban was about an agenda. It wasn’t about the fish. The American public deserves access to this resource and if they don’t have to buy a boat and they don’t have to get on a boat to go eat a red snapper dinner.

There are fewer and fewer wild-caught domestic fish available to the American consumer every year. It’s the status of our fisheries. Most of our fisheries are rebuilding. We did take the hard cuts and the sacrifices. Who came to this podium and argued for a size limit reduction to reduce discards that were dying?

As the other side was telling you, let’s increase our size limit, because we will get more days of fishing, because we’re only going to be tagged with the fish that we land at the dock. It’s time for the recreational community to step up to the plate and fix their problem.

The charter industry, I can’t thank you all enough for getting Amendment 40 through. Let them manage their fishery. Let them be accountable and as far as the economics to justify this reallocation, one part of the story was Agar/Carter and we talked about that and in this summary document, I talked to Assane about it.

The rest of the story is left out unless you read your appendices. The Buck/Carter threw it all out and you all know that that were here and so let’s keep reality reality and let’s do what’s right by the fishery and let’s do what’s right by the American public and put politics aside.

I mean what a great, great campaign that still went out as early as three weeks ago and we’re only getting one day of recreational fishing and I heard that in Washington. We’ve got to do something. We’ve got to change something. We’re getting one day of recreational fishing and where did that come from? Sportsmen’s lobby. It didn’t come from the charter industry. They weren’t screaming give us regional management for one day.

Nobody ever mentioned about the states going noncompliant and what that did to the federal season. Let’s tell the truth. You as a council quit being mocked and being said that you’re inefficient and ineffective and that you can’t manage the resource. Do your job right. Thank you.

CHAIRMAN ANSON: Thank you, David. We have Mike Jennings, followed by David Veal.
MR. MIKE JENNINGS: Hello. I am Mike Jennings and I’m the
President of the Charter Fishermen’s Association. I own and
operate two federal charter boats out of Freeport, Texas. I am
just going to hit on a couple of issues today, because they’re
the hot button issues from the association standpoint.

Amendment 28, we do not support as a charter boat industry.
Without going into a long length of reasons that you continue to
hear and you’re going to continue to hear today, the major part
is that it doesn’t prevent recreational overfishing.

It doesn’t guarantee the prevention of that overfishing and it
doesn’t address any kind of a management plan that would address
the potential or perceived overfishing. We ask the council to
address those issues and then opinions may change on
reallocation.

Amendment 39, we support Amendment 39 for the private
recreational sector and we support it as long as Action 2,
Alternative 2 is the preferred. One of the issues with
Amendment 39 is what we’ve been hearing about this Gulf States
plan or this plan that the state directors have come up with.

My state director told me that it is what true regional
management would look like and in discussing that with other
state directors, a comment was made to me yesterday that I don’t
know what’s wrong with you guys and you hate -- You were here a
year ago saying you hate federal management and now you say you
hate state management.

I take exception to that. I have never stood at this podium
ever and I don’t think a charter boat has stood up here, not in
my association, seven-hundred-and-twenty-something strong now,
that said we hated federal management.

We hated being tied altogether in that recreational sector while
being managed under totally separate and more stringent
regulations. All we asked was to be separated out so that we
could be managed in a way that fit our industry and provided
more access to the American people and it comes down with
regional management to what Corky has always coined as faith and
trust.

That’s the problem with regional management. There is no faith
and trust. With 30B in place, the states have a track record of
state loopholes and opening up four-county grouper seasons.
They are crushing the triggerfish allocation for an entire year
all knowing how detrimental that was going to be to the charter boat industry.

The states have zero track record of doing anything that benefits the access of the majority of the American people that access this fishery through our boats and turning that over to the states under regional management, we just don’t have that faith and trust.

Amendment 39, Alternative 2 or Action 2, Alternative 2, I support it all day long. We believe that every sector in this fishery ought to be able to pursue an avenue that best fits their fishery and the way that they pursue their fishery. We have no objection whatsoever to Amendment 39 if the private recreational sector wants to come to the table and work towards a better management system, as we have done. By all means, we will not stand in their way and will not oppose it. Thank you.

CHAIRMAN ANSON: Thank you. Mr. Pearce.

MR. PEARCE: Mike, real quick, because you were pretty clear about what you want, but your charter boat organization, how many members in your group?

MR. JENNINGS: A little over 720.

MR. PEARCE: 720. Are they all from Texas?

MR. JENNINGS: No, sir. They are from --

MR. PEARCE: Where are they from?

MR. JENNINGS: All the way from Brownsville. We have got members at Port Isabelle, Brownsville, Texas and all the way down to Venice, Florida.

MR. PEARCE: Okay and so you are pretty representative of what the charter boat guys want across the Gulf, right?

MR. JENNINGS: Yes, sir. Private recreational anglers too. We have a strong private -- We have private recreational members, marina owners.

MR. PEARCE: How many active charter boats do we have in the Gulf, active and not permits? How many active charter boats? I had always heard it was 750 or so.

MR. JENNINGS: The best guess for any of us, I guess. We’re
somewhere around 700 is what the best we’ve been able to come up with from federal.

**MR. PEARCE:** You are pretty close and so you’re against reallocation and you want to be out of 39?

**MR. JENNINGS:** Yes, sir.

**CHAIRMAN ANSON:** Thank you. David Veal, followed by Captain Jim Green.

**MR. DAVID VEAL:** I am David Veal with the American Shrimp Processors Association, an association that has less than fifty members from Texas to North Carolina. Yet, according to the International Trade Commission, processes more than 70 percent of all the warm water shrimp harvested in the Gulf and South Atlantic. By far, the bulk of the members are in the Gulf.

This small group of people serve as the bank for the shrimp industry, the largest single economic sector of the Gulf fishery, and have more at stake, maybe, than any other single group with the decisions you make involving the shrimp industry.

We are extremely concerned about the decision that is upcoming about the number of permits and let me briefly tell you why. Starting in 2000, we saw imports increase between 2000 and 2005 at 15 percent a year.

The industry won its first trade case in 2005 and we saw a leveling out of that increase. In 2011, we filed another trade case involving subsidies. It turns out that the Commerce Department says that seven countries subsidize their industry to the tune of one-and-a-half billion dollars a year. Of that, $250 million is WTO trade illegal. It means it directly impacts a domestic fishery in another country.

If you combine that with two disasters, one natural disaster, Katrina, and an oil spill and add to that a downturn in the economy, we would argue that the shrinkage in the shrimp fleet, which, by the way, we recognize was warranted, may not have been impacted at all by the restriction on the number of impacts.

We would hope and encourage a thorough analysis of all of the factors that might influence the fleet size before we start making a decision about whether we need to reduce the number.

Now, we wouldn’t suggest that the 1,900 number needs to be increased, nor would we agree that the current number is
sufficient. We hope that there is room somewhere between those
that we can reach a number that we can all live with.

I must tell you that our industry is terribly concerned that the
size of the fleet is teetering on the point of impacting the
size or the level of harvest that is there. It is singly our
greatest fear among all the other things that we wrestle with
and until we have a thorough understanding of the relationships
between the fleet size, the moratorium, or the restriction on
permits, and all of the other driving factors, we would hope
that we can at least maintain the status quo. Thank you.

CHAIRMAN ANSON: Thank you, Mr. Veal. Mr. Pearce.

MR. PEARCE: Thank you, David, for coming. I really appreciate
you showing up here and talking. The council needs more
shrimpers talking before this board and that’s for sure. I do
agree that a lot of the shrinkage of the fleet was because of
the horrific events that took place in the Gulf from 2005 to
2010 and so it really just wasn’t people getting out because of
that, but we lost a lot of fishermen during that event and
shrimpers were a lot of them offshore and so this council -- You
said you wanted us to go somewhere in between those numbers and
is that correct?

MR. VEAL: Yes.

MR. PEARCE: Okay. We will take that into consideration, I’m
sure. Thank you.

MR. VEAL: More than anything else, we want you to thoroughly
consider what we think are the real driving factors for the
shrinkage of the fleet and that’s the economic factors that have
influenced the industry. Thank you.

CHAIRMAN ANSON: Thank you. Jim Green, followed by Wayne
Werner.

MR. JIM GREEN: Chairman Anson and members of the Gulf Council,
thank you. My name is Jim Green and I’m the Vice President of
the Destin Charter Boat Association. On amberjacks, the DCBA
believes that the minimum size limit of thirty-four inches is
acceptable. It brings the mature fish in the stock to 85
percent.

In Destin, our fleet supports the closure of June and July. We
are far more dependent on amberjacks in the spring, fall, and
winter seasons than the summer months, because of the access for
red snapper and gag groupers.

If we are trying to rebuild the fishery, we believe that it’s more beneficial to have a mature stock at harvest rather than allowing such a large number of fish to be removed from the biomass in a sixty-one-day period. We believe that would hinder the rebuilding effort.

The DCBA supports maintaining the requirements for decals on federally-permitted vessels. We support Amendment 39 and moving forward with Alternative 2 becoming the preferred alternative of Action 2. We believe that each sector should have the right to pursue flexibility in their fishery.

The DCBA would like to see scoping documents created on Amendments 41 and 42 before the next council meeting. We would like to see staff’s numbers and alternatives on what the framework would look like, especially considering flexible management. It would allow for stakeholders to begin to address any logistical discrepancies that may arise.

On Amendment 28, the DCBA feels this is irresponsible to reallocate at this time. To reward a sector that has bucked and circumvented the process should not be a consideration. The DCBA fully supports the voluntary, fully-funded VMS pilot program. This is a fully-funded chance to test the system’s ability and we ask that all members of this council support this opportunity. We need to find out if this works or it doesn’t. If it does, we have a vetted choice to look at and if it doesn’t, we have something to scratch off the list.

The DCBA membership is overwhelmingly in favor of ELBs and VMS within the same unit, but there is other groups that want to test different forms of ELBs that do not involve VMS and ELBs are imperative and we are asking the council to initiate multiple data collection pilots so that we can perpetuate the implementation of such ELBs sooner than later.

The DCBA understands the logistical issues concerning a red snapper split season and so we are emphasizing the importance of our sector to uphold accountability. Please ensure our harvest does not exceed our quota. It’s very important for us to demonstrate accountability and good stewardship. Thank you.
CHAIRMAN ANSON: Thank you. Jim, we have a question from Mr. Pearce.

MR. PEARCE: Jim, thank you very much for coming. How many members in your organization?

MR. GREEN: Right now we have somewhere around seventy-six.

MR. PEARCE: All right and you are against reallocation and for not being in Amendment 39?

MR. GREEN: We definitely do not want to be a part of Amendment 39, but we support their actions to go forward. Reallocation, with the growing recreational fishery, it’s not a crazy question, but I think we all need to get our ducks in a row.

I think that the imposed 20 percent buffer, because of the lawsuit last year, is not the recreational sector getting their ducks in a row. I think that’s you forcing them to.

CHAIRMAN ANSON: We have Wayne Werner, followed by Bart Niquet.

MR. WAYNE WERNER: Wayne Werner, commercial fisherman out of Leesville, Louisiana. I would like to support a 1,500-pound amberjack limit, the first thing. Amendment 28, you haven’t listened to your advisory panels and you haven’t listened to your SESSC and I don’t think you’re going to listen to me, but I am going to say it anyway.

You need to just drop this. Drop this, because it’s really creating nothing but animosity towards this council. Look. 70 percent of the fishery, like you’ve heard today, doesn’t want it. It’s gone on and on and on and over and over and meeting after meeting. Three or four people get up here or maybe two or maybe one and ask for it and you continue on down the road. Just status quo where we need to go.

Amendment 36, you know we need to address some low-level entrants to help some bycatch issues, which when you reallocate the fish, it’s going to make it much harder for us to address that problem. There are actions for other actions.

If you took all my fish away from me today, I would probably kill more snappers than I killed today fishing, because I would have to try to make a living and I would have to cull through them everywhere I go. I guess that’s what this council wants. I just don’t understand it.
Other than that, I think you should kind of support the shareholder program, because helping people address these issues is very important. It’s important to me and I would like to say something about selectivity.

You know, I think this is a good way to hide some of the problems that we had from the oil spill about five years ago. You know it’s just not the right thing to do. Whenever you start looking at this, all of a sudden you’re not looking at all the age groups of the fish throughout the fishery. You are trying to hide stuff again.

I mean it’s time for this council to step up and do its job and you know we have to be conservation minded. If we’re not, we’re not going to have to worry about it after four years of recruitment that we had and we’re probably looking at five years of recruitment that we had and we’re going to have a problem. With that, I would like to say thank you for your time.

CHAIRMAN ANSON: Thank you, Wayne. Bart Niquet, followed by Mike Eller.

MR. BART NIQUET: I am Bart Niquet from Lynn Haven, Florida. I’ve been fishing since 1946 full time and right now, I am a commercial fisherman in the snapper program and to say I’m shocked at the proposals and discussions that yesterday provided us would be an understatement.

The fact that someone on the council actually put forth some of these proposals is a clear indication that they either don’t understand the snapper program or they have another agenda.

One, it clearly doesn’t protect the fishery. A program which last year was considered a model for other councils is fast becoming a disaster and you all should be ashamed of yourselves. I am going to leave some of this out, because I don’t think you need that.

On proposals and alternatives put forth in Amendment 28, I say no, status quo, or whatever it takes to wake you up. This whole thing stinks and it seems to be something cooked up at some back-room bar. Again, I say status quo.

On regional management, I am not for it, but whatever the majority wants. Most of your problem with discards is the fact that the TAC isn’t high enough so that you have a full fishery. If it was open, you would have no discards at all and everybody could catch fish, but I don’t know.
All I can say is if we’re going to get any fish for June, don’t wait around to ruin the market again for the commercial fishery. Give us the fish when we need it.

Amendment 39, it seems to be a good thing and I am for that. I am glad the charter and headboats are getting a break. However, you still have nothing done to regulate the only proportion of the fishery that is making no effort to comply. Wake up. The roses are wilting and you can’t smell them anymore. Thank you.

CHAIRMAN ANSON: Thank you, Bart. Mike Eller, followed by Russell Underwood.

MR. MIKE ELLER: Mike Eller, hailing from the world’s luckiest fishing village of Destin, Florida, thirty-fourth year, consecutive year, as a Gulf fisherman. I support the thirty-four inch size limit. We support keeping the closed season during June and July. We did that so that that would have the most impact. It would be irresponsible to move the closed season and shorten the season for everybody else. I also support a 1,500-pound trip limit.

We support the ELBs. The data collection is the one thing everybody in this room agrees on. We don’t need a VMS. No problem. We need electronic logbooks and we need them right now. On charter boats and on fishing boats, we are action-oriented people. If this was my council or if I was in National Marine Fisheries, I would walk into my data collector’s office and I would tell them that you’re going to turn the wheel 180 degrees or I am going to fire you. That’s how we do it in the fishing business.

We see a problem and we fix the problem and so if our data collection is the problem, somebody needs to get hold of them and tell them to get their act together and start thinking outside the box. Nothing personal, Bonnie.

The VMS pilot program, we need to support it for those who want a VMS and want to collect that extra data that shows where they’re at and things like that. Don’t fight them. If there is a way to get this paid for by somebody else, don’t fight them and let them have their VMS. If the VMS -- We’re going to have our electronic logbook and it’s either going to be in your VMS or it’s going to be on your Smartphone or it’s going to be on your iPad. All of those approved devices, great. Support them and let them move forward and don’t require them to have a VMS, but if they want one, support their efforts to get it paid for.
Reallocation is irresponsible at this point. You know it’s a legitimate question as you start talking about the changes in socioeconomics and the changes in population in our country, but to reallocate from a fishery that got their ducks in a row to a fishery that doesn’t is just really ludicrous.

I mean the fact that you’re even thinking about it is just wrong. It’s just plain wrong and so regional management, I am afraid what’s going to happen with regional management is it’s going to be a boom/bust cycle.

Here we are and we’ve all paid the price to rebuild this red snapper fishery and we’re paying the price to rebuild the gag grouper fishery and the states have obviously shown that they are more willing to give access, but at the same time, they are not willing to do the hard work of collecting better data.

Here we all stand up here and gripe about the data and the states are going to move forward and give more access, but they are not going to do anything different than the federal government is going to do and it’s irresponsible. At least Louisiana is saying, hey, we want to report everything.

If you want regional management, states, then you need to step up and put your big boy pants on and you need to do it better than National Marine Fisheries is doing it.

The decal, it allows us to police ourselves. You only need one number on that decal and that’s the expiration date. We have an illegal fishery going on in the Gulf of Mexico and it’s called for-hire state boats that don’t have a federal permit that go offshore nine miles every single day. The state does not have the resources to go after them and we need our decals and I think that’s about it. Thank you very much.

**MR. PEARCE:** Mike, real quick, a couple of quick comments. First off, you’re against reallocation and you want private recreational only in Amendment 39 and not the charter boats?

**MR. ELLER:** I am against reallocation at this point, because it just doesn’t make any sense to take fish away from a responsible -- Regional management, you know if the states want to work on those private boat guys, I think it’s a setup for failure. I think it’s going to turn us into a boom/bust. If that’s what the states want to do, then for it. I am not for us being part of it though.
MR. PEARCE: Lastly, I am going to offend Bonnie, because she is working hard with us, even this afternoon, to help get that volunteer electronic reporting done soon, okay?

MR. ELLER: Fifteen years we’ve been working on this and we would have it changed tomorrow if it was me.

CHAIRMAN ANSON: Russell Underwood, followed by J.P. Brooker.

MR. RUSSELL UNDERWOOD: Thank you, Mr. Chairman. I am Russell Underwood. I live in Panama City, Florida, but I fish off of Leesville, Louisiana. I’ve been down there for about thirty-five years. I have a little small fleet of boats.

The first thing I would like to do is tell you that the red snapper IFQ plan is doing well. It’s probably the best recovery stock in the Gulf, I believe. I think the decision you all made on the Amendment 40, that’s a good thing.

I just got a lot of concern about Amendment 28. I don’t support it at all. I think it’s unfair. I think it’s illegal. We heard the committee yesterday talk about reallocation and, boy, you ought to hear what they are talking about. The restaurants in New Orleans all the way down to Key West are screaming and the fish houses are screaming. What are we going to do?

You are taking fish from the American public and you all are going to hear more about it. You know we’ve still got a ways to go on this Amendment 28, but there is a lot of people upset about this.

I have eaten in New Orleans and I have eaten in Key West and they all have red snapper on their meals and stuff and so you are going to hear a lot more about that, but back to amberjacks.

In the western Gulf, I think we should have a 1,500-pound trip limit. I do not support Amendment 39, talking about regional management. You have heard today that I don’t want no part of no state management. No part. You heard about the charter boats and they don’t want no part.

I have been and I will be quite honest with you. I have been aggravated at the council before and maybe a little upset at Roy a couple of times, but I have got more faith in Roy and this council than I ever do for the states. That scares me. Like the other speaker said, I am worried about where we’re going with this recreational management deal.
I appreciate you all’s time. I think you all have done a great job on the red snapper recovery and a great job. You all have moved forward on Amendment 40 and I just believe that we need to protect the American consumer and I do not support reallocation. Thank you.

CHAIRMAN ANSON: Thank you. Mr. Perret.

MR. PERRET: Mr. Underwood, thank you again for testifying, Russell. You trust Roy and National Marine Fisheries Service and I guess the council more than the states. Give me a reason why.

MR. UNDERWOOD: Well, I’ve been coming here for about thirty-five years and I have sat on numerous advisory panels and I have worked with Mr. Doug Gregory. I am one of the reasons and he is one of the reasons we got the longliners outside of fifty fathoms in the western Gulf. We had some problems and we fixed it. We stopped the buoy fishing and I just have a lot of faith in their scientists.

You talk about Philip Goodyear and remember what Philip Goodyear said and we had to believe it for a long time and it was like the second prophet? He would say killing all these big fish will destroy this fishery and guess what? He was right. When we had the buoy fishing and we had the longlining in the western Gulf, the fishery failed to nothing. I was there and I saw it with my own eyes.

What I am saying is we all have our disagreements, but I’ve got a lot more faith in this council system and I have found my way to Washington and they do listen to me and they know what you all are doing and I am just glad to be part of this process and I have got a lot of faith in you all and I really do, sincerely.

MR. PEARCE: Russell, I will ask you a direct question about regional management. If you are put under the states, as some of the discussions in Washington are going right now, do you think the way you fish now will exist? Will IFQs disappear?

MR. UNDERWOOD: I am sorry, but I didn’t fully understand your question.

MR. PEARCE: In other words, I am concerned if the discussion in Washington about the states managing all of our fisheries, the commercial fishery and the charter fishery and the private recreational fishery out to 200 miles, if the states get your fishery and they begin managing your fishery, do you think that
your IFQs will stay in place?

MR. UNDERWOOD: No, I do not. If the states get regional management for the commercial sector, commercial fishing is over with, over with completely.

CHAIRMAN ANSON: All right. We have J.P. Brooker, followed by Pam Anderson.

MR. J.P. BROOKER: Thank you, Chairman Anson, and thank you to the council for the opportunity to give comment. My name is J.P. Brooker and I’m with the Ocean Conservancy based in St. Petersburg, Florida. I’m a recreational fisherman and my fishing has been fishing commercially and recreationally in Florida for six generations.

On behalf of our more than 120,000 members, I would like to offer comments and recommendations specifically pertaining to gag grouper. Ocean Conservancy recommends that the council takes a precautionary approach and acts conservatively when setting the gag ACL by selecting the status quo alternative in Action 1.

Precaution is needed for gag on account of persistent uncertainties facing the stock. Notably, there are considerable uncertainties regarding the importance of males in the reproductive success of gag. While there have been recent strong recruitment events, there is also ample evidence that the proportion of the older male stock has been severely depleted over time and lacks protection.

Gag are protogynous hermaphrodites, meaning they are born female and a portion of the population will become males, beginning at age eight. The current stock assessment only considers the female component of the stock.

It is critical to note that if the male/female stock model was used, as opposed to the female only model currently in use, gag grouper would be considered overfished.

The comprehensive study from 2008 indicates that when the effects of removing males from the population is not fully known, as is the case with gag, the stock should be modeled using a combined male/female spawning stock biomass estimate. Furthermore, most assessments of hermaphroditic species used a combined male/female approach. The South Atlantic Fishery Management Council, for example, uses the male/female spawning stock biomass reference point for gag grouper.
The uncertainty windows presented in SEDAR-33 for gag only includes uncertainty pertaining to the female only model. However, a true picture of the uncertainty facing gag should encapsulate both the female only model and the male/female model. These uncertainties are of particular concern given the fact that the recreational sector has struggled to catch its ACL in several seasons since 2008.

The council should take these uncertainties into consideration when setting ACLs for gag in 2015 and onward and should take into account that an increase in the ACL may not be warranted if the existing lesser ACLs and associated ACTs cannot be met.

Furthermore, analysis of why anglers should not be landing their share of the quota should be undertaken in order to make informed management decisions going into the future. In addition, for Amendment 39, we recommend that the council select Action 2, Alternative 2 as preferred.

This will benefit the recreational sector by allowing state managers to create a red snapper regulations directly to the recreational fishermen who target the species and this will allow for expanded state discretion in setting bag limits, regional closures, seasonal closures, size limits, et cetera, all the way out to the 200-mile limit. Again, Ocean Conservancy thanks you for the opportunity to give comment.

CHAIRMAN ANSON: Thank you, J.P. Pam Anderson, followed by Randy Boggs.

MS. PAM ANDERSON: Dr. Crabtree, Chairman Anson, and council members, I am Pam Anderson, Operations Manager for Captain Anderson’s Marina in Panama City, First Vice President of the PCBA, and the fishery rep on the Bay County Chamber of Commerce’s Government Affairs Committee.

Our family has been taking passengers recreationally fishing since 1935 and before that, they did commercial fishing since the mid-1800s.

Yesterday, I had my office send a memo to our charter boat captains to get their views on the Reef Fish Committee’s vote on the size and season for amberjack. They said they could live with the size increase, but the change in the closure period will be a real problem for them. It will cause the loss of many trips they usually have in the spring.
They have little to fish for in the early spring except for amberjack until red snapper are available. They prefer, if there is a closure, for it to be in the summer, June and July, when they have red snapper and grouper available. I believe when this subject came up before that you received the same comments from the majority of charter boat operators.

We ask that in the red snapper Amendment 28 you choose Alternative 9. It states, in part, the percentage increase in the recreational sector should be that amount attributable to recalibration of MRIP catch estimates and the change in size selectivity.

To choose this alternative sounds like great news and what we in the recreational sector have been asking for for a while, more quota for longer seasons for our recreational anglers and for the reasons you’ve stated. This gives us a scientifically-based reallocation which is welcome.

We care about the sustainability of this fishery, but we’ve been managed the same as the commercial sector and, as you well know, that model does not work fairly for the recreational sector.

We have, as a sector, requested better data collection for years and to include our sector in it. It hasn’t happened yet at the council level, but the science appears to have improved and we are thankful for that.

As you deliberate on the issues concerning the recreational sector, please remember the groups that are here opposing this reallocation measure. They are in the minority of the stakeholders in the Gulf. The majority does not want sector separation and they want more access to their natural resource. They have paid their dues with the limited seasons and bag limits and now they should be rewarded for what is obviously their fair and equitable share of red snapper. In addition, we are appreciative that the Amendment 39 for regional management is moving forward. Thank you.

CHAIRMAN ANSON: Thank you, Ms. Anderson. Randy Boggs, followed by Susan Boggs.

MR. RANDY BOGGS: Thank you all for having me here. I’m Randy Boggs, Gulf Headboat Collaborative manager, but I am speaking on behalf of myself today and I do own a charter boat, too. The amberjack, closing those in the early part of the year would absolutely be disastrous for us. That would leave us basically with the cold water that we have off the Panhandle at that time
of the year -- It would leave us red porgies and vermillion
snapper and the vermilions are very finicky at that time of the
year and it would be really, really hard to sell a trip.

A thirty-four-inch size limit is no big deal. I wouldn’t mind
seeing them go to a thirty-four or a thirty-six step or a
thirty-two, thirty-four, thirty-six, to keep the season open
longer.

I will tell you guys I got to see the stuff on the Gulf Headboat
Collaborative, all the stuff that Josh Abbot presented
yesterday, for the first time. I was very proud of the way that
came out. I think the program is working the way it did and it
was pretty great. Thank you all for the chance to try and
that’s really all I have today.

CHAIRMAN ANSON: Randy, we have one question from Dr. Dana.

DR. DANA: Thanks, Captain Boggs. You may not know, but in your
querying of the Alabama charter boat fishermen, what is their
perspective on the decals for the for-hire federally-permitted
vessels?

MR. BOGGS: Thank you for reminding me. We’ve talked a lot
about a lot of things and we like the decals, but I have an idea
and it’s kind of an off-the-wall idea. If we just put our
documentation number, like mine is 904088, if we just did like
the commercial fishermen and we put it on the side of our boat
and maybe, if you have a top on your boat, on the top and have a
certain color letter that’s used only for charter boats.

Like if we did 904088 in blue or red, it would identify you as a
charter boat and then if they’re going to board you for
enforcement issues, you still have to have your -- You wouldn’t
have to have the sticker and take the burden of printing it off.
We could have a certain color letter that represented us and it
would be a safety issue.

They could tell who you were and they could tell you were a
charter boat. If the boat were in distress, you could see it
from the room and you could see it from the sides, the same as
the commercial guys display theirs. I think that would be a
great idea and it would take the burden of printing the stickers
off, because if enforcement is going to board you, they are
going to board you and they’re going to look at your paperwork
anyway, but I do love the idea of being identified as a charter
boat, so we can know who has the numbers on and who doesn’t.
MR. PEARCE: Randy, real quick, what is your position on reallocation and what is your position on Amendment 39? Should the charter boats be in 39?

MR. BOGGS: Charter boats, most charter boats, are federal boats. We fish in federal waters and out of the 54,000 fish we harvested in the Headboat Collaborative, all those fish, as far as I know, were harvested in federal waters. We have always been under the federal management.

I like the federal management system. It affords us protection under Magnuson. It may be a slow process. We know that the wheels of government grind very slow and there is huge mistakes made as slow as they grind, but we found great success at the council process and I think it’s there and what was the other question?

MR. PEARCE: Allocation. Where do you stand on 28?

MR. BOGGS: I would love to reallocate every fish in the Gulf of Mexico to the American public. Everybody should have access to the fish and the commercial fishermen have a great fishery. They have been fully accountable and if we had electronic data reporting, if we had logbooks -- I forget that the council process changed.

I’ve been here a long time and when I first started coming here, I didn’t have to wear glasses and I had blonde hair instead of gray hair and so I’ve been doing this a long -- I remember when Corky had hair and so we’ve been here a long, long time.

My idea, ten years ago, was to split the Beaufort Program and have a charter boat side of it and a headboat side of it. It gives you everything and the system is already in place.

Guys, understand the charter for-hire industry and the headboats, we don’t mind paying for part of this stuff. If we would like to see the management and the Science Center would accept it, we don’t mind. Guys, we buy two permits that cost thirty-five dollars a year to participate in this fishery. I can afford more than seventy-dollars for my permits.

Charge me a little bit more money for the permits and ramp up the Beaufort Program, or a program similar to it, because it gives you everything you need and I would love to see something like that done, but that’s kind of my opinions on it.

CHAIRMAN ANSON: Susan Boggs, followed by Ricky McDuffie.
MS. SUSAN BOGGS: Good afternoon. I am Susan Boggs and my husband, Randy, and I own two headboats, a charter boat, a charter booking office, and a dock store that sells fuel, bait, and ice to both recreational and commercial vessels.

I support a thirty-four-inch fork length on amberjack and I also support leaving the season closed for the months of June and July. At this time, I cannot support any part of Amendment 28, red snapper reallocation.

As far as Amendment 39, regional management, I support this for the private recreational angler. The charter boats and headboats do not need to be included in this amendment. I do support some type of decal or identification mark to the charter boats in the Gulf and I thank you for your time.

CHAIRMAN ANSON: Thank you, Ms. Boggs. Ricky McDuffie, followed by Bobby Kelly.

MR. RICKY MCDUFFIE: I am Ricky McDuffie with Sea Hunter Charters out of Orange Beach, Alabama. I have been in business for thirty-eight years and I have two multi-passenger boats. I am in favor of the amberjack thirty-four and the closure in June and July.

We need to be able to have an open season. When people are calling, we can’t tell them everything is closed in the spring. I mean we’ve got to have something, whether we can catch fish that size or not. At least we can tell them the opportunity is there.

As far as Amendment 28, I think we need to not -- I am not in favor of that right now. As far as Amendment 39, private recs only and keep the -- I am in favor of keeping the headboat program going and learn from that and hopefully we can see the light at the end of the tunnel one day. Thanks.

CHAIRMAN ANSON: Thank you, Ricky. Bobby Kelly, followed by Tom Ard.

MR. BOBBY KELLY: Good afternoon, council. My name is Bobby Kelly and I am from Orange Beach, Alabama. I own two federally-permitted charter boats. First, I want to say how adamantly opposed I am to the idea of Amendment 28. I actually think the word “disgusted” would be a better term for it, even though I would benefit from reallocation. I can’t see how taking fish away from a very accountable fishery benefits anyone
significantly and, in fact, if somebody on this council can tell
me how the reallocation, taking 3 percent, one pound, 100,000
pounds away from my commercial fishermen and giving it to the
private sector, private recreational angler, tell me how it’s
going to benefit them. Anybody? All right. That’s what I was
worried about.

Therefore, I think that the council -- Kevin Anson, you are my
state guy and I think you all should vote no. You should vote
for Alternative 1, no action, on Amendment 28. I don’t know how
much more stronger I can say that. I am very opposed to it.

I believe that the actions that the council has made on greater
amberjack -- You guys are doing good there and I support the
thirty-four-inch fish. A June and July closure has worked good
for us. We’ve got other fish to catch. We’ve got red snapper
and so keep the closure during the month of June and July. I
think that’s a good thing.

If the council decides to move forward with Amendment 39, I
think that’s great. I think a lot of guys here want it. I
support Action 2 on Alternative 2, but it needs to be for only
the private recreational anglers.

All my charter for-hire brethren here behind me, we’ve done so
much work. A lot of legwork and a lot of time and a lot of
money has been spent to have us with our own program. Amendment
41 and 42, we need to start moving on that and you all stop
wasting time at this council dragging our feet on 3 percent of
this fish. There is other more important things to be taken
care of than trying to steal fish from my commercial fishermen.
It’s not the best use of your time is what my dad would tell me.

If we’ve got a few minutes, you all start thinking about
triggerfish. Let’s not get into this 2016 season and go, oh,
sorry, guys, but no more triggerfish this year either. Let’s
get out in front of this. All right? Every guy in here wants
the same thing and let’s do something on these triggerfish.

