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

NON-VOTING MEMBERS
Glenn Constant................................................USFWS
Dave Donaldson................................................GSMFC
Bob Perkins......................................................USCG

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
Emily Muehlstein.................................Fisheries Outreach Specialist
Ryan Rindone.................................................Fishery Biologist/SEDAR Liaison
Bernadine Roy................................................Office Manager
Charlotte Schiaffo
Research & Human Resource Librarian

Carrie Simmons
Deputy Director

OTHER PARTICIPANTS

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Panama City, FL

Pam Anderson
Panama City Beach, FL

Tom Ard
Orange Beach, AL

Colleen Arnondin
Harvey, LA

Dillian Atkins
Galveston, TX

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Anna Beckwith

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Grand Isle, LA

Randy Boggs
Orange Beach, AL

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Clint Guidry
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Buddy Guindon

Ken Haddad
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Stan Harris
LA

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Venice, LA

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Scott Hickman
Galveston, TX

Tim Hobbs
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The Full Council of the Gulf of Mexico Fishery Management Council convened at the Hilton Riverside, New Orleans, Louisiana, Wednesday morning, August 12, 2015, and was called to order at 8:30 a.m. by Chairman Kevin Anson.
CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN KEVIN ANSON: Good morning. Welcome to the 255th 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. JOHNNY GREENE: Johnny Greene, Alabama.
MR. DAVID WALKER: David Walker, Alabama.
MR. ROBERT PERKINS: Bob Perkins, 8th Coast Guard District.
MR. DAVE DONALDSON: Dave Donaldson, Gulf States Marine Fisheries Commission.
MS. KATIE SEMON: Katie Semon, Louisiana.
MR. ED SWINDELL: Ed Swindell, Louisiana.
MR. CAMPO MATENS: Camp Matens, Louisiana.
MR. JOHN SANCHEZ: John Sanchez, Florida.

DR. PAMELA DANA: Pam Dana, Florida.

MS. MARTHA BADEMAN: Martha Bademan, Florida.

MS. ANNA BECKWITH: Anna Beckwith, South Atlantic.

MR. GLENN CONSTANT: Glenn Constant, U.S. Fish and Wildlife Service.

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. THEO BRAINERD: Theo Brainerd, NOAA Fisheries.

MR. ROBIN RIECHERS: Robin Riechers, Texas.

MR. DOUG BOYD: Doug Boyd, Texas.

DR. GREG STUNZ: Greg Stunz, Texas.

MS. LEANN BOSARGE: Leann Bosarge, Mississippi.

DR. KELLY LUCAS: Kelly Lucas, Mississippi.

MR. DALE DIAZ: Dale Diaz, Mississippi.

EXECUTIVE DIRECTOR DOUGLAS GREGORY: Doug Gregory, council staff.

CHAIRMAN ANSON: Thank you. We will continue with announcements and, Doug, do you have an announcement?

EXECUTIVE DIRECTOR GREGORY: I just wanted to remind the council that we’re going to have a film crew here this afternoon during public testimony and tomorrow morning, again with the Discovery Channel. I have asked the lady in charge, Susan Froemke, to give us a three or four-minute introduction of what they’re doing immediately after lunch.

They will be standing over there with the camera next to Glenn and they will be plugging into our speaker there to get the sound and we have distributed releases, but I have told them
that it’s up to them to get their own releases from people and so we’re going to be doing that and this is the second time we’ve had a film crew and I think it will go smoothly and it won’t be disruptive to the council proceedings. If it is, I will do the best I can to help them to accommodate us.

CHAIRMAN ANSON: Thank you, Doug. Any questions from anyone? That will take us to Induction of New Council Members and Dr. Crabtree.

INDUCTION OF NEW COUNCIL MEMBERS

DR. CRABTREE: As trustees of the nation’s fishery resources, all voting members of the council who are appointed must take an oath as specified by the Secretary as follows.

(Whereupon, new council members are sworn in.)

DR. CRABTREE: Congratulations and thank you.

ADOPTION OF AGENDA AND APPROVAL OF MINUTES

CHAIRMAN ANSON: Congratulations to all the members that were inducted. The next item, Item Number III, is Adoption of the Agenda and Approval of the Minutes. Do we have any changes to the agenda? Seeing none, is there a motion to adopt the agenda as written?

MR. RIECHERS: Move to adopt as written.

CHAIRMAN ANSON: It’s been moved by Mr. Riechers and seconded by Mr. Greene. Any opposition to adopting the agenda as written? Seeing none, the agenda is adopted. Approval of the Minutes, does anyone have any comments or changes to the minutes from the last meeting? Is there a motion to accept the minutes? It’s so moved by Mr. Diaz and seconded by Mr. Greene. Any opposition to accepting the minutes as written? Seeing none, the minutes are approved. The next item, Number IV, is Review of Exempted Fishing Permit Applications and Dr. Crabtree. Any EFP’s, Dr. Crabtree?

REVIEW OF EXEMPTED FISHING PERMIT APPLICATIONS

DR. CRABTREE: Yes, we do have one EFP that’s come in to use traps to capture lionfish and Steve can go through it. We are still looking at it and they are likely going to still have to be changes and negotiations. It does potentially have impacts on corals and protected resources that we would have to sort
through and once we work all of that, later in the process we’ll be coming back to you, but Steve can go through a little bit of the gist of what we have if you would like.

DR. BRANSTETTER: The Monroe County Fishermen’s Association and the Gulf and South Atlantic Foundation have put this application in to fish various types of traps and see which are the most efficient at capturing lionfish.

They want to use black sea bass pots and regular wooden lobster traps, wire lobster traps. They have got a special other wire trip they want to use. They were going to use chevron traps, but we have already asked them not to try to do that, because it’s not even an identified legal fishing gear.

They want to fish off South Carolina, the east coast of Florida, the Florida Keys, and then off the Tampa Bay area and they would be fishing about twenty-five of these traps each in four different traps and so they would be putting out about a hundred traps every time they set.

I am going to let, and with your permission, Bill Kelly try to explain this a little better, because some of the details of what they’re doing -- As Dr. Crabtree indicated, there are some issues with the corals especially in the Keys and there is also some issues with right whales on the east coast right now and so those are things that we have to work around and get agreements with Bill and the Foundation, but I will let Bill try to explain any additional things.

The one thing that we did want to bring to the council today is are you interested in looking at fish traps in the Gulf of Mexico, because this will require quite a bit of effort on the part of our Protected Resources folks to do these additional analyses and if you don’t want to look at fish traps in the Gulf, then before everybody has to go through a whole lot of work.

CHAIRMAN ANSON: Bill, do you have any additional details that you could provide?

MR. BILL KELLY: Yes, Mr. Chairman. Back in 2013, the State of Florida held a lionfish summit up in Cocoa Beach, Florida. The consensus opinion was the only way that we could effectively address lionfish with any hope of containment would be through a trap program. That kind of reflected what we already knew in the Florida Keys.
To give you an example, one of our high-liner fishermen, Gary Nichols, first encountered lionfish in 2009 as bycatch in his spiny lobster traps. In 2009, he had forty-nine pounds of lionfish. In 2013, he had 13,000 pounds of lionfish, all as bycatch in his spiny lobster traps. He became so good at it that he actually realized that he could go out and effectively target lionfish specifically because of the knowledge that he had gained over those four or five years of activity there.

With that in mind, we put the plan together and we felt that we could effectively target lionfish specifically in deep water areas and when I say deep water, generally speaking, that’s 100 to 300 feet of water. What you’re seeing in shallow that seems to be effectively controlled by lionfish derbies, that only pales in comparison to what we’re seeing out deep.

I know there’s some issues that have been raised regarding interactions with corals and so forth, but the reality is the lionfish are having a greater effect on it, because of their voracious appetites for herbivores, for example parrotfish and so forth, that maintain our reefs.

Our reefs in the Florida Keys right now are under heavy pressure from algal growth and so forth and the lionfish are eating the herbivores that would take care of those kinds of things and so while some terminology may be that we’re doing a fish trap program, we prefer to call it a lionfish containment device.

Our program highlights the use of observers and they will be very carefully monitored and we will comply with all area rules and regulations regarding the deployment of trap gear and the retrieval, so as not to interact or violate any other protocols in those areas.

CHAIRMAN ANSON: Thank you, sir. We have a question from Dr. Stunz.

DR. STUNZ: I just had a question for you, Bill, and obviously this is an important problem we want to address with creative ways to deal with the lionfish, but in the trapping and -- Maybe this is the purpose of the study and that’s why I’m asking the question, because I know that Nassau groupers and other types of fish are getting caught in the fish traps that you’re using and so it kind of brings up the issue of that bycatch as well as discard mortality.

If you’re bringing them up from a hundred or 300 feet, is there any information on how selective these traps are specifically
for lionfish or what other species interactions are occurring?

MR. KELLY: There is a number of different things. One, we would control them by modifying the trap funnel size or throat size on these traps to prevent bigger fish or bycatch from getting in there. Bycatch is always the most important point and we could do it. We have some evidence from the work that we've done with reef.org and so forth, with their interns, where you put a lionfish in there, the live baiting techniques. Placement and so forth seems to be very effective, but also other methods work as well.

The thing is that the lionfish are very structure oriented and even just the relief of just that two-foot high lobster trap has a great deal of appeal to them. They have high site fidelity and once you have a dominant male there, then you have the females around and, again, this would be very carefully controlled with observers. We've got to find out if one trap is more prone to harvesting them than another or more efficient at it and we've seen that just by the time of year and where you place the traps.

For example, Gary Nichols feels that he could almost exclusively catch lionfish just because of the knowledge of their whereabouts and demographics and population density.

CHAIRMAN ANSON: Mr. Constant.

MR. GLENN CONSTANT: You mentioned that there was a better effect or a greater effect in the inland and shallower areas with diving and have you tried these traps or some modified version of these traps in the inland areas?

MR. KELLY: What we’re finding, for example, in our trap fishery in the Florida Keys is better than 90 percent of our trap placement is under a hundred feet of water or less and with only 10 percent out deep, those 90 percent of those gear that’s deployed in shallow water doesn’t even harvest 1 percent of the lionfish that we’re seeing.

When you get into shallower water, they are, as I mentioned, very structure oriented, but they prefer to stay on natural habitat instead of the artificial gear.

CHAIRMAN ANSON: Anything else? Yes, Mr. Diaz.

MR. DIAZ: Just speaking for myself, I would like to go to the next step, Dr. Branstetter, and hear more about this and let
your folks do the work to look at it. Lionfish invasion is a very big problem and while some groups are trying to do some efforts that control, different dive groups and I know the State of Florida has done a lot of things, there are really not that many tools in the toolbox and so this study might actually come up with an effective mechanism for control and so I would like to hear more about it and ask your folks to do the work to get us more information. Thank you.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: To that point, Dale, I agree as well. I think this is a good first step to see how it goes and what works to deal with this issue before it gets worse in other areas.

CHAIRMAN ANSON: Seeing that, it looks like you’ve got some direction, Dr. Branstetter.

MR. KELLY: I am sorry, Kevin, but I couldn’t hear you.

CHAIRMAN ANSON: I was just saying to Dr. Branstetter that he has got some marching orders. It looks like the council is interested in proceeding with at least them looking into what they need to look into to develop the EFP and bring it back to the council.

DR. CRABTREE: This is not going to happen quickly. There will likely have to be -- I expect we would have to go through, particularly in the Keys, and identify all the areas where there may be listed corals and then they’re going to be off limits to any of this.

If it requires a biological opinion, those are taking close to a year to get to and so just it’s not likely this is going to happen quickly, Bill, depending on the impacts and how well we can mitigate and make sure those aren’t going to happen. We will continue to be in touch with you to try and work on how to make this as bycatch and protected resource friendly as we can.

MR. KELLY: Thank you, Dr. Crabtree.

CHAIRMAN ANSON: Thank you, Mr. Kelly.

MR. KELLY: Thank you, Mr. Anson.

CHAIRMAN ANSON: Next on the agenda, Item Number V, is Summary of the Council Coordinating Committee, and Dr. Simmons.
DR. CARRIE SIMMONS: Good morning and thank you. I am going to summarize Tab A, Number 6. I don’t have a slideshow, but the Gulf Council hosted the Council Coordinating Committee meeting this year and I have to say that we got a lot of accolades from the other Executive Directors and Chairs and Vice Chairs about the meeting.

It was about a two-and-a-half-day meeting and we had a very busy agenda and Charlene Ponce on our staff did a great job of putting together this summary and taking the outcome statements and recommendations by each agenda item and putting together what you see before you. She linked that to the verbatim minutes and so if you select -- Say you want to read the verbatim minutes on the National Observer Funding Allocation Discussion, you just click on that after you pull this up on our website and it will take you right to that discussion, the start of that discussion. I thought that was very helpful and she did a great job putting that together.

I am just going to touch on the things that the CCC committee responded to and one of the things that we spent quite a bit of time talking about was the MSA Reauthorization and we received an update on the House 1335 Strengthening the Fisheries Communities and Increasing Flexibility in Fisheries Management Act as well as the Senate 1403 Florida Fisheries Improvement Act and some House appropriation bills.

Basically, the Gulf was the focus. There was a lot of feedback in those bills about the Gulf, as Mr. Gregory has already mentioned, and so, from our standpoint, staff is planning to be much more active as far as that goes, but in the response from the CCC, one of the big discussion items or outcomes from that discussion that we got from NOAA General Counsel, which I think you guys have already discussed a little bit in the Admin Policy/Budget, was that they advise the councils that we should focus our comments instead of in support of or opposing the various changes to these bills and more focus on how they would impact us and impact our daily activities as well as how we’re managing the resource.

I think that’s going to take a little bit more staff time in thinking through it and discussing it and so that is one change that we did spend quite a bit of time talking about and that will impact us and so that was good information that we received from the CCC meeting.
We also talked about the NEPA Working Group Report and after we discussed that and we heard a presentation about it, basically the CCC decided that until more progress has been made on the MSA Reauthorization that we wanted to wait to have any formal opinion or move forward with it any further, but we did form a legislative committee.

These two items were combined and a legislative committee was formed that includes various Executive Directors and Chairs and Vice Chairs, and you can see the list in Tab A, Number 6, to address those items.

We also heard a Recreational Fishery Policy Report, an update on the National Recreational Policy Report, from NMFS staff and the fishing implementation plan and several members expressed the following concerns after that presentation. They were worried about data-poor stocks and how that was going to come into play and promoting access, timing and council involvement, as well as collaboration with the Office of National Marine Sanctuaries. They were looking to see if that could be better integrated into the policy.

Regarding National Standard 1, we received an update on the key provisions, again, as we have I think at each of the council meetings throughout the region as well as across the nation.

We received a similar update of the key provisions of the proposed changes to the National Standard 1 Guidelines and because each council had essentially already drafted a letter, we took no action together to write one single letter, but each council submitted their own letter.

We also discussed the Allocation Working Group Report and a briefing was provided on the work of that group and this was the only motion that was made by the Council Coordinating Committee, in response to that report. After discussing the issue at length, they made a motion to approve the criteria for initiating fishery reviews and they finally came up with a timeline to include a recommended timeframe of three years or as soon as practicable for triggers for allocation review.

This would establish these criteria for the reviews and these are just recommendations for the councils in trying to be consistent across the nation.

We also heard reports and discussion from the Habitat Working Group. The CCC received a report about their plans for an essential fish habitat summit. This is slated, I believe, for
May of 2016 and we had quite a bit of discussion about this. Several members were concerned about the number of people and the appropriate expertise for participation in this particular summit and what were the expected outcomes as far as the terms of reference and the scope of the conference and integration of the types of habitat and the level of information as well as how that would be integrated into ecosystem-based management as far as moving forward and its impacts on the size of the workshop.

It was just really trying to focus on what the best practices would be before this summit and trying to nail that down a little bit better.

There was also a discussion of a potential full-time employee to address these and integrating, again, of the ecosystem-based management into fisheries into this summit, the discussion of ecosystem-based management.

Dr. John Froeschke and Dr. Morgan Kilgour on our staff have been actively involved in the conference calls and they have had one since the Council Coordinating Committee and they are addressing some of these concerns, it’s my understanding, and so if you have any further questions regarding that, John is here and he can help me answer those.

We also talked about the SSC meeting and the National SSC Meeting. We received a briefing from the Honolulu meeting that occurred February 23 through 25 in 2015 and the Council Coordinating Committee agreed that the National SSC should not meet every year and they suggested the next meeting should be 2017 and the Pacific Council is planning on hosting that meeting.

The next CCC meeting will be hosted by the Caribbean Council and the tentative dates are planned for May 23 through 27 in St. Thomas and I guess, in summary, the status of the working groups, we have the Legislative Working Group and Mr. Gregory is going to work on convening them and then the ongoing work with the Habitat Working Group. Mr. Chairman, that concludes my report, if we have any questions.

CHAIRMAN ANSON: Thank you, Dr. Simmons. Any questions? I just want to say I attended the CCC Meeting and kudos to Mr. Gregory, Dr. Simmons, and the council staff. They did an excellent job and it went very smoothly during the meeting and at functions after the meeting as well. They went very nicely and so you add did a great job and I appreciate it. Thank you.
EXECUTIVE DIRECTOR GREGORY: Yes, I agree. Our entire staff jumped in and did this and we held the CCC Meeting two weeks after our June council meeting and it was pretty intense, but the technical staff and the administrative staff all pitched in and the people that normally don’t come to meetings, particularly our Travel Coordinator, did a lot to help make this happen and the CCC were very appreciative of what we did. They had a good meeting and they had a good time in Key West. We showed them a little bit of the Cuban culture and also took them to the NOAA Eco-Discovery Center and they got to see what the Sanctuary Program Main Offices and their little educational museum was like.

CHAIRMAN ANSON: Next on the agenda is Item Number VI, Review of White Paper Evaluating Potential Artificial Reef Sites in the Gulf of Mexico, Tab A, Number 7(a) and (b) and Dr. Froeschke.

REVIEW OF WHITE PAPER EVALUATING POTENTIAL ARTIFICIAL REEF SITES IN THE GULF OF MEXICO

DR. JOHN FROESCHKE: Good morning. I realize we’re a little ahead of schedule, but I offered to talk more slowly and Doug didn’t seem interested in that and so just a little bit of history on this.

This is a long-standing project and it actually started about two years ago. We had a Joint Artificial Reef and Shrimp AP and they’re interested in this ongoing problem of how to increase the rate of reefing of decommissioned platforms. The shrimp industry is obviously interested in not losing trawlable habitat and things like that and so we brought them together to have a meeting of the minds, which was a very productive meeting and they suggested sort of a framework of things that we could do to evaluate this process and so this is sort of the result of that.

I am going to use the term “result” a little bit loosely, in that it’s not a prescriptive process or recommendation, but more of a proof of concept on how things could be done if you chose to go down a path like this.

Just a quick review, the problem that we’re most interested in is the removal of the petroleum platforms, which is really outside of our scope of influence, per se. The permitting that is associated with these requires that they are removed or done something with as part of the initial permitting and what’s typically not acceptable is just to leave them in place. There are liability and other issues and so something has to be done with them.
One common solution is they’re just brought and disposed of onshore, which, from a fishery perspective, we’re a little concerned about loss of hard bottom habitat and opportunities for fishing associated with these structures. The purpose of this exercise was to evaluate some criteria to demonstrate perhaps how a decision making process could be used to inform individual reviews of particular platforms and things.

I think this is interesting in that in this case I think there is an opportunity in which we could increase the number of structures that are converted to artificial reefs while avoiding increasing the footprint of hard bottom such that the shrimp fishery is impacted and so it seems a rare opportunity for us to have a win-win, which is fairly unusual in fisheries, I think.

The purpose of the presentation and the white paper, again, is sort of we developed a suite of criteria to look at in conjunction from our staff and the APs and things. We put it together and what I’m calling this is a proof of concept or something.

It’s not a prescriptive recommendation, but just an example of how this could work, noting that these specific criteria or the weightings or something of actually how it was done would benefit from all kinds of input and individual platforms, perhaps, and so the idea though is it’s something that could be done to meet the timing that would be necessary.

The broad goals of this is trying to engage and balance the needs of the industry and stakeholders and our management objectives, in that one of the things that the shrimp industry is very concerned is they’re not interested in losing trawlable area, for obvious reasons, and from a reef fish, we’re interested in maintaining or increasing hard bottom habitat, to the extent possible, and this seems to be one way to do that.

What we did, we gathered as much data as we could regarding things that are likely to influence the placement and the biology and the socioeconomic perspectives of how something might be used and so we had depth, how far -- We created buffers, essentially, and I will show you a map of this, but how far locations around individual platforms, from the data that we had -- Because there is a cost-driven limit to how far they can move a particular platform.

We included distance from shore and so sort of a proxy to how frequently it might be used or how convenient as a fishing
structure or something it might be used and how many structures and where they’re at is obviously important. We also did a little more of distance to shore and we included how many people, by cities and counties and things, looking at just how different areas of the Gulf it might be more or less effective as a fishing opportunity.

Then the big thing we looked at was a portion of the shrimp effort from 2004 through 2013 and using the ELB data and when we originally did this, one of the things that they asked for at the last one was a very fine-scale resolution of all of this and it was tiny, 4,000-by-4,000-foot, grids. The reason for that was that’s about the footprint that they would cover in a trawl and things.

So we had that and so that was one reason this took so long to put together, besides prioritization, but it was just sort of a computing nightmare.

This first graph -- I have several maps and then I will just sort of summarize and hopefully make sense of it all and so I won’t spend a long time on these, but just a general of the things we were trying to do, this graph, the black dots are the locations of the rigs, as we understood, and this data is little bit old, because it’s the process, and so we could update this.

What we did is essentially created a halo around each platform and that’s about thirty-five nautical miles and that’s about the breakeven point, as we understand it. Then we stacked them all together, to where the areas of darker colors indicates areas that a lot of structures could be accommodated within a small area and the lighter ones are fewer and so this is one way to understand if you were to construct a particular area to do this that there might be some areas that you can accommodate a lot and other areas maybe only one or two or none.

This map shows the number of tows in these 4,000-by-4,000-foot grids from the ELB dataset, which it’s my understanding it’s not everything, but it’s a lot of them and I believe it’s proportional to the patterns and, again, the coloration is such that the orange reds are areas of more intense shrimping effort and the greens are less and the areas that you don’t see anything means that there was none.

In terms of what we did here, we concentrated on the areas that there was zero or less than fifty tows, which is very minimal effort in terms of the total effort and effort in some areas and so this is sort of one of the inputs that we used.
This one, you might have to squint to see it and I have a blow-up on the next slide, but this is a map and the green and the yellow areas primarily are just -- It’s on these cells how many structures, rigs and reefs, that we know about or just in how they’re distributed across the Gulf.

I will zoom in a little bit. This is off the Louisiana coast and you can kind of see how they’re structured. They are scattered about and one idea is that if something is already there that perhaps a rig could be placed in or near this area and, again, you would have a zone without losing trawlable habitat.

What we did is we mapped all of these together and we developed some reasonable criteria on how these things would work. For example, depth, we selected seventy and 350 feet and we could modify these sorts of things, but if you did that and if you looked at how far you could move a particular platform, based on the ones we had and areas of the shrimp effort with fifty or fewer tows -- These are just three of many potential inputs.

You map the resulting area that meets those three criteria alone and you get this purplish shaded area and originally when I started to do this, I had these more complex weighting schemes and things and how you could do that and it turns out when you just did this alone that you got something that was workable from a strawman perspective and it shows you what could be done and how it could be modified or improved based on different weighting schemes and things.

What you see is there’s a fairly narrow band, mostly dictated by the depth range. This is something that it may actually need to be deeper, because of the overhead clearance, but it also shows that if you could get an exception in certain cases that you could expand the areas inshore quite a bit.

That’s sort of how it works and if you look at things like more allowable shrimp effort or less or something, this area would contract. To the east, it’s really limited by how far you can move it based on that thirty-five miles of towing. You could move a platform and it’s very expensive.

Obviously there are a whole suite of different things you could look at. The nice thing about the approach that we used is it’s scalable and adaptable. The way that we approach this, I call it a mapping problem, but it’s really just a spatial management kind of thing, where you have georeferenced variables and you
could include all kinds of things. We tried to develop a process.

What’s nice about this is that it could be used for any individual platform that you might be considering as a tool and so the council could use this as a prescriptive process, if you wanted to do something like this, to provide a general recommendation, but you could also use it as a tool to provide a specific recommendation for any one platform if you chose to do that.

Once it’s set up, it’s fast and easy to do that and so it’s something that could be done in the timeframe that’s necessary and, again, what I’ve shown you here today is more of a process example than a particular result and there are lots of people with expertise in regulatory agencies and things and so a meeting of the minds is terms of the variables to be included and perhaps if weighting or something like that is necessary would obviously improve the quality of this product, but that’s what we have and that’s one of the things we’ve been up to and so are there any questions?

CHAIRMAN ANSON: Any questions? Dr. Stunz.

DR. STUNZ: I don’t have a question, John, but just more of a comment. I was on that AP when it occurred, before my days here on the council, and when I went there, I expected it to be quite a contentious meeting, because it had very pro-artificial reef groups on it as well as shrimpers, and it turned out to be completely opposite. Maybe Leann might have a different perspective, but at least the shrimpers that were there really turned out -- It’s kind of come full circle where they like these structures. In fact, as they towed near them, they had increased catch per unit effort and if you were to blow up some of John’s graphs of those trawls, you can tell where they are, because it’s all trawlable and then there’s an empty circle and wherever that is is where one of these structures were.

Something interesting, and I don’t know that this has been analyzed, but they like the structures and the additional catch per unit effort was because they harbored a bank or a refuge of these relatively smaller snapper, which they were penalized for during shrimp trawl bycatch. That was another interesting outcome that has come out, but at least in my opinion, largely in our region of the western Gulf, this has gone away somewhat, because most of the rigs have been reefered, unfortunately, before
they got into these programs, but the ones that are left, there is larger reefing zones.

I mean Robin could probably comment on his artificial reef program, but there is sort of, for lack of a better word, preapproved reefing areas, where the regulations are somewhat expedited if you reef in these areas. I think now this problem is somewhat under control and to get what’s left back into the reefing programs and, of course, this is a passion area of mine and work that we do as well, but just to give you an example, and I may have brought this number up to this group to recognize the value of these structures in the Gulf.

If we were to put these artificial habitats back into the Gulf of what’s currently out there, and this was several years ago, it’s something like $18 billion worth of artificial habitat that exists and so it makes sense for us to take advantage of that structure that’s there and, finally, while I’m on my soapbox here, the last thing is whether you fall on this attraction production or whether you like artificial reefs or not and some of the discussions we had at the last council meeting, they do in fact take fishing pressure away from more sensitive areas.

That whole discussion about some of these -- That discussion we had last time about fishing on banks and that sort of thing and so whether they are good or bad or whatever, there is some strict advantages from looking at it from that standpoint of redirecting fishing effort and I don’t really think fishermen care where they are catching the fish, whether it’s the Flower Gardens Banks, which we care about in terms of sensitivity, or whether it’s a nearby artificial reef. There is still a lot of potential here I think is my point.

**MS. BOSARGE:** I actually listened in via webinar to that particular AP meeting and there were a good many shrimpers there and they did all work very well together I thought. I thought it was a very collaborative meeting.

Now, I wouldn’t go so far as to say we love rigs in the shrimp industry. We do shrimp -- Obviously, if you look at the tracks, we do shrimp right around them, but essentially before it was there, we shrimped right through the middle of it and now we have to go around it, but, having said that, we deal with it.

I think what the shrimp fleet appreciated about this meeting was that someone was reaching out, because there is, like you said, a big effort to reef these. The problem a lot of times with reefing them is they are owned by the oil company and the
economics of taking it that far just are not worthwhile to them and so one other thing that this group looked at was, okay, well if we’re going to reef these things, can we consolidate some things so that we could make it economically viable?

In doing that, let’s reach out to the shrimp fishery and make sure that we don’t reef something in an area that’s prime shrimping grounds for them. I thought it was a very productive exercise and I hope that someone will take this summary and the paper that we have and use it to their advantage in the future.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: John, you certainly have highlighted kind of the overall approach that one could take and I would suggest that most of the artificial reef programs are in some way using this kind of approach as we try to site those things and, as Greg suggested, obviously our goal is to put them in locations where we may already have material so that we reduce the impact to further shrimping grounds.

Obviously in some situations, if the rig is too far away, we have been in a situation for a while where we couldn’t move those or reef them nearby, but, at least for now, that seems to have changed again and they are willing to consider that, so we’re not having to lose rigs because we can’t move them far enough to other zones.

We will see how that works out. Our friends with BOEM and BSSE, I don’t know how much that has been tested across the five Gulf states yet, but they have indicated they have a change in philosophy yet again and so hopefully that will give us -- At least make us competitive in regards to being able to reef those. I mean it’s still a business decision on those businesses’ parts, but it will give us that advantage of instead of absolutely having to move them great distances in some situations we might be able to actually look at in place and that’s where this becomes very, very important.

CHAIRMAN ANSON: Just to continue on with that point, John, in the dataset that you have regarding the rigs actually, the black dots that were on the figures that you provided, do you have any sense as to how old they are and whether or not maybe you can find one area that might have older reefs that a state might want to look at and say we need to start planning to get a zone open and then maybe look at the concentrations, to kind of pick out, within that purple band that you had there, an actual spot. I mean have you got it down to that resolution?
DR. FROESCHKE: I don’t, but we could. The first thing that we would need to do is the dataset, if you will, changes all the time and so you want to get the most up-to-date and you could certainly look at that. We could probably also reach out to industry and see if they would share with us something that they thought might be suitable in the next X number of years.

I am not sure that age is a perfect predictor, because it’s really when they stop pumping and things, but we certainly could do that and if that’s your prerogative to direct us to do that, we would be happy to do it and like I said, it could be made such that if you plug in a rig or a location and you could generate an area that was suitable based on the criteria as they were specified and as well overlay existing areas and see if one matched up.

If not, you could sort of have a broad area that you could submit to BOEM and say, hey, for this platform, these are all the areas we’ve got to meet it and pick one and it would seem like it would provide a rapid way for us to provide a pretty specific recommendation.

CHAIRMAN ANSON: Thank you. A couple more. Dr. Stunz.

DR. STUNZ: I will just make it quick. John, that’s exactly where I think a nice outcome of this would be, some decision support tool, like you’re talking about.

That would be much needed, but I think what I would add to this too, and I seem to recall reading it in your report, but I didn’t hear you discuss it today when you talked about where that pink area and where that seventy to 300-foot realm and that’s definitely where the science, I think, is converging in terms of red snapper productivity. It’s really in that 150 to 200 realm, but I would also add, sort of in this decision support concept, that we also consider as a council there is other reasons to put them outside of that, like opportunity and nearer shore waters.

I think that’s occurring in many areas, because there is other things than just what is in here in terms of diving opportunities and things like that. The problem had always been that ninety-foot clearance and many of these structures occur in water depth that’s not even ninety feet, but I think the precedent has been set that in many cases you can make an argument to have that relaxed and I think, as Robin mentioned, the federal groups involved in that are having a little bit of
change of philosophy about doing that. In addition, you could also consider access, more near shore, in certain circumstances.

MS. BOSARGE: I was just going to mention your question about the age of the platforms. I believe that when the oil companies get to the point where they are looking at removal that there’s actually a permit that has to be filed and that’s available publicly on the government’s website, BSEE’s website, and so I mean that’s something that you could definitely use as a starting point if you’re looking for things in Alabama that may be coming up or something like that.

CHAIRMAN ANSON: Yes, sir, Mr. Swindell.

MR. SWINDELL: It’s been a long time since I’ve dealt with oil companies and artificial reefs and I assume oil companies have been involved in some of this discussion and, because I know for years and years that they were deeply involved about the liability issue that once they placed a reef and so are they being exonerated from liability once they place the reefs? I assume there is all kinds of criteria of what they do and how they do it and I just want to make certain that we’ve got it covered here about where you put them and so forth.