If it’s one fish per person for 2016, so we can slow it down and
we can have access to these fish, every charter for-hire
operator in here will do it. Even my commercial fishermen have
already said, well, we would only catch twelve and so, once
again, they’re ahead of the curve on this conservation issue.
You all do something for us and give us a fish to catch. Thank
you.

CHAIRMAN ANSON: Tom Ard, followed by Holly Binns.
MR. TOM ARD: Hello. I’m Tom Ard. I’m a charter boat owner/operator out of Orange Beach, Alabama. I’m on the Board of Directors of the OBFA and the CFA. My business, I usually fish inside of twenty miles. I take tourists from all over the country fishing.

We don’t really have to catch a whole lot of fish, but we just need something to catch. Me and Bobby have been talking about the triggerfish idea because the triggerfish have really exploded over the last couple of years and there’s really a lot of them out there.

I told him today we probably could have caught our two-person limit every day this year not even trying, it seemed like. I am really worried about the triggerfish and not having access to these fish and so let’s try to get ahead of this curve and don’t be like the red snapper, where the stock assessment is down here and our catches are up here and it shuts off and we don’t get to catch them.

I am like the one fish per person and that’s minimum. I would like to see some paperwork on what a fifteen-inch sized fish looks like or a sixteen-inch sized fish looks like, so we can have access. Access is what we all need. They want to bring something home or have the opportunity to bring something home.

Amberjack, I don’t mind the thirty-four inches. Like I said, I fish inside of twenty miles and so I probably won’t be able to keep one for the next few years if it goes straight to thirty-four inches and so I kind of like the stepped system and maybe a thirty-two and then go to a thirty-four and when the fish get bigger, maybe even a thirty-six, but going straight to a thirty-four would probably affect me a little bit, but we have that access and we have that ability to maybe catch one and so I could still sell that. If it keeps my season open longer, I still have a fish to catch.

Amendment 28, it’s not ready yet, not until we get more accountable. I am not willing to put those fish into letting the state seasons suck them up. I’m just not ready yet on 28.

On 39, I think that all the true recreational fishermen should be managed by the states. I am for that. The charter for-hire want to be managed by the federal and keep our federal permits. That’s what we want. We want to be separated from that.

We have Amendment 40 and thank you very much to the guys that
voted for that. Thank you. We have Amendment 40 and give the private recs Amendment 39 and it will work out great. Let’s see what else I’ve got here.

Please keep working on a charter for-hire fish management plan, something that would give my business flexibility and my customers more access. There is that word again, “access”. I don’t have to catch a full limit every day, but it would be nice to catch three or four snapper all the time. It would be great.

Work on that redfish pilot. Like four or five years ago, I think I was one of the first ones that said, hey, let’s start catching redfish in federal waters again. We’re finally starting to work that way and so let’s keep that up. These Mississippi charter boats, that’s a big part of their fishery and so let’s help them out. I support research on some descending devices and I use the Seaqualizer. I am starting to do a video on that and --

CHAIRMAN ANSON: You need to wrap it up, Tom.

MR. ARD: Thank you very much.

CHAIRMAN ANSON: Holly Binns, followed by Martin Fisher.

MS. HOLLY BINNS: Good afternoon, Chairman Anson and members of the Gulf Council. My name is Holly Binns and I represent the Pew Charitable Trust. Thank you for considering our testimony today on red snapper, gag grouper, and greater amberjack.

Red snapper is rebounding. The annual catch limit has increased every single year since 2009. This year’s quota increase was the largest in the history of this fishery. Biologically, this fishery is a success story. However, significant challenges lie ahead, as his council figures out and develops strategies for the recreational sector that improve monitoring and better meet the needs of the various user groups.

To that end, we encourage the council to keep moving forward with Amendment 39. This could pave the way for innovations in the monitoring and management of the private recreational fishery, provided that the state run data collection programs are set up so that they can feed seamlessly into the current stock assessment system.

However, we recommend that the council keep this amendment focused on the private angling sector. We also urge the council to continue working on the amendments that develop management
and monitoring and data collection strategies that are tailored to the way the charter for-hire and the headboat industry fish.

I want to change gears now and offer up some recommendations for the gag framework action. Although the stock assessment showed that gag are no longer overfished, the population is only slightly above that overfished threshold. We have heard today from some of the fishermen here and we have heard at past council meetings that these fishermen aren’t seeing the gag out there anymore.

Neither the recreational nor the commercial sector caught their quota this past year. Recruitment was the lowest on record in the last two years of the assessment and there is still far too few of those older male fish.

For that reason, we urge the council to select Alternative 1 for Action 1, which is the most conservative catch limit option. We think this is really important to avoid gag getting back into that overfished condition and with all that entails.

Finally, we are encouraged to see the council taking the biology of the greater amberjack population into account, specifically by setting the closed season to correspond with the spawning season and by increasing the minimum size limit. We further recommend selection of Alternative 3b in Action 1 of the framework. This is a more conservative catch level and together with these other measures, this provides a stronger likelihood of finally ending overfishing.

After a failed rebuilding plan, it’s time to put this species on the road to recovery. Thank you for this opportunity to provide input on these three important Gulf of Mexico fisheries.

CHAIRMAN ANSON: Thank you, Holly. Martin Fisher, followed by Gary Jarvis.

MR. MARTIN FISHER: Good afternoon, Mr. Chairman and council members. Thank you for this opportunity to speak. My name is Martin Fisher and I started commercial fishing in 1979 and I am currently vertically integrated in the fishery, meaning I own boats, I distribute in wholesale, and I also have a small retail operation.

I am here to speak to you today about gag grouper. As good as our scientists are, I cannot understand why they used the model they did for the SEDAR-33 and using commonsense as science and using the data that’s available on page 59 of SEDAR-33, I would
just like to show you a few things, which is in 2002, the commercial sector, which 90 percent of the commercially-caught gag are from Cape San Blas east and south to the Dry Tortugas.

In 2002, the commercial sector landed 2.9 million pounds of gag grouper. In 2013, we landed 575,000 pounds of gag grouper. That’s one-fifth of what we caught in 2001. From 2001 to 2004, we were catching between 2.8 and 2.9 and in 2005, we caught 2.4. That was the year that we had the bad red tide and the Piney Point incident.

In 2006, it dropped precipitously, almost 50 percent. In 2009, it went down another 50 percent. In 2010, it went down 50 percent from there. In 2014, the data on the IFQ website shows that we caught 575,000 pounds, but I believe that’s an error, because 200,000 to 300,000 pounds of that is actually red grouper multi that was caught as gag, because that’s the only way the computer can record it.

In other words, in the IFQ system, we have red grouper multi and gag grouper multi and we can trade them off and so the point is this is a trend. The trend does not support SEDAR-33 and I believe that you should go for Action 1 in 2.1, Alternative 1, no action.

I would support status quo for Amendment 28 and I would support Amendment 39 if it -- I would support 39 if commercial and charter headboat were not part of it and could never be part of it. Thank you.

CHAIRMAN ANSON: Thank you, Martin. Mr. Walker.

MR. WALKER: Thank you, Martin. You were the Chairman or are you still the Chairman of the Reef Fish?

MR. FISHER: For one more meeting anyway.

MR. WALKER: Could you kind of give us a summary on what they felt in the gag grouper recommendations?

MR. FISHER: Off the top of my head?

MR. WALKER: Yes.

MR. FISHER: Thank you, David. Let’s see. I think the vote was kind of close on whether or not to recommend status quo or go for a modest increase. I believe the vote was -- I’m going to say something like fifteen to twelve. No, that’s too many.
Twelve to ten or twelve to nine, something like that.

There wasn’t a lot of disparity there, but as a general rule, it seemed like everybody felt like the gags were not as abundant as what SEDAR-33 was suggesting.

MR. WALKER: That answered my question.

MR. FISHER: Thank you very much.

CHAIRMAN ANSON: Gary Jarvis, followed by Steve Tomeny.

MR. GARY JARVIS: Captain Gary Jarvis, owner/operator of the Charter Boat Back Down II. I’m a dual-permitted fisherman and a commercial red snapper IFQ shareholder and partner in three seafood restaurants.

In August of 2008, I stood before this council and introduced a plan that would move the charter for-hire industry into a twenty-first century management system. That plan would improve recreational management of the red snapper fishery and preserve a level of historical participation for millions of saltwater anglers who access the EEZ on federally-permitted vessels.

Now, approximately 2,400 days later, I am standing here as this management plan is about to become law. It’s exciting that the charter for-hire industry was committed to explore and initiate ideas that will increase access for millions of anglers. We saw an example of the effect of sound, good management systems with the EFP headboat presentation yesterday and I know an industry-led effort will be good for the fish, for the angling public, and the charter for-hire industry.

Yet, as I stand here 2,400 days later, I marvel at the effort and the resources used by the private boat lobby to stop, thwart, and destroy any attempt to improve management in recreational fisheries and they offer zero solutions to improve their constituent’s access issues.

In 2,400 days, there has not been one single plan that specifically addresses many issues facing the private boat sector and how to develop a system of management that can identify actually who is fishing in that sector, what they catch, how much, and how many.

Instead, from the private boat lobby, we get outright lies and misrepresentation of the truth and political maneuvering and zero focus on solving issues facing the private boat sector they
claim to represent. They pervert the management process by promoting a scorched-earth policy that is now being implemented by the state commissions and their directors.

The state-water loophole was a strategy designed to create a level of chaos to generate a populous uprising to circumvent reasonable debate, the public process, federal law, and any attempt at sound scientific management ideas. Does the Florida net ban ring a bell? This loophole reduces the EEZ fishery to zero recreational fisheries and not allocation.

I thought I had seen it all the past 2,400 days from this lobby, until I read the state directors’ plan heading to Congress to outright steal the EEZ fishery from the public process and hand it to a five-person group who will answer only to the folks with the biggest wallet in state politics. Talk about scorched-earth. That’s more like roasting a pig on a spit.

In closing, what this means to all professional fishermen, charter and commercial alike, who represent 70 percent of the access to the entire fishery, and that includes the consumer and the public saltwater anglers who fish with us, is this simple fact. I will still be coming to this meeting for the next 2,400 days to keep this immoral, greedy, and fish-hoarding lobby from destroying the public access to hundreds of millions of citizens and tourists that come to the Gulf Coast. Thank you very much.

CHAIRMAN ANSON: Gary, you are not done. David.

MR. WALKER: Hi, Gary. I know you’ve been working on a lot of this for a long time and I know you were here yesterday and you listened to the headboat presentation when they talked about the discards were up and I think they said it was north of 50 percent.

I think the buffer was reduced and I would just ask you, what makes sense to you if you’re looking for a new fishery management plan?

If you could find a way to take that 50 percent discards and then the 20 percent buffer, you could take the 50 percent discards and have it picked up in the assessment and you could remove your buffer if you get an accountable plan and that’s 70 percent and let’s be conservative. Let’s divide it by two and so 35 percent increase and does that make more sense than just Amendment 28?

MR. JARVIS: We’re seeing Amendment 28 talking 3 or maybe 5
percent, depending on the alternative that you decide. When you talk about the 20 percent buffer on seven-million pounds, that’s a lot of fish and so why don’t we move, like the charter for-hire industry is trying to do, in a management plan that will prevent overfishing the annual allocations and account for what is being caught and be able to reduce those buffers. In the commercial fishery, they’ve got a 5 percent buffer.

If you want a true increase of access for the recreational fishery, let’s do it through sound management and not by gifting bad behavior.

I am totally against the reallocation of the fishery, even though as a charter fishermen I get some of those fish. It may translate into a couple of days for me, but you know what it doesn’t translate in, it doesn’t translate into sound management in recreational fisheries. That’s what it doesn’t translate into.

DR. DANA: Thank you, Captain Jarvis. I asked the question earlier of Randy Boggs from Alabama in regards to the removal of the decals on the federal for-hire charter boats. What is your perspective? You represent the Destin Charter Boat Association. You’re the President and are you, on behalf of the fleet, in favor of having the decals on the federal charter boats or having them removed?

MR. JARVIS: I think Captain Eller spoke it best and actually represented the fleet. As in the commercial fishery, the IFQ system has allowed for self-policing, because now the fishermen have a stake in the fishery. Under Amendment 40, as it’s passed, the same thing is taking place in the charter for-hire industry.

We do have a problem with state-licensed guides fishing in the EEZ and we do have a problem with people not even having charter permits that are chartering totally illegally and having that stamp allows us to walk our own docks and see who has a permit and who doesn’t.

It may not benefit the FWC, but you know what they always do every year? They walk up and down the dock and see who has got the right stickers on the side and they use that against the Okaloosa County business license or the City of Destin business license and make sure these guys are up to date in their licensing and they are being legal charter operators.

As the President of the organization and a heavily-invested
member of the fishery, that’s the kind of enforcement and kind
of policing that we need. We need everyone to play by the same
set of rules and if you want to be a state-licensed guide, good
for you. I hope you have much success, but don’t participate in
our fishery and not meet the same type of requirements permit-
wise, expense-wise, safety-wise, inspection-wise.

MR. PEARCE: Real quick, how many members in your organization?

MR. JARVIS: I think Jim said we had seventy-eight, but, in
reality, we have over 130 charter boats in our community. We’re
all close-knit and even though there are some members that
aren’t active, paying members of the Charter Boat Association, I
confidently say that we represent over a hundred charter boats
in Destin, Florida.

CHAIRMAN ANSON: Steve Tomeny, followed by Dewey Destin.

MR. STEVE TOMENY: Good afternoon. I am Steve Tomeny and I’m a
charter operator out of Port Fourchon, Louisiana. I also
commercial fish and I’m a red snapper IFQ holder. I have a
dual-permitted charter vessel. I will go down the list and
there’s nothing you haven’t heard yet today.

Amendment 28, I don’t see any use for it. I should be, just
like Gary just said, a beneficiary on the charter side. I
should be able to be fairly neutral on it, but I won’t see I
don’t think anything that will be significant to me by the time
it would make it to my charter vessel in a day or a half a day
or whatever it is. I just don’t see it making any good and
there is no conservation measures in it. It doesn’t save any
fish.

I am going to go to Amendment 39. I am okay with it for the
private boats. My federally-permitted charter boat and the
other boats that I have owned in the past, we fish in the EEZ
and we need to stay there. We are moving along with this
federal management and it’s slow and it’s painful and we’ve been
here a long time talking about sector separation and it turned
into Amendment 40 and thank you for passing it.

We are really looking forward to exploring and making it better
than the -- The derby we’re going to have this year is a lot
better than what we had last year, but we’re going to try to
take it and make a real management system out of it with good
intentions and good success for everybody that wants to
participate in it.
The electronic monitoring is key to it. VMS is on my boats already and I have no problem with VMS requirements. The pilot for VMS is out there and let’s make that happen, but we will continue on to make Amendment 40 successful.

Along with that, we need to roll into 41 and 42. We’ve got a headboat pilot program out there that’s been working really well and going into its second year and it looks like we won’t be able to continue it into 2016 in time I think is kind of the buzz I’m hearing. Let’s make it happen and let’s don’t make five more years before something like that takes place and just throw more boats back into a derby. It doesn’t do the fishery any good.

Those things are things that we’ve just been working on and need to see happen. There is a lot of distraction with Amendment 28 and even regional management. I am always up here saying tags and I’ve got to say it every time I come up here.

If you want to get a tag system for the private recreational boats, get some kind of tags on the charter boats, so we can have a little more flexibility when we fish and all, that’s what we’re looking for, stuff that would make a little more money killing less fish.

The only other thing I will say is crew size in Amendment 36, we don’t need them. The VMS, you declare whether you’re charter or commercial and I don’t see any need for it. Thank you.

CHAIRMAN ANSON: Thank you, Steve. Mr. Pearce.

MR. PEARCE: Thank you, Steve. A couple of quick questions. Are the charter boats that you’re in contact with in Louisiana against reallocation?

MR. Tomeny: Everybody I have talked to. Once you explain to them what they get and don’t get and what it’s about, I don’t have anybody that has any problems with it and they would go for no action on Amendment 28.

MR. PEARCE: Are the charter boats you’re in contact with in Louisiana, do they want out of Amendment 39 and have it private recreational only?

MR. Tomeny: Yes, most of them I talk to. I mean they’ve got their federal permits and they see the value that that is. The federal government offers us these protections under the Magnuson-Stevens Act and as much as I like the guys from the
state, I just don’t see anything -- We could be thrown to the wolves.

I mean we’ve got a couple of good guys working there now and they can say we’re going to have all of this, but there is nothing to protect me when one of them dies or goes away or takes another job or gets hit by a car tomorrow.

All those good intentions just went down the drain and I’ll take my chances with the next guy. At least in the federal system, we have protections. There is an access for our historical presence and I want to see that continue.

MR. PEARCE: One last question. You talked about electronic monitoring, electronic reporting, of VMS. Would you be opposed to rolling the headboats into the electronic monitoring amendment that we’re working on right now as a council and have it both headboats and charter boats?

MR. TOMENY: They are already reporting electronically and so if would -- Pinging on a keypad is no difference, as long as they just make it go where it needs to go. I mean we’re already doing it.

MR. PEARCE: But we’re working on an amendment that doesn’t have you in it yet and would you like us to put you in it?

MR. TOMENY: Yes.

CHAIRMAN ANSON: All right. We have Dewey Destin, followed by Scott Hickman.

MR. DEWEY DESTIN: Thanks for this opportunity to speak to you again. I spoke to you in Mobile not too long ago and my family has been involved in harvesting red snapper since the 1840s, five generations worth. I fished on boats of all sorts for forty years.

I am going to talk to you today as a restauranteur. The Florida Restaurant and Lodging Association is against reallocation, as am I, and for very good reason. Our past president spoke to a Senate committee in the state legislature and I was present and he testified that the restaurants on the Destin Harbor sell $60 million worth of seafood dinners a year.

Now, that’s an area about a mile long and it equates out to four or five-million customers. They are not all eating red snapper, but red snapper is our premiere local fish that’s featured.
I was eating at one of the Brennan’s restaurants in the French Quarter last night and they had fresh Gulf snapper on their menu. It was $42 for about a five-ounce serving, as best I could tell. That comes out to $126 a pound.

I represent the 90 percent of the folks in this country who are the common owners of the resource and we’ll play the economic benefits with anybody who wants to. If you’re getting that much money out of a place as small as Destin Harbor, just imagine what the impact is throughout the Southeast or throughout the entire Gulf of Mexico.

To reallocate the resource away from those 90 percent of the owners defies logic and it’s not fair. It has no conservation element and it will not extend the fishing season for the recreational fishermen any significant amount.

What we need to do, and being a lifelong fisherman and having friends and family who are involved in charter fishing and every type of fishing that exists in the United States, we need to address the continuing disaster that is our recreational management system.

We need to do more of the innovative pilot programs like the headboats along the Gulf Coast used this year and we need to move away from kill and release. My sons and I still go fishing occasionally, because I just like to go do it.

The Gulf is full of dead red snappers floating around, any kind of decent place where you can catch them. That’s really an awful thing to be doing and we can fix that problem with an aggregate bag limit and a number of other innovative management schemes.

If we don’t fix those problems, there is no future for the recreational, or the commercial fishing industries for that matter. I urge you guys to work on those types of solutions and don’t reallocate a resource away that makes no sense at all from one group to another.

It’s an indictment of the system that’s going here and all of the good feelings that folks have talked about, about how they trust you better than the state management. That’s all going to go away if you go forward with this or at least be severely impacted. I appreciate the opportunity to speak.

CHAIRMAN ANSON: Thank you. Any questions? Thank you, Dewey.
Scott Hickman, followed by Bubba Cochrane.

MR. SCOTT HICKMAN: Good afternoon, Chairman and ladies and gentlemen of the Gulf Council and esteemed guests at this council meeting. You know I’ve got a bunch of stuff to read here, but, first off, Corky had asked somebody earlier about state directors or having trust in the states from a charter boat standpoint or for a red snapper commercial standpoint.

This is just something I had dug out of the Lone Star Outdoor News this last fall after Amendment 40 passed and we hear this faith and trust issue and this was from the Director of Fisheries from the State of Texas. He was quoted saying that splitting the rec sector is a step in the wrong direction, as is splitting private anglers in their fight against the commercial red snapper fishery.

MR. PERRET: Who said that?

MR. HICKMAN: That was my State Director was quoted in the Lone Star Outdoor News and it’s a very large publication. You wonder about faith and trust when our own officials are coming out saying that we should be fighting, one group of fishermen or another group of fishermen.

We should be working together, all of us, and coming up with solutions and it took me a long time to just try to figure out why everybody was so upset with one group or another group when there is plenty -- We have done a great job rebuilding this fishery.

We’ve got to find better ways to execute the way we catch these fish, the way the fish are managed, the way the fish are counted. We have tools to do all that. We have a lot of bright people here and let’s do that.

Amendment 39, private anglers only. Please expedite Amendment 41 and Amendment 42. Amendment 28, no action. It won’t fix anything. One day is a complete joke for the recreational anglers. In Texas, we’ve got a year-round red snapper season.

Last Saturday, I was offshore in the EEZ doing a commercial fishing trip. I’m a new red snapper IFQ entrant in that fishery and I probably saw twenty different recreational boats harvesting red snapper in the EEZ and we have a problem in Texas. People just fish when they want. We have very little law enforcement presence out past nine miles and granted, it’s hard to patrol something that’s out past nine miles and so we
need to do a better job.

We need more law enforcement presence to stop the illegal fishing that’s going on. We don’t have much for -- Most of the Texas coast does not have a viable red snapper fishery in state waters, but we have always had a state water season.

You look at our numbers and it says we don’t catch much. We’ve got a big fleet and we’re catching something. Either the numbers are wrong or we’re really terrible fishermen in Texas. I think we’ve got a great fishery and we’ve got good fishermen. We’ve got to capture those numbers.

Amendment 36, the red snapper IFQ system is meeting all of its goals and it works great. As a new participant, it’s a great system and I really like it. We need to move forward with a loan program for new entrants. I know the council passed something on that a few years ago. I sat on the AP that helped design that system and we need to move that forward.

Do away with the dual-permitted vessel crew size limit. There is no reason to have it. It discriminates against those stakeholders. Approve the minimum thirty-four-inch size on greater amberjack and keep the charter for-hire vessel permit decals on our boats so we can self-police. Once again, I would like to really, really see something done about all these illegal fishing, especially off of Texas, both with federal resources, state resources, and I would like to see a 45,000-pound trip limit on the king mackerel gillnet fishery. It makes sense for those guys.

CHAIRMAN ANSON: Scott, if you can wrap it up.

MR. HICKMAN: Thank you very much.

MR. PERRET: When you say you want law enforcement against the illegal fishery off of Texas -- Well, everywhere, but off of Texas, because that’s your backyard, were you here at the last meeting when the Coast Guard gave their presentation about -- When you talk about the illegal fishery, are you talking about domestic illegal activity as well as the foreigners?

MR. HICKMAN: I guess you could look at it both ways. I don’t know who is catching more red snapper in our Texas waters illegally, our recreational fishermen or the Mexicans. I think if Texas numbers were correct and you counted the fish that were being caught by our recreational fishermen, their year-round season in the EEZ, and what the lancha fishermen are catching,
we are probably catching the whole ACL. No, I was talking about recreational fishermen.

Our captains in south Texas see the illegal lancha fishermen a lot. It’s a big problem and the Coast Guard is maybe catching less than 10 percent of those boats that are illegally fishing out of Mexico. The boats that I am seeing, I know the boats. They are my friends and neighbors.

To say that, these people want to go fish. We have got a really robust big red snapper fishery and I keep hearing from the recreational lobbies that they don’t support a tag system, but every recreational fisherman in my marina walks up to me all the time and says, you go to those council meetings and tell them we want tags. They are all telling me that so I don’t know why their leadership, the recreational lobby, is saying that they don’t want tags, when I hear from all the recreational guys that they say they would be fine with that.

We have tags for red drum in Texas, oversized red drum. We’ve got a stamp for everything in the state, from mockingbird watching to spring turkey hunting. We’ve got like twenty-five endorsements in the State of Texas and we can have a red snapper endorsement through tags.

MR. PERRET: One more question, if I may. If indeed all this illegal activity is going on by these recreational fishermen, are these fish taken home and given to neighbors or are they entering commerce?

MR. HICKMAN: Could you repeat that real quick?

MR. PERRET: Are the fish being sold?

MR. HICKMAN: Are they being sold?

MR. PERRET: The alleged illegal activity, are those fish entering commerce or are they just taken home and given to neighbors?

MR. HICKMAN: Those fish are being caught under the recreational bag limit in Texas of four fish per person and if they do get intercepted by Texas Parks and Wildlife on their creel survey at a boat ramp, they are not going to say I caught them illegally. They’re going to say we caught them in state waters.

DR. CRABTREE: So the private recreational guys that you know who are advocates of a tag system, are they going before the
Texas Parks and Wildlife Commission and telling the
commissioners there and asking them to support a program like
that? Really, for us to get to any kind of tag program, we’re
going to need the states to be willing to participate in it.

MR. HICKMAN: That’s kind of a Catch-22 deal, like the
recreational guy that came up first today and he was talking
about these people have jobs Monday through Friday. Texas got
kind of a unique situation with our commission, where other
people from other states say that they can speak at every
commission meeting.

In Texas, we’ve got an open comment one time per year, one day
per year, and it’s on a weekday, mid-day. They would have to
drive most of the time to Austin. Sometimes they do it in other
places, but it’s hard to -- You can’t get ahold of the
commissioners email addresses or phone numbers and so you’ve got
one day per year and it’s just very difficult to get that
message out.

CHAIRMAN ANSON: We have Bubba Cochrane, followed by John
Schmidt.

MR. BUBBA COCHRANE: I’m Bubba Cochrane from Galveston, Texas.
I’m a commercial fisherman and a charter boat fisherman and also
President of the Gulf of Mexico Reef Fish Shareholder’s
Alliance.

I am part of the 70 percent of those with red snapper share
allocation and I do not support Amendment 28 to reallocate any
snapper from the commercial sector to the recreational. I also
represent 97 percent of the 300-million Americans that own this
resource, but do not have the means to catch their own red
snapper. I do not support reallocation.

Most of the charter for-hire sector is against reallocation as
well. Even though it would mean more quota, I think they
realize that at some point they too will be the crosshairs of
recreational fishing interests to grab quota from them. This is
not a management solution for the recreational fishery.

This council has made great strides in management by listening
to the stakeholders. Amendment 40 and the headboat pilot are
the kind of management options that are working to make those
fisheries more sustainable, accountable, and, most importantly,
profitable.

The council needs to put Amendment 28 to rest and continue to
work on real management options for the private recreational anglers, like regional management. If that is what recreational fishermen want, then the council should continue to work on it. I have never heard a single commercial or for-hire fisherman ask for regional management and so just leave us out of it.

The commercial management is not broken and the for-hire sector, with the help of the council, is working to fix their management system. Regional or state management should only pertain to private anglers, because they seem to be the only ones asking for it.

On Amendment 36, the red snapper IFQ is working to help rebuild stocks and meeting the goals of the program. We do not want any big changes that don’t align with the goals of the program like more caps, use-it-or-lose-it, increasing capacity, or quota holdbacks.

I do support a full retention red snapper fishery, which would eliminate discards. It would also support hail-in and hail-out on all reef fish trips. Getting rid of crew size restrictions on dual-permitted boats and the use of federally-backed quota loan programs and industry quota banks, these options could only improve upon an already greatly successful IFQ management that we are currently under. Thank you.

CHAIRMAN ANSON: Thank you. John Schmidt, followed by Bill Staff.

MR. JOHN SCHMIDT: Thanks, everybody. I am John Schmidt. I have been fishing the Gulf of Mexico for close to thirty years and roughly half of that as a recreational fisherman and the other half in the commercial industry.

I feel that we are all very lucky that our country decided we need to end overfishing and rebuild our fisheries and find ways to make sure that they stay healthy going forward. If it weren’t for that, I don’t think any of us would be here.

What I personally would like to see in the future is support from our state to continue the improvements that we’ve made in the federally-permitted fisheries. I think our country will be very proud when they understand how well we’ve done to make ourselves accountable and to make better use of that fishery and make ourselves manageable and enforceable and still get better product to America year-round. They will be very proud.

I would like to see the support of our state to do that with the
charter guys that worked for years to finally get their system implemented. I would like to see the state support us to continue the improvements in the commercial sector.

I would like to see something happen with regional management, but maybe not just how everybody else sees it. Regional management makes sense to me because fisheries in the Gulf are not the same everywhere, but I think that there should be some things that are essential, like compliance between state and federal regulations.

I think that there needs to be a drastic improvement in enforcement for the private recreational fishermen. The data, the data from that fishing sector is the one that’s in question. The control of that fishing sector is the one that’s in question and the states and those licensed fishermen and the fishing industry are the people that have control of that.

They are the ones that need to work with the federal government to fix it, instead of trying to take from everybody else. They talk about their sector growing, but I hope our state keeps in mind that 97 percent of their citizens can’t go catch their own fish in federal waters and ninety-five-million visitors to our state, there is a good portion of them that rely on high-quality, fresh, domestic seafood too. That’s all my comments and thank you.

CHAIRMAN ANSON: Thank you. Bill Staff, followed by Derrick Gutierrez.

MR. BILL STAFF: Guys, I am Bill Staff from the Charter Boat Sea Spray, thirty-five years of charter fishing. I would like to take the time to thank you all for letting me speak, but I really want to thank my industry for showing up in such great force. You all should know how we feel now.

I would really like to thank the council for voting Amendment 40 in. Hopefully the Secretary of Commerce will make it into law and we will be able to show you all how well it will for us and even with the sunset, maybe it will work so well this council will want to keep it.

It would just like the commercial guys’ program and basically like the pilot headboat program. They both work so well that we hope it will work. It would also make 75 percent of the fishery accountable.

I am in favor of an electronic logbook and I am not in favor of
any reallocation unless the user group receiving fish is 100 percent accountable. Amendment 39, leave it only to the purely
recs.

The amberjack size limit, thirty-four inches and no opening in
June and July. Leave it closed when the user group months are
at its lowest. Gray triggerfish, I never had a year in thirty-
five that I didn’t get to keep a triggerfish and that’s pretty
sad, guys.

Hopefully Florida complying will straighten this out, but if
not, if we’ve got to go to a one fish bag limit or raise the
size limit -- I would probably rather go to a one fish bag
limit, but do whatever it takes to get us through the fall or at
least through the snapper season, when we’re fishing the wrecks
that the triggers live on to try to keep the dead discards down.

Just lose the politics, guys, and do what’s right. I would hope
and I would think if myself and sixteen of these fishermen were
up here looking at your livelihood and figuring out how you were
going to make a living that you would probably want us to listen
and that’s all I’ve got to say and thanks.

CHAIRMAN ANSON: Bill, we have a question from Mr. Pearce.

MR. PEARCE: A real quick question, just for clarification. You
are from Alabama, right?

MR. STAFF: Yes, sir.

CHAIRMAN ANSON: All right. Derrick Gutierrez, followed by
Sonny Schindler.

MR. DERRICK GUTIERREZ: Good afternoon, council. My name is
Derrick Gutierrez and I am prior service military and I just got
into fishing pretty recently. I am working at my parents’
place, Katie’s Seafood Market. I am distributing fish online.
This is my first time at a meeting and so thank you all for
having me.

I am a part of the -- I support the 70 percent of those who have
allocation who do not want to reallocate. I represent the 97
percent of Americans that would like to have access to the
seafood.

According to the MRIP, the recreational sector caught eighteen-
million pounds over the quota and it just seems irresponsible to
take away from the commercial side that has been working within
their parameters that you all have set and helping these fisheries and giving it away to another section that isn’t.

It seems like -- Like I said, I am new to the business and I am just getting started, just trying to figure it all out, and throwing money at a problem in your business never works and I don’t think that throwing more fish at a problem will work as well. I think that they go hand-in-hand. You have to look deeper into the issue and try to figure out how to manage the problem and not just throw money at it.

I think the reallocation definitely hurts the Americans being able to receive seafood. It seems like, to me, the recreational fishermen have enough fish or have enough different types of fish that they have 100 percent of that the American public doesn’t have access to already and now to throw another fish in there, in that same boat, would hurt the American people, because it’s a high-quality fish and it’s healthy and denying the American public a healthy alternative to all the stuff that we have out there to eat today, I mean which we obviously have a problem with, because we’re not -- I mean for lack of a better word, we’re not doing well with our health and what we choose to eat and denying them a healthy alternative to eat is just limiting our ability to get better as a country health-wise. That’s all I have to say and thank you.