One of the big things that I remember they were worried about was hurricanes, especially in the shallower waters. If you’re going to get less than a hundred feet, there is times that hurricane-force winds and currents and everything will move the structures somewhat and we certainly don’t want that to occur and have shrimp boats, et cetera, get all hung up in this stuff and they don’t want to be responsible. I just want to make sure that we’re all on the same page. It’s been too many years since I’ve been involved.

MR. RIECHERS: Ed, certainly every negotiation with an oil company regarding the removal of that platform is a different negotiation, but basically the states accept that responsibility when we take those, as far as the liability issues.

We’re the ones permitted with them at that point and obviously the siting criteria you mentioned, regarding both materials, because it’s not just rigs to reef and there are other materials that are used, but those are the things we have to consider. Depth and distance to shore and all of those things come into play regarding that material and hurricane resiliency and so forth and so yes.

CHAIRMAN ANSON: Thank you, John. I appreciate it. Next on the
agenda is the beginning of our committee reports and our first one here is the Joint Admin Policy/Budget/Personnel Committees and Mr. Riechers. Dr. Simmons, excuse me.

DR. SIMMONS: Excuse me, Mr. Chairman, but I just want to sure and so from a staff perspective, we feel like we’re done with this exercise for right now and we plan to write a letter, unless there is an opposition, and submit this to industry and several representatives were on the Ad Hoc Artificial Substrate Committee and it was a joint AP meeting back in March of 2014 when we had the meeting.

We sent this out electronically to them and we did get several comments and I think staff has addressed those. From our perspective, this product is done for now and we plan to put it on our website. I will say that we’ve had several members from states, staff members and other agencies, that have asked for a lot of different aspects of this information and so as time allows, staff plans to write up the analysis in how some of this was done. We’ve gotten a lot of good feedback from it and it did take us a long time, but it was a lot of work and so thank you.

CHAIRMAN ANSON: Yes and that would be what my sense of it is, is that it appears to be complete, at least in my mind, of what the council could provide and maybe the next person down the road might look at something else and more specific, but yes, if you want to make plans to go ahead and kind of wrap things up and send the letters out and let industry know. I am sure federal and other agency partners, if they aren’t aware, to let them know and I think that would be good. Mr. Riechers.

COMMITTEE REPORTS

JOINT ADMINISTRATIVE POLICY/BUDGET/PERSONNEL COMMITTEE REPORT

MR. RIECHERS: I am not recalling when this got sent out, Doug, but it was sent out yesterday afternoon, I think, from a committee report standpoint. Basically the report is Tab G and our meeting was held on August 10, 2015.

Both Mr. Boyd and co-chaired the committee, the Joint Budget and Personnel Committee. Tab G, Number 4, we went into a discussion to combine the Administrative Policy and Budget/Personnel Committees. The committees discussed the staff proposal to merge the two existing committees and the potential efficiencies of combining administrative functions into a single committee and discussed the different charges of the committees.
It was noted that there may still be a need for a Personnel Committee to exist, even though personnel decisions had been delegated to the Executive Director. With that, the committee recommends, and I so move, to merge the budget process into the Administrative Committee and leave the Personnel Committee as a stand-alone committee of the council.

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

MR. RIECHERS: Next, we moved into Tab G, Number 5 and basically it was a review of the historical performance of council scoping, public scoping meetings, versus public hearings and noting that only about half the number of people attended scoping hearings relative to public hearings.

It was also noted that the full council process, including APs, SSC, council meetings, public hearings and council public testimony are all considered part of the National Marine Fisheries Service and Gulf Council scoping process.

Given the time required to conduct scoping hearings and the need to conduct more frequent AP meetings, staff is asking the council to consider an increased emphasis on getting AP input rather than scoping meetings when we consider future amendments. No motion was needed or at least Mr. Gregory didn’t indicate he wanted a motion on this. He was just wanting us to be more cognizant as we asked for scoping meetings. I will pause there in case someone wants to add anything or make motions. All right.

We will move on to Tab G, Number 6. This was a review of the AP staggered terms that had been discussed at previous meetings and the whole notion was to create a procedure for reviewing a third of the APs each year.

The relative benefits of staggering the committees rather than individual members of each committee was discussed. There was also extensive discussion regarding the establishment of multi-year terms for the ad hoc APs, since the council had decided earlier to review each ad hoc AP charge and need for continuation at each January meeting.

The committee recommends, and I so move, to have staff return with Tab G-6 with an ad hoc one-year review in January to decide whether to continue an ad hoc Committee and/or to reappoint members and keep staggered committee terms for the other
committees.

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

MR. RIECHERS: Next, we turned to Tab G-7, which was Procedures for AP appointments with respect to the Council’s Fishing Violation Policy. The committees extensively discussed the issues associated with the council’s current policy on the AP appointments relative to fishing violations.

The following four motions were passed and I will start with the first one. The committee recommends, and I so move, to recommend that boat owners not be automatically held responsible for violations by a crew member when the owners is not present relative to our AP appointment process.

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

MR. SWINDELL: As I had listened to this, about the boat owners, I do think we should have somewhere that it is the responsibility of the boat owner to inform the captain and crew of the vessel of the importance of the laws and what laws they must follow and I think it needs to be somewhere that you give instruction.

If you’re not going to make the boat owner responsible, at least have them fully informed that they need to make certain that the crew of the vessel understands what is the responsibility as far as following all the rules and regulations that they have to follow.

MR. RIECHERS: Following up on that, Doug, is there an appropriate place in our SOPPs or something like that as we kind of wrap our arms around how we’re creating this now, to follow up on Ed’s suggestion?

EXECUTIVE DIRECTOR GREGORY: I don’t know how. I would ask General Counsel if we can even do that. My immediate thought was we could require the boat owner to provide an affidavit or something that they have informed the crew of the regulations and they have been told not to violate them, but I don’t know if we can do that.

MR. RIECHERS: Ed, if I’m hearing you correctly, what you’re saying is if we’re going to absolve the boat owner, then we
ought to at least make sure that they are being instructive of
their captain and crew and we would hope they’re doing that
without us telling them, but I think what you’re asking for is
for us to make sure somewhere in our general provisions or
policies or guidelines or suggestions that we inform them that
that’s part of their responsibility.

CHAIRMAN ANSON: Mara.

MS. MARA LEVY: Just to clarify I guess the different roles,
absolve -- I mean what we’re talking about here is the decision
to appoint or not appoint someone to your advisory panel and
that’s a very different decision than what’s going to happen in
the enforcement realm about whether or not to charge somebody.

Enforcement is very likely to charge both a captain or whoever
is the actual violator and the boat owner, because the boat
owner is legally responsible for what happens on the vessel.
Whether or not that happens is very different than whether or
not you decide to appoint that particular boat owner to one of
your APs.

I don’t know exactly what you would do in terms of telling them
that they have this responsibility. I mean I think that’s
implicit that enforcement would enforce the provisions against
them. I think it’s just more of a decision of what you think
the violation is and whether there is a pattern of violations by
this particular boat owner. We could think about how you would
include that, but I’m not sure exactly procedurally how you
would get them to affirm that they’re going to do this or have
done it.

DR. CRABTREE: I don’t view this that we’re absolving the owner
of responsibility. We are saying we’re just not automatically
going to remove them, but I think we would certainly look at
patterns and if I saw a boat owner whose crew was repeatedly
having problems, that signals to me that they’re not doing -- As
Ed said, they’re not taking their responsibility as a vessel
owner seriously, but if we have someone who hasn’t had a
violation in the last decade and has an issue like this, then I
don’t think we automatically ought to remove them and so there’s
going to be an element of judgment in here in looking at the
past performance and those kinds of things.

We may well decide that a boat owner has a violation and we’re
not going to put him on our AP or we’re going to remove them
from the AP and we can do that, but I think the key here is
we’re going to exercise judgment here rather than just having
something automatically happen.

MR. DIAZ: The motion probably takes care of my concern and Dr. Crabtree just mentioned the word “judgment” and we’ve got in here to not automatically hold them responsible, but it is in the back of my mind that a boat owner can profit from their crew doing something illegally and I don’t know that we’re ever going to have enough information or the correct information for us to make good decisions on that.

I am probably going to support going forward as we have it, because it’s probably as good as it can be, but it does bother me that boat owners can and do profit from illegal activities and these things are deterrents and it’s important to make sure that we keep deterrents in place, but I just don’t think we’ll ever get to the point where we can have all the information we need to accurately figure those things out. Thank you.

DR. CRABTREE: I think you make some good points, but, to me, the deterrent is the fine that they’re going to pay, which can be substantial. I doubt us taking them off an AP is a very significant deterrent to someone who is engaging in a pattern of illegal activity anyway.

CHAIRMAN ANSON: Any other discussion?

MS. BOSARGE: This was my motion during committee and essentially what I was trying to ward against was a situation where that boat owner was not aboard the vessel when something happened and we automatically assumed that the man was guilty and took him off our AP, which is what has happened in the past when we have a black and white policy and we say, sorry, any violation, period, you can’t be on an AP.

I wanted to put this motion forward so that we could at least have a discussion about what was the violation? I mean was this man willfully telling his crew to break the law or what happened, because there is a gray area and I mentioned a particular case where there was a violation aboard a vessel and the crew had been informed and they knew what they were supposed to do and not do and the boat owner had made them aware.

The violation occurred and when that boat got back to the dock, everyone was fired and so he didn’t do it for his benefit, in other words, but we assumed him guilty and he has been removed and there was a huge expertise that we lost in removing that individual.
It’s almost like saying if we were a group that managed transportation and we pulled in truck drivers on an AP and we said if you’ve ever had a speeding ticket that you can’t be part of our AP. Well, that’s a little extreme and every one of us around this table has probably had a speeding ticket and does that mean that we are willful violators of the law that are out to do something wrong? No, but sometimes things happen and especially in the case where the man was not aboard the vessel and it was not his violation and he had no part in it physically.

That’s a case where we don’t need to automatically assume guilt and remove someone that could be of a benefit to our decision making process and so that’s what I was hoping to accomplish with this motion.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: I just want to be very clear about the terms that are being used. I know the intent behind it and part of the thing when I read this motion is that, based on this discussion, that comes out at me is “automatically held responsible” and “guilt”.

Those are adjudicatory terms that happen during the enforcement process and I don’t think you would be -- We talked about it yesterday that you don’t even consider it unless there is actually a determination either by settlement or some sort of finding that there was a violation and so there is, quote, unquote, guilt there in terms of an administrative violation, but that’s a very different question than saying they are not allowed to serve on the AP, right?

So just a very slight distinction, but I think it’s important to keep separate the enforcement action and who or what is considered a violation under the law versus what that does to be able to serve on one of your APs.

CHAIRMAN ANSON: So we have a motion on the board to recommend that boat owners not be automatically held responsible for violations by a crew member when the owner is not present relative to our AP appointment process. Is there any opposition to this motion? Seeing none, the motion carries. Mr. Riechers.

MR. RIECHERS: The second motion passed by committee on this subject is the committee recommends, and I so move, that an individual not be eligible to serve on an AP within three years of the time that the violation was adjudicated.
CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Is there any opposition to the motion? Dr. Crabtree.

DR. CRABTREE: But this isn’t automatic and is that correct? This is only if, based on the prior motion -- I am a little confused, because we just said we weren’t automatically going to hold them responsible, but this one says if they get a violation that they’re off for three years and it sounds automatic and so how do we reconcile these two motions?

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Roy, I think that’s why you see the three motions or four motions here and from a committee perspective, as we went through it, there were three or four questions we were trying to answer. The first was whether or not we’re going to automatically do it and number two was the number of years and then number three -- Number three and four dealt with how we’re going to interact with the state law enforcement agencies.

Really, the motion, and maybe not worded as well as it should, but it really is just signaling that if we deem that they’re not going to serve, we’re deeming they will not serve for a period of three years from that final time, whatever the resolution of that case was. That was the intent anyhow.

DR. CRABTREE: Okay and I just wanted to make sure the record was clear about what we’re doing.

CHAIRMAN ANSON: Doug.

EXECUTIVE DIRECTOR GREGORY: One other thing is if someone actually received a violation, they stay on the AP until that case is settled, one way or the other.

MR. GREENE: I think the intent was we’re not a judge and jury, but we just want to make sure that there’s not a pattern of things going on, as was brought up. This particular motion points out that the violation was adjudicated and that means that it went through all the proper stuff and I think that’s where it’s at.

We’re just trying to get the best information we can for our APs and we just don’t want people to get carried away, but, Roy, to your question, I think the key to this motion are in the last two words of “was adjudicated”.

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CHAIRMAN ANSON: All right. Is there any opposition to this motion? Seeing none, the motion carries.

MR. RIECHERS: That takes us to the next motion and that is the committee recommends, and I so move, the violations would be federal fishery violations or state violations of federally-managed species. In kind of context, Roy, that’s basically the ones we’re considering to look at regarding their applicable appointment here, their AP appointment.

CHAIRMAN ANSON: I wanted to make that clear, that it’s just for AP appointments. This bundle of motions is specific to the AP committees that we have and so the motion is that violations would be federal fishery violations or state violations of federally-managed species. Is there any discussion on the motion? Ed.

MR. SWINDELL: When you say federally-managed, does that mean you have to have a management plan in effect at the time?

CHAIRMAN ANSON: I believe that’s the intent, yes, those are that are contained within the management plan. Doug.

EXECUTIVE DIRECTOR GREGORY: This is something also -- I don’t think what I want to do matters whether it passes or not today, but take this to the state law enforcement people, because this could be more complicated than just a blanket violation, marine fisheries violations, because now we’re going to give them a list of species and they’re going to have to cull through their violations and look for those specific species and so I don’t know if that will be difficult or not, but it’s just something that came to mind that will definitely go by our Law Enforcement Advisory Panel for their input.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: I just have a question. I don’t know anything about ducks, but aren’t they federally managed? Would that apply here? Does this need to be federally-managed fishery species or something? I mean I’m just trying to make sure. We get criticized a lot.

CHAIRMAN ANSON: It says violations would be federal fishery violations and so I guess it’s implied that, but, Mara, I mean I guess it strengthens it to go ahead and include the federally-managed fish species, for clarification?

MS. LEVY: I mean I think it’s clear. I mean I think we deal
with fisheries and that we’re not talking about anything other than that, but if you want to add it, you can do that.

CHAIRMAN ANSON: I think we can leave it as it was stated originally. Any other discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

MR. RIECHERS: The last committee motion was to read that after appointment of AP members we request NOAA Law Enforcement to ask state enforcement agencies if those appointees have violations of federally-managed species.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Again, that’s going back to the fish species and this would all be related to federally-managed fish species is the intent. Any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Ms. Bosarge.

MS. BOSARGE: I just wanted to mention that we also talked -- We don’t have a motion and I don’t think we need one, but we also talked about doing the same thing for the federal checks as well and, in other words, doing it after the AP process, so that we could be more efficient and expedient and not have to ask our federal law enforcement officers to do quite so much legwork and narrow it down for them, the same way we’ll do on this side.

MR. RIECHERS: Yes and as Doug just mentioned, not reflected necessarily in the minutes here, but we agreed to have a call regarding the LEAP and the LEC to get together and have a call and to run this by those law enforcement committees. Obviously this is a little bit of a work in progress and we wanted some of their feedback on some of these issues, but our next appointment process would be next June, but we were trying to answer some of these immediate questions that Doug brought to us based on some actions at the last meeting. Can I continue now, Mr. Chair?

CHAIRMAN ANSON: I believe you can.

MR. RIECHERS: Tab G, Number 8, we went into a review of the SOPPs revisions, based on recent council decisions regarding the AP and SSC appointment process and the difference between the SOPPs and the administrative handbook regarding who approves per diem and lodging costs above typical GSA rates.

No motions were made, but the committee gave staff guidance to maintain the statement that allows the council to make interim AP/SSC appointments, where needed, and the committee also stated
that the desire was to continue to have the chair or vice-chair make the determination when GSA rates could be exceeded.