CHAIRMAN ANSON: Thank you, Derrick. Mr. Pearce.

MR. PEARCE: Look, it’s great to see young men get involved in the fishing industry. I think part of our problem is we don’t have enough guys like you and it’s good to see you step up here and tell this council how you feel and what you feel. Whether we agree or disagree with you, that doesn’t really matter. It matters that you’re here and you give us your opinions and we react on your opinions. Thanks for coming.

CHAIRMAN ANSON: Thank you, Derrick. Sonny Schindler, followed by Mike Rowell.

MR. SONNY SCHINDLER: Thank you all for the opportunity. My name is Sonny Schindler and I’m an owner and full-time guide for Sure Thing Fishing Charters out of Bay St. Louis, Mississippi. We are the largest inshore charter fishing company in Mississippi. All of our boats and guides are licensed in Mississippi waters and Louisiana and also four of them hold Gulf Island Seashore permits.

We also lease a 4,000-square-foot lodge on Cat Island, which is
somewhat of the reason I am here, regarding the Redfish EFP. We
don’t really target our redfish in the waters in question, but
we do transit them and so if we were to come from -- We cover a
lot of ground where we fish and occasionally we do see the
redfish in the waters in question, but if we do have redfish in
our boxes, we can’t stop.

Part of that is why we would like to see it allowed and also for
the fleet over here on the east side of the state. A big part
of their fishery is the redfish farther offshore, because the
snapper fishing over here is not in state waters and so they
need something to do.

Will they keep most of them? I doubt it, but it is nice to have
the freedom to do so. In doing that, if they were to keep a
redfish, and since it’s not allowed and this would be an
instance where you’re starting from scratch to allow them
keeping it, I would say go for the data aspect of it and if your
charter boat is going to keep a redfish, then you need to be
endorsed, licensed, stickered, permitted, whatever we’re calling
it. Then we need to use those fish down the road for data and
to make sure we’re not hurting the stock.

In regards to the stock, if this was a room full of charter boat
people, I would tell you I am that good at catching redfish in
regards to how many we’re catching in the last two and three
years. I am not that good. There is just that many more
redfish in our waters.

When we are catching limits two and three miles off the beach
here, it’s just that I firmly believe -- I average around 200
days a year and the redfish is just getting that much better and
I think the guys out there in that water need to be able to keep
a fish.

MR. PEARCE: Sonny, a couple of things. You are one of the
Mississippi candidates that is going to take Corky’s place and
so maybe you will have a chance to change that redfish that he
and I haven’t had the ability to do in the long time we were
here and so good luck to you. Good luck to you.

The second thing is that what is -- You have seven boats in
Mississippi and what is your position on Amendment 39? Do you
want to be a part of the state plan or do you want to be a part
of the federal plan?

MR. SCHINDLER: I would rather see the state do it, but it
doesn’t really matter as long as -- In my opinion, as long as
the charter boats are kept separate. I would definitely -- Not so much state or federal, but as long as the charter guys are on their own.

I have to pay several thousand dollars a year in licenses to be called a charter boat with endorsements and stickers and stuff to put on my boat and so I just want to be kept together with the charter boats.

MR. PEARCE: That’s what Amendment 40 is doing for you. Thank you.

CHAIRMAN ANSON: We have one more question for you, Sonny, from Camp.

MR. MATENS: Mr. Schindler, I’ve got two questions. The first is if Mississippi had a nine-mile limit, would you be okay? The second is the fish that you are catching three miles off the beach, about how big are they?

MR. SCHINDLER: The majority of the ones we got -- I am trying to think the last day I fished. Tuesday. Most of them were twenty-seven to thirty-one inches. Not many small ones. Just, for whatever reason, they are really think on our near-shore reefs right now. The nine miles, I am not federally permitted and so we’ll take whatever we can get as far as far out as you all want to go, but I don’t know if I’m the guy for that question.

MR. MATENS: Let me clarify my question. If Mississippi had a state boundary that went out nine miles, would that solve your charter issue? If you could catch state fish out to nine miles?

MR. SCHINDLER: Where I am at, in that corner of the state, I think it would.

CHAIRMAN ANSON: All right. We have Mike Rowell and then followed by Dick Brame and Mike is the tenth person left for public testimony, for anyone keeping score.

MR. MIKE ROWELL: Do I get an award? Just for the record, Mike Rowell, Charter Boat Annie Girl, Orange Beach, Alabama. I don’t have any inspiring speeches like some of the prior guests, but with all seriousness, if you could take what Mike Eller and Gary Jarvis said, you can just read back on your notes and we won’t go there.

I am so glad to see Amendment 40 passed here and I hope it’s
signed into law. I have been involved for many years, many not
as many as some, but I have been very discouraged with the
process and I kind of have stepped to the side and I’ve got my
hopes up again and I thank you all for listening to us and I am
hoping that we’re going to run our fisheries like a business.

There is so much waste in government and everything we see and
that’s what has been so frustrating with me, is just the waste
that we see in our business. I am hoping that this is going to
be a more efficient way for us to fish and also take care of our
resources.

Also, just for the record again, as far as amberjack, I would
like to see the amberjack size limit go up and a June and July
closure, so we can have those fish in the spring. That’s all
and thank you.

CHAIRMAN ANSON: Thank you, Mike. Dick Brame, followed by Brian
Swindle.

MR. DICK BRAME: Good afternoon. I am Dick Brame and I am the
Regional Fisheries Director for the Coastal Conservation
Association and I appreciate the opportunity to speak to you all
today.

I am here in support of Amendment 28, specifically Alternative
9, but I would like to offer a slightly different perspective.
The allocation between the commercial and the recreational
industry was set about twenty-five years ago at the 51/49 and we
think there were problems with the recreational data used in
setting that allocation.

The first one is that to use the years 1979 to 1983 from the old
MRFSS data system and that is the most unreliable data in the
dataset. The first three years are not even used in stock
assessments, but, more importantly, it was set at a time when
the population of red snapper was at or near its lowest level
and the recreational effort was at probably one of its lowest
levels at that time.

The recreational effort and stock size, in a free fishery, as it
was back then, is -- They tend to move around with each other
and so when you have a very, very low population, you tend to
have less effort. That was the data that was used to set the
allocation.

You have an opportunity now, with the new TAC you have, with the
increases, that are largely a result of changes in recreational
data, in calibrating the MRIP estimations and in the size selectivity. You have a way to address this problem. We just wanted to offer that as a potential reason to support Alternative 28. Thank you.

MR. PEARCE: Real quick, would you -- I mentioned this to Ken Haddad and I would like to ask you as the CCA. Would you be in favor of us trying to begin the development of a private recreational fishery management amendment to try to figure out some different alternatives that might help you get away from a derby fishery and move into the future in a different way?

MR. BRAME: Certainly, if it didn’t impact the amendments currently underway. Certainly we would be happy to work with you on that.

MR. PEARCE: No, definitely independent of that. I mean I would really like to start something so we could be looking at the private recreational and just see if we can help him find a better way to manage this fishery, whether it would be tags or whether it would be -- I don’t know what it would be, but it’s up to the private recs to let us know that and not up to us, but I just think we need to really look at that to try and move you past this derby days stuff.

MR. WILLIAMS: Dick, thanks for coming. Do you guys have a position -- Does CCA have a position on a tagging system for the private harvest of red snapper?

MR. BRAME: I don’t believe we have a position on it. We would have to see the specifics of any sort of program.

MR. WILLIAMS: Are you categorically opposed to it? I have heard you are, any kind of tagging system.

MR. BRAME: I am not sure if we’re categorically opposed to it out of hand. We would have to see the specifics of it, but, in our view, it would be problematic.

CHAIRMAN ANSON: Thank you, Dick. Brian Swindle, followed by Johnny Williams.

MR. BRIAN SWINDLE: Thank you for having me, council. My name is Brian Swindle and I’m a dual-permitted vessel. I am an IFQ shareholder and a charter boat captain from Dauphin Island, Alabama. I have been in the charter industry since 1999 and the commercial fishery since 2001 and have been a recreational fisherman even longer.
In the seventeen years that I’ve been fishing for a living, I have seen many changes in both sectors, both good and bad. The commercial IFQ fishery has been the only stable and accountable sector since 2007. We have seen a six-month recreational season go to just nine days last year.

I believe we are on the right track with Amendment 40 in bringing stability and accountability to the for-hire industry. I would love to see us one day to go a program similar to the headboat pilot program. From what I’m seeing so far, it’s been a successful program.

In my opinion, Amendment 39, regional management, should only apply to private recreational boats and leave the for-hire and commercial IFQ out of it. This should only be aimed at the private sector. The commercial sector has a successful program and with 40 in effect, the charter will gain stability and accountability.

As for 36, the current share cap is acceptable. I do not agree with allocation caps. I think you should have to have a reef permit for harvest. We should go back to the requirement of having a reef permit to purchase shares. I am against any kind of use-it-or-lose-it provisions as long as the fish are being harvested.

Every commercial boat should be required to give a three-hour landing notification. Who knows if they are really landing IFQ fish illegally if no one checks them?

I am for moving the crew limits on dual-permitted vessels. I should be able to man my boat as I see fit, due to safety. This is an outdated rule to prevent commercial charters and should no longer apply.

Now on to Amendment 28. This one really has me scratching my head. You are going to punish the commercial IFQ fishermen by taking fish and giving them to a sector that historically -- Has historically overfished its quota. Until the recreational sector, and by that, I mean the private boats, can prove they can fish within their quota, I am against any recalibration at this time. Maybe down the road, after we see how 39 and 40 are working.

Also, by reallocating fish, you are taking fish away from the consumers, like many fish markets and restaurants. You are removing access from the non-boat-owning public. I am strictly
a snapper fisherman and with 28 on the table, it is hard for me to invest in my business and know what the future holds.

The red snapper fishery is the best it’s been in decades. The commercial IFQ guys have been a big part of the rebuilding of this stock and so don’t punish the ones that have been accountable.

I support the thirty-four-inch amberjack increase. As for the commercial side of it, maybe go to a 1,000 or 1,500 trip limits. Both sides should have to help with that fishery. Thank you.

CHAIRMAN ANSON: Brian, we have a question over here from Johnny.

MR. GREENE: Brian, what about the closed season on amberjack? I didn’t hear you comment about that, if you preferred it to stay June/July or if you would like to see it moved.

MR. SWINDLE: Me personally, I would love to have it open in June and July. I have not run a twelve-hour charter in two or three years just for that reason. Let some of the other guys who need the fish during the spring and that would be fine. I am used to it now. Just closed June and July.

CHAIRMAN ANSON: Thank you. Johnny Williams, followed by Jillian Williams.

MR. JOHNNY WILLIAMS: Good afternoon. Johnny Williams from Williams Partyboats Incorporated, a third-generation partyboat operator out of Galveston, Texas. I am here today to speak about a couple of things, basically addressing red snapper.

Number one, I’m in the pilot program, as you all probably know, for the red snapper. It has worked great for us. It gives me the opportunity to fish when I want to fish rather than when I’m told to fish.

My competitor down the street, he chose not to be in the program in 2014. However, after seeing the benefits that it had for me, he chose to be in it in 2015 and so it’s a very good program and that’s the good news. The bad news is it’s going to end after this year and so we need to make some progress here with Amendment 41 and 42, so we can get a program similar to that for the whole for-hire sector. I don’t know if it will be identical to what our program is, but ours is sure working great.

As far as the commercial fishermen, I think that their program
has met all the goals that they intended to meet or if they haven’t, they are real close to meeting all of them. I don’t think that we should be moving fish from a sector that’s accountable to one that’s unaccountable at this time.

It seems like, to me, if you’re going to be a good steward of the resource that you don’t want to move fish from something that’s accountable to something that’s not accountable.

Also, these poor guys are looking over their shoulders all the time. Hopefully we’ll get some sort of program similar to them with Amendments 41 and 42. I don’t want to be looking over my shoulder all the time. I mean we fought real hard. I fought for sector separation since I first met Doug in Amendment 1 back in 1989.

I was arguing for it then and I finally got it accomplished twenty-five years later. You don’t want to always have to be fighting for everything that you get. Once you get it, it would be nice to kind of hold on to it and cherish it a little bit.

As far as the regional management, I am completely against that. Look what has happened so far. The states are basically managing their state waters and they have pretty much put a real hardship on the for-hire industry.

This last year, other than the boats that were in the program that I’m in, they were only allowed to fish a total of nine days out in federal waters because of state management. Why would I want to entrust my fishery to the state when I can see the results of what I’ve gotten so far? I am completely against the state management at this point in time.

I have tried to talk to our Director to see what it would look like. I mean if you want me to support something like that, at least tell me what it would look like and they said whatever the commission comes up with. How can you support something that you don’t even know what it’s going to look like?

I am real happy with the program I have right now and I hope we get rid of this 28 and forget about it. I mean the results are going to be inconsequential anyway and don’t take anything from an accountable fishery and put it in one that’s not accountable.

Thank you.

CHAIRMAN ANSON: Thank you, Mr. Williams. Jillian Williams, followed by Mike Thierry.
**MS. JILLIAN WILLIAMS:** Good evening, everyone. My name is Jillian Williams and I am a fourth-generation partyboat captain out of Galveston, Texas. One of my boats is in the red snapper pilot program and it has been working wonderfully for us and I want to thank you all again for helping us get to the point we’re at now and hopefully we can get something going good like this for everybody in the future. It really has been doing great for us.

Our customers have really enjoyed it and it has helped them out a lot and when we have to cancel a trip now, they can just go red snapper fishing later, instead of how it’s been the last couple of years, where every single day in June is booked and if your trip gets cancelled, you just don’t go fishing and so it’s a lot better for our customers as well.

As far as reallocation goes, I don’t see it solving anything right now and so I think we’re just kind of wasting our time a little bit with sitting here arguing about it. I mean I don’t know as much about it, as in-depth as a lot of people, but to me personally, it doesn’t seem like it’s going to help us do anything right now.

State management sounds like an awful idea to me. Texas, I love my state, but I have seen what they’ve done with the red snapper in our state waters and how they have just opened it to people poaching them offshore every single day of the year.

I see fish out there or I see boats out there when we’re fishing all the time on spots that I know that 99.9 percent of what they are probably catching is red snapper. I hear people talk about how they run out there and just come back in.

They don’t have enough game wardens out there to stop them from doing it and they do it every single day and so I am not really in agreement with the state management, because I have kind of seen what Texas has done as far as our red snapper fishery goes, but thank you all so much again and I appreciate you all letting me speak up here today.

**CHAIRMAN ANSON:** Ms. Williams, we have a couple of questions.

**MR. PEARCE:** Just real quick and no disrespect to your father, but I want to be on your boat when I come fishing down there.

**CHAIRMAN ANSON:** Corky, did you have a question?

**MR. PERRET:** Yes and, Jillian, we keep hearing about poaching
every day off of Texas. Now, Captain Hickman says they’re only allowed to address the Parks and Wildlife Commission one day a year, which that is unbelievable to me, but if that’s the system, that’s the system.

The industry, the people that are all following the rules, do you guys write letters to the commission or to the department head trying to get some activity to combat this alleged poaching?

Ms. Williams: I have personally spoke with quite a few game wardens and talked to them about the problem and basically they told me that they do not have enough money to fund them to actually go out and patrol that nine-mile line and so there’s just not really anything they can do about it until they get more funding to where they can go out there and actually enforce it.

They know it’s going on and a lot of them just told me they would love to go out there, but they don’t give them enough money to fuel up the boats to go out there and wait for the people to come back in and catch them.

When the people come up to the dock, they are not allowed to look at their GPS and see where they’ve been or anything like that and so if the people say they caught them in state waters, they caught them in state waters.

The whole system, like I said, is just basically set up to where people get to mess with the system and go catch snapper. I mean a lot of the guys that tell me that they do it, they always try to justify it with, well, we only get so many days and blah, blah, blah.

I am trying to make a living off of that. You know what I mean? So I don’t really see how that justifies them being able to go catch these snapper, but I hear people talk about doing it all the time and I see people doing it. Unfortunately, that’s just kind of how Texas has set it up for us.

Mr. Pearce: One follow-up. The Coast Guard is sitting right here and you need to get his card before you leave and let him know what your problems are, so he can help you.

Ms. Williams: Thank you.

Chairman Anson: Mike Thierry, followed by Skipper Thierry.
MR. MIKE THIERRY: Thank you. I am Captain Mike Thierry from Dauphin Island, Alabama. I am the owner/operator of the Charter Boat Lady Ann and I have been in the charter/headboat business for over forty years.

As a charter boat owner, I have a significant investment in my boat and related equipment, what it takes to run and maintain my business. I hire around four people throughout a normal fishing year. On my boat alone, I take around 1,150 people from all over the United States fishing each year and this is how I make my living and pay my bills and keep the lights on.

The charter industry is way overdue for stability and accountability. We desperately need this stability so that we can make some good sound business plans, something we have not had the luxury of doing in the past.

I urge this council to move forward with a fishery management plan for charter boats. This council has seen how well the Headboat Collaborative has worked and a plan like this needs to be implemented for the charter industry. Please, let’s move forward, folks. We have kicked this can and I can go on about that.

There are many differences and needs between the sectors, the for-hire sector and the recreational sector. We need to be separated from the recreational sector, please.

I would like to say a one fish limit on redfish in federal waters and on amberjack, an increase in the size limit to thirty-four inches is fine, but the closure in June and July is best for us. This does not need to be changed. Charter boats, at this time, need to be left out of state management.

On Amendment 28, I think it needs to stay status quo and, in closing, in a few minutes, you are going to hear from my son, Skipper, who chose to be in the for-hire industry. My youngest son would also like to be in the industry, but due to the many uncertainties and lack of stability, chose not to do this for his occupation.

I hope we can finally get some stability in the for-hire sector, for as there can be a future for this industry in generations to come. Thank you.

CHAIRMAN ANSON: Thank you, Mike. Skipper Thierry, followed by Buddy Guindon.
MR. SKIPPER THIERRY: Good afternoon. I am Shipper Thierry and I think Mr. Pearce said earlier he didn’t see a lot of young people up here and I think that’s because they are mostly a lot smarter than me.

Anyway, I have a headboat out of Dauphin Island, Alabama. I fished with dad my whole life growing up and I’ve been in business myself for the last eleven years and I have fished for a living since 1999.

I am really excited about this upcoming season. It’s the first season I will possibly have an increase in our red snapper season, thanks to Amendment 40, due to the hard work of this council and many others. Let’s stay the course.

Please continue to move ahead with fisheries management plans for charter and headboats. Most of you all know I’ve been fortunate enough to be in the collaborative last year and I’m just getting started good this year. It’s been nothing short of phenomenal and you all have heard it all day. Everyone would love to see all charter and headboats follow a similar plan. It has worked with virtually no complications.

Please leave charter and headboats out of Amendment 39. I think regional management is a great idea for the private recreational angler. Let each sector choose the path that gives them the most access.

I would like to see status quo on Amendment 28. I would like to see this council explore a one fish bag limit for triggerfish, to see if it could possibly give us a longer season. Closed seasons are bad for business.

I definitely support a thirty-four-inch amberjack, as a longer season is needed. If we must have a closure, let’s keep it during June and July and give us something to catch during the rest of the year. Closures are bad for business.

Please continue the conversation about keeping one red drum in federal waters. I was really excited to see the Mississippi exempted permit and I fully support that. Closures are bad for business.

Also, you all have heard all day that gag grouper are in really bad shape and let’s seriously consider a reduction in the catch to save the fishery before it’s too late. Thank you, all.

CHAIRMAN ANSON: Thank you. Harlon.
MR. PEARCE: It is good to see youth in this industry, particularly because us old-timers don’t -- We are very electronically challenged and you guys can handle those computers a whole lot better than we can and that’s where we’re headed with this industry to do better electronic reporting and better this and so it’s important and it’s a great industry to be in.

I know we’re scaring everybody away with a lot of stuff we have here today, but trust me, all the industries in the seafood business are great for kids to get in and they need to get in now. Thank you.

CHAIRMAN ANSON: We have Buddy Guindon, followed by Shane Cantrell.

MR. BUDDY GUINDON: Buddy Guindon and I’m a commercial fisherman and fish house owner and I’ve got a charter boat and many other things. I came up here and I was going to try to throw Roy under the bus, but in listening to some of the talking that was going on here, I realized that Roy needs to be congratulated.

In his tenure here on the council, he has implemented, with the help of the council, many management plans that have worked and that are working and he is still moving that forward with the Headboat Collaborative and Amendment 40.

So, congratulations, Roy. I think you should preempt the states in their fisheries management so that you can take full credit for what you’ve done for this fishery and you should make the states comply with the federal laws and then you would shine and they wouldn’t be up at Capitol Hill insulting you, because you have done a great job.

I want to talk about my business. We have had, in seven years, the most successful business that you could imagine. I had one little rough spot when the council decided that we should have a quota increase in the last quarter of the year, putting a million pounds on top of the million pounds that was still available. They put two-million pounds in the last quarter of the year and made it very difficult for us to prosecute our business and left a lot of fish on the table.

This year, we are moving towards doing that a little earlier, which is great. I appreciate that. You’re doing a good job with that, but we should be doing this at the beginning of the year and we shouldn’t be looking for ways to hold fish back so
that maybe you can shift them over to another sector. If you
can’t get it done by January 1, let’s worry about it the next
year. It will help our businesses.

Now, when we come up here and say we represent 70 percent of the
allocation holders, what that means is 100 percent of the
commercial fishermen and of the 21 percent of the charter boats,
we represent 20 percent of them. Bob is not in that group and
he might have a couple of friends, but not very many.

We really would like to see the people in this industry that
represent the fishermen out here. We represent the consumers,
by virtue of giving them access to the fishery, and so you have
to look at us as a very large group and to try to shift
allocation over to the 1 percent, the 1 percenters that can own
their own boat and go out into the fishery, is just wrong.

It does not provide any economic benefit and we have proven that
in our economic study, King and Buck. It’s not fair and
equitable to allow 1 percent of the people to have over 50
percent of a fishery. It’s not fair and equitable and now we’re
going to look at calibration.

It’s a new thing and let’s take the time to look at all aspects
of this calibration. There is no rush to do this. You are not
going to add anything but a day to the recreational fishery and
so I think, as we move forward here, I am against Amendment 28
and Amendment 36, status quo.

We can do some things to improve, but let’s not limit the
viability of a system that we put in place to meet the goals and
we have met the goals and so thanks for your time. I am glad I
didn’t throw you under the bus, Roy.

MR. PEARCE: Buddy, thanks for your comments. How much -- Give
me some of the different parts of this country that you send
your fish. It just doesn’t all stay in the Gulf, does it?

MR. GUINDON: Well, most of it. I would say 85 percent of the
fish that I handle, which is a large amount of fish, stay right
in the State of Texas. I send a few to you, Harlon, and we send
them up the I-45 corridor with a distributor that has been in
business since the early 1970s in Texas. He runs all the way up
to Minnesota up the I-35 corridor.

We have fish that go into Seattle and into Las Vegas with our
Gulf Wild Program and any time Jason needs some fish over there,
some red snapper over there, in Florida to send up to his
customers, I send them that way and so we have a wide
distribution of fish.

MR. PEARCE: But is the demand bigger than that?

MR. GUINDON: Yes, it’s to the point of ridiculousness with the
amount of people that are seeking out fresh red snapper, because
they can keep them on the menu year-round and they can put them
in their retail markets and the customers can depend on them.

Grocery store chains are begging to have these fish on a regular
basis, so their customers know it’s going to be there and know
it’s going to be fresh and know it’s going to be certified.

DR. DANA: Thank you for your comments, Buddy, first of all.
You had noted about Amendment 36, that we should stop and there
is no need to go any further with that. I attended the scoping
or public hearing recently on Amendment 36 and with the
exception of one or two -- I think there were two recreational
anglers there, but it was -- The people attending were
participants in the fishery IFQ program at various levels, high-
liners as well as newer entrants and small operators.

I didn’t hear that they did not want a -- That they thought
Amendment 36 needed to not be dealt with. In fact, they had
some pretty innovative ideas about how to use Amendment 36 to
accommodate the bycatch or accommodate new entrants or deal with
a -- What is it, the bank, the quota bank?

MR. GUINDON: Correct, yes. What I was talking about is the
restrictiveness, restricting businesses from growing. That’s
the part of it I was talking about. The part where they suggest
to have a quota bank, we have already done that in the
Shareholder’s Alliance. We have already built one and so you
know I’m in favor of that.

New entrants, we have talked about a loan program. It doesn’t
have to be a government-sponsored loan program. Just give us a
place to register these quota shares so we can go to a bank and
set a young man up with a business plan. That’s the way
businesses are done. That’s the way McDonalds are done. You
don’t know anybody that goes up there and get a McDonalds
because they didn’t have one and so they should be given one.

We need to make this a business. It’s become a business and
it’s a very good business and there are a few tweaks we can do,
but that’s not changing the IFQ system. That’s assisting it and
that’s helping it grow. That’s not restricting it.
What I’m talking about by restricting it is when you limit the amount of fish a boat can catch. When you take a man that has worked all his life and now he is at home leasing his fish and taking care of a bycatch problem in the Gulf of Mexico -- Without that guy, the eastern Gulf, which we are doing 900 percent better than we were in the beginning, and maybe better than that, because we haven’t looked at the statistics lately, but if we remove those fish that are able to be leased into the eastern Gulf, then we’re going to create a bigger bycatch problem.

As far as full retention fishery, I have been up here saying a hundred times saying -- I probably do it every council meeting. A full retention fishery with a quota bank and the rest of the reef fish will fulfill the promise of an IFQ fishery of building the stocks up and making it better for everybody. Anything else?

CHAIRMAN ANSON: Thank you, Buddy. Shane Cantrell, followed by Kim Chauvin.

MR. SHANE CANTRELL: Hello. I am Shane Cantrell and I’m the Executive Director of the Charter Fishermen’s Association. We are primarily a charter boat organization and we also represent some marina owners, private anglers, some members of the environmental group.

We have a very diverse membership. As Mike Jennings said, we are just over 700 members and we’ve got members from Brownsville, Texas all the way down to Venice, Florida. We represent a large portion of the Gulf and many of our members are dual permit holders and I would say we have a very large number of dual permit holders in our organization and so I will start off with Amendment 36, something that really speaks to them, is the over-restrictive crew size limit.

That’s something that at one point was put into place to protect the commercial industry and that’s something that really was an issue. At this point, they are under a VMS system. Every day you hail out and under a VMS system, you have to declare recreational, commercial, charter, research trip. There is no wiggle room in there. Once you have declared that trip, you know what the vessel is doing.

Additionally, in the Amendment 36, we would like to see, as our commercial fishermen friends have said, we want a lot of that -- A lot of that stuff is an attempt to disrupt the IFQ system and
we don’t want that. They are responsible for building a big portion of this successful fishery.

We want to improve this program with a federally-backed loan program for new entrants, people that want to get into this fishery. I currently do a little bit of commercial fishing and I lease all of my quota. I don’t want to do that forever. I want to be able to buy into this fishery and have a federally-backed system to do that.

We want to move towards exploring a full-retention fishery and I think that would be a great step in the right direction. We would stop throwing dead fish back in the ocean. Those are not good practices.

On the amberjack, a thirty-four-inch fork length works for across the Gulf and we have heard that today. Give us a June and July closure, just like we’ve had, and it will create some stability and flexibility within the industry and it will also allow more fish to reach sexual maturity.

On Amendment 39, Action 2, Alternative 2. I don’t know how many people you’ve heard today say the charter boats want to be in that, but we will come up here and again and say, just for the record, the charter boats don’t want to be in Amendment 39. It doesn’t meet our needs.

Amendment 40 meets our needs. That was something from the ground up and developed by the fishermen eight years ago. Gary Jarvis came right here and he said that that’s where we wanted to go and we haven’t waivered off of that. That’s what we have wanted.

I have talked to a couple of state directors and one of them in particular, from my home state in Texas, had said -- In his defense of opposing that, he said I don’t know what it gives me. Well, I don’t know what regional management gives me.

Amendment 40, from the beginning, was a simple allocation for the charter boats and that’s what we’ve gotten. We need to select members for these APs and get these APs convened and move forward with Amendment 41 and 42.

**MR. PEARCE:** You didn’t say anything about Amendment 28.

**MR. CANTRELL:** Sorry. I forgot that.

**MR. PEARCE:** Where are you at on 28?
MR. CANTRELL: Amendment 28, our organization is adamantly opposed to Amendment 28. I guess if we had to support it, it would be Action 1, status quo. I understand that charter boats would get part of that fishery, a percent or two, after sector separation, if we get that in there and there isn’t a hostile movement to take all of those fish and move them to one portion of the fishery. That would be good, but when you look at it, you’re moving say 500,000 pounds of fish.

That’s a large number of fish off the commercial industry, these hard-working commercial businesses. You are taking that and putting it into a system that’s not fully accountable for the gain of possibly one day and that doesn’t make sense. We can cut 3 percent, as proposed, into a fishery we don’t know everything about.

If we want to really address this problem, we can cut into that buffer. We have got a 20 percent buffer on the entire recreational fishery and that’s where you improve this fish. Get management in place to add that and we can get everything. Things like exploring the red drum, that really affects our fisheries here.

CHAIRMAN ANSON: Thank you, Shane. Kim Chauvin and Dean Cox.

MS. KIMBERLY CHAUVIN: Kimberly Chauvin, twenty-eight years in the shrimp fishery business. I own three Gulf boats and I also have a processing house and an unloading facility and I am here about the shrimp moratorium permits.

In 2005, we started out with 2,600 permits and in 2014, we are down to 1,482. We have lost 1,100 permits and this isn’t because people have chosen to just get out of the industry. There was no leniency when Katrina and Rita hit. We lost 278 permits just in that year alone.

People lost homes and there was no way to reach them and there was no way to obtain these permits and they were turned away and for the BP spill, we lost 184 because people were told there would be no industry. There was no way for these people to get back in after the fact and so some of the issues that we have with our permits is because of certain things that took place.

We have other years where we lost a great deal of them and that had to do with major hurricanes. In the beginning, at the public hearing meetings, we were told by NOAA Fisheries that we would not lose these permits. We were lied to.
We need to work on the issues that have been brewing since the first year of issuing permits. We need a round-table discussion and we need decisions to be made, but we need the shrimp fishery input and we have not had that.

At the AP meeting, we were thrown three options, but there is no research behind these options of why we need to stay with the status quo. There is no research to show any of this. You know one of the things that I asked, because they said, well, you have a red snapper issue and I said, okay, well, what are you doing about the oil industry, when they are blowing up rigs and killing all those fish and turtles and everything else?

This was what I was told. Oh, we can’t do anything about them. Well, what are you doing pointing fingers at the fisheries, when you can’t even deal with the real issue? We have issues that are pertaining to our permits that we need more research on and we need round-table discussions when it comes to these shrimp permits. Thank you.

CHAIRMAN ANSON: We have several questions for you, Ms. Chauvin.

MS. BOSARGE: It’s good to see you again, Kim. For those of you that don’t know, Kim is pretty -- She is kind of unique in the shrimp industry. In the shrimp industry, we don’t have commercial and recreational. In the Gulf end of it anyway, it’s a commercial fishery and that’s what it is.

If you had to divide the shrimp industry up into groups, which we don’t do, but if you did, you would have your boat owner/harvester, the guy that goes out there and catches the shrimp, and you would probably have the fish house/processor side.

Kim is unique in that she does both. She owns boats and operates boats and so she harvests and she also is in the fish house/processing side, as she said, and she is also on our AP. I was wondering, Kim, you know we saw the presentation yesterday about what happened in the AP and the presentation that you all saw where the production has pretty much remained flat or stable, even though the fleet has decreased, which is good for the boat owner side. Those guys can make a living again.

The unanimous vote in the AP to keep the permit moratorium where it was and any permits that fall off from here forward go ahead and make a pool, so that if those people decide they want to get back in the -- Or if anybody wants to get into the industry,
there would be an avenue for them to do that and that was a unanimous vote and things change. I would like to know what changed your mind about that.

**MS. CHAUVIN:** Because after going to that meeting in which we had -- I mean there was a presentation, but there was no real meat to this presentation of why we needed to stay at a status quo and in going back to our Wildlife and Fisheries and going back to some of the docks and going back to the fishermen, they were like, well, why are they picking this number and what did they do, pick it out of the sky again?

That’s where it comes from. We need to sit down and discuss and have fisheries input aside from the shrimp panel and really get down to which numbers we need to be at and why.

**MR. PEARCE:** Kim, I really appreciate you coming, because some of the things you just said are part of the problems of this council. We don’t hear from the shrimp industry. If you look in this audience, we’ve got charter boats and commercial boats, but never do we hear from a shrimper at this panel here and that hurts.

We need your voice. We need a shrimp voice here to make us understand these issues, so that we can make a better judgment, but clearly getting to people -- Especially in Louisiana, we don’t hear from you guys and you need to be here. Okay?

**MS. CHAUVIN:** Okay.

**MR. PERRET:** Thank you, Kim. We have had some different numbers given to us during our Shrimp Committee meeting relative to the value of these permits and I -- My memory is not great, but about a month ago, when we were in Tampa for the Shrimp AP meeting and I think it was you that made two phone calls asking about price of shrimp permits and one person bought one for $700 and one bought one for $800 and is that what --

**MS. CHAUVIN:** No, $7,000 and $8,000 and the issue was that it was a broker who had it. It wasn’t even a boat owner and it was because of the way the rules are written and how a boat owner just cannot keep holding -- Like if I sell my boat, I only have so much time to obtain another boat and so you’re almost scrambling to make a decision on a boat.

Listen, I am looking for another boat and when I go to do that, I have to scramble to do this with the permit and so that makes an issue for us in the way the rules are written, but it’s
$7,000 and $8,000.

MR. PERRET: Well, I was only off by one zero, but, anyway, I had the 7 and the 8 right. This is what I can’t understand and no one has been able to adequately explain it to me and maybe you can help me out. If a permit is worth several thousand dollars, why are we having twenty-five to thirty a year expiring? They have got a year to renew and the agency sends them letters that they haven’t renewed their permit and why are twenty-five or thirty people a year letting something go that’s worth several thousand dollars when it costs twenty-five dollars to renew?

MS. CHAUVIN: Because if they have sold their boat and weren’t going to get back into the -- See we were told at the public hearings in New Orleans and in our fishing communities that we would not lose them. What happened was that changed on us.

They decided that they could pull these permits at the given time. Like you have a year to decide on the boat, but you can pull this permit.

For some, it was that they might as got as far as they sold the boat and did not get another one, but was hoping to hold on to it for their kids. Listen. I have two boys and they want to get in this industry and so I am doing what I can to put them in it. Are they crazy? I don’t know. I have made an okay living with it, but it’s the struggle of the regulations.

It is stressful and the reason why Harlon and most of you haven’t seen us here is because this morning at seven o’clock I am taking off to go to Wildlife and Fisheries because I have to deal with trip ticket issues and a TED issue, because the state has just decided they’re going to enforce the TEDs. I guess that’s a good thing on the state side, but I had to do that and then to come over here, driving from Baton Rouge to come here, there’s a lot of this going on with our industry.

There is so many meetings in the last two weeks, but anyway, aside from that, my children want to get into the industry. They are twenty-six and twenty-five and have boats and so I have to go and look for actually a broker to find these permits, because you have had people who lost them for Katrina and Rita and you’ve had a number of different things that have happened where people have lost households and ways to get their communication and then you had the BP spill. Now, we have -- Some of them is that it’s just not enough time.
MR. PERRET: Kim, thank you very much. It’s not just fishermen that have problems filling out these federal forms. Some of us on the council screwed up filling up some forms too.

CHAIRMAN ANSON: Dean Cox.

MR. DEAN COX: Thank you, Mr. Chairman. I am Captain Dean Cox and I’m a dually-permitted owner from Destin, Florida. A little unorthodox testimony here, but if you will indulge me. If I can get it to work. Darned technology.

Thank you, Mr. Chairman, Gulf Council, and staff. I hope this rapping lightens you and I hope it makes you laugh. First, I would like to thank you for Amendment 36. A step in the right direction, this could be just the fix. To the few things that are broken in the catch share IFQs, new entrants they need quota and discarders they do too, but the ones I think that need the most are fishermen like me.

Catch records show that I was fishing since 1993. I was fishing years before that, commercial and for-hire. I qualified on the permit so the owners could retire. I was working through heavy conditions and facing market gluts while the owners of these permits were sitting on their butts.

Now the snapper are rebuilding at a rate not seen for years. All I want is what I’ve worked for and I don’t want to take the gears. I don’t want Wayne Werner and Donnie Waters --. I don’t want David Walker’s, but I just want --. I have been watching while this fishery rebuilt and I have got to pat myself on the back for the last one I just killed.

Amendment 28, now that’s a slap in my face. Alternative 1, no action. Anything else would be a disgrace. Bearing the brunt of rebuilding, I have been taking it on the chin and now you’re trying to reallocate and this misery never ends.

The commercial sector is accountable and sustainable that’s true. The charter for-hire guys just want to follow suit. They are offering the council this here and over there and not rely on magic numbers. We can pull them from thin air.

I thought this was the land of the free and the home of the brave. Magnuson and Stevens are rolling over in their graves. Unused quota just sitting on the shelf. A fishermen needed them and I needed them myself. I could have used these shares to sustain my business plan, providing protein and nutrition for the hungry in this land.
I am almost finished. Just a few more thoughts on how to make things right. Give shares on remaining reef fish has always been my sight. Commercial, the millions, they’re a tragedy of the commons. I used to enjoy a steak to eat and now all I eat is hummus. By now the music is ending and so I may have to go a capella. You might not like what I have to say, but you might agree that I’m a -- fellow.

The last few lines, I’ve got to admit that I’m almost out of breath. I would like for Amendment 28 to die a sudden death. If you are on the fence, I hope I influenced your choice. The non-boat-owning public, they’re relying on my voice. With all that said, I will bid you adieu and ask you to do what’s right. Peace to you and yours and good luck fishing and good night.

MR. PEARCE: Talk about finishing strong. At least that gave us a little levity before we finish today and we got your comments and we appreciate them. It was a good way to do it and it woke us all up. Thank you for coming.

DR. DANA: Captain Cox, thank you. You were at that recent public hearing that I referred to to Buddy Guindon regarding Amendment 36. Again, he had said at one point that it didn’t need -- We didn’t need to revise it or go forward.

I think that probably you have a different -- He clarified that, but I think you have kind of a different perspective as a small IFQ holder and at least you expressed that in the meeting. Do you have any comments on Amendment 36?

MR. COX: No, I just think the historical -- You know I was qualifying permits, even though I didn’t own the boats. I should have somehow qualified for some sort of IFQ, instead of having to buy into the fishery.

DR. DANA: I guess my point was from your perspective and from those at that particular hearing, is there room for some revisions or is Amendment 36 a tool that can be used to refine the IFQ program to better accommodate or include folks as yourself, new entrants? What is your --

MR. COX: Absolutely. First of all, at the end of Amendment 36, at the very end, they mention incorporating the rest of the reef fish into IFQs. Historically, my main stay has been vermilion snappers and so being they are not on catch shares, I don’t have leverage to buy into the fishery that I have been participating in, where if I had catch shares on vermilion, I could trade the
for bycatch to others for snappers that are my bycatch. Thank you.

CHAIRMAN ANSON: Thank you, Dean. That concludes our public testimony. Dale, did you have a comment?

MR. DIAZ: Yes and I promise I won’t be more than a minute or two. I just wanted to say the first speaker’s name was Mr. Roy Howard and I believe I got that right. I did walk out and talk to him in the hall for just a minute and I think what the unfortunate thing was is he was hard of hearing and he was the first speaker and so he didn’t understand that it was a three-minute limit, but I do want to take just a minute and get his comments on the record.

He only had a couple and had he known that the three-minute limit was in place, I think he could have got them in easily, but he just didn’t -- He couldn’t hear.

He would like to see a closure for red snapper between May 15 and September 15. He said he thinks that would probably add about 10 percent more fish per year. He is a big proponent of having numbers of fish instead of pounds for fish. He thinks that would be easier for everybody to track.

He also said that for consistency’s sake he would like to see for us -- If we could move in a direction where we had consistent seasons over a number of years and he would like for us to shoot for having at least a thirty-day season, where people would know three years in advance that that thirty-day season would be there.

That was the main comments that he had when I talked to him in the hall and I do want to make a note that Dr. Crabtree did go out and give him his card personally and he invited him to call him with any other comments he might have. Thank you, Mr. Chairman, and I appreciate your time.

CHAIRMAN ANSON: All right. With that, that will conclude today’s business and I will see everybody tomorrow morning. Remember we have closed session first thing in the morning, at 8:30. It will last approximately an hour or maybe a little over.

(Whereupon, the meeting recessed at 6:30 p.m., April 1, 2015.)
April 2, 2015

THURSDAY AFTERNOON SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Golden Nugget Casino Hotel, Biloxi, Mississippi, Thursday afternoon, April 2, 2015, and was called to order at 12:10 p.m. by Chairman Kevin Anson.

CHAIRMAN ANSON: We are going to reconvene the council. Welcome, everyone. We are going to pick up where the schedule has us and I apologize to everybody out in the audience that was sitting out in the waiting room. Obviously it went a little longer than we had anticipated, but thank you for your patience.

That will take us -- Next on the agenda, the first item for today is the Review of and Vote on Exempted Fishing Permits, EFPs, and so Dr. Crabtree or Steve.

DR. BRANSTETTER: I will turn that over to Mr. Joe Jewell.

REVIEW OF AND VOTE ON EXEMPTED FISHING PERMITS

MR. JOE JEWELL: Good morning, council members. For you all that don’t know me, I am Joe Jewell and I am the Director of Marine Fisheries at the Department of Marine Resources, the Mississippi Department of Marine Resources.

I will get started, in lieu of the presentation. It’s just a short presentation from the State of Mississippi, an application for an exempted fish permit. The purpose of the proposed study is to collection population data specific to the genetics, age and growth, reproduction and food habitat, or diet, for adult red drum in federal waters, where harvest has currently been prohibited since 1988. The data would be used to support future stock assessments and red drum state management decisions.

The Mississippi Department of Marine Resources will gather scientific data that is currently limited on adult red drum in the northern Gulf of Mexico. The exempted fish permit will allow the Mississippi Department of Marine Resource to collect red drum in federal waters using the State of Mississippi licensed for-hire vessels possessing the federal permit.

I will give you a little background on the proposed exempted fish permit proposal. The existing near-shore red drum dataset
represents only a small percent of the age classes for the red
drum. A more robust sample size is required to ensure
confidence in the results from the currently ongoing as well as
future stock assessments.

Since the federal moratorium in 1988, there has been a lack of
recent offshore assessments addressing vital life history traits
for the red drum in Mississippi coastal waters and adjacent
federal waters and these include things like population
genetics, age, growth rates, histology, and diet.

I will give you a few of background program specifics. The
timeframe will be about two years. Data collection will include
the same things I mentioned before of population genetics, age,
growth rates, histology, and diet. We are requesting 30,000
pounds, or approximately 2,000 fish. This would be split
annually for 15,000 pounds and 1,000 fish.

We are proposing to use Mississippi licensed for-hire vessels
possessing the federal permit. For-hire operators with fish-
related violations will be excluded from the program. Anglers
will be allowed to retain fish after the data has been collected
and removal of the tissues and hard parts that are needed for
the analysis in the program.

We are proposing to monitor the program actually quite closely
by using our existing fish app information. The proposed 30,000
quota will be enforced via a mandatory reporting process. Vessel captains will be required to acquire a confirmation code
for each trip. Vessel captains will be required to report red
drum harvest for every fish while fishing under the exempted
fish permit.

A code will be provided for each trip and vessel captains must
report on the current trip and clear the code before the code
would be issued and even if the captain does not go out that
day, the code will have to be cleared.

The app reporting requirements are the number of anglers, the
number of fish harvested, the hours fished, and port of return.
If the captain doesn’t have a smartphone, the other options are
to call in by phone or access via the website the DMR -- It will
be available on the DMR website.

In summary, the Mississippi Department of Marine Resources is
requesting an exempted fish permit to collect scientific data on
red drum. The data will be available to state and federal
partners.
Collection of specific red drum data include population genetics, age, growth rates, histology, and diet. The timeframe will be two years and the requested dataset quota is 30,000 pounds, approximately 2,000 fish, and it will be monitored via a mandatory reporting fish app. With that, I will take any questions.

CHAIRMAN ANSON: Any questions? Thank you, Joe, for the presentation. Any questions?

MR. PERRET: Thank you, Mr. Jewell. I want to complement you on, in my opinion, an excellent proposal forward and I’ve got a couple of questions. Maximum number of boats will be twentyish, twenty-five, somewhere in that number, that would participate if this is approved?

MR. JEWELL: Correct. We are estimating around twenty-four or twenty-five, but that doesn’t take into account that we are waiting for the violations report. That could be a little bit lower.

MR. PERRET: Okay and my second question is you’re estimating the size, I think, at fifteen pounds and I assume if the size of the fish are larger that you’re going to be getting mandatory reporting and you will adjust the numbers accordingly, whereas if the fish are smaller average size, you would do the same thing?

MR. JEWELL: Yes, absolutely.

DR. BRANSTETTER: Joe, you said that you’re only going to use federally-permitted vessels?

MR. JEWELL: That’s correct, yes.

DR. BRANSTETTER: You’re not going to just use Mississippi-licensed vessels?

MR. JEWELL: Yes, that’s correct.

DR. BRANSTETTER: Okay, because that’s not what we had discussed.

MR. JEWELL: Yes, we originally discussed using the for-hire fleet, which is substantially larger, around just over seventy, but in discussions, we talked about access by the reef permit and the environmental surveys and so we’re going to go with the
federal reef permit holders.

MR. PEARCE: Thanks for your presentation. Anything I can do to help the great state of Mississippi, I will be glad to do, especially with red drum. I think that, looking at your numbers, if you’ve got twenty-five vessels and 15,000 pounds, that’s about 600 pounds per vessel over the year, which is not a lot.

I mean divide that by your fifteen and it’s not that many fish, but anything we can do to get data, particularly on red drum, we need to jump on it and this is a great way to start, to start getting some of that data that we have to have to see where this fishery stands.

I applaud you for what you’re doing and I will back you 100 percent if I can. Anything the great state of Mississippi wants, I will be there for you.

MR. PERRET: I would like to move that the council recommend approval of the draft exempted fish permit for red drum that’s been submitted by the Department of Marine Resources from Mississippi.

CHAIRMAN ANSON: We have a motion that’s been seconded. We will wait a second to get the motion on the board. Does anyone have any discussion?

MR. PERRET: Two or three things. One, I think this main thing is data. We are going to get some scientific information and the department scientists will be collecting data from these fish and this is something that’s been sorely missed.

Additionally, no matter where we’ve met in the last I don’t know how many meetings, we have had support from the members of the community to allow for some harvest in the EEZ, limited harvest, for technical and scientific reasons. Additionally, some three or four years ago, the Mississippi Commission on Marine Resources unanimously voted asking this council and NMFS to consider approval of some sort of fishery in the EEZ for data collection purposes. Here we are three or four years later and we are right at that step and so hopefully the council will approve it.

As I understand it, we’ve got to get joint approval from the South Atlantic for this, Mr. Gregory? Why does it have to go to the South Atlantic Council? It does not?
EXECUTIVE DIRECTOR GREGORY: In my understanding, that’s an error in the letter.

MR. PERRET: The government made an error?

DR. BRANSTETTER: Seven people read that letter.

MR. PERRET: Okay and so that’s some of the rationale why I support this motion and hope the council will concur with my opinion.

DR. STUNZ: I am certainly not speaking against this motion. I would be the last person to stop the data collection you think you guys need, but you know before I joined the council, we had that red drum workshop that you guys I guess commissioned and I am not real sure, but what came out of that workshop was the real need wasn’t so much for fishery-dependent, but fishery-independent data.

I am not sure who is funding it. I am pretty sure it’s the Cooperative Research Program, but you guys should probably know and be aware there are some pretty large purse seine research things going on, where they are -- Basically what Clay Porch had advised and we advised the council was that what was really needed was a regional approach to gather ten fish from let’s say sixty different schools throughout the Gulf of Mexico.

I know quite a bit of research is underway right now, in fact I’m pretty sure, right there to partner with menhaden purse seines to get that fishery-independent data and so I don’t know how that plays into that, but it’s certainly something to consider. I mean we don’t want to be duplicating the effort or something like that.

CHAIRMAN ANSON: I will just comment on that. Dr. Powers received a grant, a SK grant, I believe, to do the research as you just described, with trying to sample various schools throughout the upper northern Gulf and a little bit in the Florida Panhandle to get a lot of the data that’s been presented here, but I too echo some of Corky’s comments that I think it’s a good opportunity to get some additional information through a fishery-dependent situation and it engages some of the federally-permitted charter boats there in Mississippi and gets them active in the data collection process and so that would be very helpful, I think.

MS. BADEMAN: This may be what Greg was talking about, but we got a presentation, I think it was back in April or August of
2013, where we were talking about the data needs for this fishery. The recommendations that were put up to us were to do some purse seine collections and then to do a scientific mark and recovery. Those were the greatest data needs to get us to an assessment.

I mean I definitely appreciate the effort and more data, but I am just a little concerned that this isn’t going to go all that far in the long run.

MR. BOYD: That’s why I asked to let Greg go first, because I have a concern that this is not enough data to really give us what we need, based on what the recommendations to the Red Drum Committee was. If this is to augment data for studies within the state, I have no problem with it, but if this is to be used for the Gulf-wide scientific studies, then I don’t think it gives us enough.

MR. PERRET: Well, I certainly concur that it’s an extremely small study, small in geography as well as numbers of fish. You know if Mississippi had a nine-mile territorial sea, this would not be necessary. Florida and Texas are already getting data, or should be getting data, between their shoreline and nine miles.

This will provide some information for the north central Gulf. Granted, it’s extremely small in geography, but it’s going to give our scientists an opportunity to get information that we have not been able to acquire since the closure in 1988, when I was sitting on this council when it happened. Yes, it’s small in geographical as well as the number of fish involved, but the data that can be obtained I think will be invaluable.

MR. DIAZ: I just want to add a few things to the discussion. When we first started talking about doing this, we did have a conference call with Dr. Clay Porch from the Science Center and some of the recommendations that are in here are based off of some discussions that we had with him.

I do agree the study is small. It is going to help in some state management issues and it will contribute some to maybe some future stock assessments. It’s a piece of the puzzle and it’s not going to tell us how many fish are in the entire Gulf of Mexico, but it is a piece of the puzzle that helps to add some data on the federal side and it will help us with state management and so thank you.

MR. PEARCE: A couple of things. I think if this was any other
fish but red drum, we wouldn’t even be sitting here talking about it. The second thing is it’s time we forgot about that and we started getting data on these fish and not worrying about where the data is going to be used.

The second thing is that all of our working groups on red drum that I’ve sat with say that we have an allowable take of fish that we could take without even harming this fishery at all. I think it was like 20,000 head or something like that. We’re talking about 2,000 fish in an area that’s going to get us some data that could add to some other data down the road.

I don’t see any problem with this at all and I applaud Mississippi for taking the steps and getting something done, because it’s time we got something done on red drum. Thank you.

**MS. BOSARGE:** I am in support of this. I think between your purse seine data, which is more of a commercial fishery and you’re collecting some data there, but what Corky said, you are obviously capturing some recreational data between three and nine miles already off of Texas and Florida.

This will fill in the gap that we need, because when you’re off of Mississippi in federal waters, I guarantee you when these guys have to report where they’re fishing, it’s very likely you’re going to capture data off of Mississippi, Alabama, and Louisiana, because it’s nothing for us to be in those waters or off those states’ waters when we go out.

**DR. PONWITH:** We have talked about the red drum data needs and certainly the state are carrying the water on data availability right now from the state water fisheries.

When Dr. Porch was consulted on what would it take to do a really robust assessment on red drum considering their distribution within the Gulf of Mexico EEZ, the two things he did raise were fishery-independent data collections and it could be strong collaborations among private, federal, and state entities, but what he was interested in seeing is ten to twenty fish pulled per school in about sixty schools across the distribution of these animals in the Gulf of Mexico.

Then, secondarily, is the mark-recapture recovery experiments that we were looking for to be able to look at the population abundance and that would require marking about 20,000 fish and recovering a certain percentage of those.

It’s already been stated that this is a small geography relative
to the distribution in the EEZ and a small number of fish. My view is that in a data-poor situation that incremental increases in data availability are going to be informative. It’s not as informative as a large, methodical collection across the geography, but the data will contribute.

MR. RINDONE: This is just a further clarification to what Mr. Pearce and Dr. Ponwith had said. The 20,000 fish does not represent a total allowable catch or a permissible kill quota, if you will. Those fish were designated to be tagged and then a subsequent 50,000 fish would be examined for those tags at a later date and that would, according to the Southeast Fisheries Science Center, provide reliable population estimates up to ten-million pounds of biomass. That’s not like a total allowable catch or anything like that.

MR. PERRET: I appreciate Dr. Ponwith’s comments, especially the one about data-poor species. How do we get data unless we provide for research? This has been a data-poor species that’s been closed since 1988.

I guess Mississippi could do what Louisiana has done. Louisiana claims they’ve got nine miles and Mississippi is just trying to follow the rules and we’re going through the process to get a scientific exempted permit to allow for biological information on a data-poor species.

I would love to have it as a higher number of fish, but this is very, very limited for research purposes, hopefully to help fill some of the gaps that we need to fill about this species.

MR. FISCHER: I can’t argue the need for research and we all know that and we all know this is a species that desperately needs research. I think it’s the method. I would love to see this removed and entered in one of any formats. It could be even under the SEAMAP, which has a red drum working group.

It could be something under Gulf States, but any of the formats that we could coast-to-coast, from Key West to Brownsville, consistent data in a unified method of sampling with scientific regimes and not allowing just charter boats to harvest for hard parts. I know the data is necessary, but I think it’s the method.

It’s nothing to do with the fact that Louisiana is not in this program. It’s more of we would love to engage in a Gulf-wide program. I would like to see this expanded and we all bring it back to the council using scientific methods under a scientific
program and let it either go through Gulf States, through their committees -- There is a lot of platforms to do this rather than each state trying to piecemeal something.

**MR. PERRET:** Myron, I went to see your boss three years ago asking him to cooperate with us and obviously the interest was not there at that time. You know, when this fishery was closed in 1988, total recreational and commercial catch was in the neighborhood of twelve or fourteen or fifteen-million pounds of fish.

Now, I haven’t looked at the numbers lately and so I won’t be exactly right, but I won’t be far off. Today, the take is in the neighborhood of twelve, fourteen, or fifteen-million pounds of fish recreationally, except for I think Mississippi has got a 35,000 or a 40,000-pound quota commercially.

We are talking about 15,000 pounds of fish for two years, 30,000 pounds, for research, compared to a fishery in the Gulf of Mexico that’s taking teens of millions of pounds and this is research. This is giving people an opportunity to catch a fish to provide scientists with data for research.

I would love to see it Gulf-wide. I would love to see it. I have to assume Florida and Texas are doing something, because they’ve got nine miles. Louisiana has claimed nine miles, Myron, and the last I heard, you guys were doing something with red drum.

We have heard from fishermen in Alabama supportive of this and I am sure Mr. Jewell and his people will be happy to make their model program available to any state that wants to cooperate with them, but let’s not delay something when this group has come forward with an excellent proposal to get data that’s sorely needed.

**MR. DIAZ:** I guess I am speaking to one of Myron’s comments first. The last conversation that I recall having at Gulf States, approximately two years ago -- At that time, it didn’t seem like there was interest at Gulf States to move forward with a unified data collection program, the best I can remember.

Right now, the Mississippi Department of Marine Resources is willing to spend some resources to try to collect some data. We would gladly enter into conversations at Gulf States or other areas to look at working on future data collection programs. We would be more than willing to do that.
I have to try to use a quote from my good friend, Larry Simpson, to illustrate the point Corky was talking about. I believe we’re up around nineteen-million pounds on red drum and 30,000 pounds is a flea on an elephant and it’s a -- In the grand scheme of things, it’s a small amount of fish and that will provide a lot of valuable data. Thank you.

CHAIRMAN ANSON: Any other discussion on the motion?

MR. GREENE: I received an email earlier from the Alabama Charter Fishing Association and the 125 members would like to support the Mississippi EFP. I just thought I would like to pass that along and I speak in favor of the motion.

CHAIRMAN ANSON: All right. We have a motion on the board to recommend that NMFS approve the EFP request from Mississippi as presented. All in favor of the motion please raise your hand.

EXECUTIVE DIRECTOR GREGORY: We’ve got one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve.

CHAIRMAN ANSON: The motion carries twelve to four. Any other EFP requests, Dr. Crabtree or Steve? Any other EFP requests? That’s it?

MR. JEWELL: Thank you, council members.

CHAIRMAN ANSON: Thank you, Joe. All right. That will take us into the remainder of the committee reports which were not finished yesterday and we have had some requests from some council members to move up or move the remaining committees, which are Mackerel, Shrimp, and Reef Fish, to move up Reef Fish to be the first one to be discussed today and so I am going to go ahead and do that. Johnny, are you ready?

COMMITTEE REPORTS (CONTINUED)
REEF FISH MANAGEMENT COMMITTEE

MR. GREENE: Yes, sir. The Reef Fish Committee report from March 31, Recreational Red Snapper Season Projections, Andy Strelcheck presented projections of the 2015 recreational red snapper season length under various assumptions of catch rates, average red snapper weights, and whether Amendment 40, sector separation, is implemented, Tab B, Number 4.

If the states implement non-compatible seasons and if sector separation is implemented, the for-hire sector season is projected to be forty to forty-six days and the private
recreational angler season is projected to be seven to eleven days. If sector separation is not implemented, the recreational season is projected to be twelve to seventeen days.

If the states implement compatible seasons and if sector separation is implemented, the for-hire sector season is projected to be forty to forty-six days and the private recreational angler season is projected to be nine to sixteen days. If sector separation is not implemented, the recreational season is projected to be fifteen to twenty-one days. A decision on Amendment 40, sector separation, is expected by April 16.

A proposed rule on the 2015 red snapper quota increase was published on April 1 and a final rule will be published by May 1st. The final 2015 recreational red snapper season dates will be announced in May, prior to the start of the season.

Headboat Collaborative Report, Andy Strelcheck gave a presentation to review the data sampling methods and landings estimates for the Headboat Collaborative EFP in 2014. The red snapper and gag quotas were distributed to participating vessels by a headboat collaborative manager with an initial 5 percent holdback in case of overharvests. A tag system was used to verify catches.

The quota allocations were transferrable between participating vessels. There were three transfers of gag allocations and twenty-eight transfers of red snapper allocations. Vessel trips were made year-round, but were most frequent during the summer months.

For red snapper, 98.9 percent of the EFP allocation was landed, with most of the landings occurring by August. For gag, 50.3 percent of the EFP allocation was landed, with peak landings in April and December. The average red snapper weight was slightly lower than projected, while the average gag weight was about the same as projected.

Dr. Josh Abbott followed up with a presentation describing the distribution of trips, landings, and angler participation. Headboat vessel owners were surveyed regarding price and cost data and expectations about their business strategy. Customers were also surveyed by the vessel crew. An online survey is being developed as a follow-up for customers who provided an email address.

Dr. Abbott noted that the number and overall seasonal
distribution of trips did not change much in 2014, but landings and trips of red snapper and gag were much more evenly spread across the year. Discards per unit of angler effort on Headboat Collaborative vessels fell dramatically from 2013 levels.

Revised Draft, Amendment 39, Regional Management of Recreational Red Snapper, Dr. Steve Branstetter reviewed National Marine Fisheries Services’ proposed timeline for the approval of conservation equivalency plans, Tab B, Number 10(a). Committee members inquired about the flexibility in the steps of the timeline for approving CE plans.

Staff presented the new structure of actions and alternatives for regional management, Tab B, Number 10(b). In Action 4, modifying the federal minimum size limit, Dr. Crabtree pointed out that the preferred alternative would lower the minimum size limit, but the recent quota increase was a result of the selectivity for larger fish by the recreational sector.

The new Action 5 includes alternatives to allow regions to establish closed areas in the EEZ. The Law Enforcement AP expressed concern that enforcement could be more complicated with spatial closures. Dr. Crabtree noted that he does not support this action.

In Action 6, Proposed Alternative 8 would apportion the recreational quota among the regions such that each region’s allocation provides an equivalent amount of fishing days. Andy Strelcheck provided preliminary estimates for each state’s resulting allocation as follows: Florida, 45 to 54 percent; Alabama, 34 to 41 percent; Mississippi, 1 percent; Louisiana, 6 to 8 percent; and Texas, 4 to 5 percent.

CHAIRMAN ANSON: Johnny, hold on one second. We have a question over here from Corky.

MR. PERRET: Thank you, Mr. Chairman. I have a got a question I would like to ask the states. State directors, more than anybody on this council, have spent the most time on this issue. This council and its staff has spent a tremendous amount of time on this issue.

Now, Andy gave us these figures Monday relative to allocation and what states would get and so on and so forth and Mississippi is down to 1 percent and is that right?

MR. DIAZ: Yes, but that’s only for Alternative 8.
MR. PERRET: Okay, but my question is this. Myron, I am going to ask you, since Louisiana started this when Joey Shepard presented this to the council two or three years ago. With these new percentages that are out, is Louisiana satisfied with that percent and if we go to regional management, and it may be just one state that wants it now and I don’t know, but are you satisfied or unsatisfied with the new percentage that Louisiana would get?

MR. FISCHER: Of course we would have to look at the items in Action 6 and we’re not taking final action now.

MR. PERRET: I realize that, but I am just trying to figure out how much more time are we going to spend on regional management if none of the states want it anymore because of the -- That sort of thing.

MR. FISCHER: Corky, I think that’s what the final document is going to look like. I think Texas, Louisiana, and Mississippi are all wondering, where did the fish go?

MR. PERRET: Again, we’ve been on this for two or three years now and hopefully -- Again, I was a state director and I know how difficult it is to accept or not accept a certain percentage, but hopefully, hopefully, we’re getting to a point where yes, we’re going with regional management or no, we’re not going with regional management or which states want to be in and which states want to be out.

MR. FISCHER: Corky, I was going to ask, were you talking about the items in Action 6? Because that’s an action item we’re not opposed to. We are in favor of the present percent that have came about the table and not the ones in that Alternative 8 in Action 6 that -- I am not exactly even sure what that alternative is trying to accomplish.

MR. PERRET: No, I am just wondering if the states, whatever their allocation would be under regional management at this time, are satisfied or unsatisfied with it and there may be one or more states that want it, but there’s probably going to be some that want out.

Two or three years, that’s probably about the average time we work on these documents, but we’ve been on this thing for a long time and I hope that we can move it along, but if the states don’t want it, we need to say, hey, we’ve got a lot more important things to work with. Thank you, Myron.
DR. CRABTREE: Corky, is what you’re getting -- I mean we have a preferred alternative to set the state-by-state allocations now and that’s Alternative 5 and 6. We gave estimates, Andy Strelcheck did, of what the approximate days that would result in and I am hearing your question as partly -- I think all of the states, when this was agreed to, were in agreement to this allocation and I think the question you’re asking is are they still in agreement to this, given the analysis and is that what you’re trying to --

MR. PERRET: Or are they satisfied with --

MS. BADEMAN: If you’re talking about the current preferred alternative, I think --

MR. PERRET: I am talking about Andy gave us percentages of what each state would get. If those are the most recent numbers, have you state directors who have been working on this for two or three years had an opportunity to really digest it and get together and say yes or no and what’s the status?

MS. BADEMAN: I think there’s two figures that we got last Tuesday and so there was one that had days under the current preferred alternative and then there were these percentages for Proposed Alternative 8.

I think Proposed Alternative 8 should be added to this document and I will make a motion to do so. I think our state probably has a problem with the days projections that came in the current preferred alternative.

MR. PERRET: Dr. Crabtree, do you have the numbers that Andy gave of what’s the percentage each state would get now?

DR. CRABTREE: Well, what I have -- With the current preferred alternatives for the state-by-state allocations and if everyone opened up on June 1, we estimate that Florida’s season would be somewhere from thirteen to nineteen days and Alabama would be approximately seventeen days.

We are really unable to estimate a season for Mississippi and Louisiana would be in the neighborhood of forty-six to forty-seven days and Texas would be approximately fifty-five days. Now, Proposed Alternative 8 would look at what allocation would give each state the same number of days and that’s in the Reef Fish Committee Report that Johnny just read, but I think those are all the numbers that we have at this time.
If I could, I guess with what Martha said, is it fair that we
don’t really have general agreement among the states on the
preferred alternative at this point?

MS. BADEMAN: I think so.

MR. PERRET: Thank you, Mr. Chairman, for indulging me with my
question.

CHAIRMAN ANSON: Yes and to provide insight from my perspective
to your question to the state folks, yes, it’s been a long time.
I mean it’s a rather complicated issue and it’s relatively new
to the council, inasmuch as giving some control to the states.
It took a while to flesh out all the details at the NOAA side of
things and for staff to get those translated into a document
that we can look at.