We then moved into Tab G, Number 9, Review of MSA Reauthorization Bills and items included in 2015 bills that were not reviewed by the council in 2014. Those aspects of the bills that pertained directly to the Gulf were highlighted. There was some discussion as to the best approach to summarize the various reauthorization bills. Staff was instructed to focus primarily on those aspects of the bills that affected the council’s activities or policies.

Tab G, Number 10, then we went into the NOAA EFH Five-Year Review Budget Enhancement and basically staff indicated to us that they had recently received a $100,000 increase in the council budget from NOAA which was provided to support additional resources to help the council achieve its goal to conduct a comprehensive EFH review by the end of 2016.

The funds would be used to establish a temporary position to conduct the literature search and help to incorporate EFH into future amendments. Mr. Chairman, that concludes my report.

CHAIRMAN ANSON: Thank you, Mr. Riechers. We are slightly ahead of schedule and so I’ve talked it over with Doug here briefly. There is the possibility that we can go ahead and do Mackerel. There is not any final action or anything relative to a document that we’re seriously considering any alternatives or action items and so maybe, Dr. Dana, if you can go ahead and do that.

MACKEREL MANAGEMENT COMMITTEE REPORT

DR. DANA: Thank you, Chairman Anson. The Mackerel Committee met on August 10, 2015 and we first went into Coastal Migratory Pelagics Amendment 26. Staff reviewed CMP Amendment 26, Tab C, Number 4, which addresses Gulf and South Atlantic actions affecting the respective migratory groups of king mackerel.

Actions include changes to annual catch limits, commercial zone management, stock boundaries, allocations, and the Gulf recreational bag limit. Staff highlighted the addition of two alternatives in Action 7.

Proposed Alternative 4 would conditionally transfer some percentage of the recreational allocation to the commercial sector until such a time as the recreational sector lands some percent of its revised allocation. If said threshold is exceeded, then during the following fishing year, the sector
allocations in the Gulf would revert back to the allocations described in the original CMP FMP. Proposed Alternative 5 would apply a sunset provision to any change in sector allocations for Gulf king mackerel.

The committee recommends, and I so move, to recommend to the council that proposed Alternatives 4 and 5 for Action 7 be added to the document. Alternative 4 is conditionally transfer a certain percentage, Options a through c, of the recreational allocation to the commercial sector until such a time that recreational landings reach a predetermined threshold, Options d through f. If this threshold is met, the recreational and commercial allocations will revert to 68 percent for the recreational sector and 32 percent for the commercial sector. Option a is transfer 5 percent of the recreational allocation to the commercial sector and Option is transfer 10 percent of the recreational allocation to the commercial sector. Option d is revert to the status quo sector allocations if 80 percent of the adjusted recreational sector ACL is landed. Option e is revert to the status quo sector allocations if 90 percent of the adjusted recreational sector ACL is landed. Option f is revert to the status quo sector allocations if 100 percent of the adjusted recreational sector ACL is landed. Alternative 5 is to establish a sunset provision for any change in the status quo sector allocations for Gulf migratory group king mackerel (68 percent for the recreational sector and 32 percent for the commercial sector). After the predetermined time period, any change in sector allocations would revert back to the allocations specified in the original Coastal Migratory Pelagics Fishery Management Plan for the Gulf of Mexico. Option a is sunset any change in sector allocations after a five-year period of 2016 through 2020. Option b is sunset any change in sector allocations after a ten-year period of 2016 through 2025. Option c is sunset any change in sector allocations after a fifteen-year period of 2016 through 2030.

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

DR. DANA: Thank you, Chairman Anson. A committee member asked whether changes in the recreational bag limit would affect the outcomes of other actions in the document. Staff replied that it was unlikely that any increase in landings due to a recreational bag limit increase would appreciably affect the outcomes of the other actions.
We then moved into Coastal Migratory Pelagics Amendment 28. Staff reviewed CMP Amendment 28, Tab C, Number 4, which addresses changes to the Joint CMP fishery management plan. The South Atlantic Council has discontinued work on this amendment and the Gulf Council has directed staff to continue developing alternatives for consideration.

Once the Gulf Council has agreed on an initial suite of alternatives, they will submit the revised options paper to the South Atlantic Council for consideration.

This amendment considers splitting the current joint FMP into a Gulf and Atlantic FMP, Action 1, respectively. Such a split will require the current joint commercial king and Spanish mackerel permits to also be divided by jurisdiction.

Options for splitting the permits are outlined in Action 2. The committee expressed concern that using a hailing port as a tool for determining which current permit holders would qualify for a Gulf-specific permit may be in conflict with National Standard 4, geographic discrimination against stakeholders.

Adoption of a more recent control date was encouraged to more accurately apply proposed management measures. However, the committee did not recommend a new control date for either king or Spanish mackerel. The committee questioned allowing anyone with Gulf landings to qualify for the Gulf-specific permit as outlined in Option a of Alternative 3 in Action 2.

Staff clarified that only current permit holders would qualify for a permit of any type and not simply anyone with landings of federally-managed Gulf species. Staff also clarified that multiple options could be selected for the alternatives in Action 2.

Staff will apply the direction provided by the committee when editing the options paper, and will bring the document back to the council for consideration at the October meeting. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Dr. Dana. Again, we’re ahead of schedule and there isn’t anything else on the agenda that we feel we can move forward on without waiting on public testimony and so unless there is someone else -- Again, it’s not within the agenda, but does anyone else have any issues? Mr. Riechers.

MR. RIECHERS: I would just ask -- I didn’t hear any specific items called out, but is there any Other Business items that you
were going to bring to us or Doug? Okay.

CHAIRMAN ANSON: All right and so I guess we will recess then and come back to begin our public testimony period at one o’clock.

(Whereupon, the meeting recessed at 9:55 a.m., August 12, 2015.)

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August 12, 2015

WEDNESDAY AFTERNOON SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Hilton Riverside, New Orleans, Louisiana, Wednesday afternoon, August 12, 2015, and was called to order at 1:00 p.m. by Chairman Kevin Anson.

EXECUTIVE DIRECTOR GREGORY: Ms. Froemke, you’re on deck. As I said this morning, we have a film crew here today and possibly tomorrow morning and Ms. Susan Froemke is going to give a brief introduction as to what they’re doing.

MS. SUSAN FROEMKE: My name is Susan Froemke and I’m an independent documentary filmmaker based in New York and I am here with my crew today to film this hearing. We are making a documentary for the Discovery Network and it’s following stories from some of the great American working landscapes.

The title of the documentary is “Rancher, Farmer, Fisherman” and we are following a story in Montana of ranchers who are trying to save the prairieland and make it sustainable for their large cattle ranches. We are following a fascinating story in Kansas with wheat farmers who are employing the no-till farming system to make the land that’s been in their families for five generations sustainable for the future and in Louisiana, we have been working very closely with the CPRA and filming stories about how they are rebuilding the wetlands and the marshes of southern Louisiana and in the course of telling those stories, we are filming shrimpers and red snapper fishermen as well and that’s what brings us here today and so we look very much forward to filming the hearing.

Our style of filmmaking is called cinéma vérité, where we don’t want to manipulate anything and we just want to follow the
natural course of events and see how things evolve, but if you
have any questions, we will be here all afternoon and I will be
very happy to answer any of them and thank you for letting us be
here today.

CHAIRMAN ANSON: Thank you. Okay. Public input is a vital part
of the council's deliberative process and comments, both oral
and written, are accepted and considered by the council
throughout the process. The Sustainable Fisheries Act requires
that all statements include a brief description of the
background and interest of the persons of 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.

I am going to call two names and the first name will be the
person that will be on the podium and then the second name, if
you wouldn’t mind kind of coming up to the front, but standing
off to the side so that you are ready to begin your testimony at
the end of the person before you and so the first two
indivduals are Jim Zurbrick and Dr. James Cowen.

PUBLIC COMMENT

MR. JIM ZURBRICK: My name is Jim Zurbrick and I’m a commercial
fisherman from Steinhatchee, Florida. I’m also a fish dealer
and I am one of the directors of Fish for America USA and I want
to thank you for allowing me to speak today.
Fish for America USA is a group of folks who have dedicated themselves to educating the American public about their rights to consume domestic, wild-caught seafood and so we felt it was important to weigh in on the allocation issue, but I wanted to tell you a little bit about Fish for America.

We are a soapbox kind of group. We’re the folks that when we’re unloading fish off of one of my boats or anywhere, I pull out the soapbox and we start talking about fishery issues. I wish that you all could see what happens at one of my offloads when the general public comes up and starts asking questions like, wow, you’ve got red snapper and how come we don’t and I hear there’s a closed season.

Then we educate all these folks as to why and to beat to the chase here, what happens is when they leave the offload site or wherever we’re at when we’re talking about this, they’re much more educated and they see our side of it and so as a commercial fisherman, I explain to all those folks that we count our fish-by-fish and so we can accurately prove what we caught and so I tell them that you could also, as a recreational fisherman, if you accurately count your fish, one-by-one or to the best of our ability to count those, you could get back 20 percent of what’s being held just as a precaution.

It’s a holdout and it’s like not getting all of your allowance because you don’t know if you’re really going to be good for all seven days until the allowance comes back around.

On record, we want to speak that we want Alternative 1 for allocation, which is status quo, and, second, I want all the council members to search -- You’ve really got to search yourself here. You took an oath to uphold federal fishery law and this can’t be about politics and this has to be about what is right and the American consumer is begging, begging you people, to search your souls and do the right thing and to come up with management measures that really do make a difference. Thank you very much.

CHAIRMAN ANSON: Next we have Dr. James Cowen, followed by Michael Currey.

DR. JAMES COWEN: Hello. I know many of you here and not all. I am a professor in the Department of Oceanography at LSU. I’ve been involved with red snapper for quite a while, both from a research side and a management side. I have served on panels for the council for almost twenty years, I guess.
I watched the Reef Fish Committee yesterday vote to essentially keep the recreational red snapper fishery as an open access fishery for now and perhaps in perpetuity and the notion now that’s before the council is this idea of reallocation of the commercial sector to the -- From the commercial sector to the recreational sector, which means that the commercial sector will be a very small group if they can persist at all.

That means the whole fishery will be under an open access system. Most of the world’s fisheries that are sustainable are operating under dedicated access, because open access is a policy that makes it almost impossible to constrain harvest and have everybody participate.

I sent you guys earlier today an example from Bristol Bay sockeye salmon and due to a variety of conditions, the salmon stocks in Bristol Bay, Alaska, started to increase greatly around 1977, because of the good management and limited entry managed by a single institution, plus ocean conditions were favorable.

However, the fishery, although biologically sustainable, is an economic disaster, because despite the fact that it was limited entry, the fishery started to decline again when conditions started to get less conducive and there was a race for fish and you will see in the images that I sent you that what they decided to do in order to halt overfishing was to limit the length of the boat.

You will see a picture of two boats in there and they’re both thirty-six feet long and you will see exactly what happens when the race for fish dominates a fishery and the larger boat -- Now that’s what it is. It’s exactly the same length as the small boat beside it and so keep that in mind, because as long as the fishery stays open access, we can face problems just like they faced in Bristol Bay. Thank you.

CHAIRMAN ANSON: Thank you. We have Michael Currey, followed by Jerry Anderson.

MR. MICHAEL CURREY: My name is Michael Currey and I’m with Shimano American and I’m here to support the independent fish dealers that sell tackle and the recreational angler. Shimano hired me to find out what is most important to independent dealers, the tackle store, the guy selling the stuff, and the struggles that they deal with are access to fish. The customers can’t go fishing and so why buy tackle? Why buy boats? Why buy
fuel? Why buy a home on the water?

The economics of it are crushing. It’s very hard to manage a business if you don’t know what you’re going to be in business for. You just can’t sell t-shirts and you just can’t sell live bait. You’ve got to sell it all and the guys are struggling.

The short seasons and no seasons really play a hard impact on the ability to hire employees and the ability to inventory what they need to stock and that also impacts the manufacturers and not just Shimano, but other manufacturers. We can’t go to the factory and say this is what we need, because we don’t know. We can’t stock everything, because we can’t build what may or may not be needed.

In all of it, at the end of the day, the independent guy that has five or six employees, he is not here. You know why he’s not here? Because he doesn’t have enough people to cover the floor that he has. He has to be there to manage the store and he can’t be here to fight for himself and he doesn’t really have a voice and so, fortunately, I am here to speak on their behalf and, in short, Shimano supports Alternative 9 in Amendment 28 to the Reef Fish Fishery Management Plan. Thank you.

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

MR. WILLIAMS: Mr. Currey, you represent Shimano and you sell rods and reels and other kinds of tackle, I guess. In the case of inshore species like red drum or snook, you can do a lot of catch and release and so you can continue to put more and more anglers on the water and be able to sell them a pole and a reel, but in the case of red snapper, they are not particularly releasable, the way a snook or a redfish is, and so there is going to be some fixed number -- I mean we can’t just give -- There is a limit as to how much you can have.

If we give you everything -- If we gave you all the red snapper, it would only double your season, which is pretty short already. Is your industry talking about that? Do you guys have ideas about how to manage a fishery like a red snapper that’s not particularly releasable that has its limits? It’s totally different than inshore species like red drum and snook.

MR. CURREY: I have two comments for that. The first would be absolutely. With modern technology and modern techniques and modern reels and modern rods and modern line and modern electronics and sonar, you can target what you’re after. You can see where the snapper are at. They’re going to be here and
amberjack are going to be here and triggerfish are going to be here and the grouper are going to be on the bottom.

You know what you’re doing and you just adjust your tackle accordingly. Sure, there is going to be an opportunity for something else that eats that bait that’s hungry enough to swim up and get it, but you can target what you want and you can do best practices to put the fish back in the water so they can survive.

The second part of that is you have to follow the marine industry and not the tackle industry, but the boat industry. What we have created is a false recreational fishery and so if you look at the major bay boat manufacturers, they are building giant bay boats and they’re not really great for inshore fishing and they’re okay for offshore fishing. They are building like this station wagon thing that they can sometimes go fish for the snook and the redfish on the inside and if the fishery is open and it’s a nice day, they can take the family offshore to go catch grouper.

In the boat business, they are doing what we’re doing with our line and tackle and rods and reels. Electronics, people are getting more and more technical with what you can do and what you can see and so if the consumer is educated, which I think most consumers are very educated now, best practices -- The fish will get put back in if it’s an accidental catch.

CHAIRMAN ANSON: Thank you, Mr. Currey. We have Jerry Anderson, followed by Bill Kelly.

MR. JERRY ANDERSON: Jerry Anderson from Panama City, Florida. I’m a reef fish shareholder and I’ve got a real good recreational business with two large partyboats and we run short trips, five and six-hour trips, mainly during the summer tourist season. We operate from March through October.

Last year, 2014, with the shortest snapper season there has ever been, nine days, we had our biggest year. We carried over 16,000 people taking family trips or they were mostly family trips, short trips, and I don’t see how reallocation can help my business in the recreational sector anyway.

The red snapper, we continue to run without them. My concern is for the reef fish complex and that’s the only thing we need to survive, having something to catch. Of course, having snapper is nice and most people depend on it. It’s not a breaker for me.
Our bed tax in Panama City Beach is going up and up every year and we have more fishermen coming in and I see a lot of good activity in the years ahead. Thank you.

CHAIRMAN ANSON: Thank you. Bill Kelly, followed by Gary Jennings.

MR. BILL KELLY: Mr. Chairman and members of the council, my name is Bill Kelly and I’m the Executive Director of the Florida Keys Commercial Fishermen’s Association and I just want to thank all of you on a number of issues here.

Number one, first, for your support in moving forward on the lionfish containment program here. We certainly need a large-scale effort of this type to find out whether or not we’ve got a viable option to at least contain what may be one of the most problematic, invasive species issues that we will ever face in this nation.

I also want to thank you again for your support on Framework Amendment 3 as we continue to move forward and streamline the gillnet fishery and increase productivity and provide for additional accountability.

With regard to king mackerel, I also want to talk to you about allocation. We certainly like the concept that’s been put before the council on 5, 10, and 20 percent increases and examining those on a yearly basis so that we can restore some of the fisheries that have been subject to artificially low quotas over the years. We would like to restore some of that credibility and accountability to the southern subzones in particular, the hook and line fishermen, and our gillnet fishermen as we take positive steps to improve those fisheries.