Although I understand and certainly recognize that it has taken
a long time, the potential here relative to where we’ve been
with red snapper here as of late, particularly for some states,
is that there might be some benefits in looking at this issue
and to continue to look at this issue, because it might put us
in a different place for management and that’s certainly
desirable amongst most of the states, if not all of the states.

That issue of allocation is a difficult one. The other document
we’re looking at, as Dale mentioned the other day, is allocation
and that’s been five years and so I mean it just takes a while
to get through some of these issues.

I can certainly see at some point in the not too distant future
that your question would be, I think, much more appropriate, but
with the new information and the way it was analyzed and
interpreted for us, that is something I’m sure all the state
directors will digest here between now and the next meeting and
maybe the next meeting we’ll have a little bit better idea as to
what path forward we take. With that, Johnny, if you can
continue.

MR. GREENE: Yes, sir, Mr. Chairman. Also in Action 6, Myron
Fischer proposed to add a new alternative that is a combination
of Preferred Alternative 5 and Alternative 7. He explained that
this allocation would incorporate both historical landings and
biological abundance in the allocation.

By a voice vote, the committee recommends, and I so move, to add
an alternative to Action 6 to apportion the recreational quota
among the regions selected in Action 3, Alternative 2 and 3,
based on 50 percent of the average historical landings formula used in Reef Fish Amendment 40, 50 percent from 1986 to 2013 and 50 percent from 2006 to 2013, and 50 percent based on the regional biogeographical differences in the stock used in the stock assessments.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion?

MR. PERRET: Who makes that decision on the regional biogeographical differences in the stock used in the stock assessments? Is it our scientific committees or who makes that decision?

CHAIRMAN ANSON: As I recall, I think it was based a little bit on the east/west notion in the stock assessment process and that is currently at the Mississippi River and so how it meshes up with the regions that we’ve identified, at least in the regional management amendment, I don’t know. There was some discussion, as I recall, during Reef Fish about that.

MR. PERRET: But is it the S&S that will make the final decision and recommend to us?

CHAIRMAN ANSON: I would think so, through the assessment process, yes.

DR. CRABTREE: But I don’t think it’s possible to do that unless the only regions you choose are eastern and western Gulf with the break at the River, which is not where we’ve been so far. I think the way we’ve conceived of this all along has been state-by-state and I don’t believe it’s possible to come up with those types of estimates, because the assessment doesn’t break them down that way. I am not sure how this is workable, given the way the amendment currently is set up and the current preferreds.

DR. AVA LASSETER: This is just a detail in the motion. If it would be acceptable to remove the “Alternative 2 and 3”. That decision would be made within Action 3, which you will select your preferred there. Then this alternative would work with our regional selection that would divide in an east and west and there is two alternatives in that in Action 3, but that should not be a part of the alternative. It’s just a point of order.

DR. PONWITH: Just to reiterate, we had had some discussions way back in the history on productivity across the waters adjacent to individual states and, again, just to reiterate that right
now the hypothesis is it’s either a Gulf-wide stock or the counter is it’s two stocks with its logical breaking point at the River and the ability to assess productivity in any one adjacent waters to a state is not possible right now.

What can be done is we can, as we always do, is look at taking the productivity of the stock across its logical total and make allocation decisions based on the productivity of this stock as a whole.

DR. CRABTREE: Ava, correct me if I’m wrong, but I am looking at Action 3 and there isn’t an alternative there that divides the Gulf into east and west with the break at the River and so I don’t see any alternative in the document or in Action 3 that would enable us to apply this new proposal.

DR. LASSETER: There is text in the discussion for those alternatives that addresses exactly that, that specifies that the regional boundaries do not overlap with the boundaries in the stock assessment and if you were to adopt this alternative, you would be giving a little more quota one way or the other to the regions.

MR. DIAZ: This is to Dr. Crabtree’s point and the staff might have to help me out with this, but at one point in time, the question was asked of the SSC if it would be workable if Mississippi went with either the east or the west and what I remember is the SSC saying that it could be done where Mississippi, if it was ever divided, went east or west. Now, staff might be able to help me with that that was at that SSC meeting.

DR. PONWITH: That’s the very precise question that was asked and my staff, who conduct the stock assessments, the answer was no, that the -- If there is a breaking point at all between this stock, it’s at the Mississippi River.

MR. FISCHER: Also, if you look at the maps that we’ve had that do have lines in them, the line does go right up the mouth of the River that divides the Louisiana zone from any zone to the east of us. The line runs right accordingly to what’s used in the stock assessment and what the SSC reviews.

CHAIRMAN ANSON: All right. We have a motion and I am not going to read it. It’s a little excessive, but we’re going to go ahead and vote. **All those in support of the motion please signify by raising your hand.**
EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six.

CHAIRMAN ANSON: All those opposed.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six, seven.

CHAIRMAN ANSON: The motion failed six to seven.

MS. BADEMAN: If I may, I would like to make a motion in Action 6 to formally add Proposed Alternative 8 to the document. It just says “proposed” right now.

CHAIRMAN ANSON: The motion is in Action 6 to add Alternative 8 to the public hearing document, Amendment 39. Do we have a second?

MR. WILLIAMS: I’ll second it.

CHAIRMAN ANSON: It’s seconded by Mr. Williams. Any discussion?

MS. BADEMAN: I am just asking to add it in and I am not saying preferred, but this is the option that would essentially start everybody on a level playing field in terms of a number of days.

CHAIRMAN ANSON: All right. Any other discussion? The motion is in Action 6 to add Proposed Alternative 8 to Amendment 39. All those in favor raise your hand.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen.

CHAIRMAN ANSON: All those opposed same sign.

EXECUTIVE DIRECTOR GREGORY: One, two.

CHAIRMAN ANSON: The motion carries. All right, Mr. Greene. If you could continue.

MR. GREENE: The Committee addressed an action for the for-hire vessels federal permit restrictions. Staff noted that the preferred alternative was unnecessary for regions with approved CE plans, but the provision would need to remain in the event a region did not have an approved CE plan or was not participating in regional management.

By a voice vote, the committee recommends, and I so move, to move the action for for-hire federal permit restrictions to
considered but rejected.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Any opposition to the motion? The motion is carried. Go ahead, Dale.

MR. DIAZ: Before we get too far away from the zones, I am going to make a motion that in Action 3 that we change the preferred alternative from Alternative 4 to Alternative 5.

To give enough information for people to decide if they want to give me a second or not, Alternative 4 says establish five regions representing each Gulf state, period. Alternative 5 has that exact same sentence, establish five regions representing each Gulf state, which may voluntarily form larger, multistate regions with adjacent waters. If I get a second, I will give some explanation.

MR. PERRET: I second.

CHAIRMAN ANSON: Seconded by Mr. Perret.

MR. DIAZ: My explanation is it’s a voluntary thing that’s added that would give some flexibility. I could see where if -- Especially the way that the State of Mississippi and the State of Louisiana boundaries are, it may at some point in the future be something that we would want to consider, to maybe make it easier on the public. It is a voluntary thing and so I think it just makes sense, to me, to go ahead and do that.

It leaves in place what we’ve been talking about already, but it just gives an option that’s there, should we ever need to exercise that in the future.

CHAIRMAN ANSON: Any other discussion on that?

MR. SANCHEZ: I guess if we put all five together that we’re back to a federal plan.

MR. BOYD: Dale, do you see that complicating the allocations between those two states if they voluntarily decided to work together? I am just thinking down the line.

MR. DIAZ: I think it could be worked out between those two states. If the states decided to work together, they would have to agree on combining their allocations and sharing their allocations in that section and so I don’t think it would be a problem. I think states would have to volunteer to agree to
that.

CHAIRMAN ANSON: All right. The motion on the board is in Action 3 to make Alternative 5 the preferred alternative. All those signify by saying aye that are for this motion; all those opposed like sign. The motion carries.

MR. PEARCE: Mr. Chairman, before we get too far, I would like to -- Listening to the public testimony yesterday, I would like to go back to Action 2 in the regional management sector separation and pick a preferred.

All we heard yesterday from the charter boats was that they did not want to be part of regional management. Almost to a man we heard that yesterday. They wanted to stay within the federal management system. With all the testimony we had yesterday and everything everybody said, what I would like to do is make a motion that in Action 2 that Alternative 2 be the preferred alternative. I can read that if you want or they can put it on the board, if I get a second.

CHAIRMAN ANSON: Is there a second?

MR. SANCHEZ: Second.

CHAIRMAN ANSON: It’s seconded by Mr. Sanchez.

MR. PEARCE: I just believe we heard too much discussion yesterday about it and so I would like to throw that out and let’s see if we can get that done.

CHAIRMAN ANSON: In lieu of having it typed out, we might be able to copy and paste it into the motion, but just so everyone understands, this would be to make Amendment 39 apply just to the private angling component and not the for-hire.

MR. PEARCE: That’s correct.

CHAIRMAN ANSON: Any other discussion on the motion? All those in favor of the motion please raise your hand; all those opposed please raise your hand.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six.

CHAIRMAN ANSON: The motion fails.

DR. CRABTREE: You know though at some point we will have to have a preferred alternative on this one or the amendment really
MR. PERRET: You may have to vote at some point.

DR. CRABTREE: I might, but that might not be until down the road.

CHAIRMAN ANSON: All right, Johnny. Do you want to continue?

MR. GREENE: Staff provided comments from the Law Enforcement AP relative to regional management. Enforcement concerns would be expected to arise from establishing various closed areas in the EEZ and could increase costs for offshore enforcement. Although no sector-specific regulations are yet in place, the AP expressed concern that different regulations would complicate enforcement. Finally, the LEAP requested to review the document again before final action is taken.

Options Paper on Joint South Florida Management, staff reviewed the Joint Generic Amendment on South Florida Management Issues. Staff noted that the document contained many actions and alternatives, 133 options in total, and that the committee may wish to consider streamlining the document where possible, especially with respect to those options which may be outside the scope of the document.

The council was presented with a flow chart which outlined the types of choices which could be made to modify management of yellowtail snapper, mutton snapper, and black grouper in the south Florida region, which is casually identified as the area off Florida south of 28 degrees North latitude.

The committee was also asked to consider those portions of the document which examine delegation of some aspects of fisheries management for the aforementioned species, while also examining specific management changes.

Yellowtail snapper, staff reviewed those actions addressing yellowtail snapper, noting which alternatives and options could be selected in tandem with others. Yellowtail snapper regulations are the same for the Gulf and South Atlantic Councils.

The main concern with this species has been the closure of the South Atlantic’s jurisdictional waters when the Gulf’s jurisdictional waters were still open to fishing. It was noted that a multijurisdictional ABC and ACL may address that concern. Some concern was expressed about the effects of actions in the
document and their potential impact outside of the south Florida region.

Mutton snapper are currently thought to be healthy. However, fishermen have expressed concern with what they consider to be excessively high bag limits, especially during the May to June spawning season.

Concerns of overharvest seem to focus on the recreational fishery. The commercial fishery typically targets mutton only when the price is such that doing so is profitable, which results in more sporadic commercial effort. The committee also thought that changing the bag limits for mutton during the year might create confusion for fishermen and that there should not be a cap on the commercial trip limit.

The committee unanimously recommends, and I so move, in Action 6, to add Options 5a, two fish per person per day, and 5b, five fish per person per day, to Alternative 5.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Any opposition to the motion? Seeing none, the motion is carried.

MR. GREENE: Gulf commercial fishermen are thought to catch mutton near the Tortugas. Law Enforcement AP members have remarked that any modification to the commercial trip limit should be done in numbers of fish as opposed to pounds to ease enforceability.

Staff continued going through the actions in the document. When discussing accountability measures, the committee queried whether it was necessary to have AMs for species which are not overfished or experiencing overfishing. NOAA General Counsel advised that the Magnuson Act requires the establishment of annual catch limits and AMs for all managed species, regardless of stock status. However, the council does maintain flexibility in determining just what those AMs should be.

The committee heard the South Atlantic Council’s desire to use language in Alternatives 3 and 4 of Action 9 which reflected language in the South Atlantic Council’s Generic AM Amendment. However, the council elected not to change the current language recommended by National Marine Fisheries Service for ease of implementing necessary management measures.

The committee unanimously recommends, and I so move, in Action 9, to add back in Options 5a and 5b in Alternative 5. Option 5a
is if the species is overfished Suboption 5a(1) for yellowtail snapper and Suboption 5a(2) for mutton snapper and Suboption 5a(3) for black grouper. Option 5b is regardless of stock status Suboption 5b(1) for yellowtail snapper, Suboption 5b(2) for mutton snapper, and Suboption 5b(3) for black grouper.

CHAIRMAN ANSON: All right. It’s a committee motion. Is there any discussion on the motion? Any opposition to the motion? The motion carries.

MR. GREENE: Staff reviewed actions pertaining to black grouper. The committee was concerned about the effects of some actions on those waters in both councils’ jurisdictions occurring outside of the south Florida area.

The committee unanimously recommends, and I so move, in Action 10, to remove Alternative 2b to the considered but rejected appendix. Option 2b is throughout each council’s jurisdiction.

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

MR. GREENE: The committee unanimously recommends, and I so move, that in Action 10 to remove Alternative 5, establish identical regulations for the shallow-water grouper seasonal closures throughout the Gulf and South Atlantic, to the considered but rejected appendix.

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

MR. GREENE: The committee reviewed a motion by the South Atlantic Council to add an alternative to Action 11 which would modify the commercial seasonal closure for black grouper in the Gulf of Mexico and the South Atlantic. However, the committee elected not to include such an alternative in the document.

The committee noted that the main concern with groupers in the south Florida region concerned conflicting regulations for gag, red grouper, and black grouper. Attempting to add South Atlantic shallow-water grouper species to the Gulf’s shallow-water grouper species composition was viewed as excessive work for species which have little to no landings in the Gulf.

A committee member reminded the committee that the goal of this amendment is to simplify management for those stakeholders in
south Florida and the current effort seemed to be overcomplicating the issues. The committee agreed that significant time was likely to be necessary to work on the amendment at the joint council meeting in June in Key West.

Staff continued reviewing proposed actions pertaining to black grouper. The committee acknowledged that the South Atlantic shallow-water grouper closure was instituted primarily to protect spawning aggregations of gag. The following two motions were made because the committee thought they were outside of the scope of the document.

The committee unanimously recommends, and I so move, in Action 11 to remove Alternative 6 to the considered but rejected appendix.

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

MR. GREENE: The committee unanimously recommends, and I so move, in Action 11, Alternative 8, to remove Suboption 8c to the considered but rejected appendix. Suboption 8c is in federal waters of the Gulf and South Atlantic.

CHAIRMAN ANSON: We have a committee motion. Any discussion? Any opposition? Seeing none, the motion carries.

MR. GREENE: The committee asked that staff modify alternatives in the document referring to Monroe County to adopt the delineated area proposed by the Joint South Florida Committee for other alternatives in the document, specifically “from the Dade/Monroe County line on the east coast of Florida to Shark Point on the west coast of Monroe County, Florida.”

Concurrently, the committee heard feedback from the LEAP stating that creating separate grouper regulations for a county or other delineated area would cause enforcement problems. Committee members remarked that establishing county-specific regulations was not preferred and would further complicate management, as is currently being considered under Action 12.

Additional LEAP comments indicated that education on when to use circle hooks and when to use other hook types may be more appropriate than establishing additional regulations.

Options Paper, Framework Action to Adjust Gag ACL and Season, staff reviewed the actions and alternatives in an options paper
for a framework action to increase the gag ACL and ACT and modify the recreational gag fishing season.

Action 1 contains alternatives to adjust the recreational ACL and ACT through 2017 and to adjust the commercial ACL and eliminate the commercial ACT. The committee had no comments on the alternatives in Action 1.

Action 2 contains alternatives to eliminate the fixed December 3 through 31 recreational gag closed season, adjust the starting date of the recreational gag season, or adopt a split season. Mr. Atran noted that the framework amendment could not be completed in time to change the opening date for 2015, but it might be possible to eliminate the December closed season in 2015 and change the starting date for 2016.

Under Action 2, Alternative 3, committee members felt that there would be insufficient time to back-calculate a starting date that would allow the season to remain open through the end of the year. They suggested it would be better to set a fixed opening date, and, if possible, a fixed closing date.

For Action 2, Alternative 4, which is a split season, staff was looking for guidance on how to split the season. A suggestion was made to have the first season open in the spring, March and April, and the second season in the fall.

The committee had no comment on whether the first season length should be based on being open for a fixed number of day or for a fixed percentage of the quota. Mr. Atran related that staff would prepare a draft framework action for final action at the June council meeting.

CHAIRMAN ANSON: Mr. Greene, we have a couple of questions.

MS. BADEMAN: I guess -- I don’t know if I need to make this in the form of a motion or not, but I just wanted to throw some ideas out there for Steven as he is putting this document together.

In terms of opening days, I think one option would be to open January 1 or potentially even closing during February and March, since we know that’s the spawning season for gag. We have the twenty-fathom closure and we could do with or without that.

One option I think would be opening April 1. If we wanted to do an early in the year and late in the year split season situation, maybe closing for around August 15 or September 1 and
then being open again on October 1 and running through the end of the year.

Just some ideas, again, and I don’t know how this is going to play out in terms of how much quota we’ll have and how many days that will translate into, but I just wanted to throw some dates out there. Thanks.

**MR. WALKER:** Under Action 1, a motion to add a new alternative that sets the ACL at 3.8 million pounds, sets the recreational ACT buffer at 8 percent, based on the ACL/ACT control rule, and does not use the commercial ACT. I have already sent the motion in.

**CHAIRMAN ANSON:** I think we’re trying to find it here. Going back to Martha’s comments, before, I think, Steve, you were just looking for some guidance and so we don’t need a formal motion and you can just incorporate that into the document and is that correct?

**MR. ATRAN:** I think guidance is fine, unless there is some actual specific alternative. As I said yesterday, if we’re going to go with a split season, it would be advantageous to try to make sure we have enough separation to be able to get estimated landings for the first season, so we can calculate what’s left for the second season.

**CHAIRMAN ANSON:** What is that length of time, Steve? Is it four months is the minimum you need to kind of look at preliminary or is it longer? Steve Branstetter, you might know.

**DR. BRANSTETTER:** I’m sorry. I was jotting something down.

**CHAIRMAN ANSON:** What’s the length of time that we would need to kind of look at landings, the minimum length of time, if we had a split season? Would we need four months for it to kind of go through that process to look at landings or is it six months or do you have an idea?

**MR. ATRAN:** It would be forty-five days after the end of the wave in which it closes.

**CHAIRMAN ANSON:** Okay and so depending on when that month closes, you might have to wait for the end of that wave and then an additional wave. We are good then or, Steve, you are good with Martha’s dates? Okay. So now, David, we have your motion, I believe, on the board, if you can review that real quick and make sure that’s it or let me know.
MR. WALKER: Yes, that’s the motion.

MR. WILLIAMS: I will second.

CHAIRMAN ANSON: We have a motion and it’s been seconded in Action 1 to add a new alternative that sets the ACL at 3.8 million pounds and set the recreational ACT buffer at 8 percent based on the ACL/ACT control rule and do not use a commercial ACT. Any discussion on the motion?

MR. WILLIAMS: For the record, David, would you tell us how you got that number? Is that simply the average between status quo and --

MR. WALKER: Right. 3.8 million is the median of the status quo and the next lowest, Alternative 4. It’s setting the catch level at an amount that allows for a more conservative approach that attempts to take into account the huge scientific uncertainties in the assessment, management uncertainty pertaining to a lack of catching quotas, the fact that there may be too few males remaining and on-the-water fishermen observations, as in the Reef Fish AP.

They were worried about seeing the -- The fish just aren’t there and they’re concerned about the stock. We heard a lot of testimony yesterday of people -- I heard them even say don’t even give us anything, as low as that. That was in testimony.

MS. BADEMAN: Could we scroll back to the motion? So we’re just adding this alternative, right? Okay.

CHAIRMAN ANSON: Any other discussion on the motion? Any opposition to the motion? Seeing none, the motion is carried. All right, Mr. Greene.

MR. GREENE: Framework Action for Modifications to Greater Amberjack Allowable Harvest and Management, the committee reviewed the framework action considering changes to greater amberjack management measures, Tab B, Number 7)a). Three actions were considered and preferred alternatives were selected.

Action 1 considers modifications to greater amberjack ABC, ACL, and ACT values. The committee discussed that the stock is overfished and overfishing is occurring as of the most recent stock assessment. The committee recommends, and I so move, that in Action 1, to have Alternative 3, Option a be the preferred
alternative.

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

MR. GREENE: Next, the committee considered changes to the recreational minimum size limit. There is concern that the current minimum size limit allows harvest of immature females and increasing the size limit would allow more individuals to reach reproductive maturity before entering the fishery. The committee recommends, and I so move, that in Action 2.1, Alternative 3 be the preferred alternative.

CHAIRMAN ANSON: It’s a committee motion. Any discussion on the motion? Any opposition to the motion? Seeing none, the motion carries.

MR. GREENE: The committee also considered changing the current recreational closed season for Greater Amberjack. The current June 1 to July 31 closed season was enacted in Reef Fish Amendment 35 to extend the season. However, this prevented harvest during summer, the period of historically peak effort, and it could be preferable to close from March through May coinciding with the spawning season. The committee recommends and I so move that in Action 2.2, Alternative 3 be the preferred alternative.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion?

MR. FISCHER: I think we heard considerable testimony on this. I think this merits some discussion before we move forward and I would like to hear what others have to say, but I think we had quite a few people at the podium expressing a desire to stay open in the spring and closed in the summer.

MR. GREENE: I was going to move a substitute motion that in Action 2.2 that Alternative 1 be the preferred alternative. That would be the closed season remains June 1 through July 31.

CHAIRMAN ANSON: We have a motion to make in Action 2.2 Alternative 1 be the preferred alternative and that’s status quo. It’s been seconded by Myron. Is there any discussion on the motion?

DR. DANA: I would support the substitute motion. I received a
large number of emails and texts from everything from bait and
tackle shops to folks from Panama City, Destin, and other areas.
All were in support of a summer closure versus the spring, just
because of the impact it would have on a spring tourism season.
Thank you.

CHAIRMAN ANSON: Does anyone else want to talk or speak to the
motion?

MS. BADEMAN: I was just going to say when we talked about this
a couple of years ago, I think we considered something close to
this. I support the June through July closure. I think when we
arrived at this decision a few years ago we did because it was a
pretty good bang for our buck and that there was peak landings
during that time. I support Johnny’s motion.

MR. MATENS: This is kind of a tough one for me. I understand
the problems in Florida and I certainly have a lot of empathy
for the problems of the charter industry and it points out to
me, about regional management, that this is a Florida problem or
maybe an Alabama problem, but it’s certainly not a problem in
Louisiana.

Here we have a fishery that’s being overfished and it’s
overfished and being overfished and it’s been this way for quite
some time. I talked to a lot of people about this and one of
the consensus was that we have to do something. Well, I don’t
know what that is and I was hoping that I would hear some of the
biologists tell me that going to a thirty-four-inch minimum
length would be that solution and I didn’t get any firm yes on
that. Accordingly, I have to speak in favor of the spring
closure. Thank you.

MR. DIAZ: I am going to echo some of what Camp just said. It’s
a tough one for me too and I did make the motion in committee to
have the March 1 through May 31 closure for two reasons. One is
that’s peak spawning time and a lot of times we talk about
trying to protect fish during peak spawning times and in our
area, I polled several people and in my area, they would prefer
to have the closure during this time.

I did hear the public testimony loud and clear yesterday and I
do understand the business concerns from the people in the
Panhandle and Alabama and so thank you, Mr. Chairman.

MR. FISCHER: To answer some of Camp’s question he had, I did
speak with leading biologists on this, that being Daryl Parkyn.
Him and Debra Murie are the Gulf’s leading amberjack biologists
and he mentioned to me -- This was a short while back and not
during this meeting, but that until you raise the size limit and
protect the spawning period, you are not going to get out of the
box.

We raised the size limit, but the folks who came to the mic
spoke loud and clear and I think we could go with the size limit
to constrain harvest during the two summer months, as we have
been status quo, and see how this moves us forward and give it
time. Let’s see what happens and see if the size limit alone is
enough.

We may have some closures in November or December. I don’t know
whether that is going to happen, but I did speak with the
biologists and I wanted to relay that to Camp.

MR. DIAZ: Just to put this on the record, I mean I think
somebody said earlier that we have to do something, because this
fish has got some problems. Just to say, no matter how this
vote comes out, some other things have been done. We did pick a
fairly conservative annual catch limit out of the range of
alternatives that we were given and so it would be size limit is
already taken care of and we are fairly conservative on annual
catch limit.

MR. BOYD: I was wondering if Bonnie might be -- Can you speak
to how quickly we could have data based on the new size limit
next year, so we can see what it’s done?

DR. PONWITH: I guess I need clarification on what you mean by
that.

MR. BOYD: If we did not do the spring closure, with what Myron
said, in talking to some biologists that there may be
significant gains by going to the thirty-four inches, how
quickly will we know whether we did get gains from the thirty-
four-inch limit?

DR. PONWITH: We can simulate what happens to the stock with an
increase in minimum size limit to thirty-four inches. The fact
that it allows a higher percentage of those animals to reach
sexual maturity before they are harvested gives us sort of an
intuitive sense that there is going to be a stock benefit from
it.

If your question is how long would we have to wait before we
could actually detect a change in response to that management
measure in the population, that would be a while. I mean it
would take a while for that stock to actually respond and it would be very difficult to attribute a change in a stock specifically to that portion of your collection of management measures as a stand-alone.

MR. BOYD: Thank you. That was my question.

MR. MATENS: I would like to make another substitute motion that in the recreational greater amberjack fishery that we increase the minimum size limit to thirty-six inches and that we open the season the first of the year and let it continue until we have to close the season.

CHAIRMAN ANSON: Go ahead, Dr. Crabtree.

DR. CRABTREE: One, that’s a wholly different issue and not a substitute, but didn’t we already approve the committee motion to set the size limit? That would take a motion to reconsider and everything to go back and change it now, I think.

CHAIRMAN ANSON: Yes and so, Camp, I think we just have to deal with the season.

MR. MATENS: Let’s withdraw this. That’s fine.

CHAIRMAN ANSON: You will withdraw it? Okay. Thank you. That leaves us with the substitute motion.

MR. FISCHER: I would like to commend Camp for looking at other alternatives, other ways, things out of the box that we didn’t think of. It was an alternative in the briefing book, but we’ve been focused on either summer or spring and there were other choices.

MR. GREENE: I appreciate the science portion of it and always have. You know we just passed a deal to get the annual harvest at a constant rate for the next three years, I believe at about 1.7 million pounds. We have also increased the size of the fish considerably.

There is a big weight difference between a thirty-inch amberjack and a thirty-four-inch amberjack and I really don’t want to go any bigger than that, because I have some other concerns, but, from a practical standpoint of a fisherman, when you close amberjack in the spring, I don’t care where you fish in the Gulf of Mexico, you’re not going to be allowed to catch a triggerfish -- If it was this year, you couldn’t keep a triggerfish, shallow-water grouper, a gag grouper, an amberjack, or a red
Now, I am a pretty good fisherman and that don’t leave too many options for anybody to catch, whether you have a for-hire vessel, a recreational vessel or whatever. I just strictly bring this to your purview, because this is a big deal.

CHAIRMAN ANSON: I think we’re ready to vote on the substitute motion and it is in Action 2.2 that Alternative 1, the status quo alternative, be the preferred alternative. All those in favor of the substitute motion please raise your hand.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen.

CHAIRMAN ANSON: All those opposed like sign. Raise your hand, please.

EXECUTIVE DIRECTOR GREGORY: One, two, three. I have three.

CHAIRMAN ANSON: The motion carried thirteen to three. Mr. Greene.

MR. GREENE: Finally, the committee considered commercial management measures. A 1,923-pound gutted weight trip limit was established in Reef Fish Amendment 35 to reduce the rate of commercial harvest for this species and extend the commercial season.

The committee discussed that overages have historically occurred for this fishery, but the current trip limit is working well for the industry and no large overages have occurred as a result. The committee recommends and I so move that in Action 3, to select Alternative 1 as the preferred alternative.

CHAIRMAN ANSON: We have a committee motion.

MR. WALKER: Listening to the testimony yesterday and I heard everyone say 1,500 pounds and I would like to make a second substitute motion to make Alternative 1, no action, the preferred alternative. It’s a substitute motion.

CHAIRMAN ANSON: David, could you repeat that? We already have Alternative 1 up there and do you mean Alternative 2? Do you want to make the substitute motion Alternative 2, which would be the 1,500 pounds?

MR. WALKER: Yes, the 1,500 pounds, yes. Gutted weight.
CHAIRMAN ANSON: We have a substitute motion to make Alternative 2 in Action 3 the preferred alternative and it’s been seconded by Mr. Diaz. Any discussion on the motion?

MR. PEARCE: I understand what’s going on and I mean we’ve gone over on amberjack every year and my guys are very comfortable with the 2,000-pound limit. There is no doubt about that. They can go in and catch it and come back in one day, but in the spirit of trying to do a better job, I agree with this motion. I will catch hell for it, but I agree with this motion, so we can try and get this thing back on track.

CHAIRMAN ANSON: The motion is 1,560 whole weight. Anyone else want to talk?

MR. WALKER: I would just say it’s going to help to extend the season and help address some discards.

CHAIRMAN ANSON: All right and so all those in favor of the substitute motion to make Alternative 2 in Action 3, 1,560 pounds of whole weight trip limit, be the preferred alternative, please raise your hand in favor of this.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen.

CHAIRMAN ANSON: All those opposed raise your hand. It’s fifteen to zero. All right, Mr. Greene.

MR. GREENE: Scoping Summaries, Amendment 36, Red Snapper IFQ Modifications --

CHAIRMAN ANSON: Johnny, one second. We have some hands waving frantically. I think we might have to do something with this to dispense of it.

MS. LEVY: Yes, you need to have a motion to approve and submit it to the Secretary and deem the codified text and I will just note that you were sent updated codified text yesterday based on the preferreds that happened in committee.

Obviously that changed, because we put the season back to status quo and we changed the trip limit and so that codified text is going to be changed again to reflect what you just did now.

CHAIRMAN ANSON: Okay and so does everyone understand what Mara
said? This is to approve the amendment, the framework action, to send this on to the Secretary. We will need to do a roll call vote on this. Doug, whenever you are ready.

MR. WILLIAMS: We need the motion.

CHAIRMAN ANSON: That’s right. We need to make a motion, yes.

MR. GREENE: I will make the motion.

CHAIRMAN ANSON: The motion has been made by Johnny to approve the Greater Amberjack Framework Action to Modify Allowable Harvest and Management and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as modified in discussion 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. We have a second. Any further discussion on the motion? All right, Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.
EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Perret.

MR. PERRET: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Pearce.

MR. PEARCE: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: It’s unanimous yes.

CHAIRMAN ANSON: All right. I think we can go ahead then, Mr. Greene.

MR. GREENE: Scoping Summaries, Amendment 36, Red Snapper IFQ Modification, staff reviewed the scoping document, Tab B, Number
8(a), and provided a summary of the comments received for each of the items for potential modification. Due to time constraints, the committee deferred further discussion on the list of items under consideration and document timeline until full council. Now we’re going to reach out to Dr. Lasseter for an update.

DR. LASSETER: Thank you, Mr. Greene. It’s unfortunate that we seem to have run into some time constraints in full council as well. This morning, I did distribute a list of just the items, just kind of consolidated, that have been under consideration and I would suggest that may if there are some -- If there is some discussion people are already prepared with, we could entertain that, but I would suggest putting this back on the Reef Fish agenda for the next meeting and continuing this thoroughly when we have more time.

EXECUTIVE DIRECTOR GREGORY: As an options paper.

DR. LASSETER: No, we planned to bring an options paper back in August. We would bring -- The scoping summaries, we didn’t even finish scoping until after final briefing book and so you have had very little time to look at and consider I think the summaries as well and so perhaps this will give you some more time.

We will still get the options paper back in August, but we could work on refining this list and be a little more prepared or have more time at the next meeting in June.

CHAIRMAN ANSON: Dr. Lasseter, would it be your plan then to kind of work with what you have already identified and set it up as kind of an options paper with some of the details fleshed out or are you going to wait until everything is supplied in June and then come back in August or how do you propose that?

DR. LASSETER: I would put in the next briefing book for June the scoping summaries again, the scoping document again, with this list in the front and then behind the scenes, the IPT will be considering how we’re going to be moving it from scoping to options and so we’ll be ready to go between June and August to get you the options paper.

CHAIRMAN ANSON: All right. Thank you. No questions? All right, Mr. Greene.

MR. GREENE: Revised Draft, Amendment 28, Red Snapper Allocation, staff presented the management alternatives and
discussed methods used to compute the recreational and commercial allocations for each alternative. Committee members discussed the effects of the MRIP recalibration of catch estimates and selectivity changes in the recreational sector.

The committee approved the following motion. By a vote of five to three, the committee recommends, and I so move, to make Alternative 9 the preferred alternative.

CHAIRMAN ANSON: We have a committee motion.

DR. STUNZ: Do you need a second on this motion? I wanted to comment.

CHAIRMAN ANSON: No, it just comes from the committee as a motion.

DR. STUNZ: I want to speak in favor of Alternative 9 as the preferred. I guess, first, the last meeting we got the update assessment and everything was looking positive in terms of our key benchmarks and it was pretty apparent, I think, that that was due to MRIP recalibrations, but we also had some questions about how the selectivity or how the recreational anglers in that larger catch rate might factor into what was driving those positive numbers.

Of course, in the last report that we just got for this meeting, it was pretty apparent -- The no-brainer was in fact that the MRIP calibration did in fact drive those numbers up, but what was surprising, at least a little to me, was how much the selectivity did in fact drive those numbers and, in fact, in most cases it was just as much, if not more, than those MRIP calibrations.

That kind of led me to two things in terms of while Alternative 8 is good, when we begin to look at -- One, there is really two alternatives when you look at what is the most scientifically valid and that’s 8 and 9, but it’s kind of hard to look at 8 when you consider what effect these selectivities are having and so it makes sense that from the best scientific perspective that we’re looking at Alternative 9 that specifically incorporates those MRIP and selectivity calibrations. I would speak in favor.

In addition to that, not only does it increase all the benchmarks, but it increases the allocation for everyone as well and so we’re getting the most bang for our buck from that alternative.
CHAIRMAN ANSON: I would concur with your statement, Dr. Stunz. Those fish -- It’s fishermen behavior, but working within the system that we have set up for them, they are harvesting larger fish and the time between a sixteen-inch fish, which they could harvest, and the fish they are is providing some benefit and as we’ve seen that in the stock increase.

MR. PEARCE: I understand what Dr. Stunz says and I understand the recalibration, but I did listen to the public testimony yesterday and I listened to an almost overwhelming support for no allocation, Alternative 1. I listened to some support for Alternative 8 as well and so I believe that, because of what I heard yesterday and because of what I feel, I think that we need to not vote this up and vote this down and consider these other two alternatives and see which one is better for us, but the audience almost overwhelmingly wanted no allocation at all, with some wanting Alternative 8. I would have to speak in opposition to this motion and hope we don’t pass this one, so we can discuss the other two. Thank you.

MR. WILLIAMS: I have had a mixed opinion on this one. Coming into the meeting, I was probably in favor of Alternative 9 and I had convinced myself that the recreational fishery had increased their yield per recruit by targeting a larger fish, but whether they actually did or not is really dependent upon what you believe about discards.

If they were high-grading and if there are a lot of discards, then maybe yield per recruit did not increase and enough people have spoken to me that I am now uncertain about that aspect of it.

I do remain convinced that we need to give the recreational fishery whatever increase came from the recalibration of the old MRFSS data after the change in MRIP and so I am prepared to offer a substitute motion. My substitute motion would be that Alternative 8 be our preferred motion.

CHAIRMAN ANSON: We have a substitute motion and is there a second? It’s seconded by Corky. Any discussion?

MR. WALKER: I would like to offer a second substitute motion to make Alternative 1, no action, the preferred alternative.

CHAIRMAN ANSON: There is a second substitute motion to make
Alternative 1 the preferred alternative. Is there a second for that motion? It’s seconded by Ms. Bosarge.

**DR. DANA:** If we voted on Alternative 1, which is status quo, it still doesn’t account for the recalibration, which is the new scientific method that we’re looking at. Essentially, Alternative 8 is status quo, but using the new scientific method that we are using going forward. Is that correct, Dr. Crabtree?

**DR. CRABTREE:** No, status quo would be Alternative 1. Alternative 8 would adjust the allocation in a manner that accounts for the MRIP calibration impact on the historical time series.

**CHAIRMAN ANSON:** Dr. Crabtree, you had your hand up earlier.

**DR. CRABTREE:** Yes and just a couple of points. One thing you ought to think about is both Alternative 8 and 9 you can see that the allocation isn’t one number and it changes a little bit with the TAC.

You ought to think about, if you’re going to select either one of these, do you want to use the average of sixteen or seventeen and you’re setting it such that that’s then the allocation until you revisit it and change it or is it your intent that the allocation change over time? I think you ought to address that.

Then I think you need to be aware that there’s been another set of analyses done that -- They went over to the council and I think Mr. Gregory can correct me if I’m wrong, but I think the council’s intent is to have these go before the SSC and bring them before the council in June.

There is a set of analyses that looked at what impact does reallocation have on future TACs and the analysis shows that the recreational allocation and the TAC are correlated, meaning the more you allocate to the recreational fishery, the higher the TAC can be. That seems kind of odd at first, but it’s tied back into the issue that has come up here and that Dr. Stunz brought up, which is yield per recruit.

As you allocate more fish to the recreational sector, you’re shifting more fish into that larger selectivity and you are picking up extra yield per recruit and that means the yield from the fishery can be higher.

Now, at the levels you’re talking about in Alternative 8, it’s probably not much. Alternative 9, it’s probably a few hundred
thousand pounds, but if you go to even greater shifts in the allocation, I think one of the analyses shows that it’s over a million pounds, but these analyses also show a downside to this, which is one of the effects of reallocation is you’re shifting more of the harvest into the eastern Gulf, because that’s where the majority of the recreational fishery is.

You have seen these projections that show declines in the eastern Gulf and to the extent that you shift more fishing pressure into the eastern Gulf, those declines get somewhat steeper.

Probably Alternative 8 is not too much of an impact and even 9 is not that much of a shift in allocation, but if you look at some of the larger shifts in allocation, they are there, but I wanted you all to be aware of this before you vote on this and it’s something that we’ll need to look at some time, because I think it does have implications that will need to be discussed in the document and it probably has implications for the economic analysis and those things.

I just wanted to bring that up to you, but I think you do need to clarify to staff whether your intent is to set the allocation based on some average here and that’s going to stay in place until you revisit it or do you want to have the allocation changing, because I’ve been asked that from staff, to get some clarification on it.

CHAIRMAN ANSON: All right. We will be thinking about that. I have Corky and Roy Williams and then Harlon.

MR. PERRET: Thank you, Mr. Chairman. Relative to the second substitute motion, Alternative 1, no action, I think, David, you made that motion and is that right? I would normally support your motion, for a lot of reasons. You all have heard me all along about I can’t see providing additional fish to a user group that has consistently, other than last year, gone over their allocation by four-million-plus pounds in 2013, as an example.

But I said all along that if indeed this recalibration shows that we’ve been making errors in the past and the percentage should change based on that allocation -- If that’s what the data shows, I am going to support that and so I cannot support your motion at this time.

MR. WILLIAMS: Corky was the seconder for my motion and if he would agree, I would like to withdraw it and then just go ahead
and vote on the original committee motion.

CHAIRMAN ANSON: We’ve got a second substitute motion we’ve got to deal with first.

MR. WILLIAMS: I thought we had already defeated that. Sorry.

MR. PEARCE: Yesterday that’s all we heard, was no allocation, no allocation, no allocation, and so I’ve got to support this amendment. I understand the recalibration and I understand what’s going on, but I also understand what I heard yesterday very resoundingly and it was that both the harvesting component and the for-hire component didn’t want any reallocation.

Because of that, that’s the stand I’m going to take on this particular motion. I think that they told me pretty clearly what they want me to do. Thank you.

CHAIRMAN ANSON: I will just -- Something that Mr. Perret said and I’ve said it I think before. Yes, it’s been mentioned that the recreational sector has gone over its quota allocation in the past and that was because of what the council set up and the mechanisms that we had to measure that and it was a failure, I think, on the council’s part to constrain the recreational fishermen and not necessarily the recreational fishermen and so I don’t think necessarily we should penalize that particular sector for actions for which the council could have corrected, but that’s my comment.

MR. WALKER: I have some concerns about what it means to change allocation between sectors that have different size selectivity. The point is that it’s just another set of alternatives that doesn’t make any sense when you think about them and it may have some really negative consequences, just like Roy mentioned the other day.

The assessment and the ABC projections are based on the 51/49 allocation and changing the allocation in any way that would shift the balance of selectivity targeting this stock, that could distort the mix of ages and sizes and meaning the current ABCs are off. That means red snapper could miss its 2032 rebuilding deadline.

When selectivity is different, the size and age of a dead recreational fish is not the same as the size and age of a dead commercial fish. This is especially important for a fish in a rebuilding plan based on the amount of mature fish.
At a minimum, the Science Center needs to rerun the ABC projections with all of these proposed allocation changes. The calibration approach shouldn’t be used, because the methodology is still being worked up.

The report for the calibration says at the point in time a different calibration model may be determined to better fit and so it’s too early to use it to change allocations.

**CHAIRMAN ANSON:** Dr. Ponwith, to that point?

**DR. PONWITH:** Yes, precisely to that point. We have done analyses, per the council’s request, on the reallocation schedule that the council asked us to look at. When we ran those numbers, what it showed was the reallocation itself does not end the ability for the stock to rebuild according to the schedule that you’ve set up, the rebuilding schedule.

The more you reallocate to the recreational side, as Dr. Crabtree just said, the more you reallocate to the recreational side, the more pressure it puts on the portion of the stock that’s in eastern Gulf, but when you look Gulf-wide across the stock, it’s still possibly to meet that rebuilding schedule with the reallocation.

**DR. CRABTREE:** David’s point that changing the allocation might affect the ABCs, that’s correct, but the analyses all show that if you shift the allocation more to the recreational that the ABCs could in fact be increased and you will see that.

The other thing is in terms of it being too early to use the calibrated landings, we’ve already used them. They’re what are used in the stock assessment and they are the basis for the TAC increase and so clearly that has been accepted as the best available science and we are already using it.

**MS. BOSARGE:** I guess I am a little confused about the calibration, because I do remember seeing three different methods. They were able to give us specifics on one of the three and they had to do some research or whatever on the numbers, what it was, on the other two and they were going to get back to us with that.

In that whole discussion on that -- If you remember at the last meeting, I wanted to pull this recalculation out and have it in a separate amendment, because there were some variables involved in it and we needed to dig deeper into it.
Just for Pam and Corky, who have an issue voting, I am sure for
Alternative 1, status quo, because then we’re leaving this MRIP
recalibration just sitting there and doing nothing with it, I
would fully support starting a new amendment to deal with that.
Status quo on this and then let’s get down to the nuts and bolts
of that MRIP calibration and see what that shift needs to be. I
would support that if we can go ahead and get done with this and
go status quo on this and then start something new for that
calibration.

MR. BOYD: I would speak against this motion for several reasons
and they have already been stated. Dr. Ponwith stated the
science and Dr. Crabtree stated that the ABC could be increased
and Dr. Stunz talked from a scientific point of view about the
selectivity and the fact that the MRIP calibrations were not --
The recalibration showed that we had wrong data and so I think
that those fish need to go back to the recreational sector and
the reallocation is necessary and so I speak against this
motion.

MR. WALKER: I would just like to say that for every action
there is a reaction. Have you fully evaluated what this does to
the commercial industry? I mean you know you look at -- This is
going to shift the allocation and a shift in allocation is going
to increase the discards in the eastern Gulf.

It’s going to increase the discards significantly on my fishing
vessel alone. It’s going to increase safety at sea issues and
redirects and intensifies efforts on other species and we talked
about the best available science.

The best available science, the socioeconomic, has said that you
need to be working on your fishery management plan and not
allocations. I don’t know how many times you have to tell it
and I know you dissolved them, but that’s the best science, in
my opinion.

I think it’s time for the recreational fishery to get to work on
its own fishery management plan and I’m talking about the
private anglers. The charters and the headboats, they’ve all
got to work and they are wanting something different. They are
tired of listening to beating the same old drum of what is. All
it’s going to create is more of what is.

You just keep -- If you could plan where you could find
something to address your discards and reduce your buffers -- I
spoke about that yesterday to Gary Jarvis and you know if you’ve
got an FMP that’s accountable, you can remove a 20 percent
buffer and that’s a 20 percent increase in allocation.

So if Randy Boggs and the pilot program we had, the thing the other morning, and it was talking about the discards being reduced north of 50 percent. Well, you know it seems to me if you make it sector-specific in a stock assessment and you take those 50 percent of discards and give them back to the recreational industry, so they’ve showed that they’re accountable, it seems to me that would be 50 percent.

That’s why I took the two, the 20 percent buffer you get back as an allocation and the 50 percent decrease in your discards. That’s 70 percent and I was being conservative. Take that and divide it by two and you have 35 percent and you know that’s a pretty substantial increase and that’s what the SESSC has asked you to do, to work on your fishery management plan. It’s not an allocation issue.

DR. STUNZ: Just briefly to Harlon’s point and like you, Harlon, I too heard loud and clear for the charter captains, but just as loud and clear from my state, and particularly my home port, I hear charter for-hire captains and others that do support reallocation and so I just wanted to get that on the record.

MR. FISCHER: I was going to wait until we finished with this motion before I asked a few questions, but I think the conversation is discussing all the various motions at one time and so I will go forward.

I have just a couple of questions and I really need these answered, because this is difficult and I have to be straight. I want to make sure there is no error in what I’m thinking, whether it’s Greg or Bonnie or Roy or maybe from that side of the room.

2014 was the highest quota we had in red snapper and this does not take anything -- I am asking. This does not take anything away from either sector from 2014’s quota and it has to do with just the adjustment that came out of the stock assessment, moving from that time forward, and so it’s not taking fish away from someone and am I correct, from the 2014 quota?

DR. CRABTREE: The 2014 quota was eleven-million pounds and so if you look at the commercial share of that, unless I miscalculated, it’s 5,610,000 pounds. With the quota increase, regardless of whether you choose Alternative 8 or Alternative 9, they still have more fish than they had in 2014 and so if we’re really focusing on 8 or 9, everybody is going to have more fish.
with the quota increase than they had in 2014 under either one
of those scenarios.

MR. FISCHER: Okay and whether it comes out of the next stock
assessment, but at some time in the future if we find the
selectivity went down in size, then there would be negative
benefits to the recreational fishery and that would be a fair
assessment? If the size selectivity went down and the
recreational was catching a smaller fish, that would have a
negative benefit for that fishery?

DR. CRABTREE: That seems to be the case, that if we shift
everything towards smaller fish that we’re going to lose yield
per recruit and that means the TACs would go down.

MR. FISCHER: Okay and so I will sum it up in my mind that this
is -- These numbers that we’re discussing is derived from the
recreational side and that’s the cause of this increase and if
that’s the case, then I think that’s where the excess of fish
belong.

MR. PERRET: The quota may have been the highest at -- What did
you say, eleven-million pounds, Roy?

DR. CRABTREE: It was eleven-million pounds in 2014.

MR. PERRET: Okay. Fine. Because of the size of the fish
being taken by the recreational community and so on and so
forth, we should have a heck of a lot more fish now, because
while the quota was eleven-million pounds in 2013, because of a
recreational override of 4,249,000 pounds of fish, the actual
landings were 15,038,0000 pounds. With all those fish being
captured, if we are using your and Bonnie’s scenario on
selectivity of size, we should have even a greater quota this
year, because we took over fifteen-million pounds in 2013.
There is no question, but I’m just saying we took a lot of fish
in 2013.

CHAIRMAN ANSON: We have a second substitute motion on the board
to make Alternative 1, no action, the preferred alternative. Is
there any other discussion on this second substitute motion?
All in favor of this motion please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Hold them high and keep them up.

CHAIRMAN ANSON: All opposed to this motion please raise your
hand. The motion failed five to ten. That will take us to our
first substitute motion, which I believe was offered by Mr.
MR. WILLIAMS: Is it possible that I could withdraw it and we just go ahead and vote on 9, up or down?

EXECUTIVE DIRECTOR GREGORY: I would advise just voting this up or down and doing it formally.

CHAIRMAN ANSON: If he wants to withdraw, that’s a regular procedure.

EXECUTIVE DIRECTOR GREGORY: No, it’s not.

CHAIRMAN ANSON: It’s not? You can’t withdraw your motion?

MR. PERRET: We can withdraw motions. We’ve been doing it all meeting long.

EXECUTIVE DIRECTOR GREGORY: Okay.

CHAIRMAN ANSON: Mara, unless you see differently, I think that’s a standard.

EXECUTIVE DIRECTOR GREGORY: It’s not. It’s not under Roberts — Okay.

MR. PEARCE: Just real quick, I don’t have a problem with him withdrawing, but if we go back to the original motion and it fails, I would like to revisit 8.

CHAIRMAN ANSON: Certainly. The motion is withdrawn. The first substitute motion is withdrawn. We are back to the committee motion and the committee motion is to make Alternative 9 the preferred alternative. Do we have any other discussion on this?

MR. PERRET: This is one, Alternative 9, that I cannot support. I can support the recalibration, because supposedly we’ve been having all this wrong information for all these years and I can see if indeed recalibration data shows we should have been having a different split all along, so be it, but I cannot see adding additional quota to the sector that has consistently gone over, other than last year and in two of the last years since 1991.

Now, we’ve got the buffer and we didn’t go over this past year and hopefully we are going to have a lot better data system and so on and so forth, but 9 is not -- It’s not supported by me, because of the past efforts that they’ve gone over just about
every year other than with the buffer. Thank you.

MS. BOSARGE: Alternative 9 shifts allocation because fish were allowed to live and reproduce and we have said we can show scientifically that this particular group of fishermen were the ones that let those fish live and reproduce and that contributed this much to the stock being able to rebuild and, therefore, we are going to take those rebuilding rewards and give them only to the people that fished in that manner and let those fish live.

If this is supported, I will fight like hell to go back and do the same thing. If you want to set this precedent, then the same thing has to be done for what happened to get this stock to where it is today and the people that put that IFQ program in place and let those fish swim and didn’t kill them and let them contribute to the rebuilding, then all of that rebuilding, whatever that rebuilding percentage is, should have gone direct to them.

It didn’t and they shared it. It went to both groups and now we’re saying we’re going to change how we do that and it’s only going to go to one group and in my mind, that’s just not fair. That’s not the way we’ve done it. We’ve thought it was fair to share in the past and so why is it not fair to share now, regardless of who let the fish swim and reproduce?

CHAIRMAN ANSON: Dr. Crabtree, to that point.

DR. CRABTREE: Yes, to a couple of them. Certainly no one is defending overruns, but remember when we had the large overrun in 2013, that was the year that the new methodology went in place in MRIP that we’re now calibrating to correct for and so a big part of why we had such an overrun, at least in 2013, was because of the methodology change that then led to the calibration.

I don’t think you should think of this TAC increase so much as a product of rebuilding. It’s really not. Part of this is a function of changing a data collection system. That part of the TAC increase had nothing to do with rebuilding. That’s just because we have calibrated the time series and changed the data collection.

The part with the selectivity increase really isn’t so much a function of rebuilding, but it’s just that if you let these fish get bigger before you catch them, there is more yield per recruit and so you can take more of them. This isn’t so much about rewards of rebuilding.
We have had lots of TAC increases that have been because of rebuilding, but this is more a function of a change in a data estimation methodology and then a shift in the recreational fishery in terms of their catching bigger fish than they have in the past. It’s kind of a subtle difference, but it’s a little different now when you think of it, because most of our other TAC increases have been based on rebuilding and this is more in changes.

We are not getting more fish because they reproduced more. Remember in red snapper the assumption is there’s no correlation between spawning stock biomass and recruitment. Steepness is one and remember those arguments.

The fact that we have more big fish out here, at least the way the assessment is laid out, doesn’t lead to more recruits and so a large part is just driven by letting the fish grow more and if you let them grow more, you get more yield per recruit and so it’s more simple than that.

MR. PEARCE: I am going to speak in opposition to this alternative as well. Leann made some very good points and Corky made some excellent points and we heard so much in testimony yesterday and I really prefer no action at all, but if we’re not at that juncture right now, I understand that.

I can’t support this, but in the ability to maybe compromise, I could support 8 if this one fails, but at this stage, I will not support Alternative 9, but if it does fail, I will bring 8 back up and we will vote on that. Thank you.

MR. PERRET: Roy, the only reason I used 2013 is it’s the most recent year and that’s the year you say the data methodology changed. Fine and if it were a one-year thing, that would be fine, but twenty-one of the last twenty-three years, a substantial overage, every year except two years.

I mean 2012 was 3.5 million pounds and, hell, I remember the years we fought for a total of three-million pounds for everybody and, hey, the fishery is coming back and things are better and I am glad that we’re going up to a much higher allocation for both groups, but reallocating any fish at this time I think is totally premature, other than based on the recalibration methodology that’s being used.

MR. WALKER: During this time -- You know in 2007, the commercial industry was constrained by an FMP that kept them
accountable. They carried the heaviest burden of this rebuilding program and they worked hard and we did what we were asked to do.

You look at this calibration and it seems to me like it’s just like taking cash out of the cash register and then demanding a raise. It’s just not fair and I will tell you if you look at this country, there’s a lot of people here besides us. When you hear 97 percent, I think it’s close to like 99 percent of the country is not a saltwater angler.

There’s a lot of people in this country that deserve access to this fishery and why should you take it away from the people who are managing it, a sustainable, renewable resource, when it’s properly managed? You don’t go out and reward someone for doing something wrong. It’s just not right.

I just do not see how you can justify doing this when you’ve got the men, women, children, elderly, incapacitated, people of all disabilities, and you want to take the fish away from them because less than 1 percent of this country wants to think they deserve it more than someone else?

CHAIRMAN ANSON: I’ve just got a few more people and we’ve been talking about this for a while now. Harlon, Dr. Stunz, and then Dr. Dana.

MR. PEARCE: I just want to let the states sitting at this table remember -- I don’t disagree with MRIP, but I think a lot of the states have already disagreed with the data that MRIP has come out with.

They either overestimated for your state or underestimated for your state and so remember that a lot of these numbers that we’re talking about right here, you’re not happy with and you’re going to talk about not being happy with these numbers. Reallocation based on these numbers, to me, and you’re a state that knows that your numbers are wrong, you need to really think long and hard about it.

DR. STUNZ: I just briefly want to offer the argument that keeping the selectivity in this Alternative 9 is just as important as the MRIP calibration. In my mind, they are not that independent of one another and it works against increasing the total allowable catch if we don’t keep the selectivity there.

DR. DANA: I think Corky had made some very good points about
the size selectivity and just the uncertainties surrounding it.
I didn’t vote for the status quo in Action 1 because it did not
deal with the recalibration, which is the science that we are
going to be dealing with going forward.

I am somewhat uncomfortable with Alternative 9. I am
comfortable with Alternative 8, based on the recalibration and
the fact that it’s dealing with what we know is real numbers --
Well, it’s -- Thank you.

MR. SANCHEZ: This just seems, calibration set aside, like a
slap in the face. You’ve got one group that worked hard over
many years to become accountable and there is that word again,
“accountable”, but that’s what they are. They are staying
within their allotment, their allocation.

They are addressing all their issues that were there of
overcapitalization, et cetera, et cetera. Then they’ve come to
these meetings, literally hundreds of them, the same folks again
and again and again and again and here they are again, and they
are trying to preserve the things that they’ve been working hard
at.

We looked at Amendment 30B and shot it down when we were trying
to address the state and federal permit and the state fishermen
fishing days while the federal guy was shut down and then we get
Amendment 40 to address this inequity and them wanting not to
lose their place, their historical significance, in this fishery
and we throw a sunset monkey wrench into it and we got that
going.

We are trying to work within that and now here we are with 39
and we’re saying, all right, look, this group did what they
needed to do to have their fishery and to try to take care of it
and manage it the best they could. The other group now, the
for-hire, is trying to do the same thing.

If the private recreational sector wants to do something
meaningful with their fish, I would love it. I wish to God
there was a bigger quota and we wouldn’t be all at each other’s
throats with all this, but that’s just not the case, but then we
try to go here and have your opportunity to do your own fishery
and manage it the way you want it and no, we need to rope the
charter boat people back into it.

To me, this is just wrong for wrong’s sake and if we want to do
something reasonable, let’s do it, but you should not be
rewarding someone who keeps overrunning it and is not offering a
viable solution on how they’re going to fix and manage their fishery.

MR. BOYD: I would just like to point out that not one group in this fishery rebuilt this fishery, rebuilt the red snapper. The recreational fishermen contributed and contributed a lot to the rebuilding and so it didn’t just settle on one group’s shoulders.

I would also like to point out that the selectivity also, in the calculations over the years, decreased the number of days of fishing for the recreational fisherman and this gives that back to him.

MR. PERRET: I wasn’t going to say anything, but since Doug brought that up, I agree with you. Everyone involved in the fishery has helped to rebuild it, but unfortunately one sector has consistently gone over their quota and that didn’t do a lot of help for the resource, but be that as it may, that’s the way it was.

Kevin says it’s our fault as much as anybody and the data system wasn’t good and fine. I will take my share of the blame. If I am the last hand up, I would like to call the question.

CHAIRMAN ANSON: You are the last person on the list.

MR. PERRET: Okay. Call the question.

CHAIRMAN ANSON: David, you will be the last person.

MR. WALKER: Just what are you doing to -- What are we going to do for the commercial? Are we going to recalculate? Are we going to look at that and evaluate? What are you going to do for the commercial industry and the seafood supply chain and all of these other Americans? The citizens of this country deserve -- I would like to know what’s administration think about taking away fish from the supermajority of the constituents and giving it to a few. That’s just not right and I will let it go right now.

CHAIRMAN ANSON: Corky, you still call the question?

MR. PERRET: I think everybody knows what they’re going to do. I am ready to vote.

CHAIRMAN ANSON: We are ready to vote then. Let’s go. We have a motion, the original committee motion, which is to make
Alternative 9 the preferred alternative in Amendment 28. We’re going to do a raised hands on this one again as well and so all those in favor of the motion please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Keep them up. One, two, three, four, five, six, seven, eight.

CHAIRMAN ANSON: All those opposed please raise your hand. It’s eight to eight. The motion fails.

MR. PEARCE: Since that one fails, I will make a motion that we make Alternative 8 our preferred alternative. I don’t think we need discussion and I think we all know what we’re going to do.

CHAIRMAN ANSON: We have a motion to make Alternative 8 the preferred alternative and it’s been seconded. The same thing. We will raise our hands on this one. All those in favor please raise your hand.

EXECUTIVE DIRECTOR GREGORY: One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen.

CHAIRMAN ANSON: All those opposed please raise your hand.

EXECUTIVE DIRECTOR GREGORY: One, two. I have two.

CHAIRMAN ANSON: It was fourteen to two and the motion carries.

DR. CRABTREE: Before you move on though, I think you still need to give some guidance to staff about whether -- I guess with Alternative 8, you would want to just set the average, which years, or do you want it to be a floating or what do you want to do with that?

MS. BADEMAN: I think setting it as the average is fine. I mean it’s only a difference of a tenth of a percent and so doing the average is fine and if you need to do it for 9 also, just for the analysis. I’m not sure, but it’s the same situation.

CHAIRMAN ANSON: Dr. Diagne, do you have any comments or questions?

DR. DIAGNE: Yes, Mr. Chair. So you would want the average for the three years and essentially for Alternative 8, that would be 51.5 to the recreational and the difference, 48.5, to the commercial and we will do the same thing for Alternative 9, for consistency. The three years, 2015 to 2017, or you would want another average?

DR. CRABTREE: Given that, based on that, it seems like, and like all things we’re kind of divided on it, but it seems like we’ve honed down on Alternatives 8 and 9.

I would recommend that we ask staff and the IPT to go back and revisit the purpose and need, to kind of focus in on what we’re looking at now, and have it reflect, just in general language, but the purpose should reflect that the allocation is based on the best scientific information available and that the recovery benefits are fairly and equitably allocated between the two sectors to achieve OY.

Then I think in the need it ought to reflect that in addition to evaluating new commercial and recreational data to 2013, the 2015 red snapper assessment update revised the historical recreational catch data.

Those historical catch data were recalibrated to account for changes in catch statistics that are attributed to the improvements in MRIP and that the recalibrated catch data, as well as changes in selectivity, caused the assessment update to estimate higher yields than past assessments and so the need is to determine how to fairly allocate those resulting TAC increases or something along those lines.

I think that’s more specific to what we’re doing and we’ve gone round and round with the purpose and need and so I think if they could work on that and we could take another look at that at the June meeting that we would be well served by that.

MS. BADEMAN: Just a timing question, so that we’re all clear about where we are with this. It sounds like there’s some additional information that we’re going to see maybe in June and does that push final action to August or are we potentially doing that in June?

CHAIRMAN ANSON: I see counsel shaking her head no and so at the earliest it would be August, Dr. Crabtree?

DR. CRABTREE: Yes, we still haven’t published a draft environmental impact statement and so we will need to go back and get this done and incorporate all this information, but I think we’re looking at August and that leads us to the framework
that I guess comes up next in the committee report.

CHAIRMAN ANSON: All right and so no further questions or comments? Mr. Greene, if you can continue.

MR. GREENE: Committee members noted that Amendment 28 could be implemented in early 2016. The committee indicated that, because of the IFQ program, the authority to hold back a portion of the commercial quota was necessary to make allocation adjustments after January 1.

The committee approved the following motion. By a vote of seven to one, the committee recommends, and I so move, to direct staff to develop a framework action to allow National Marine Fisheries Service to hold back a portion of the commercial quota in anticipation of future regulatory changes.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion?

MR. WILLIAMS: How much would they be holding back and how long would they hold it forward, because I’ve gotten a lot of static about this out in the hall. Do you have any idea, Roy?

DR. CRABTREE: My guess would be, if we voted this up in August, we would get to an effective final rule in February, somewhere in that timeframe, February or March. With the current reallocation, I think my calculation was it was a little over 350,000 pounds, something like that. We wouldn’t be holding very much back.

Then assuming the reallocation was approved, it just wouldn’t be released to them, because that would then go into the recreational quota. If you change the preferreds, then it’s more held back, but we would only hold back what was necessary to adjust the allocation.

CHAIRMAN ANSON: Any other discussion? Any opposition to the motion? I see one person and so the motion carries.

MR. GREENE: Charge to the Reef Fish Headboat AP, staff reviewed a draft charge to the Reef Fish Headboat AP. After reviewing the charge, the committee passed the following motion. By a vote of eight to zero, the committee recommends, and I so move, that the council accept the charge of the Reef Fish Headboat AP as written.

CHAIRMAN ANSON: We have a committee motion. Any discussion on
the motion?  

Any opposition to the motion?  Seeing none, the motion carries.

MR. GREENE:  I have a question, Mr. Chairman, if I may before I proceed?

CHAIRMAN ANSON:  Yes, sir.

MR. GREENE:  What is the timing for the first meeting?  I know we’ve had a charter boat meeting and they had requested a second one and we weren’t able to accommodate that.  If you could maybe provide an update of when the next charter boat meeting might be and, accordingly, when we may have the first headboat meeting.

CHAIRMAN ANSON:  I will have to consult with Doug and while he is over there conversing with Dr. Lasseter -- Dr. Diagne, do you have some input?

DR. DIAGNE:  We will try our best to hold the meeting before the June council.  I will say try, because we have to make sure we can contact all of the newly-appointed members and essentially have a poll to see their time availability, but our intent is to try to have the meeting before the June council.

MS. BADEMAN:  Just a comment.  I realize that the charge is in B-12, but it’s really short and I think it would be helpful to have it in the Reef Fish Report, just for the future, so that when I’m going through this again that I can find it easily. Thanks.

CHAIRMAN ANSON:  All right.  You can make that happen, Mr. Greene, if you can amendment your report.  All right and so continue on.

MR. GREENE:  Other Reef Fish SSC Summary, Dr. Will Patterson noted that the hogfish and mutton snapper ABC will be set at the next SSC meeting.  He also noted that the SSC accepted the update assessment on mutton snapper as the best available science and suitable for the development of management advice, but could not vote on the ABC, due to a lack of a quorum.

The SSC reviewed an options paper prepared by council staff and the IPT for an amendment to adjust the minimum stock size threshold for selected low natural mortality stocks.  A detailed summary of the SSC’s comments is provided in the full Reef Fish Committee Report.  Mr. Chairman, this concludes my report.

CHAIRMAN ANSON:  Thank you, Mr. Greene.  Let’s take a five-
minute break and after that, we will come into the Mackerel Committee Report.

(Whereupon, a brief recess was taken.)

CHAIRMAN ANSON: If we can start. I think David will work as a good substitute for Harlon and so he is coming back. I think we have thirteen folks who are at the table or right immediately around the table, Dr. Dana.