You know when we look at a recreational sector that’s leaving just thirty-million pounds on the table over the past ten years, that’s significant and you’ve already heard it here today. It’s unconscionable when we think about a great nation like this that’s the model for sustainability, yet we’re importing better than 90 percent of the seafood product that’s consumed here and less than 2 percent of it is inspected annually.

On that note, I would certainly like to thank and acknowledge Dr. Steve Branstetter, who has really been invaluable in his assistance in the development and improvements that we made in the king mackerel industry and assisting us in our efforts to move forward on lionfish issues. Thank you.
CHAIRMAN ANSON: Gary Jennings, followed by Tom Steber.

MR. GARY JENNINGS: I would like to say thank you to the council members for the opportunity to speak. My name is Gary Jennings and I work for the American Sportfishing Association, which is a trade association for the recreational tackle industry.

I am the Keep Florida Fishing Manager and my role is to make sure that Florida anglers and visiting anglers to the state have clean water and abundant fisheries and access to both.

Recreational fishing in Florida is big business. Each year, over three-million people go fishing in the state, supporting $8.6 billion in economic activity and over 80,000 jobs. Keep Florida Fishing supports Alternative 9 in Amendment 28 to the Reef Fish Fishery Management Plan.

This amendment would result in an average allocation of 57.5 percent recreational and 42.5 percent commercial. Scientists found errors in the historic recreational data used to set the current allocation and quota that should have been allocated to the recreational sector was allocated to the commercial sector and Alternative 9 seeks to correct this error. It is resetting the baseline allocation due to better data.

Several studies, including the Gulf Council’s Socioeconomic Scientific and Statistical Committee, conclude that substantial economic benefits would be gained by shifting a greater share of the red snapper quota to the recreational sector. While reallocation discussions are inherently contentious and difficult, there is too much at stake for the Gulf Council to continue inaction on this issue. By moving forward with Alternative 9, the Gulf Council would make progress towards rectifying the flawed initial red snapper allocation.

A huge part of why Florida is the number one fishing state in the country is because of the successful management of our marine resources by the Florida Fish and Wildlife Conservation Commission. Our coastal fisheries are not only healthy, but also accessible through regulations that allow for reasonable and responsible fishing opportunities.

Not a single state-managed fish stock is undergoing overfishing. Keep Florida Fishing supports Amendment 39 moving forward and hopes that the council can help bring an equitable solution to the issue.
I would also like to comment on one of the things that was asked
the gentleman from Shimano, which was about releasing mortality
with red snapper. ASA is in the process of distributing over a
thousand Seaqualizers to charter boat captains so that they can
test them and show that they do work, like they do on the west
coast, for releasing fish in deep water and we are hopeful that
by proving that these are a viable alternative to the mortality
issue to help increase recreational opportunities. Thank you.

CHAIRMAN ANSON: Thank you. Tom Steber, followed by Ken Haddad.

MR. TOM STEBER: Good afternoon. Tom Steber and I am wearing
two hats today. One, I’m speaking as President of the Alabama
Charter Fishing Association, formerly the Orange Beach
Association. We would like to thank the council for moving
forward with Amendment 42, Amendment 41. That’s based on over
twenty years of historical data.

I would like to thank the council for passing 40 that got us to
41 and we support Amendment 28, no action, because it’s not
going to help anything.

We ask that you leave greater amberjack at thirty inches for a
period of time until we can figure out how many it’s going to
kill when you go to thirty-four inches. We feel like when
you’re catching those bigger amberjacks that you’re going to be
killing more amberjack trying to get to the bigger amberjack.

We would like for the Gulf Council -- You haven’t gotten to this
yet, but we would like you to evaluate triggerfish more and go
to the maximum usage of triggerfish starting May 1 and end it
for June and July and if there’s available quota, extend it,
using a sixteen-inch size limit and a one fish bag limit.

I would also like to thank very much two men that are not here
now, Corky Perret and Harlon Pearce, for doing such a great job
for so many years. Thank you very much.

On my second hat, I am talking as a recreational angler and I
fished one time this year and I fished one time last year and it
took me longer to get to the pass than it did to get out and
catch the fish and get back to the pass. I have been coming to
these council meetings for over ten years regularly and it seems
to me that the private fishermen do not want a management plan.
We need a management plan, just like ducks, doves, deer, or
anything else.

Great ideas have come out of seminars and panels that Ms. Emily
showed you the other day and I think there were a lot of great ideas and I would like to be involved in those panels. It seems to me that the only thing that’s holding the council back is Texas, the state that has gone against all the federal closures and bag limits for years and the state that’s against almost every management plan that’s come up that I’ve seen in any one of these meetings.

It has done nothing to help its own federally-permitted vessels fish and the true recreational anglers are going out and the federally-permitted guys are sitting at the dock. How can the five states come up with a management plan when you’ve got one that keeps trying to drag it down? Council, please be progressive and move forward with these management plans and help us recreational anglers have a plan. Thank you.

CHAIRMAN ANSON: Tom, if you can come back, we’ve got a question.

MR. RIECHERS: Tom, as always, I appreciate your comments. Associated with 30B, you understand that the reason that some boats are tied up and some boats are fishing is because of this council, correct?

MR. STEBER: I do understand that, but I also don’t understand why the true recreational guys get to go fish nine miles offshore.

MR. RIECHERS: The other point I will add just on top of that, just so that you’re fully aware, is there was a federal court decision that certainly gives each state the right to manage their inside waters the way they see fit and that’s associated with red snapper as well as any other species and just so that you’re aware.

CHAIRMAN ANSON: We have Ken Haddad, followed by Randy Boggs.

MR. KEN HADDAD: Thank you, Mr. Chairman and council members. My name is Ken Haddad with the American Sportfishing Association. I am speaking on Amendment 28. We ask that you reconsider Alternative 9 and discuss its merits in the council tomorrow. We believe both landing recalibration and the size selectivity should play a role in allocation, such as in Alternative 9.

With that said, so much wrong information and logic and argument against 28 and even with Alternative 8 as preferred, it causes me to focus on this setting a little bit. We’ve heard it and I
am going to try to rephrase it, but based on the new and better
data collection efforts that have taken place, it was found that
the historical landings were not accurate. It’s a simple piece
of information and so even with Alternative 8 that addresses
that very simple correction, we find significant opposition.

Both Alternatives 8 and 9 reset the baseline allocation due to
better recreational data and we just can’t forget that. The
argument that this does not fix the management problem for the
recreational fishery is true. This is about fair allocation
using the best scientific information vetted by the SSC and used
by NOAA and this council.

The argument that this will take fish off the table of millions
of consumers is not really accurate. Because of the
recalibration of the recreational landings and size selectivity,
consumers are benefitting or at least not impacted by
Alternatives 8 and 9.

For those who argue that only one year of data from the new data
system were used and thus, this should not be considered, we
then logically argue that the several million pounds released
for harvest due to the recreational landing and size
recalibration should be rescinded.

The economic information presented during this amendment process
supports a change in allocation. Recreational fishing has a
huge economic and social benefit to the Gulf and should not be
ignored. We find the unprecedented opposition to Amendment 28,
even with Alternative 8, which is truly a modest and totally
justifiable change, to be disturbing.

I may be stepping out on a limb, but I would like to challenge a
unanimous vote tomorrow on Alternative 8, and preferably 9, by
this council.

Finally, we encourage the council to continue work on Amendment
39. We see it as important and there’s a lot of contentious
issues in it, but we think if the council works hard at
Amendment 39 that you will come up with some solutions that will
ultimately benefit the recreational angler. Thank you, Mr.
Chairman.

CHAIRMAN ANSON: Thank you, Ken. Next we have Randy Boggs,
followed by Gary Bryant.

MR. RANDY BOGGS: Good afternoon. Everybody knows pretty much
who I am. I’m Randy Boggs from Reel Surprise Charters in Orange
Beach, Alabama, and the Gulf Headboat Collaborative. A couple of things. The moratorium on the shrimp permits, I feel like it needs to be extended. Shrimp processors are at an all-time low.

The harvesters, the guys that are actually on the water catching the shrimp, are not getting anything for their product and taking that moratorium off and putting more boats on the water, all that’s going to do is further drive the price down. There’s a lot of latent permits and a lot of boats tied to the dock in Bayou LaBatre and in Louisiana that are not fishing. There is permits available and just opening it up and putting more out there won’t help.

You know I’m here about the headboat plan. The headboat plan is in its final year and it’s drawing to a close and it’s worked good. You guys haven’t seen the data from the second year, but it pretty much mirrors the first year. Bycatch is down and everything in the plan is working and we’re fully accountable.

We’ve got our buffer in place and our fish are a little bit bigger this year. We’ve seen about a quarter of a pound increase across the board with the fish. The fish in late July brought the overall averages down. The fishing looks good.

We’ve got industry support for this. We’ve got almost half, actually over half, of the headboats that I’ve talked to along the Gulf Coast that want to be in the program and they are pushing me to get this thing moved forward and get it passed. We’ve got the commercial fishermen’s support and we’ve got the recreational fishermen’s support and we’ve got the environmental groups’ support. It works, guys, and please help us move this thing forward and get it done so we can get this in place and that’s one less group that you’ll have to deal with. We’ll be fully accountable and, guys, we’ve paid our own way.

We haven’t asked for any funding and we’ve paid for all of our VMS and we’ve paid for the monitoring and we’re willing to put up whatever percentage that Magnuson allows to make sure that we pay our own way. We’re not asking for handouts. We will pay our own way in the program, but all we’re asking is to give us something that works and so far this has worked perfectly. Thank you.

CHAIRMAN ANSON: Thank you, Randy. Gary Bryant, followed by Gary Jarvis.

MR. GARY BRYANT: Good afternoon. Gary Bryant, owner and operator of Red Eye Charters in Fort Morgan, Alabama. The
comments today, Amendment 28, I don’t support reallocation without accountability. I believe we’re punishing people that have played by the rules and done a very good job managing their sector.

Amendment 39, I would like to see the charter boat commercial fleet taken out of that. If the state wants to manage the recreational angler, that sounds like a great idea. Right now, I feel it’s being used as a secondary attempt at reallocation. I support sector separation and encourage the council to move forward with Amendments 41 and 42.

I would also like to encourage the recreational sector to take ownership of their fish. This year, they had a very short season and a lot of complaints about only one weekend. The recreational anglers now have their own fish and they don’t have to do things the way they’ve always done it.

You could have had a Saturday-only season and you could have fished Saturdays through June and July and basically there’s a lot of options they can do now they’re separated and they don’t have to continue to do things the way they’ve been done and I would encourage the recreational sector to look at their options.

Also, on some other issues, as triggerfish comes up, I would support a one-fish limit and I would like you to look at doing different things with the seasons, such as a May opening or a June/July closure and then let us catch the remainder of the fish starting in August. I support any actions -- There was some talk about invasive species and anything that will help eliminate invasive species, I would appreciate you looking at.

As far as the shrimping, I would like for the council to keep in mind any bycatch issues that have been issues in the past. Please keep those in mind as you consider releasing more permits. Thank you for your time.

CHAIRMAN ANSON: We have Gary Jarvis, followed by Dale Woodruff. Gary has previously supplied a video that he would like to go along with his public testimony.

MR. GARY JARVIS: The Destin Charter Boat Association and our anglers want to say to this council thank you for Amendment 40. We ask that you continue with Amendment 40 and bring us to fruition with our own fishery management plan for their access.

(Whereupon, a video was played.)
MR. JARVIS: Thank you, council.

CHAIRMAN ANSON: Thank you, Gary. We have Dale Woodruff, followed by Joe Nash.

MR. DALE WOODRUFF: Dale Woodruff, Charter Boat Class Act and Bay Blue. I am now a two-boat owner in Orange Beach, Alabama. I don’t know how to follow that up. Did you all see those real recreational anglers that got to go fishing on a charter-for-hire boat and they took those fish home. I don’t think Gary or any of those guys took those fish home with them. Those are real, true recreational anglers and how do I back that? Tears are coming to my eyes right now.

Thanks for passing Amendment 40. It was awesome and we had a forty-four-day season. Let’s go ahead and get on 41 and let’s get this ball rolling. We have a sunset clause coming up in a couple of years, three years or whatever, and let’s get this pushed through. We want to make this a full FMP on 40.

You know there is talk of the regional management and all of that and trying to pass and do the regional management plan and it’s not going to work. We’ve got people over here on this side of the aisle right now that are just snowballing and throwing things up in the air. All they want to do is do away with the charter-for-hire industry.

I mean why would you give up a 365-day season to go to sort of regional management plan? They’re eating the cake and the whipped cream and got the cherry on top and all of that. They’ve got it all in non-compliancy. Do the real recreational anglers that have their boats know that if everybody would have stayed compliant that we would have probably had a sixty-day season for everybody in the Gulf of Mexico, give or take that? I think those were the numbers that were passed around.

Instead, Florida chose to do a seventy-day season and could you imagine the income for sixty days if Florida recreational fishermen knew that they could fish sixty days in federal waters? They would have probably given up those ten days. I mean there would be more people on the water for that.

Triggerfish, I would like to see it go to one. Let’s start talking about it. We’ve got a stock assessment coming up in October and you know years ago, you passed a moratorium on the shrimping industry and if you go after them again, if you lift the moratorium, you’re talking about the bycatch and everything
else and the turtles and all of that.

What’s the moratorium for? It’s to limit the access and if you increase the access in that industry -- These guys have already taken the hit and you are really going to put them down now. Leave them alone and let these guys work and let these guys do their job and let them try to make their money.

If you lift that moratorium, these guys are -- I mean they’re struggling already. I’ve spent my days in the bayou and I’ve spent my days in Louisiana and everywhere you see shrimp boats tied up and there is plenty of access. If you want more access, tell somebody to go buy a permit. That’s what I have to do. If I want more access to the Gulf, I go buy a federal permit to fish the business, to do the business.

Amendment 28, reallocation, I think the average is about 250,000 pounds a day Gulf-wide is what we’re catching and some people are flirting with allocating 350,000 pounds. Really? Did anybody get that? Reallocation 350,000 pounds and we are catching 250,000 pounds a day.

CHAIRMAN ANSON: Dale, can you go ahead and wrap it up?

MR. WOODRUFF: Thank you, all. God bless you and thank you, all.

CHAIRMAN ANSON: We have Joe Nash, followed by Jason Vicars.

MR. JOE NASH: Hello. My name is Joe Nash from Cool Change Charters in Orange Beach, Alabama. I’ve been charter fishing for twenty-eight years. Thank you for Amendment 40. It made for a very good year for us.

Everybody covers just about everything in this. You know, the recreational anglers and the states taking over and doing non-compliance and I am the same way with Dale and what he just said. You know, if they would be compliant, and I know somebody had just mentioned that a federal judge said it’s okay for the states to go ahead and manage their own state waters and what about federally-regulated fish like red snapper?

To me, it’s considered legalized poaching and you are taking away from the general public and the governors, they each should be accountable for that, because that is what it has done. If everybody was compliant, we would have a decent recreational fishing season for everyone. We definitely -- Regional management or state management or however you want to put it, we
would like to continue with the Amendment 40 and move on and 41 and 42 and just look for ways to make our fishery just a little bit better.

We want to tell you what we catch. We want the VMS onboard and we want the electronic logbooks and that’s what we wanted and so we’re going to get them and we’re going to do it.

We had a man from Shimano up here a little while ago and I’m a small-time operation, but guess what? There is nobody here to speak for me except me and so I don’t have a representative like that. I am here and my boat is sitting at the dock today, because this is very important and we want to keep this going in the right direction.

As far as Amendment 28, status quo, until we have an accountable plan and make sure that everything is going in the right direction. As far as the shrimpers, you know you don’t need to open that up. That’s opening up a can of worms right there. These guys do work hard for what they’re doing and there is plenty of them sitting at the dock.

Other than that, amberjacks, I would like to see thirty inches and if you have to increase it, do it in short segments, thirty-one, thirty-two, thirty-four, a couple of years apart. Triggerfish, we would like to see something with triggerfish as well, to where we can at least catch a couple of the triggerfish on occasion. We’re not asking for much. We just want something to catch and that’s all. Thank you.

CHAIRMAN ANSON: Thank you, Joe. Jason Vickers, followed by Pam Anderson.

MR. JASON VICKERS: Hi, everybody. I am Jason Vickers and I own and operate the Charter Boat Legacy out of Orange Beach. First of all, I would like to thank you all for Amendment 40. It really made my summer nice and it was nice for my customers to be able to keep some snapper later on in the summer.

Also, I would like to see the charter-for-hire left out of the regional management if that’s going to happen. I would like to see the work for Amendment 41 and 42 continued, to try to beat the sunset clause.

The amberjack, if they’re going to go up, let’s do it slowly, an inch a year or whatever, but a four-inch jump in one season is going to be tough. I would like to see the shrimping moratorium left as it is and as far as invasive species, the lionfish, any
kind of funding or support we can do to help fight that, I am all for it.

If the charter-for-hire can assist in it, I would love to see that. That’s something we’ve got to get under control for sure and that’s basically all I’ve got to say. Thank you all again for Amendment 40.

CHAIRMAN ANSON: Thank you, Jason. Pam Anderson, followed by Bob Spaeth.

MS. PAM ANDERSON: Mr. Chairman and Dr. Crabtree and council members, I am Pam Anderson, 1st Vice President of the Panama City Boatmen’s Association and fishery rep on the Bay County Chamber of Commerce Government Affairs Committee and Operations Manager for Captain Anderson’s Marina, home to five headboats, twenty-four charter boats, and four dive boats in Panama City Beach. Our family has been taking anglers fishing on headboats since 1935. Over the years, more and more folks have realized the joy and fun they can have with their families on a fishing excursion and this is why you see more and more recreational anglers. This is a good thing and not just good for our businesses, but good for wholesome family fun.

As you go forward with regulations, please remember that the fishing experience is good for the health of our families and not just about the fish. As we provide these opportunities to fish, families are strengthened. They appreciate the environment around us more and they learn what diversity we have in our bays and in the Gulf and they learn to appreciate it more and more.

Red snapper and other reef fish are what motivates the public to enjoy this activity in our area. Without familiar quality species being available, the public is less likely to participate. These are not just trophy fish, but they are food. They lead to backyard or church fish fries or a hook-and-cook at a restaurant and more quality family time.

I say this on behalf of thousands of consumers that come to our coast each year to enjoy the bounty of the Gulf. They cannot be here, but they do not want their fishing opportunities taken away. More families will take part as allocations are increased and more heads in beds and seats in restaurants and participants in other coastal activities.

Opportunities to fish are important to our coastal economies.
Our customers have been held back for eight years now from having acceptable access to their fishery. It’s time for reallocation of red snapper.

With all the evidence pointing to the fairness of Alternative 9 in Amendment 28, we ask that you seriously consider this alternative as your preferred and final action.

The reasons for the many of the prior reported overages in harvest have been due to lack of accurate harvest data. As more of the proposed regulations are put on all the recreational sector, this harvest data is going to improve further and it is time to give back to those who have waited out this excessive regulatory storm.

For the headboat operators, they deserve to have all their options explained thoroughly and each need to have a vote on what they think is best for managing their sector. Please go forward with a referendum plan that will be fair to all. We are still in favor of regional management for all the reasons I’ve stated before. Mainly, our FWC knows how to balance the needs of conservation with the economic needs of our communities.

Their management, while sometimes imposing, does not eliminate jobs in businesses and headboats need to stay with regional management. I appreciate your consideration of these comments. Thank you.

CHAIRMAN ANSON: Thank you, Pam. Bob Spaeth, followed by Harris Callais.

MR. BOB SPAETH: My name is Bob Spaeth, Executive Director of the Southern Offshore Fishing Association. I attended the first Gulf Council meeting there ever was and have been to over 200 of them.

First, this amendment is not fair and equitable and does nothing for the conservation of the fish. In fact, to the contrary. We are now going to use the least precautionary approach and I have had the precautionary approach in fisheries run down our throat about taking the best path and it doesn’t seem like that is.

The other thing is who is catching the fish? Most of the fish are caught -- Let me go through this. 100 percent of the redfish go to the recreational and 68 percent of the kingfish and 74 percent of the amberjack and 100 percent of the billfish and 90 percent of the mahi and 65 percent of the gag grouper. What is left for the consumer here?
The largest group is the consumer. The commercial and the charter-for-hire sectors are the only voice that the non-fishing consumer has here. If you were a consumer, the question would be who is stealing the fish? Would you think that this is fair and equitable? I can assure you that the commercial consumer sector is going to every avenue to alert the consumer of what is happening.

I recommend that we stay status quo and I also hope you support invasive species and trying to get rid of the lionfish. I think it’s a very big problem and as far as the shrimpers, there is enough permits out there and you don’t need to open it up. Thank you very much.

CHAIRMAN ANSON: Thank you, Bob. Harris Callais, followed by Ronnie Roussez.

MR. HARRIS CALLAIS: Good afternoon, ladies and gentlemen. Mr. Chairman, I appreciate the time. My name is Harris Callais and I’m thirty-seven years old from Lafourche Parish and I’m an offshore recreational fisherman. I fish between fifty to seventy days per year.

At an early age fishing the Gulf of Mexico out of Louisiana, for each species it was kind of a gamble. You didn’t know if you were playing the lottery when you dropped the bait down. You didn’t know if you were catching amberjack, snapper, red snapper, mangrove, or a grouper. Nowadays, every single drop is the endangered red snapper.

We have more red snapper in the Gulf of Mexico these days than we ever had in my whole time fishing out here. Limiting red snapper season to ten days this past year and the year before was unfair to the normal working man. If you work a normal five and two job, you had two days to fish both years and last year was more you had two days or three days to fish, because of due to weather. I mean it’s unfair that the sector of people that provide the most in economic boost to the small towns along the Gulf Coast.

Federal stock data was flawed and states should be responsible for their residents’ allocations and assessments. I challenge any of you to accompany me on a snapper assessment trip, just to see how much red snapper there is actually out there. We believe that Alternative 9 is our best alternative. Thank you very much.
CHAIRMAN ANSON: Thank you, Harris. Ronnie Roussez and followed by Bart Niquet.

MR. RONNIE ROUSSEZ: Thank you. My name is Ronnie Roussez. I’ve been fishing the Gulf of Mexico for over forty-five years now, both spearfishing and fishing from topside and Harris kind of stole my thunder, because the fishing now is better than when I was a kid.

I mean we’re catching quality red snapper on artificial lures when before you drop a live bait down and you couldn’t catch one and trying to target big amberjack just this past weekend, using the biggest hardtails we had, we were catching twenty-five-pound red snappers coming up to the surface and having to put them back.

I’ve been underwater and I’ve seen the schools of fish that are down there and during these short seasons, we go to one rig and can limit out in probably an hour-and-a-half’s time, catching snappers at any depth, because there is so much competition between these snappers down there that they’re actually eating their young and coming up and eating artificial baits that I’ve never seen when I was a kid. I think there needs to be more days for the recreational fishermen and I appreciate the time to speak. Thank you.

CHAIRMAN ANSON: Thank you. Bart Niquet, followed by Jason Delacruz.

MR. BART NIQUET: I’m glad I could be here. I wish everybody else could, too. We are speaking of recreational fishermen for red snapper and check your audience and see how many recreational fishermen you have. I am talking about pure recreational. I will guarantee you there’s not a half a dozen in there.

If it’s so important to them, why aren’t there more of them here? Even if there’s only one-tenth of 1 percent of the licensed permitted recreational fishermen, this hotel couldn’t carry them. They absolutely don’t care. They are out there to make enjoyment of a day and if they go, they really don’t care if they catch a whole lot of fish and the council is blowing it all out of portion to what it’s worth to us.

If you stop and go to the welcome stations in my state and most other states, they have a questionnaire of why people are coming to the state and what’s your reason for coming down here and what are you going to do and 8 percent of them out of the total
say they came down here to enjoy the fishing.

Most of them list bass as the number one fish, followed by red drum. Very few of them ever mention a red snapper and even more of them say catfish than they do red snapper and so there is something wrong with our approach.

The majority of the recreational fish, red snapper, are caught between Apalachicola, Florida and around Corpus Christi and then there’s another group down around Brownsville. This council has been exaggerating their importance.

However, if we do have a red snapper fishery for recreational, it should be a limited access fishery and we shouldn’t have anybody that wants to come down and go fishing be able to go without paying for the privilege. It’s a privilege and it’s not a right and I don’t know why everything else in the country -- You go alligator hunting and you’ve got to get a permit and you go freshwater fishing and you get a permit and you go saltwater fishing, you should have to get a permit and it’s just simple. It’s simple and maybe that’s why we don’t do it. It’s too simple.

Yesterday, they said something about the wreck fishery and if you will remember, the wreck fishery was doing well until the Atlantic coast tried to manage it. Soon after, all the participants in that fishery went broke and most of them had to shift to another fishery to make a living.

For the past couple of years, I have said something about snapper running in cycles and everybody laughed at me. We’re started down again, but you won’t believe it. I know the scientists don’t say so, but remember it takes them ten or twelve years to decide if they’re going to have an opinion and so you can’t do nothing. Leave the TAC alone.

CHAIRMAN ANSON: Mr. Niquet, if you can wrap up your comments, please.

MR. NIQUET: That’s all I’ve got. Thank you.

CHAIRMAN ANSON: All right. Thank you. Jason Delacruz, followed by Bill Tucker.

MR. JASON DELACRUZ: Good afternoon and thank you for giving me the opportunity to speak with you. I am Jason Delacruz and I’m the owner and operator of Wild Seafood Company and Don’s Dock, a retail marina, and also Vice President of the Reef Fish
Shareholder’s Alliance.

I am going to take a couple of minutes to talk about Amendment 28, obviously, and the concept of fair and equitable. If I understand the standard well, which I’ve tried to keep up on it, I think one of the clear points in the standard is that allocation decisions can be made from one to another as long as it doesn’t cause undue harm on one and benefits the other.

Well, in this particular situation, that’s exactly not what we’re doing. We are causing harm to one and no benefit to the other and so it doesn’t make any logical sense to me to move forward with anything other than status quo and the political arena that’s doing this and, again, I’ve said at this podium many times, it’s just doing it for the feather in their cap and it’s really accomplishing nothing.

We need a management plan for the recreational fishery to actually help it and the recreational fishermen up here that were up here a minute ago, they made a point to say the fishery is better than ever, but I think everybody needs to understand that the only thing that us in this room can control is fishing.

If we’ve done our jobs, which clearly we’ve done something, we’re in a better position than we ever have been and so that means that good, sound management that we’re practicing in this room is actually starting to make a real change and a difference and so I don’t want to undermine it by doing things that we clearly know won’t solve problems and don’t really fix the issues.

It really is just -- I am kind of starting to run out of words, because I’ve had so many conversations about this issue and I’ve been to this podium so many times about it, but yet we seem to be on a train running at a wall that I don’t understand.

The only other thing I would like to say is that as far as the shrimp permit issue, I don’t see how a shrimp permit is a barrier for anybody to get into that business when a good boat is going to cost you at least a hundred grand and so a $2,000 to $4,000 permit is a waste. We need to extend that moratorium at least another ten years and give these guys a chance to find the niche in their market and build themselves a business that is worth having. Thank you.

CHAIRMAN ANSON: Thank you, Jason. Bill Tucker, followed by Bubba Cochrane.
MR. BILL TUCKER: Hi there. Bill Tucker and I’m a commercial fisherman out of Clearwater, Florida and I’m here today to talk about Amendment 28. The ostensible rationale in Amendment 28, reallocating to the recreational sector, is to lengthen the season and help the recreational sector out.

You know I think we need to question the logic of that, because it really doesn’t lengthen the season. I mean if we look at adding quota and adding fish to the recreational sector, we’ve doubled the quota and that hasn’t extended the season. I don’t know why this amendment has gotten the legs it’s gotten when we’ve already doubled the quota and it hasn’t helped and now we want to take from the restaurant and fish market fish to say that we’re going to lengthen the season and it’s not going to work. I think our logic is faulty there. I don’t know why you want to do the same thing and expect a different result.

There’s really nothing either fair or equitable about this reallocation idea. The costs exceed the benefits and it costs the consumer sector and it costs the commercial fishermen and the fishing public and we’re taking fish literally off the plates of the American consumer to lengthen the fishing season that we know is not going to work. I mean conservation is even compromised.

It’s going to increase effort in the eastern Gulf and it’s going to lower the SPR and why are we even considering this? You know the fish belong to all Americans, even the people in the middle of the country, people that don’t go fishing. There are a lot more people, far more people, that get their fish on a plate than do on a hook.

We’ve got about 330 million Americans in this country and out of that 330 million, there may be one to five-million red snapper fishermen and so you’ve got 330 million people that get half of the fish and you’ve got one to five-million people that get the other half of the fish and that’s not enough? You’ve got 98 percent of the population that gets half and 1 to 2 percent of the population that gets the other half and they want more and it’s not going to lengthen the season? It’s not logical.

Yes, there are things that can be done to lengthen the recreational season. Reallocating from the commercial sector is not the answer. It’s not going to do it.

They say the rising tide rises all boats and a falling tide is going to lower all boats. We don’t need more effort in the eastern Gulf. We need to preserve this fish stock and we need
to promote conservation. Thank you.

CHAIRMAN ANSON: Bill, we have a question.

MR. WILLIAMS: Bill, thanks for your testimony. I thought you were going to talk a little bit about king mackerel too, because you had come up to me after the Mackerel Committee meeting the other day and you were real concerned about the 5,000-pound qualifier that they were talking about and you’re not a king mackerel fisherman, but your boat catches some and could you just give us just a short premise on what your problem is?

MR. TUCKER: Thank you, Roy. Thank you very much for that question. Yes, I was so -- I came to the Mackerel Committee and I heard the discussion and I read the alternatives for the permit consolidation alternatives that were in there and they had some pretty high qualifiers and I understand that you’re trying to reduce capacity in the fishery or prevent overcapacity or overcapitalization.

You don’t want somebody like me who has got a king mackerel permit who may not catch 500 or 1,000 pounds a year catching 50,000 pounds a year and I can understand that. I’ve got a king mackerel permit and I’m a reef fish fisherman and the king mackerel permit deals with my bycatch in king mackerel. If we run into a few of them, we can catch them and we can -- That can help out our trip.

The alternative in there said that if you don’t hit a certain threshold that we can still get a permit, but it will be a non-transferable permit. My recommendation would be if you’re going to do something like that and take my transferable permit and consider it non-transferable, keep in mind what we do.

We use that permit and if it’s non-transferable, that really affects my ability to allow my captain to purchase my operation. If he were to buy my operation and move up, if the permit weren’t transferable to him, he actually would be unable to do that and so my suggestion is if you’re going to consider something like a non-transferable mackerel permit, king mackerel permit, for people like me that you would consider linking that permit with the reef fish permit that we use in our primary fishery.

That would allow -- If my captain decides to buy the operation, he would have the same opportunities that we have right now and that’s something I would like you to consider.
MR. WILLIAMS: Just to follow up real quickly, that’s what I thought was sort of unique about your idea, is that you were suggesting something, a king mackerel permit, that was linked to your reef fish permit, which you need that bycatch. You need some bycatch, because you catch some, a few, all the time and you don’t want to become a king mackerel fisherman, but you don’t want to waste the ones that you catch while you’re red snapper fishing and so you had suggested some small amount -- A permit allowing you to have a small amount of king mackerel, but that would be linked to that red snapper permit or your reef fish permit and you couldn’t separate them so that that permit went out and became another king mackerel fisherman at some time. It was a unique idea, at least unique to me, and so I thought you were going to talk about it and then when you didn’t, I wanted to get it on the record.

MR. TUCKER: Thank you. I was kind of -- My focus is on my primary business, which is reef fish, but this is a part of it and thank you for remembering it and that’s one of the things that makes you such a good council member. Thank you.

CHAIRMAN ANSON: Bubba Cochrane, followed by Haley Bitterman.