MACKEREL MANAGEMENT COMMITTEE

DR. DANA: Thank you, Chairman Anson. The Mackerel Committee convened and after handling committee business, introduced Martin Fisher, Chair of the Coastal Migratory Pelagics, CMP, Advisory Panel to summarize the AP discussions on Amendments 26 and 28, Framework Amendment 3, as well as other issues from their March 2015 meeting, Tab C, Number 4.

Under the CMP AP Summary, the staff reviewed the overall health of the king mackerel fishery and then discussed the revised winter mixing zones between the Gulf and South Atlantic. Covering CMP Amendment 26, the AP endorsed an annual catch limit for Gulf king mackerel equal to the acceptable biological catch, with the committee having some objection to an annual review of projections by the Gulf SSC.

The AP accepted the new winter mixing zone recognized in SEDAR-38 and expressed a preference that the Gulf Council manage king mackerel from the Dade/Monroe county line to the Texas/Mexico border.

The AP proffered Gulf commercial zone quotas of 40 percent for the Western Zone, 18 percent for the Northern Zone, and 21 percent each for the Southern Zone hand line and gillnet components. Reallocation of king mackerel from the recreational to the commercial sector was not favored. Instead, an increased recreational bag limit of three fish per person per day was supported.

The AP recommended allowing South Atlantic small coastal shark gillnetters to sell bag limits of king mackerel caught in drift gillnets, but agreed the issue would be best addressed by the South Atlantic Council.

MR. DIAZ: At this point, I wanted to stop and have a little bit of discussion and maybe make a motion. There was a recommendation to move from two fish to three fish. So far, the
people I’ve talked to, I haven’t got a lot of positive feedback, but I don’t think we really understand exactly where we’re at or where that could put us.

Dr. Crabtree, would it be possible to get your staff to conduct a bag limit analysis on raising the king mackerel bag limit from two fish to three fish and then tell us where we’re at, what folks are actually catching right now?

DR. CRABTREE: Yes, the council could request some sort of analysis.

MR. DIAZ: In the case, I would like to make a motion. The motion would be to have Southeast Regional Office staff conduct a bag limit analysis on raising the king mackerel bag limit from two fish to three fish. That’s as far as I would like to go with it right now. I would just like to get some information in front of us.

CHAIRMAN ANSON: We have a motion to have the Southeast Fisheries Science Center staff conduct a bag fish analysis to increase the limit from two fish to three fish and do I have a second? We have a second from Mr. Boyd.

DR. CRABTREE: It’s probably going to be the Regional Office staff that does that, but I can tell you that bag limit analyses that look at increasing bag limits are inherently difficult to do, because you have to make an assumption about how many people will bring in that third fish and I don’t think there is any data to base that on.

It’s a lot easier to do a bag limit analysis that looks at lowering bag limits, because then you can say, okay, all these people that caught the extra fish won’t catch it, but we can see if we can do something.

MS. BADEMAN: I think there’s a typo in the motion. It’s to conduct a “bag limit analysis” and not a “bag fish analysis”.

CHAIRMAN ANSON: Good catch, thank you.

MR. DIAZ: Did I get a second?

CHAIRMAN ANSON: Yes, you did, from Mr. Boyd.

MR. DIAZ: For Dr. Crabtree, I would like some analysis on what’s being caught now also.
CHAIRMAN ANSON: Maybe average catch per person and maybe average number of folks per vessel trip maybe and kind of see if it’s a full complement of anglers on that particular vessel that are partaking in the bag limit or not. That might be helpful. Anyone else have any comments or questions about the motion?

MR. FISCHER: Mine doesn’t affect the vote, but it was just to ask Mr. Perret -- He is the body of knowledge today and wasn’t there one time when the recreational bag limit was three?

MR. PERRET: Yes.

MR. FISCHER: That was a long time ago, I think.

MR. PERRET: Not that I was around back then, but --

MS. BOSARGE: I am still confused. Will this tell us how likely they are -- Will this analysis, since we know that they’re not catching the quota, is this going to give us any indication -- Because I think that’s the major issue here, is to get them to go ahead and fish their entire quota and is this going to give us any indication of how likely they are to fish that entire quota or is it just going to give us statistics that we already have, that we know what they’re catching now?

MR. RYAN RINDONE: Ms. Bosarge, it will tell us the proportion of anglers that are keeping zero fish, one fish, or two fish, which will give us some indication, at least conceptually, of how likely some of the crowd might be to keep three fish, assuming they’re already out on the water keeping either one or two fish. We will be able to draw some inferences from that and it won’t be perfect, but it will give us some idea of whether folks are going out and directly targeting kingfish and how many fish they have a desire to keep.

Just a point of clarification for the motion. If we could -- If you guys would consider adding “king” in front of “mackerel”, that will make it a little bit more explicit.

CHAIRMAN ANSON: I think to answer your question, Leann, is from that analysis, with some assumptions that you make about how you get the zero catch, one, and two fish per person, you can then kind of make some inferences of those anglers and then throw in the additional fish and then you could come up with an estimate as to what that catch would be if it were three, but, again, it would be an estimate and it would be based on some assumptions that presently there isn’t much information, if any at all, that would really provide a very good number as to where that would
DR. CRABTREE: Take the “SEFSC” out of that and put “Regional Office staff”.

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

MS. BOSARGE: I don’t need to have any motions for this, but I would like to have a discussion around this table. We just reallocated, for whatever reason, on red snapper and Pam just went over the reallocation portion of her report for mackerel.

We are having a discussion here and that last motion was -- The reason that we were looking at increasing the bag limit is because we’re not getting all the fish out of -- We are not getting all the yield out of this fishery that we need to and so we’re trying to infer if some people would like to catch more. That’s what we’re going to do, is do more work to infer if some people would like to catch more when we already know that we have another group that wants to catch more, because it exceeded its quota several times.

I guess the reason this is an issue to me is because in our area we have a lot of fishermen that are not red snapper shareholders and this is a big deal for them. Mackerel is a lot of their bread and butter and if they could catch more mackerel, obviously that would be a wonderful thing. They’ve been begging me for it.

Well, sometimes they lease red snapper and the price of that just went up, based on what we did just a minute ago, because we shifted allocation. The price of that is going to go up and now we have fish that are out there unused by the recreational sector and we took fish away that were being used that everybody wanted and decided it was better to go here with them.

Now we’ve got fish that we aren’t even using and we can’t allow the commercial people to catch those and we’ve got to see if maybe we can infer if the recreational sector wants it if we make some management changes? I don’t want to shift a huge portion of that quota over, but I would like to at least have some discussion about why we can’t do something.

CHAIRMAN ANSON: My take on that is that, to the extent that we would have some data or be able to use the data that’s available that would help guide us to that decision, I think that’s part of the process, is to see what the desire or capacity of the
recreational fishery is to try to increase and whether or not it’s an increase in the bag limit that’s preventing them from meeting that. To the extent that the data can tell us and infer that, that’s where I think we would like to go.

That might be, I think, part of the process of reevaluating the commercial and recreational allocation and I would just add that -- I am recalling, Dr. Crabtree, that -- I believe there’s been some economic studies that have been had in the Gulf here as of late and they asked specifically about angler preferences as it relates to what their desire is to pay for certain assemblages of fish and I think king mackerel is one of those that they said if management were to increase the bag limit what would be your willingness to pay type situation and so that might be able to help with identifying a range of anglers or number of anglers that might be interested in an increase.

**MS. BOSARGE:** Leann, just to -- I think that’s a discussion that we should have as a council, but I want to remind folks that Amendment 26 and 28 are currently in public scoping and those ideas we’re trying to float up from the public, recreational and commercial, as to what they would like to see done in both amendments and the AP at this point, being some of the most recognized king mackerel fishermen out there, they were not in favor at this point of taking from the recreational and giving to the commercial and the majority of the AP are commercial. I think probably it would be in our best interests, if we’re going to have a lengthy discussion, to wait until the scoping concludes.

**EXECUTIVE DIRECTOR GREGORY:** If we don’t already have the data on preferences, Ryan will certainly get it and include it in the documents. I will be real quick, but the history of this is in the 1990s -- Throughout the 1990s and the 1980s, the recreational sector was overrunning their quotas dramatically, similar to what you’ve seen recently in red snapper.

Then in 1997, MRFSS did a pilot study of how to get fishing effort from charter boats separately from their regular MRFSS study and they implemented it fully in the year 2000.

With that pilot study, the recreational fishing effort reduced tremendously and due to the reduction in charter boat effort, that’s when the numbers, the recalibrated numbers, showed that the recreational fishery all along was not catching their quota, much less not overrunning their quota as much as it appeared to be in the 1990s. That was a recalibration of charter boat fishing effort done in 1997 that caused that to happen.
CHAIRMAN ANSON: It also, I think, coincided with some new information on health advisories related to that fish with mercury.

MS. BOSARGE: When we did that recalibration, did we go back and adjust the allocation for it, when we saw they were catching less fish than we thought they were catching? That’s what we just did and we can’t use unused fish and we can’t catch them? You can see my frustration.

CHAIRMAN ANSON: Dr. Dana, if you can continue.

DR. DANA: Thank you, Chairman Anson. Moving next into CMP Amendment 28, the AP favored splitting the federal commercial king mackerel permit in the Gulf and developed a motion defining which vessels would receive either a fully or non-transferable Gulf permit if such a split did occur. Division of the federal commercial Spanish mackerel fishing permit was also supported.

On CMP Framework Amendment 3, the AP recommended an increase in the daily trip limit for commercial king mackerel gillnet fishermen from 25,000 pounds to 35,000 pounds. A 5 percent buffer was recommended for the commercial king mackerel gillnet component between the annual catch target and ACL, with any annual underage below the ACT added to the following year’s ACT up to an amount equal to the ACL.

A modification to the seafood dealer reporting process was endorsed to allow faster reporting between gillnet fishermen and fishery managers. The elimination of latent gillnet endorsements was not supported.

Lastly, while a quorum was still present, the AP recommended decreasing the recreational bag limit of cobia in federal waters to one fish per person per day. After a quorum was lost, the remaining AP members recommended exploring an IFQ system for the hand line component for the commercial king mackerel sector. Input from the Mackerel Committee and the CMP AP with respect to Amendments 26 and 28 will be shared with the public during scoping.

CHAIRMAN ANSON: Dr. Dana, we have a few questions from Harlon and Steve Branstetter and Mr. Diaz.

MR. PEARCE: I was going to make a motion, but I see you’re going to go into Framework Amendment 3 after this and I will do it when you do that, unless you want me to do it now, either
way. Basically, I’m going to try to get the gillnet daily trip
limit to 45,000 and so I can do it now or I can wait, whichever
you would prefer.

CHAIRMAN ANSON: Let’s wait, I think. Dr. Branstetter? Same
thing? Go ahead, Mr. Diaz.

MR. DIAZ: I guess this is a question for Ryan. I notice that
the AP, and in an effort to just try to explore what they’re
talking about as recommending reducing the cobia bag limit from
two to one and I just was going to ask Ryan, is there any
current recent science that would make us want to look into
that? I may also want to ask Dr. Dana what her real-life
experience has been lately and so Ryan and Dr. Dana.

MR. RINDONE: Thank you, Dale. The last stock assessment for
cobia was SEDAR-28 and it indicated that the cobia fishery in
the Gulf was not overfished and was not experiencing overfishing
and so it was healthy.

The push to see the bag limit for cobia reduced has largely come
from the western Gulf, where some recreational and some charter
fishermen over there have indicated that they’re just not seeing
cobia as often as they’re used to seeing them and so out of
concern that something might be wrong, they have requested what
they have. Dr. Dana can probably speak more to what’s happening
up by the Panhandle.

DR. DANA: The cobia fishery in the Gulf is managed state-by-
state, as you know, and so we’re specifically talking about the
federal waters. In Florida, it’s already one per person and so
for us, it would not be of impact.

However, it’s my understanding that the other states have a
higher number per person, to a maximum of six. Now, if this
council decided to move forward with a one fish one person bag
limit in the federal waters, it would still equal to a six-fish
maximum, as I understand it. I am not familiar with the extent
to which cobia are caught in let’s say Texas and Louisiana, in
their federal waters. Our fishery for cobia in Florida is a
near-shore activity and it’s not really a federal fishery anyway
and so --

MS. BOSARGE: I will reserve mine until the very end of the
report.

CHAIRMAN ANSON: Any other comments? All right, Dr. Dana.
Moving on from the AP, our staff began presenting the options paper for CMP Framework Amendment 3, Tab C, Number 5(a), which addresses the commercial king mackerel gillnet fishery, and expressed the need for the committee to select preferred alternatives before the options paper could go forward.

However, with the allotted time for the Mackerel Committee meeting running short, the committee deferred the selection of preferred alternatives to be addressed at and by full council.

The committee chair then recognized the presence of two commercial king mackerel gillnet fishermen, George Niles and Daniel Padron, and invited them to approach the podium to make any clarifying remarks on the fishery and field committee questions.

The gillnetters discussed elements of their fishery, including the turnaround time differences for different trip limits, twenty-four hours, for example, for 25,000 to 35,000 pounds, versus forty-eight hours turnaround time for 45,000 pounds, as well as the manner in which they self-police their fishing effort to prevent quota overruns.

It was acknowledged that many of the desires of the gillnetters were also those supported by the AP, with the exception of a payback provision for any ACL overages and an increase in the trip limit to 45,000 pounds. The gillnetters also expressed their desire to fish on weekends, which would give them greater flexibility on when to fish. Mr. Chairman, this concludes my report.

Thank you, Dr. Dana. We have Harlon.

Thanks, Mr. Chairman. In public testimony and discussions with a lot of my friends from Florida, there is a define desire to increase the trip limit to 45,000 pounds among some of the gillnetters. With that, what I would like to do is in the Framework Amendment 3, Action 1, make Alternative 2b the preferred alternative. If I can get a second.

We have a motion and it’s been seconded by Mr. Sanchez. We’re trying to get it on the board. Harlon, it was in Action 1 to have Alternative 2b?

Action 1, Alternative 2b, yes, to increase the trip limit to 45,000 pounds.

A couple of points. One, the advisory panel I
think recommended 35,000 pounds and I would probably be okay with that. We’re at 25,000 now and I am worried that we jump it too high too fast.

You know if every boat went out and caught that 45,000 pounds, that’s over the quota in one day and so I would rather see us go to 35,000 and see if that works and if that works out fine, we can come back after a few seasons and potentially go up to 45,000.

The other thing is I think if we’re going to do this that we need to, when we get to the next action, we need to put a payback in there so that if they bust their quota that it comes off the top of the next year. They’ve been pretty good working with us and they do help in deciding when to close the fishery, but I think if there was a payback on it that that would be helpful.

To me, part of the deal for raising the trip limit ought to be okay, but there needs to be a payback, in case it doesn’t work out, but I think we would be better off to do this more gradually and go to 35,000 and then come back and revisit it and consider going up to 45,000.

CHAIRMAN ANSON: Mr. Gregory, to that point?

EXECUTIVE DIRECTOR GREGORY: Yes and early in the process, in talking with Dr. Branstetter about that potential for all the boats filling their trip limit and filling the quota, we looked at what happens now with the 25,000-pound trip limit.

I forgot the exact percentages, but it’s not even near 80 or 90 percent of the boats catch their trip limit on the first day or the season or the first two days. For whatever reason and I don’t know, but -- You would think they would, but they don’t.

DR. CRABTREE: If I could, I don’t think they will either, but it’s just that you could in the first day. Even if everybody doesn’t go and everybody doesn’t catch their trip limit, you can catch a significant fraction of the quota up in one day at that and it just gets back to my original point.

We’ve been doing okay with this fishery in the last few years and instead of making such a big jump in the trip limit, I would rather see us do it more incrementally and see how it works before we go all the way up to 45,000.

CHAIRMAN ANSON: Dr. Branstetter, did you have any specific
information relative to the catch?

**DR. BRANSTETTER:** Specific to Mr. Gregory’s point, he is correct for say back in 2007 and 2008. The number of trips during a season that were greater than 20,000 pounds were about 25 to 33 percent of the trips. In the last five years, it has gone up to where it’s now over 50 percent of the trips are greater than 20,000-pound trips during the season and so there has been an increase.

If you go to 45,000 pounds, right now there’s boats that are -- They cut the net and they share the net and those boats won’t be sharing a net anymore at 45,000 pounds.

**MR. SANCHEZ:** This fishery has been going on for quite a while and it’s pretty much the same core group of people and maybe some of their sons stepping into it. They have worked together and they have tried to work closely with National Marine Fisheries Service, with law enforcement.

The practical matter here is what started these hearings and meetings with us together -- I will remind everyone until -- It has not even happened yet, but until we just appointed George to the Mackerel AP, there wasn’t even a gillnetter on it as of late. A lot of the discussions and recommendations that came from there were void of any gillnetter input of somebody who really knew the fishery.

We did have a hearing, a workshop, if you will, with all, pretty much, the entire industry and maybe somebody couldn’t make it, but it was fairly representative by the active fishermen. There was at least sixteen or seventeen people there and collectively speaking, this group -- It’s their fishery and they said we would like 45,000.

The reason is they are getting these penalties, some of them upwards of $17,000 for saying, hey, I caught this many fish and I was honest and I brought them back to the dock and I reported them as such and now they are getting penalties and fines back from 2011 and there is probably going to be some more from 2012 and from 2013 and that’s why we’re here addressing this.

We are trying to get some relief and I think there’s a sincere effort demonstrated to work with you and to answer your question, I am all for supporting a buffer, a little bit of a buffer, to give you some peace of mind up front and a payback provision on the backend, but I think the industry, and that’s a small group of people, has asked for this.
They have pretty much pleaded for it or there’s going to continue to be overruns and fines and so if you will work with us, we promise to work with you to have the things that you need to give you your level of comfort in this in working with you together, payback and a buffer.

MS. BADEMAN: I mean this one is a tough call. I share a lot of Roy’s concerns. I mean I understand where the industry is coming from and they’re in a tough spot and it can be difficult for them to stay within that 25,000 pounds, depending on how their strikes are going, but I am a little bit leery about the 45,000-pound limit.

CHAIRMAN ANSON: Any other discussion? We have a motion in Framework Amendment 3, Action 1, to have Alternative 2b to be the preferred alternative, to increase the trip limit to 45,000 pounds. Dr. Crabtree, do you have one more --

DR. CRABTREE: I was going to offer a substitute motion to set the trip limit at 35,000 pounds, which would be 2a, which is the AP preferred, as you see in your document.

CHAIRMAN ANSON: There is a substitute motion and it’s been seconded in Framework Amendment 3, Action 1, to have Alternative 2a be the preferred alternative. I believe it was seconded by Myron. Any discussion on this motion?

MR. SANCHEZ: Again, I appreciate the spirit of trying to find that middle ground sweet spot, but I was told, in speaking to these folks, that’s just not going to get it done. There is still going to be fines and overages at this amount. Again, it’s their fishery and it’s a small group of guys.

The whole fishery, if the weather is right, transpires just that quick and in the history of this, they -- Believe me, when they go out that first day, they try to catch the entire quota and it has never happened. It’s just not going to happen and we will work with you. 45,000 is really what this group is asking for and what they need and if we can’t get that, at least when the fines come out, make them in payment books so they can pay it over time.

MR. FISCHER: I may side with you on 45,000 once the proper accountability measures are installed and there is paybacks. I think right now that’s a lot of poundage, even if it’s just a handful of boats, but I do support Roy’s substitute motion and I would side with him, at least -- It should give them some
relief, getting the 10,000-pound trip limit added.

DR. CRABTREE: I would like to help these guys out and I have
met with them myself and talked about some of this, but I am
looking in the Tab C, Number 7(a), the gillnet workshop summary,
John, and it’s got -- I guess there were thirteen people there
and when I’m looking at 45,000, there were eight for it and five
against it and so I mean they weren’t all on the same page on
this, at least based on what I am seeing. Maybe that’s changed
since this happened and I don’t know.

MR. SANCHEZ: It has changed to the extent that if -- Again, my
memory isn’t what it was. George was one of those walking the
fence at 35,000 and he came here and he’s for 45,000 and so I
mean they’ve had their internal deliberations, like they do, of
when to start and when to stop and what days not to fish. They
try to honor that and work together and that’s kind of where
they’re at and I’m not misrepresenting that. That’s not in my
interest. That’s kind of what they wanted.

MR. MATENS: This certainly is not a Louisiana issue, but
refresh my memory. Can all of these boats accommodate 45,000
pounds or are we disadvantaging someone with this?

DR. BRANSTETTER: It’s my understanding that most can get 45,000
pounds, but not all.

MR. MATENS: Steve, do you have any idea how many could not?

DR. BRANSTETTER: No, sir, I don’t. It’s a few. It’s not that
many.

MS. BADEMAN: I have the handout that Bill Kelly passed out a
couple of meetings ago and I think some of these have changed.
I think some people were getting bigger boats, but there is a
few that are under 45,000 and then there’s a couple of N/A and
so -- At least, according to this, there is three that are less
than 45,000, their hold capacity. There’s one mystery boat.

MR. MATENS: Would it be appropriate to ask Mr. Kelly?

CHAIRMAN ANSON: Bill, do you have that information or, Ryan, do
you have it?

MR. RINDONE: Yes, Mr. Chairman. Bill, is that October survey
still valid, because I have that one.

MR. KELLY: Yes, it is. There were two surveys that were taken.
There was the October 14 that was taken by industry and we have fifteen respondents. Actually, out of the fifteen, there was one non-respondent. The other thirteen, there was one that was absolutely a no action on any issues and refused to join the other stakeholders. Then out of the other thirteen, there were -- On that vote, there were eleven that were in favor of the 45,000 pounds. I have those signed affidavits upstairs in my room supporting that position.

There were three that wanted 35,000 pounds, but what we also need to put in perspective is that out of the fourteen respondents, six of them wanted unlimited trip limits and then, of course, naturally you would compromise to the 45,000, if that was the group consensus.

At the workshop summary, there were thirteen people there and I would like to point out the no action proponent -- At that time, nobody brought it to the workshop’s attention that that one individual that was against everything actually had already relinquished his permit and had signed it over to his son and he should have been recused from being at the table.

There we now have twelve people who could be voting and the reality is that it was -- While it was an eight to five on 45,000 pounds, four of those were for 35,000 and one had changed his vote arbitrarily there and then the other one, again, he should have been recusing himself, because he was no longer a permit holder.

The question was never called of how many people would go unlimited and there would have been, I know, at least six people at that table that would have voted for unlimited versus the 35,000.

CHAIRMAN ANSON: The question may not have been posed in such a manner, but of those that indicated 35,000 pounds, what’s the sense that that’s what their vessel capacity was?

MR. KELLY: I am sorry, Kevin, but I --

CHAIRMAN ANSON: What was the sense of those three that indicated 35,000 pounds that that was actually their maximum vessel capacity or they just wanted 35,000 because 35,000 was better management-wise or --

MR. KELLY: The concern of the three that voted for the 35,000 was that if it went to 45,000 that those other vessels would do a twenty-four-hour turnaround and be back in competition against
them and that is not the reality.

**MS. BADEMAN:** Let me ask this question another way. How many of
those boats have a vessel capacity less than 45,000 pounds?

**MR. KELLY:** I am sorry, but I am not hearing you.

**MS. BADEMAN:** How many of the vessels have a vessel capacity
less than 45,000 pounds?

**MR. KELLY:** I believe it’s three and it should be indicated on
that survey that you have.

**CHAIRMAN ANSON:** Thank you, Bill. Any other questions or
comments? We have a substitute motion in Framework Amendment 3,
Action 1, to have Alternative 2a be the preferred alternative,
increase the trip limit to 35,000 pounds. **By a show of hands,**
all those in favor of the substitute motion please raise them;
all those opposed. The substitute motion carries nine to eight.
Is there any other thing that we needed to address in the
framework?

**MR. BOYD:** Just a question. When would this go into effect if
it gets final approval? Next year?

**DR. BRANSTETTER:** 2016.

**MR. RINDONE:** There are three other actions in the framework.

**CHAIRMAN ANSON:** All right and I don’t -- Ryan, would it be
better maybe if you were to take over, kind of like you would
have done in the Mackerel Committee anyway?

**MR. RINDONE:** We can do that, Mr. Chairman.

**CHAIRMAN ANSON:** All right. Thank you.

**MR. RINDONE:** I am going to be operating off of Tab C, Number
5(b), just for the sake of simplicity. This just has the
actions and alternatives in it. If you guys have any specific
questions about other items, in terms of any sort of analyses we
might have done, just let me know and I can work with Charlotte
to get those brought up for you.

In Action 1, you guys have made a motion for Preferred
Alternative 2, Option 2. Alternative 3 would establish a buffer
to the trip limit to account for landings uncertainty and this
buffer would be in addition to the trip limit and fishermen --
The intent would be for fishermen to be able to profit from the sale of all king mackerel landed up to the trip limit, but would not be considered to have exceeded the trip limit unless the selected buffer had also been exceeded. Fishermen may not profit from the sale of any fish in excess of the trip limit.

All king mackerel landed by vessels with gillnet endorsements, regardless of whether the trip limit has been exceeded, would count against that year’s Gulf southern zone gillnet quota. Then there were three options there for buffers.

Just a note there at the bottom is the CMP Advisory Panel recommended moving Alternative 2 of Action 1 to considered but rejected and so I will pause there.

CHAIRMAN ANSON: All right. Anyone have any comments?

MS. BADEMAN: I think this was one of the things that the industry was interested in and I think it’s not a terrible idea, but I am kind of wondering how this actually would work. I mean is the fish house still making money off of these fish? Are they just paying the fishermen more per pound that they can pay them? Ryan, please explain.

MR. RINDONE: Thank you, Ms. Bademan. When we were at that meeting in early January with the gillnetters, there was kind of a split decision on this. Several of them were concerned that this was just raising the trip limit by 5, 10, or 20 percent.

We have scratched our heads a little bit on how we would prevent them from being able to profit from the sale of fish between the trip limit and the top of the buffer and so if it was 10,000 pounds with a 10 percent limit, how do we stop them from profiting on the sale between 10,000 and 11,000 pounds?

The big thing that they all agreed on was that they were trying to look for ways to avoid being fined and by having that buffer on there and by saying that as long as you don’t exceed the trip limit plus the buffer then you’re not considered to be exceeding the trip limit, that would give them a little bit of a cushion.

Then again, so should an increased trip limit altogether and so, like I said, we’ve scratched our heads a little bit on how you would prevent the sale and any input from Mara on that would be wonderful, but I don’t have an answer to that right now.

MS. LEVY: The part I will comment on is the idea of somehow preventing people from profiting from what they land between the
buffer and I have consulted some other folks in my office and we
don’t see any mechanism to actually do that.

We don’t have a mechanism as an agency to require that people
give up their profits or their money outside of a seizure, a
forfeiture, or some sort of enforcement action, but what they’re
looking for is for there not to be an enforcement action and so
they just -- There is just no mechanism that we can see under
the Magnuson Act to do this and I agree that putting a buffer on
it is raising the trip limit and so it just doesn’t seem that
it’s going to be super effective.

MR. WILLIAMS: Given that advice, I think we should also take
the Gulf Council’s Advisory Panel’s advice. I move that we move
Alternative 3 in Action 1 to considered but rejected.

CHAIRMAN ANSON: We have a motion and it’s been seconded by Mr.
Sanchez. Any discussion on the motion? Any opposition to the
motion? Seeing none, the motion carries.

MR. RINDONE: All right, folks. We will move on to Action 2,
which is to modify the accountability measures for the gillnet
component of the commercial king mackerel fishery. Alternative
1 would leave things as they are. Alternative 2 would establish
a payback provision for the gillnet component, whereby the
weight of any fish landed by a vessel with a gillnet endorsement
in excess of the trip limit is deducted from the following
year’s southern zone gillnet ACL.

National Marine Fisheries Service would monitor the landings and
make any necessary adjustments to the subsequent year’s southern
zone ACL. The ACT, if established, and you will see that’s in
Alternative 3, would be adjusted to reflect the previously
established percent buffer. Since there is not going to be a
buffer, then that would be taken care of.

Alternative 3 would establish an annual catch target for the
gillnet component that’s below the annual catch limit. The
gillnet component would be closed when the ACT is met or
projected to be met and there are five options here for a 5
percent buffer in Option 3a, 10 percent buffer in 3b, and a 20
percent buffer in 3c. Option 3d would base the ACT on the Gulf
Council’s ACL/ACT control rule, which currently comes out to 5
percent also. Option 3e states that if the gillnet component of
the commercial kingfish fishery does not land its quota in a
given year or doesn’t land the ACT, then the amount of any
landings under that ACT will be added to the following year’s
quota, up to, but not exceeding, the ACL.
The reason why the AP preferred Option 3a with a hard 5 percent buffer instead of Option 3d was for exactly that reason, because as we get -- If we were to get a new stock assessment which suggested something else in terms of uncertainty, then that could change how the council’s ACL/ACT control rule determined a buffer and they thought 5 percent was adequate. The we’ll call it pay-it-forward provision in Option 3e was something that the gillnetters had requested.

CHAIRMAN ANSON: Mr. Gregory, did you have a comment?

EXECUTIVE DIRECTOR GREGORY: Yes and I think we should change the wording in Option 3e to match the recommendations that are coming out in the National Standard 1 Guidelines, which is -- In those guidelines, they are talking about the flexibility of allowing quota underages to be added to the following year, but they say minus any fish that died from natural mortality causes and so you don’t -- If you had a 100,000-pound underage, you don’t add 100,000 pounds to the next year.

You reduce the fish that might have died from natural causes. I would say if we could modify this option to be more equivalent to what’s in the recommended National Standard 1 Guidelines, that might be better.

MR. PERRET: So moved that staff be given editorial license to modify 3e so that it fits with the new National Standard 1 Guidelines.

DR. CRABTREE: I guess the most straightforward -- It seems to me that Alternative 2 is contingent on selecting the alternative we just moved to the considered but rejected and so I don’t see that as a viable one. It seems to me that --

MS. LEVY: Did someone make a motion?

CHAIRMAN ANSON: Yes, someone did make a motion. Thank you, Mara. That motion was to amend 3e to match the National Standard 1 Guideline language.

DR. CRABTREE: Can the motion be more specific about what exactly that is doing? I know Mr. Gregory just said it, but --

EXECUTIVE DIRECTOR GREGORY: I explained it.

MR. RINDONE: To give staff editorial license to make Alternative 3e reflect guidance in National Standard 1.
DR. CRABTREE: Are you talking about the proposed guidelines?

MR. RINDONE: To incorporate natural mortality in determining any quota to be added to the following year’s ACT. How does that taste?

DR. CRABTREE: I don’t know, but can you point us to exactly where in the National Standard Guidelines the language you are talking about is, so I can look at it?

EXECUTIVE DIRECTOR GREGORY: It’s in the presentation that we were given earlier this week. I mean I can’t find it right this minute.

DR. CRABTREE: That presentation was on proposed revisions to the National Standard Guidelines.

EXECUTIVE DIRECTOR GREGORY: Right and what I’m saying is let’s make this alternative equivalent to that.

DR. CRABTREE: To the proposed guidelines?

CHAIRMAN ANSON: Proposed guidelines.

MR. RINDONE: So reflect proposed guidance.

CHAIRMAN ANSON: All right and so, Corky, is that your motion?

MR. PERRET: That is exactly the motion, yes.

CHAIRMAN ANSON: All right. Very good.

MS. BADEMAN: The only problem I have with this is it’s not clear to me that we can do this yet. We have these proposed guidelines and the public comment for those is open until like the end of June and I am assuming that this is going to be faster.

MR. RINDONE: In the absence of these proposed guidelines becoming the real guidelines, this is still something that you guys could do if you just wanted to say that you wanted natural mortality taken into account.

Like Mr. Gregory said, if the natural mortality of kingfish is 18 percent or whatever it happens to be and you had a 100,000-pound underage, then you would just take 18 percent of that out and then whatever is left goes to the following year, as long as
it’s under the ACL. Let’s just say staff understands that direction.

**EXECUTIVE DIRECTOR GREGORY:** Roy, under current regulations then, is it possible to -- I mean is it possible for an underage in one year to be added to the quota in the following year as long as that quota is below ACL, equal to or below ACL? I know you personally have always been opposed to that, but I don’t know if that’s something that can’t be done or if it’s just something you’re not comfortable with.

**DR. CRABTREE:** Well, I haven’t been comfortable with it with stocks that are in rebuilding plans, but in this case, I don’t see anything that precludes us from doing this. The legal issues we’ve had with carryover have had to do with having the carryover exceed the ABC in the following year and that’s been the problem that we’ve had with it, but I don’t see anything that would preclude us from doing this in our current guidelines.