MR. BUBBA COCHRANE: Bubba Cochrane from Galveston, Texas, a commercial fisherman and also President of the Gulf Shareholder’s Alliance. Of course, I’m going to start, as always, with Amendment 28.

It’s easy to overlook the fact that reallocation not only hurts my business, but it takes fish away from the people who want to eat red snapper at restaurants or buy it at supermarkets. These consumers have just as much of a right to access fresh seafood as those who own their own boats and live on the coast and go catch red snapper themselves.

Giving private anglers more of the red snapper quota will not solve the problem. It will not give them any more access than they have now. Reallocation is not management. This council needs to continue working on management options that give anglers the access they deserve.

Amendment 40 is a perfect example. It actually worked to give recreational fishermen on charter boats more days to fish and the charter-for-hire sector the accountability they need to run their businesses. This council has wasted enough time on reallocation and it’s time to put it to rest once and for all and vote Alternative 1, no action, and start looking at management solutions like regional management that will get
recreational fishermen more fishing days.

I believe right now one of the biggest hurdles this council has in achieving this is the Gulf states not being compatible with federal regulations. The council needs to address this problem. Having the states open and close red snapper in state waters whenever they want to is only making the situation worse. I’m not sure if there is anything the council can do about this, but it is worth discussing.

I also support the shrimpers here today on extending the shrimp permit moratorium. From what I understand, it is currently serving its purpose and should be allowed to continue to do its job. Thank you.

CHAIRMAN ANSON: Thank you, Bubba. Haley Bitterman, followed by Brian Landry.

MS. HALEY BITTERMAN: Good afternoon. My name is Haley Bitterman and I am the Executive Chef of the Ralph Brennan Restaurant Group based here in New Orleans. We employ approximately 500 people in our eight restaurants in Louisiana. Our restaurants serve a half-million tourists and locals every year. In other words, the Ralph Brennan Restaurant Group generates tens of millions of dollars in economic impact on our region every year.

After twenty-three years as a chef with the Ralph Brennan Group, I can tell you that seafood lovers come to New Orleans for our signature preparations as well as the unique array of Gulf seafood that we offer. We are proud to serve local and sustainably-caught fish like the iconic red snapper whenever it’s available.

It is an important part of our food heritage and as a recreational fisherman myself, I want to ensure it’s available for generations to come. With that said, I am here today to speak against the proposed reallocation of hundreds of thousands or maybe even millions of pounds of red snapper away from restaurants like ours and seafood markets, grocery stores, and American consumers.

The red snapper fishery has been rebuilding for the last several years and upsetting that balance would jeopardize the fish that we all enjoy. In the New Orleans restaurant business, many popular Gulf fish are already off limits to our chefs. We can no longer serve many local favorites and we don’t want to see red snapper follow the same path and become off limits to our
industry and the diners that we serve.

As I understand it, the current preferred alternative is likely to give anglers only one extra day of fishing and even the more drastic reallocation alternatives would only result in a handful of extra days and so I beg you to abandon the reallocation distraction and instead focus your energy on fixing the broken recreational system that is failing everybody.

In particular, I am looking at our Louisiana representatives on the council today, Mr. Fischer, Mr. Matens, and Mr. Swindell, on behalf of Mr. Brennan and myself and our 500 employees, please do not do this. Louisiana can be the sportsmen’s paradise and the culinary treasure of the United States at the same time. You don’t have to pick winners or losers.

Do not give false hope to anglers at the expense of the largest economic industry in the state. Keep the current balance and I promise you that some of the most successful entrepreneurs and chefs in Louisiana will give their full support in helping craft a management solution that actually helps private anglers get the access they deserve. Please work with us to make sure that everybody has equitable access, whether it’s on the water for a day of fishing or at the Redfish Grill for lunch after spending the day exploring the French Quarter. Thank you very much for your time.

CHAIRMAN ANSON: Thank you, Haley. Brian Landry, followed by Mark Tryon.

MR. BRIAN LANDRY: Good afternoon. Hi and I’m Brian Landry, the chef at Borgne Restaurant in New Orleans, part of the John Besh Restaurant Group. I am born and raised in New Orleans and I’ve been fishing out of New Orleans and Venice my entire life and I’m a chef and so I get to wear both hats, because I recreationally fish and I have access to fish commercially that I sell in my restaurants.

I am proud to be part of one the most unique restaurant industries in the United States and the fact that we serve one of the only indigenous cuisines in North America. Creole cuisine is special and that’s why so many tourists come to our restaurants and that’s why our restaurant industry is absolutely booming right now.

We have 1,406 restaurants now. Ten years ago, right before Katrina, we had 809 and we are a growing industry and we are growing in a very responsible way. We have access to some of
the best seafood on Planet Earth and that’s why people come down here to eat.

What we serve in our restaurants is wildly important to us. The fact that we have access to premium fish like red snapper makes New Orleans a draw unlike anywhere else. About 80 percent of the popular Gulf fish currently goes to the recreational side anyway and so that last 20 percent that’s coming commercially gives access to people that don’t have their own boat access to premium fish that you can’t catch anywhere else.

I proudly serve that on my menu. I proudly serve wild-caught sustainable fish. The menu at Borgne is about 80 percent Gulf seafood driven and we are a very popular, pretty busy restaurant. If I didn’t have access to those wild-caught sustainable fish from the Gulf, I don’t know where my restaurant might be.

I can blacken tilapia or blacken swai, but that’s not living. Living is eating the fish that come out of the waters at my backdoor and I serve a pretty intelligent customer base. I am able to serve Gulf oysters right next to a premium Gulf oyster, like a Murder Point coming out of Alabama or a New Caminata Bay oyster at a premium price and red snapper is a premium fish that people are more than willing to pay for because it’s so delicious.

I beg you not to reallocate this fish away from our restaurants. I think our customers would be quite upset and I would too and while I do enjoy catching them recreationally, it is a very important part of my business as well. Thank you very much.

CHAIRMAN ANSON: Mark Tryon, followed by Frank Brigsten.

MR. MARK TRYON: Mark Tryon, a commercial fisherman and recreational fishermen from Gulf Breeze, Florida. I also have a king mackerel permit, by the way, which, similar to the gentleman who was up here a few moments ago, I use it as a bycatch mechanism. I am not a king mackerel fisherman, but I do catch several hundred pounds, maybe 500 pounds, a year.

I think the reallocation situation has been going on for some time now and I’ve spoken a bunch of times and every time I get up here I basically say the same thing and I mean it just occurred to me that if this council spent half the effort that it has expended on reallocation or attempting to reallocate the commercial fish to the recreational sector into developing an accountable, flexible system for the recreational angler, we
wouldn’t be having this perpetual dispute regarding reallocation and so I urge you to use the status quo and then please work to come up with some sort of a plan to help these people.

I do a little bit of it myself and I took two trips this year and we caught our fish no problem, but, anyway, in Florida, the State of Florida issued licenses this year where it was mandatory to have a reef fish endorsement in order to possess red snapper and I am wondering what kind of data is coming out of that so far, because it should be very interesting in determining what type of effort at least we have in the State of Florida regarding the red snapper fishery. I have a feeling it’s going to be more of an effort than what you people are factoring in.

For instance, if, and I’m talking about Gulf-wide right now, if anglers catch two seven-pound fish and you had 500,000 anglers, right there you’re at your seven-million-pound quota. Okay? You know I know myself we were in the two trips and everybody caught their limit quite easily of good-sized fish and there’s certainly people that went more than I did.

Going back to reallocation, you know we’ve been through this before and there’s a lot of pain for the commercial sector with little gain for the recreational sector. Perhaps one day, maybe two days, for private individual anglers and it’s not really that helpful.

As far as private recreational anglers, they need to attend some of these meetings. We had a meeting last year in Pensacola and I’ve lived there for twenty-three years and I didn’t see anybody that I know who was a private recreational angler and so I would urge them to come out to these meetings and participate. Thank you.

CHAIRMAN ANSON: Thank you, Mark. We have a question for you.

MR. WILLIAMS: Right here, Mr. Tryon. Thank you for coming. I want to follow up with a king mackerel question, because we may not get to ask this of -- Bill Tucker brought up kind of a unique situation, but it sounds maybe like it’s not unique and that you’ve got the same problem. You have a king mackerel permit now, I guess.

MR. TRYON: Right.

MR. WILLIAMS: Do you catch 5,000 pounds a year?
MR. TRYON: No, no way.

MR. WILLIAMS: If we did a 5,000-pound threshold, would you qualify?

MR. TRYON: That would be way, way, way below what I catch.

MR. WILLIAMS: You catch a few hundred, like him?

MR. TRYON: Yes, maybe 500 pounds a year and that’s it. I’ve had a permit since its inception.

MR. WILLIAMS: It’s a bycatch though and you’re not targeting and you’re not chasing?

MR. TRYON: Yes and I think there’s quite a few people like us who are in this situation where we’re targeting snapper and grouper and then if king mackerel season is open and we happen to land them, then we’re thankful that we have the ability to sell them and yes, regarding that, I think it was -- You know with all this reallocation business going on, I haven’t really focused on all of these proposals you have for king mackerel, because we’re kind of trying to deal with the biggest problem right now, but just looking at it briefly, I thought Alternative 4a or b would fit my situation and I’m just talking about me and not other people, but I’ve got to study it some more.

CHAIRMAN ANSON: Frank Brigsten, followed by David Cresson.

MR. FRANK BRIGSTEN: Thank you. My name is Frank Brigsten and my wife and I have Brigsten’s Restaurant here in New Orleans. I am also a culinary educator and I teach Creole and Arcadian cuisine to the public, to culinary arts students at the high school and university level. I was born and raised here in New Orleans and I’ve been fishing most of my life and I’m in love with what I do, but I am not here today to talk about me.

I am here to talk on behalf of two other entities, the first of which is Louisiana cuisine itself. Like all of the world’s great cuisines, it’s based on great local ingredients and that includes Gulf finfish.

The most alarming and disturbing trend I’ve seen in my thirty years in business is the reduction in availability of wild-caught Gulf fish and the abundance of imported fish that has taken its place, farm-raised fish, to some extent, but to give you an idea of the market report I got from one distributor this Tuesday, there were four local fish available, wild-caught fish,
tuna, sheepshead, bull drum, and red snapper. Which would you choose?

The import fish included eight different fish, a few different kinds of grouper and a few different kinds of snapper. If there is a void that’s going to get filled by something else, the abundance of imported fish coming from Central America and Mexico fills that void and I am happy to have it, but the ramifications on that on our cuisine, our culture, and Louisiana’s economy are pretty strong and none of those ramifications are good ones.

I am here to speak in favor of Alternative 1 on Amendment 28 for fair and equitable allotment of the managed catch of red snapper, the status quo.

The other entity I want to speak on behalf of is the thousands, hundreds of thousands, millions of consumers who love red snapper, whose eyes light up when they see red snapper, but don’t go catch it themselves. We have to think about them and I was thinking about my mom, because that was her favorite fish, but if you’re a home cook to go buy red snapper in a grocery or market, that’s a very good alternative and in restaurants too with a family going out to eat to see red snapper, it’s a win/win/win for everybody. I urge you to do the fair thing and keep the status quo on the allotment and thank you for your time today.

CHAIRMAN ANSON: David Cresson, followed by Clint Guidry.

MR. DAVID CRESSON: Good afternoon, council members. My name is David Cresson and I’m the Executive Director of the Coastal Conservation Association here in Louisiana. In that role, I have the pleasure of serving more than 23,000 conservationists across Louisiana in our organization.

I am also an avid angler and my family and I are frequent participants in the snapper fishery. Over the past couple of years, we’ve been much more frequent participants in the Louisiana state snapper season, because of the short federal season, but, nonetheless, we’re out there and we love it and my kids go crazy over catching a few snapper.

I’m here to talk today about reallocation of red snapper, Amendment 28. We appreciate the efforts by this council to revisit this difficult issue and we hope that tomorrow’s vote will produce a result that begins to correct decades of improper allocation, based on your own self-admitted faulty data, and
provide just a glimmer of hope to recreational anglers.

It would also be a best for the long-term viability of the fishery and what I’m talking about is Alternative 9. I am in favor of Alternative 9 as the best option to help reallocate this fishery.

I also want to mention that we hear a lot in these presentations about accountability of the recreational sector and I would like to remind the council that last year anglers in Louisiana asked for and were granted an increase to their saltwater license fee to create the LA Creel program here in Louisiana, whose sole purpose is to create and gather better data for our fisheries.

That program is working wonders so far and, in fact, the LA Creel program has found that in the hundred-plus days of the Louisiana season this year that we still did not reach the threshold that was used to create the nine-day federal season.

With that in mind, we are accountable. We put our money where our mouth is when it comes to better data and better science and we believe Alternative 9 is the best way to reallocate this fishery. With that, I would like to thank you for your time and I hope you will consider Alternative 9 during your vote tomorrow. Thank you.

CHAIRMAN ANSON: David, we have a question.

MR. DIAZ: Mr. Cresson, just a quick question. At the last council meeting, we had discussed creating a recreational advisory panel to look at all recreational fisheries and to try to give us some input on how we can do a better job on managing recreational fisheries. Have you all had any discussions whether you all are supportive of that type of idea or not?

MR. CRESSON: We’ve had some discussions on it and, of course, it depends, Mr. Diaz, on how it is ultimately put together, but certainly if there were a panel in place that you could lead to better management of this fishery and others from the recreational side, we would be all over it and we would love to participate, but if it were put together in a way that doesn’t help anybody, and certainly that’s something we have to be concerned about, then no, we probably wouldn’t be too interested in that and so it all just depends on what the final look of that panel might be. Thank you.

CHAIRMAN ANSON: Clint Guidry, followed by Brad Gorst.
MR. CLINT GUIDRY: Good afternoon and thanks for having me. My name is Clint Guidry and I’m the President and CEO of the Louisiana Shrimp Association, the largest shrimp association in Louisiana, and I also sit as Vice Chairman on the Louisiana Shrimp Task Force, one of the boards and commissions appointed by the Governor and approved by our Senate Committee on Governmental Affairs. I kind of wear two hats. I keep losing my hat and I might have to wear three.

The issue I would like to speak on is the federal shrimp permit moratorium. We sent, the Shrimp Task Force, a letter in and dated March 23 of this year. I think that was after a lot of discussion. I am not going to try to read the letter. You should have it. We sent it to the Chairman and I’m sure he can get it to you if you don’t. It’s the Shrimp Task Force and the shrimp industry’s position about the permits, coming from the Shrimp Task Force.

Basically, what it is, it’s 2008 levels of 1,933 permits. You know we gave this argument and I see some familiar faces and I don’t recognize many of you, but nine years ago or ten years ago, we were having these discussions and my friend A.J. and I, on behalf of the association, traveled all around the Gulf Coast chasing you guys in these five-star hotels and spent many thousands of dollars and at the end of it, we did wind up with a moratorium.

We were against it and one of the things that we said, I can remember back then, and I think Ms. Wilma Anderson, who passed away, pretty much agreed that the shrimp industry is self-regulating. You could have 10,000 permits open right now and what you’re going to see in the industry is what you’ve got.

Basically, what the industry wants is enough people in it to sustain the industry and to maintain our market share and be able to have those permits that we can have a little expansion and that we can move forward.

Right now, we are at 1,400 and you’ve got about maybe 300 or 400 state-registered permits that are probably not even being used. You’ve got, in my estimation, right around a thousand people actively fishing and that’s it. That’s all we can sustain right now and until we do something about these unregulated imports, we’re going to be facing that problem.

One of the issues that came up nine years ago was the red snapper and the bycatch and the turtles and all that. Through the years, this industry has done everything, everything, that
we could do to cooperate and try to be sustainable and in that
definition of sustainability, we have endured TEDs and we’ve
worked on them and one of the smartest moves you guys ever made
was to let fishermen work on the equipment and then have it
tested.

When you first started with TEDs, we would up with this is what
you’ve got to use and it was developed on the east coast and
it’s going to work down here and we don’t care what you lose and
that’s it and if you ain’t got this, you know you’re not right.