**MS. BADEMAN:** If we -- Whatever we do with this, if we don’t I guess go forward with this language, I think with Alternative 3e -- I think we need to replace “quota” with “ACT” throughout that alternative. I am trying to understand this. If they do not land their ACT in a given year, the amount of landings under the ACT would be added to the following year’s ACT under the ACL? I am trying to understand all of this, because what is the quota in here?

**MR. RINDONE:** There is no ACT. It’s a quota, because the ACL for the commercial sector is divided amongst the commercial zones and in the southern zone, it’s divided between the hand liners and the gillnetters. It’s referred to as a quota because there is no ACT, but it’s not an individual ACL either. That’s where the quota comes from.

**MS. BADEMAN:** Okay. I guess I was looking at it as if let’s just pretend we did the Gulf AP’s preferreds and we did 3a, where we put an ACT in, but okay. I see what you’re saying now and I am good.

**MR. RINDONE:** Just to be clear, if you don’t pick Option 3a, 3b, 3c, or 3d, you cannot pick Option 3e.

**CHAIRMAN ANSON:** All right and so we have a motion on the board. All those in favor of the motion signify by saying aye; all those opposed like sign. The motion carries. Go ahead, Ryan.
MR. RINDONE: Thank you, Mr. Chair. This is one more alternative in Action 2 that we haven’t talked about yet and Alternative 4 says that if the southern zone gillnet ACL is exceeded in a given year that NMFS would reduce the southern zone gillnet ACL or quota in the following year by the amount of the overage. The ACT, if established, will be adjusted to reflect any previously established buffer.

Any references to buffers obviously would be addressed, since you guys removed that alternative and so there are two options for Alternative 4 that you would have a payback regardless of stock status if the quota is exceeded or the payback would only be implemented if Gulf kingfish are overfished.

DR. CRABTREE: Just from a simplistic point of view, it seems to me that Alternative 4a would be the simplest to put in place. I see that the AP recommended the 95 percent and so a 5 percent buffer, but with the uncertainties of monitoring on this, that’s really not very much.

If you set much more of a buffer then that, then they’re starting to give up fish and I don’t know that they would want to do that. I guess you could do Alternative 3 and one of those combinations, but it seems complicated, to me, and I think my preference -- I am not making a motion at this point, but what seems simplest and makes sense to me is Alternative 4a, which is let them catch their quota, the whole ACL, but if they go over, it comes off the top for the next year.

MS. BOSARGE: Dr. Crabtree, when we were looking at the 35,000 or 45,000 pounds, you mentioned that you were a little uncomfortable with the 45,000 because there was no payback involved at this point if they went over in the accountability measures and would you be okay with the 45,000 if we have the payback in there? I only ask because it was obviously a very close vote.

DR. CRABTREE: Well, my worry then is we get some really big overruns and really big paybacks and it destabilizes the fishery, to where we end up with a very small quota one year because they went over.

I still would rather see it track -- See how this works at 35,000 and if we don’t have problems, then we can talk about 45,000, but I have -- You know we have had, in the past, some pretty significant overruns and I have always thought this is a fishery where we really ought to have a payback in it.
DR. BRANSTETTER: To the point on the ACT, as Dr. Crabtree mentioned, the 95 percent ACT is right now just about -- It’s a 27,000-pound trip. That’s one trip and the fishery right now is voluntarily trying to shut itself down somewhere around 75 or 80 percent, which is over 140,000 pounds.

These ACTs are not very much. I mean even an ACT of 90 percent is 55,000 pounds. That’s two boats staying out or not and so they are not very big buffers to actually try and have a chance to close the fishery.

MR. SANCHEZ: Just for discussion, if we were to give you a buffer with the amount that you’re comfortable with -- Now, again, this isn’t a perfect world and this is a leap of faith on both parts, but some kind of degree of comfort, a large enough buffer and agree to the payback and then if it goes way south bad wrong, then we know next year or the following year, the next opportunity, we’ve got to really address this and I won’t be coming at you obviously either with the same zeal as I’m coming based on what I’ve heard from the guys down south. If we could do that, is there some room to work with us to do something there, to give them some relief in this?

DR. CRABTREE: Yes, I think we could do that. It’s just would they rather have the buffer and have to deal with that or just put the payback on and let them catch their quota? I mean if I said yes, but we would want to see the 20 percent buffer, would they really prefer that as opposed to just having a payback and catching the quota?

MR. SANCHEZ: I guess I will be working from here to June and figure out the answers to all these interesting questions and see what we can come up with in June.

DR. CRABTREE: I think the answer to your question is yes, we could probably find a buffer in there that we could give a try and see how it goes. It’s just when the buffer gets too big, I am not sure that that’s what they’re going to want.

CHAIRMAN ANSON: Any other discussion?

MS. LEVY: I was just wondering if you would want to consider taking Alternative 2 and putting it in considered but rejected, because it seems to rely on the buffer, the trip limit buffer, that we just got rid of in Action 1, because it says the payback is based on the weight of any fish landed by a vessel in excess of the trip limit is deducted from the following year’s ACL and so it seems to contemplate that there is some ability to have a
buffer and land over the trip limit, but what you landed would somehow be paid back.

I don’t know if that was what was intended, but that’s what it seems to say and since we got rid of that other alternative, it might fit to get rid of this one.

DR. CRABTREE: That was what the AP recommended. I would move that we move Action 2, Alternative 2 to the considered but rejected.

MS. BADEMAN: Second.

CHAIRMAN ANSON: All right. We have a motion and it’s been seconded to move in Action 2, Alternative 2, to move it to considered but rejected. Any discussion on the motion? Any objections to the motion? Seeing none, the motion carries. I guess we will leave it until June then to talk about Action 2 a little bit more in depth and make preferredds at that time. Ryan, if you can continue.

MR. RINDONE: Thank you, Mr. Chair. Moving on to Action 3, these are some lengthy alternatives and so bear with me. Action 3 will modify electronic reporting requirements for dealers receiving king mackerel harvested by gillnet in the Gulf southern zone.

Alternative 1 is no action and so currently dealers reporting purchases of king mackerel landed by the gillnet sector for the Gulf southern zone must submit forms daily through the electronic monitoring system supported by the Science Center by 6:00 A.M. local time. If no king mackerel were landed by gillnet on the previous day, then a no landings report must still be submitted by the same deadline.

The issue with this is that it takes about forty-eight hours to get the information from the seafood dealers through the Science Center and get it QA and QC’d and then back up to St. Pete to the Southeast Regional Office before anything actionable can be done on those landings which have been received.

To rectify this, Alternatives 2 and 3 have been proposed for your consideration. Alternative 2 would remove the requirement for daily electronic reporting by commercial king mackerel gillnet dealers. Dealers reporting purchases of king mackerel landed by the gillnet sector for the Gulf southern zone must submit forms weekly for trip limits landing between Sunday and Saturday to the electronic reporting system supported by the
Science Center by 11:59 P.M. local time on the following Tuesday. If no king mackerel landed by gillnet were received on the previous date, then a no landings report still has to be submitted by the same deadline.

Basically, this just shifts them from going daily to weekly and then they go to submitting forms and these forms, again, are still part of the electronic reporting system.

Alternative 3, which is preferred by the AP, would remove the requirement for daily electronic reporting by the king mackerel gillnet dealers and dealers reporting purchases of kingfishes landed by the gillnetters for the Gulf southern zone must report daily still, but via means determined by NMFS during the open fishing season.

Reporting frequency, methods, and deadlines may be modified upon notification by NMFS and if no king mackerel landed by gillnet were received the previous day, then a no landings report still has to be submitted by the same deadline.

In addition, however, dealers reporting purchases of king mackerel landed by the gillnet sector must submit forms weekly from trips landed between Sunday and Saturday to the electronic reporting system supported by the Science Center by 11:59 P.M. on the following Tuesday.

What Alternative 3 does is it allows flexibility to be created between NMFS and the industry to facilitate fast reporting in a manner that gets the landings information to NMFS with enough time for them to take action to close the fishery if it’s necessary to do so to prevent overruns.

**MS. BADEMAN:** I would like to make a motion for Action 3 to make Alternative 3 the preferred alternative.

**DR. DANA:** Second.

**CHAIRMAN ANSON:** We have a motion and it’s been seconded in Action 3 to make Alternative 3 the preferred alternative.

**MS. LEVY:** The one concern I have with Alternative 3 is the daily via means determined by NMFS and that the reporting frequency deadlines may be modified upon notification. I am not quite sure what that means and how people will be notified and so I think maybe the IPT or NMFS -- We can get together and talk about exactly how they want the reporting to be, because I think it’s important to put that in the rulemaking and not it just
sort of be an arbitrary we’re going to call people. We want people to be on notice about how they actually have to report.

CHAIRMAN ANSON: All right.

DR. DANA: I think Mara’s comments are right on, but I think the -- I will vote for this motion. It provides flexibility to a very finite fishery to make most expedient their reporting. Obviously we want to move as much as possible to electronic reporting, but, at present, it’s not working the way it can best to efficiently and expediently get the information to NMFS. With clarification from the IPT and such, as you outlined, I think that 3 is the way I will vote.

MS. BADEMAN: I was just going to say if we have that information by June that we will be in Key West and we can certainly get feedback from the fishermen there.

MR. RINDONE: This is just from the full document, which is Tab C, Number 5(a), but it says that allowing daily reporting by some other means as developed by NMFS could involve reverting to port agent reports or some other direct method of reporting to managers and NMFS would work with dealers to establish a system that will minimize the burden to the dealers as well as the time for landings to reach managers.

Dealers would still be required to report king mackerel landings to the electronic monitoring system weekly when they report other species and the weekly reporting would ensure the king mackerel reports are included in the commercial landings monitoring database maintained by the Science Center. That’s just a little extra background info.

CHAIRMAN ANSON: All right and so we still have a motion on the board. Is there any other discussion for the motion? Any opposition to the motion? Seeing none, the motion carries.

MR. RINDONE: Moving on to Action 4, in Action 4 we don’t have poundages listed for this yet, but this talks about the elimination of inactive commercial king mackerel gillnet endorsements.

Action 1 would maintain all current requirements for renewing commercial king mackerel gillnet endorsements. Alternative 2 would allow those endorsements to be renewed only if average landings during 2006 to 2015 were greater than a certain number of pound and gillnet endorsements that do not qualify would be non-renewable and non-transferable. Currently, those gillnet
endorsements are not transferable except to immediate family members.

Alternative 3 would allow commercial king mackerel gillnet endorsements to be renewed only if landings for a single year during that ten-year time period were greater than a certain number of pounds. Again, gillnet endorsements that do not qualify will be non-renewable and non-transferable.

The AP had selected to move this action to considered but rejected because, at the time, they had heard from the industry that they did want to eliminate any permits, which was contrary to what we had heard in early January when we went and spoke to them and also contrary to what we heard yesterday from Mr. Kelly.

CHAIRMAN ANSON: There were some IPT notes as well down there below the alternatives, but go ahead, Mr. Sanchez.

MR. SANCHEZ: I would move that we make Alternative 2 the preferred alternative and putting 2,000 pounds in the “X” after “2016 to 2015” or greater than 2,000 pounds.

CHAIRMAN ANSON: We have a motion and is there a second to the motion? It’s seconded by Martha.

DR. CRABTREE: One, I think it’s problematic how this is structured. It seems to me there should be suboptions under Alternatives 2 and 3 with different pounds on it, so that we can analyze it.

Secondly, both options make the inactive permits that don’t meet whatever this poundage is — They don’t go away and it just makes them non-transferable and why wouldn’t we have an option in here to -- Isn’t that right?

MS. LEVY: It says non-renewable or non-transferable.

DR. CRABTREE: Okay and so if they’re non-renewable, I don’t know that it needs to say non-transferable, because they are going to be gone and so that’s what it means, that these permits go away?

CHAIRMAN ANSON: Ryan, do you have specific comments?

MR. RINDONE: Yes, Mr. Chair. Charlotte, can you go to the full document and pull up Table 2.4.1? It’s on page 21. This table will show you how many endorsements would be eliminated
effectively, as Dr. Crabtree said, based on the landings thresholds that you guys might elect to choose.

Whether you chose one pound, 2,000 pounds, or 10,000 pounds, Alternatives 2 and 3 would have the same effect. It’s not until you get up to 25,000 pounds that you start to see differences in the number of permits that might be eliminated under Action 4.

CHAIRMAN ANSON: That was on page 21?

EXECUTIVE DIRECTOR GREGORY: It’s page 19.

MR. RINDONE: It’s page 19.

MR. PERRET: While we’re looking at that table, can somebody -- Can John or somebody tell me why we are going against the recommendation of our advisory panel?

EXECUTIVE DIRECTOR GREGORY: Because the message from industry to the advisory panel was incorrect and so we’ve since gotten a letter from the industry and testimony that they did want to remove latent permits and it’s the four permits that have not been used since the beginning of the gillnet endorsement.

They are from the east coast, again, but the concern is I think that with an increase in poundage from either reallocation from the recreational sector, from an increase in quota because of the stock assessment, from the increase in trip limit, it might make the Gulf gillnet fishery more attractive to these people that haven’t participated and they are less likely to participate in the gentlemen’s agreement that now goes on to close the fishery when the quota is near.

There is a real concern that they haven’t participated and obviously even a one-pound threshold would eliminate them, whether you look at averages or any one year, and it would be disruptive to the future of the fishery.

MS. BADEMAN: At that workshop that we had in January, we heard loud and clear from everybody that was there that they want to get these latent permits out of the fishery.

MR. SANCHEZ: Would it be more appropriate then, given that there is some analysis already done, that gives staff -- Withdraw my motion and give staff editorial license to create just a few alternatives in this, so that we can go forward with them, that kind of reflect some of these options and then we can kind of select these in June?
CHAIRMAN ANSON: Ryan, that could be accomplished, do you think, no problem?

MR. RINDONE: That’s fine.

MR. SANCHEZ: I will withdraw if the seconder agrees.

CHAIRMAN ANSON: All right and so the motion is withdrawn. Does that finish up everything, Ryan?

MR. RINDONE: Yes, sir, Mr. Chair. We will take the notes back that we have from you guys and we’ll make the necessary changes and add in notations for your preferreds and then we will bring a draft for final action to you in June.

CHAIRMAN ANSON: Very good. Thank you.

MS. BOSARGE: Going back to the CMP Amendment 26, before we finish up with this committee, in CMP Amendment 26, we are addressing allocation and we’re looking at some ways of possibly increasing the recreational willingness to go out and meet their allocation. I would like staff to bring us back some information in the next version that addresses the original historical landings that that allocation was based on, as well as what those historical landings looked like after they were recalibrated.

CHAIRMAN ANSON: All right. Ryan, did you catch all of that?

MR. RINDONE: No, sir, not all of it.

MS. BOSARGE: We had some landings information in -- Dr. Gregory, you might have to tell me what the years were, but whatever the year range was that this allocation split was originally based on for these king mackerel, I would like to see the original historical landings that they were based off of and then what those landings looked like for those years after they were recalibrated.

EXECUTIVE DIRECTOR GREGORY: We can get from the stock assessment the landings from 1986 to the present and that for-hire survey was piloted in 1997 and implemented in the year 2000 and so we can get that.

CHAIRMAN ANSON: All right. Anything else? Does that cover everything for Mackerel, Dr. Dana or Ryan? Have we got everything accomplished that we needed to for this? We did?
Okay. That will take us to Shrimp and Mr. Perret.

**SHRIMP MANAGEMENT COMMITTEE**

**MR. PERRET:** Thank you, Mr. Chairman. All members were present and the first thing we had was a Biological Review of the Texas Closure, which was presented to us by Dr. Hart from the Galveston Facility.

NMFS staff reviewed the 2014 Texas closure. Environmental factors were important for the growth and abundance of shrimp. Shrimp catch for white and brown shrimp was below average for 2014. There was also a change in the shrimp landings distribution in Texas ports. Landings by port may be an indication of where fishing occurs, but this would need to be verified with catch information.

The committee recommends, and I so move, to recommend to have the Texas closure concurrent with the date Texas recommends, out to 200 miles, for the 2015 season.

**CHAIRMAN ANSON:** It’s a committee motion. Any discussion on the motion? Any opposition to the motion? Seeing none, the motion carries.

**MR. PERRET:** We had a Summary of the Shrimp Advisory Panel that met in February. The AP made two recommendations for options to include in the Shrimp Permit Moratorium Amendment, and that’s Shrimp Amendment 17, and one recommendation about moving to MSY based benchmarks for Shrimp Amendment 15.

The AP also recommended to have a federal closure off Texas concurrent with the Texas closure, the action we’ve just taken. Lastly, the AP made a recommendation to include the Shrimp Advisory Panel and the Special Shrimp SSC in the upcoming Coral AP/SSC meeting regarding deep-sea coral areas.

Insofar as the Report on the Penaeid Shrimp MSY-ABC Control Rule Workshop, the staff presented the committee with the outcomes of the workshop. The working group recommended specific MSY and FMSY values for browns, whites, and pinks and the working group also recommended setting the ABC equal to MSY. The SSC approved these recommendations.

The annual pounds of tails for pink shrimp is 17,300,000 plus and annual FMSY of 1.35. White shrimp is 89,400,000 plus and the annual FMSY is 3.48 and for brown shrimp, 146,900,000 plus and an annual FMSY of 9.12.
CHAIRMAN ANSON: Mr. Perret, hold on one second, please. Dr. Ponwith, did you want to talk to anything about this table?

MR. PERRET: Bonnie, I am getting to that next, if you want to hold off for a minute.

CHAIRMAN ANSON: Okay. I am sorry.

MR. PERRET: Thank you. For the Update on Shrimp Amendment 15, staff presented the committee with a proposed new action addressing MSY in Shrimp Amendment 15. Staff also presented an MSY-based overfishing threshold of FMSY.

Unfortunately, an MSY-based overfished threshold was not presented to the committee. Thus, for Action 1.3, the preferred alternative did not change. Now, with Dr. Ponwith, Dr. Patterson, Dr. Hart, and others, Dr. Kilgour on staff, they requested that we put the following language in. Staff requests editorial license to add a new alternative for Action 1.3 that addresses an MSY-based overfished threshold to maintain consistency with the MSY-based overfishing threshold for the council to review at the June council Meeting. Bonnie, do you want to offer any comments at this time?

DR. PONWITH: Yes and thank you, Mr. Chairman. That’s exactly right and the notion is that we’ve got an MSY-based overfishing threshold and having an overfished threshold as well and what we’re looking at is using spawning stock biomass at MSY as that threshold.

That would require generating a new set of numbers to be able to put in as that other alternative and this comports with sort of the standard that we use for many of the other stocks that we manage this way.

MR. PERRET: Thank you, Dr. Ponwith. With that, the committee recommends, and I so move, to add a new Action 1.1 to the Shrimp Amendment 15 and to make Alternative 2 the preferred. Action 1.1 is Modify the Maximum Sustainable Yield for Penaeid Shrimp. Alternative 1 is no action. The MSY values for the penaeid shrimp stocks fall within the range of values defined by the lowest and highest landings taken annually from 1990 to 2000 that does not result in recruitment overfishing as defined herein. Brown shrimp MSY is between 67 and 104 million pounds of tails and white shrimp MSY is between 35 and 71 million pounds of tails and pink shrimp MSY is between 6 and 19 million pounds of tails.
Preferred alternative 2 is the MSY values for the penaeid shrimp stocks are values produced by the Stock Synthesis model approved by the SSC. Species-specific MSY values will be recomputed during updated assessments, but only among the years 1984 through 2012. The values for each species will be updated every five years through the framework procedure, unless changed earlier by the Gulf of Mexico Fishery Management Council. Currently, the stock synthesis model produces the following values: Brown shrimp, MSY is 146,923,100 pounds of tails; white shrimp, MSY is 89,436,907 pounds of tails; and pink shrimp, MSY is 17,345,130 pounds of tails. Okay. That’s a motion.

CHAIRMAN ANSON: That is a motion, you’re right. We have the motion on the board and it’s been read. Is there any discussion?

MR. PEARCE: I didn’t really understand it and can Corky do it again?

MR. PERRET: I would be happy to, but I’m old.

CHAIRMAN ANSON: No, he cannot. Any other comments or discussion? Any opposition to adding this motion into the document? Seeing none, the motion carries.

MR. PERRET: Thank you, Mr. Chairman. The committee recommends, and I so move, in Action 1.2 to add an Alternative 4 and make that the preferred alternative. Alternative 4 is the maximum fishing mortality threshold (MFMT) for each penaeid shrimp stock is defined as the FMSY.

Species-specific FMSY values will be recomputed during the updated assessments, but only among the fishing years 1984 through 2012. The values for each species will be updated every five years through the framework procedure, unless changed earlier by the Gulf of Mexico Fishery Management Council. Editorial license is approved and currently, the values are: brown shrimp, 9.12; white shrimp, 3.48; and pink shrimp, 1.35. That’s the motion, Mr. Chairman.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Was this -- Dr. Ponwith, are you going to talk at this point or some other point relative to the SSC? Is that later too?

MR. PERRET: Did you have something else, Bonnie?
DR. PONWITH: I have some values associated with that spawning stock biomass at MSY for the overfished level as well and I guess that would be part of giving them license to be able to incorporate that in to look at in June.

CHAIRMAN ANSON: We have a motion on the board. Any discussion on the motion? Any opposition to the motion? Seeing none, the motion carries.

MR. PERRET: Thank you. Scoping document for Shrimp Amendment 17, staff presented the scoping document addressing the expiration of the shrimp permit moratorium. The committee reviewed the recommendations from the AP as well as recommendations that had been submitted by the State of Louisiana and the Louisiana Shrimp Task Force.

Several items to include in an options paper were discussed and suggested by the committee. One action would need to address the option of extending the moratorium, allowing the moratorium to expire, or making the moratorium permanent. Another action would include creating a permit pool and deciding what the appropriate number of permits would be capped at, such as fishing year.

Other items that staff will need to provide options for are qualifications for permits such as landings, vessel length, citizenship, et cetera, and the royal red shrimp endorsement, because that’s a separate endorsement in the shrimp fishery. It was noted that increasing the number of permits may cause other biological triggers because of turtle bycatch or red snapper bycatch.

Additionally, if there is a permit pool created for this fishery, there may have to be justification for why such a pool does not exist for other fisheries. Staff also presented a brief summary of the Shrimp Permit Moratorium Working Group analyses.

Under Other Business, the committee briefly discussed the TED compliance enforcement workshop and a letter from the Port Arthur Shrimp Association relative to possible closures of state as well as federal waters. That concludes my report, Mr. Chairman, and thank you.

OTHER BUSINESS (CONTINUED)

CHAIRMAN ANSON: Thank you, Mr. Perret. That concludes all of the committee reports and we had covered yesterday the state
directors’ reports discussion and the dress code for the June meeting and so the only other business that was not added, but I wanted to make sure that people understood is that the APs, advisory panels, the ad hoc as well, the information has been posted.

It’s been sent out, except for Reef Fish and Red Snapper. The council has decided to look at combining those two APs into one AP and that will be voted on in the June meeting. The council will not accept any additional applications and we will take those that were submitted within the deadline for the call for APs. Doug, do you want to talk about one other item?

EXECUTIVE DIRECTOR GREGORY: If you are finished, sir.

CHAIRMAN ANSON: Yes, I am.

EXECUTIVE DIRECTOR GREGORY: I just wanted to remind you that this year we are the host council for the Council Coordinating Committee. They have two meetings a year and the first one is in February. The second one is going to be in June, the week of June 22, in Key West. We are hosting it and we will be getting an agenda out very shortly to everybody.

I know that last time they came here in 2007 that Harlon and Corky really put on a show for everybody, but we won’t do quite that well in Key West, but we will try to make them comfortable. I am really eager to see how those Alaskans handle Key West summers.

MR. PERRET: I don’t remember Harlon having anything to do with it. The State of Mississippi hosted it and we put on swamp tours and seafood feeds and all of that kind of stuff. Where is Harlon? He helped a little.

DR. CRABTREE: Doug, in Key West, we are having simultaneous South Atlantic and Gulf Council meetings and so I would like to do one Q&A at one hotel or the other for the fishermen down there and I was wondering if you could have Charlene or someone talk to Kim Iverson and figure out how you all would like to handle that and where and what night.

EXECUTIVE DIRECTOR GREGORY: Sure. On that joint meeting, we are having the joint meeting on Thursday and some obvious things on the agenda will be Mackerel, Lobster, South Florida issues, but we are working that out.

It’s going to be a full five-day meeting for us, Monday through
Friday, that time. We are still working on whether committees are going to meet jointly or the full councils.

CHAIRMAN ANSON: With that, if no one else has any other business or comments, I am going to adjourn the meeting. Thank you, everyone.

(Whereupon, the meeting adjourned at 4:00 p.m., April 2, 2015.)
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TABLE OF MOTIONS

PAGE 8: Motion that the council, starting in 2015, increase liaison funding by $10,000 to a total of $45,000 annually to each of the Gulf States and the Gulf States Commission for the liaison contracts. The motion carried on page 8.

PAGE 9: Motion that the council implement an early retirement plan for employees with twenty years of tenure and at an age of 55 or older, with a 75 percent subsidy for health care premiums up to Medicare eligibility age for staff. The motion carried on page 9.

PAGE 9: Motion to recommend that the AP and SSC members serve three-year terms without term limits. The AP will have staggered terms but the SSC will not. The motion carried on page 9.

PAGE 10: Motion to retitle the following APs as technical committees, with appointments to the SEDAR, Outreach and Education, and the Aquaculture Technical Committees made jointly by the Executive Director and Council Chair. The motion carried on page 10.

PAGE 10: Motion to discontinue the SMZ monitoring group and reinstitute it as a working group, on an as needed basis. The motion carried on page 10.

PAGE 11: Motion to amend the administrative handbook language by adding the highlighted language below and that highlighted language is “or due to a medical condition that extends beyond the Family Medical Leave period.” The motion carried on page 11.

PAGE 17: Motion that the council send a letter to the RA requesting that spiny lobster not be subject to an ACL, with the reasons outlined by the Spiny Lobster Review Panel. The motion carried on page 18.

PAGE 19: Motion to change the language in the document that reads “via computer or internet” to “via National Marine Fisheries Service approved hardware and/or software”. The motion carried on page 20.

PAGE 22: Motion to do away with the requirement for directors’ reports. The motion carried on page 23.

PAGE 47: Motion that the council stop work on the document to
eliminate the decals for federally-permitted for-hire vessels. The motion carried on page 47.

PAGE 48: Motion that the council give staff editorial license and approve the draft letter on Climate Change Strategy for submission to the NMFS Office of Science and Technology. The motion carried on page 48.

PAGE 139: Motion to recommend that NMFS approve the EFP request from Mississippi as presented. The motion carried on page 145.

PAGE 150: Motion to add an alternative to Action 6 to apportion the recreational quota among the regions selected in Action 3, Alternative 2 and 3, based on 50 percent of the average historical landings formula used in Reef Fish Amendment 40, 50 percent from 1986 to 2013 and 50 percent from 2006 to 2013, and 50 percent based on the regional biogeographical differences in the stock used in the stock assessments. The motion failed on page 153.

PAGE 153: Motion in Action 6 to add Proposed Alternative 8 to Amendment 39. The motion carried on page 153.

PAGE 153: Motion to move the action for for-hire federal permit restrictions to considered but rejected. The motion carried on page 154.

PAGE 154: Motion in Action 3 to make Alternative 5 the preferred alternative. The motion carried on page 155.

PAGE 155: Motion in Action 2 that Alternative 2 be the preferred alternative. The motion failed on page 155.

PAGE 157: Motion to add Options 5a, two fish per person per day, and 5b, five fish per person per day, to Alternative 5. The motion carried on page 157.

PAGE 157: Motion to add back in Options 5a and 5b in Alternative 5. The motion carried on page 158.

PAGE 158: Motion in Action 10 to remove Alternative 2b to the considered but rejected appendix. The motion carried on page 158.

PAGE 158: Motion in Action 10 to remove Alternative 5, establish identical regulations for the shallow-water grouper seasonal closures throughout the Gulf and South Atlantic, to the considered but rejected appendix. The motion carried on page 226.
PAGE 159: Motion in Action 11 to remove Alternative 6 to the considered but rejected appendix. The motion carried on page 159.

PAGE 159: Motion in Action 11, Alternative 8, to remove Suboption 8c to the considered but rejected appendix. Suboption 8c is in federal waters of the Gulf and South Atlantic. The motion carried on page 159.

PAGE 161: Motion in Action 1 to add a new alternative that sets the ACL at 3.8 million pounds and set the recreational ACT buffer at 8 percent based on the ACL/ACT control rule and do not use a commercial ACT. The motion carried on page 162.

PAGE 162: Motion in Action 1, to have Alternative 3, Option a be the preferred alternative. The motion carried on page 163.

PAGE 163: Motion that in Action 2.1, that Alternative 3 be the preferred alternative. The motion carried on page 163.

PAGE 163: Motion in Action 2.2 that Alternative 1, the status quo alternative, be the preferred alternative. The motion carried on page 167.

PAGE 167: Motion to make Alternative 2 in Action 3, 1,560 pounds of whole weight trip limit, be the preferred alternative. The motion carried on page 168.

PAGE 169: Motion to approve the Greater Amberjack Framework Action to Modify Allowable Harvest and Management and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as modified in discussion 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 170.

PAGE 172: Motion to make Alternative 8 the preferred alternative in Amendment 28. The motion carried on page 187.

PAGE 189: Motion to direct staff to develop a framework action to allow National Marine Fisheries Service to hold back a portion of the commercial quota in anticipation of future regulatory changes. The motion carried on page 189.
PAGE 189: Motion that the council accept the charge of the Reef
Fish Headboat AP as written. The motion carried on page 190.

PAGE 192: Motion to have Southeast Regional Office staff
conduct a bag limit analysis on raising the king mackerel bag
limit from two fish to three fish. The motion carried on page 194.

PAGE 198: Motion in Framework Amendment 3, Action 1, to have
Alternative 2a be the preferred alternative, increase the trip
limit to 35,000 pounds. The motion carried on page 204.

PAGE 206: Motion to move Alternative 3 in Action 1 to
considered but rejected. The motion carried on page 206.

PAGE 207: Motion that staff be given editorial license to modify 3e so that it fits with the new National Standard 1
Guidelines.

PAGE 207: Motion to give staff editorial license to make
Alternative 3e reflect proposed guidance in National Standard 1
to incorporate natural mortality in determining any quota to be
added to the following year’s ACT. The motion carried on page
209.

PAGE 212: Motion to move Action 2, Alternative 2 to the
considered but rejected. The motion carried on page 212.

PAGE 213: Motion for Action 3 to make Alternative 3 the
preferred alternative. The motion carried on page 214.

PAGE 218: Motion to recommend to have the Texas closure
concurrent with the date Texas recommends, out to 200 miles, for
the 2015 season. The motion carried on page 218.

PAGE 219: Motion to add a new Action 1.1 to the Shrimp
Amendment 15 and to make Alternative 2 the preferred. Action
1.1 is Modify the Maximum Sustainable Yield for Penaeid Shrimp.
Alternative 1 is no action. The MSY values for the penaeid
shrimp stocks fall within the range of values defined by the
lowest and highest landings taken annually from 1990 to 2000
that does not result in recruitment overfishing as defined
herein. Brown shrimp MSY is between 67 and 104 million pounds
of tails and white shrimp MSY is between 35 and 71 million
pounds of tails and pink shrimp MSY is between 6 and 19 million
pounds of tails. Preferred alternative 2 is the MSY values for
the penaeid shrimp stocks are values produced by the Stock
Synthesis model approved by the SSC. Species-specific MSY
values will be recomputed during updated assessments, but only among the years 1984 through 2012. The values for each species will be updated every five years through the framework procedure, unless changed earlier by the Gulf of Mexico Fishery Management Council. Currently, the stock synthesis model produces the following values: Brown shrimp, MSY is 146,923,100 pounds of tails; white shrimp, MSY is 89,436,907 pounds of tails; and pink shrimp, MSY is 17,345,130 pounds of tails. The motion carried on page 220.

PAGE 220: Motion in Action 1.2 to add an Alternative 4 and make that the preferred alternative. Alternative 4 is the maximum fishing mortality threshold (MFMT) for each penaeid shrimp stock is defined as the FMSY. Species-specific FMSY values will be recomputed during the updated assessments, but only among the fishing years 1984 through 2012. The values for each species will be updated every five years through the framework procedure, unless changed earlier by the Gulf of Mexico Fishery Management Council. Editorial license is approved and currently, the values are: brown shrimp, 9.12; white shrimp, 3.48; and pink shrimp, 1.35. The motion carried on page 221.

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