You need to get the fishermen. You need to get the fishermen
involved in all of this, all of these equipment changes, because
every time you do something here, it costs us money. It costs
us fishermen and it costs us docks and that’s another
consideration.

CHAIRMAN ANSON: Mr. Guidry, if you could wrap up your comments,
please.

MR. GUIDRY: I can’t believe I waited all day and I get two
minutes to talk. My suggestion is what we submitted and the
pool -- We have a pool that we don’t lose them. I have seen
other limited-entry programs and moratoriums or whatever where
you just keep getting smaller and smaller and you just go away
and that shouldn’t be the charge of this committee.

The charge of this committee is sustainability and if you guys
ever settle on what sustainability actually means --
Sustainability used to be the resource when Dr. Bill Hogarth was
running the show and it seems like every year, every six months,
you change the definition of sustainability.

CHAIRMAN ANSON: Mr. Guidry, if you can wrap up, your time is
up.

MR. GUIDRY: Thank you very much.

CHAIRMAN ANSON: Thank you. Brad Gorst, followed by David
Krebs.

MR. BRAD GORST: Hello. My name is Brad Gorst and I am here
from Clearwater, Florida and I represent the Clearwater Marine
Association. I would like to thank the council members who made
so many peoples’ lives happier and the days, providing access
for the forty-four days, to tourists, boat owners, and non-boat
owners alike.
So many have expressed their gratitude that I felt I needed to convey to the council here and their gratitude that they got extra time or days on the water or retention of fish when we would go anyhow and so I would like to thank those that voted for it.

Amendment 28, reallocation, I support Alternative 1, status quo, the rationale being that the science just does not support reallocation for several reasons, being that if you reallocate you’re going to be moving -- You’re going to end up with a high-grading situation, because the private recreational angler wants larger fish and the commercial wants smaller fish, because that’s what sells and that’s what is on the plate.

In high-grading, you’re going to lose a lot of your larger, ten-year-old-plus fish, or egg-bearing females in this situation, that will be removed, which are necessary for recruitment for further stock recovery and the commercial fishery doesn’t do that and so that’s one aspect to look at.

The private recreational angler’s benefit of reallocation in additional fishing days is non-existent in comparison to the setbacks that would be achieved in high-grading and so if you look at it that -- Let’s just say if you totally did away with all the allocation for the IFQ, they wouldn’t get eighteen days, nine this year and nine from the commercial, being that it’s a fifty-fifty split, almost, and so it doesn’t make any sense.

By opening the door to reallocation, the slippery slope of privatization of the fishery is set in motion by the elitist organizations to further destroy the access to the resource for the Aunt Mary’s and Uncle Bob’s in the American Heartland and so there is absolutely zero conservation associated with reallocation.

Is it fair and equitable that the private recreational angler has a total access of almost a full calendar year? You don’t hear that from anybody in any one of the states. You can go in any state all year long and catch a red snapper in state waters, except south Florida, because they don’t have any in state waters there, which is an issue we had with the State of Florida.

But anyhow, Amendment 39, Action 2, Alternative 2, applies to the private angling component only and leave Amendment 40 alone and move forward with 41 and 42, as they are true conservation actions.
One last quick note to the state directors. I have seen people from the Louisiana restaurant industry and you want them to start showing up in Florida and other states? You’re starting to get people that are a little bit irritated about this and so take some notes. Thank you.

CHAIRMAN ANSON: David Krebs, followed by Scott Hickman.

MR. DAVID KREBS: Good afternoon, council. My name is David Krebs and I own Ariel Seafoods in Destin, Florida and Sebastian, Florida. Here we are again. Robin Riechers said to me several years ago this isn’t personal and if I was a state director getting paid and I was a recreational fisherman, it wouldn’t be personal, but I make my living from the sea. If I don’t catch fish, I don’t pay my bills and so it’s very personal to me.

We have led the charge for over twenty-five years, we the commercial industry, in asking for things that we knew were right and it took forever to get it. We knew the size limits in 1997 was the wrong thing to do and that we were killing more fish than we were keeping and we came here and how many years did it take to fix that?

During this whole ride, we keep saying how can you have a recreational fishery that you don’t limit access or effort? That’s the reality and yet, we’re sitting here today listening to the new rhetoric that, oh, we’re fixing a historical wrong.

The original allocation was set from 1979 to 1987 and Loran-C came online somewhere in 1980 or 1981 and just started hitting boats. The Gulf of Mexico fishery production peaked somewhere around 1987 and declined right after that.

If you can sit here and honestly look me in the eye, who have never done anything but this for my entire life, since 1969 when I stepped on Dewey Destin’s seine boat as a little kid to get a dollar a day to pick a cigar man and a herring apart, that the recreational industry caught more fish during that time than the commercial and that we’re righting a wrong -- All we’ve ever done as a commercial industry is give in. We have never sat here and said to give us the recreational catch.

Dr. Shipp said you will never get reallocation because you have a balanced council, but even when we had an unbalanced council on the commercial side, did the commercial industry come after the recreational industry? Never. We have shared these fisheries and we’ve tried to be a good neighbor.
Thank you for Amendment 40. It saved the charter industry. We talk about the state water fisheries and the non-compliance and if they’re going to continue to be non-compliant, at least they should enforce how many boats are crossing the line, because that’s all we hear from Texas, is the charter-for-hire industry talking about all the private anglers that are outside the line and that there’s not adequate enforcement for it.

Let’s all play by the same rules and let’s fix this recreational problem once and for all. You can’t keep dumping people into a fishery and expect it to be sustainable. Thank you.

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

MR. BOYD: David, thank you for your testimony. Just one question. You own a fish house and do you export any of the fish that are caught here in the United States?

MR. KREBS: Export as into?

MR. BOYD: Export.

MR. KREBS: We sell fish and we sell approximately 1,500 pounds a week to Canada and everything else stays in the U.S.

MR. BOYD: Thank you.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: Thank you, David. I was just going to ask your thoughts about the king mackerel permits.

MR. KREBS: Thank you, David. I was on the King Mackerel Advisory Panel and, of course, the issue at stake is lots of permits and how do we fairly limit how those permits are utilized in the future and it comes from the traveling fleet.

Councilman Sanchez is well aware of this problem that we had back in the 1990s and a lot of people didn’t want to travel and a lot of people had historically always traveled and so the advisory panel said that we didn’t want to penalize people that weren’t catching fish and I will be honest that I haven’t looked at the whole document that’s out right now with the amendments that are in there, the alternatives, but I can tell you the intent of the AP was that we would stop allowing boats to keep moving into zones that they had not historically been in, but yet if you had a limited or a latent permit, it would be zone-
specific to where your address was and so certain permits
wouldn’t be able to be sold, because they were never being used,
but you could still, while you had them, keep them on your boat.

It was all about keeping people or giving people the opportunity
to participate in the future without infringing and causing
overcapitalization in another zone. That was the intent of what
the AP was looking at. It was how do you stop a derby fishery
from existing in this fishery, realizing that as fish stocks
change that you might have to utilize this fishery more than you
had historically before and so we didn’t want to penalize
anybody that had a permit and was catching some fish and might
need to catch more in the future. Thank you.

CHAIRMAN ANSON: Roy Williams.

MR. WILLIAMS: David, did you hear Bill Tucker talk about his
problem with king mackerel and Mr. Tryon, where they’re reef
fish fishermen, but they catch a few hundred to a few thousand
pounds of king mackerel every year? Are there many of those?
Maybe you didn’t hear that testimony.

MR. KREBS: I did hear it and we did not discuss that at the AP,
because they all have king mackerel permits. I mean it’s not
like they don’t have a permit. They were worried that they
wouldn’t make a landing threshold and so we weren’t even
concerned at the AP specifically about landing thresholds,
because we thought if you had a permit that you had a permit,
but it shouldn’t be able to be sold. You shouldn’t take a
permit that had always been in Clearwater and then sell it to
somebody who wants to fish in the western Gulf, because that’s
the problem. The western Gulf is getting saturated.

MR. WILLIAMS: What we’re talking about is perhaps creating a
threshold for that king mackerel permit and so if we created a
5,000-pound threshold, say, are we going to affect a lot of
fishermen that you buy from?

Mr. Tucker had suggested that he be given some kind of permit
for his few thousand pounds that he catches every year. He
didn’t want to sell it and he doesn’t want to travel, but he’s a
reef fish fisherman and he catches some and he wants us to try
to provide for him. Are there a lot of people out there like
him or not?

MR. KREBS: I think he is unique in his area, but the problem in
the history of the fishery has been it’s been closed because the
fish travel from the northern Gulf to Key West and while they’re
on their way, the time that they’re off Clearwater and St. Petersburg is very limited and if the season was closed, they don’t even get a shot at the fish.

To say that they’re only catching 500 pounds today where when management changes in the future that that’s all they will catch, I think that’s premature and so that’s why I would be weary, if I was Bill Tucker, of asking for something like that. I would want to keep my options open and say, you know what, I’ve got a zone-specific permit and if there becomes a time that I need to catch king mackerel, that’s what I will do.

It’s a moving target, because we haven’t had fish in those areas before and at the AP, that was — I think Ed, and I can’t remember Ed’s last name, but Ed brought that up, because he was a resident there and he said, I don’t have landings, because the fishery is never open when the fish migrate through. That was the issue there. Thank you.

CHAIRMAN ANSON: Thank you, Mr. Krebs. We have Scott Hickman, followed by Dewey Destin.

MR. SCOTT HICKMAN: Good afternoon, ladies and gentlemen of the Gulf Council. Thanks for hearing us today or hearing me. I’m Captain Scott Hickman, a professional fisherman from Galveston, Texas. I hold federal permits for commercial reef, charter-for-hire, and commercial king mackerel.

I would like the council to leave in place and renew the shrimp boat permit moratorium. I would like Amendment 41 and 42 to move forward and not so much in scoping hearings. I think the APs and the public comment and everything we’ve been doing on charter-for-hire is more than scoping enough already and I would like the council to reconvene both the charter-for-hire APs for Amendments 41 and 42 and let these guys get back to work and get something in place.

Amendment 39, I would say we support, especially the guys back at home, Alternative 2, Action 2, leave the charter boats out of regional management. That’s why we’ve been showing up at these meetings for seven years asking for sector separation. That’s just flat out what our guys want.

Amendment 28, I would say Alternative 1, no action. We have beat this dead horse over and over and over. I am a shareholder in the red snapper fishery and it’s a great management system and until we get a good system on the recreational side, and I don’t even know why we’re still having this discussion, it’s not
going to help these guys that much.

I operate one of the large marinas on the Texas coast and I have many, many friends in the recreational fishery and they deserve a good management system, something that’s accountable and it’s sustainable and it’s highly flexible. They go fishing on their terms and not when the government tells them to go fishing. They deserve it. On that note, everybody have a great day.

CHAIRMAN ANSON: Scott, we have a question from Mr. Riechers.

MR. RIECHERS: Scott, obviously there would be much ground to plow, but if we went to a tag type of system, where each recreational angler had a tag, then we wouldn’t really need sector separation anymore and so would you support that kind of notion, because if you had that same flexibility to go anytime and the private recreational could choose who he or she were to go to, would that be a supportive kind of program for you?

MR. HICKMAN: As far as the program for recreational folks, one, you would shrink the buffer, which would mean more access for the recreational fishermen. More access is good. That means flexibility. As far as lumping in the charter-for-hire guys in a system like that, I think that you have to take that state-by-state.

Overall, there is -- All the processes and everything we’ve done over the last five years, my industry has a lot of heartache and a lack of faith and trust in our state agencies right now and I’m not saying that that can’t be amended, but there is a lack of trust in the charter boats getting a fair shake on a system like that with their states and so we feel, especially my fleet at home, which is the largest fleet in Texas, that we would be better off developing our own system and being managed under the federal system as federally-permitted charter boats.

MR. RIECHERS: Yes and maybe you misunderstood. I wasn’t necessarily saying a state-managed system. I am saying in this kind of venue even, and I am not saying I necessarily support this even, but if we were to do away with -- If we were to go to a tag system, then the recreational angler could choose to board whatever vessel at any time and that’s the management strategy even under a federal system. I mean would you support that?

MR. HICKMAN: I would probably reiterate what Mr. Cresson from Louisiana said about developing a recreational advisory panel to develop something and I think he was probably going in this direction. As long as we, the charter-for-hire industry, were
well represented on that and it’s like any fishery management plan and the devil is in the details, but we would have to really look at it and weigh our options.

CHAIRMAN ANSON: Thank you, Dewey Destin, followed by Gunner Waldmann.

MR. DEWEY DESTIN: Thank you for this opportunity to speak to you again. I feel like I’m stuck in Groundhog Day here occasionally. I have been here so many times. As most of you know, my family has been involved in the snapper fishery since the 1840s. My grandmother used to use a hand line and said those rods and reels would never catch on, but I am here today representing the restaurant business and I am proudly representing the 40,000 people who had a seafood dinner in my restaurant last year on the Destin Harbor.

According to the folks who try to keep track of things in Destin, the restaurants in just the harbor area of Destin, which is less than a mile long, served $50 million worth of seafood last year.

The fairness of allocating away from those folks and the consumers who go to those restaurants escapes me totally and to allocate that towards the very small percentage of folks who go out on their own boats and catch fish, although I strongly support measures to put some kind of realistic management scheme together for them, because they want to catch fish, too.

From the point of view of regulatory discards, we’re going to allocate away from the group who has almost zero discards over to the group that, and I have been a recreational fisherman off and on, who has more or less a 90 percent death rate.

I have looked at the rule that says we’re only counting a 10 percent regulatory discard for those fishing opportunities and that’s not realistic in the first place, in any instance, and as someone who has been fishing out there and watched red snappers floating behind the boat that have been pulled out of deep water, 10 percent, that’s the part that lives and not the part that dies.

I would urge you to stay away from this reallocation issue. It’s unfair and it makes no rational basis. It’s not supported by the science and it doesn’t fix the problem in recreational fishing. What we need to do is try to get a plan together for them, whether it’s tags, and I’ve spoken before, or reef fish aggregate limits or a closed area. We can manage the
recreational fishery side of this equation, but we can’t do it if we continue to try to reallocate and you’ve spent enough time on that. Thank you very much.

CHAIRMAN ANSON: Thank you. Gunner Waldmann, followed by Dick Brame.

MR. GUNNER WALDMANN: Good afternoon, ladies and gentlemen and thank you for the time that you’re here. I’m a Cajun boy from Louisiana, south Louisiana that is. As most of you know, Cajuns are very unique and I have a very deep connection to the water, the Gulf of Mexico.

I have been fishing probably since I was six years old in the Gulf of Mexico for various species. With that said, I’ve seen the fisheries go up and down for various species of fish. I am a recreational angler and I’m a scuba diver and spear fisherman. It’s a wonderful world out there.

I have seen the effects of the BP oil spill and so I’m here today as a recreational angler to ask that with the reallocation and the alternatives to Amendment 28 that you would vote tomorrow for Alternative 9.

I am here as a voice for my grandchildren. Some of my favorite memories as a boy growing up was fishing with my dad and now that I have grandchildren that want to come fishing, and they’re getting to that age in a couple of years, I want to be able to take them to catch their first red snapper or their first king mackerel or any other species in the Gulf of Mexico.

I think, looking back at the years that I have fished, Magnuson-Stevens and the way the fisheries have been allocated for the total catch shares is very antiquated. I applaud the council for revisiting this and I ask again that you all vote for Alternative 9 for Amendment 28. Thank you so very much.

CHAIRMAN ANSON: Thank you. Sir, we have a question.

MR. DIAZ: Mr. Waldmann, thank you for coming. I appreciate your testimony. I am going to ask you a similar question. The last meeting, we talked about developing a recreational advisory panel to give us some input on things that we could do a better job on or different ways to manage recreational fishermen and would you be in favor of something like that?

MR. WALDMANN: Absolutely, sir. I think that would be very -- It would be very advantageous that we did. Again, according to
Mr. Cresson, and I am a member of CCA, we would have to look at the makeup of the advisory panel.

I have known Mr. Camp for many years and I have actually volunteered to be on some of the advisory councils that we have now, because I do want to be fair and I want it to be fair and equitable for everyone. I mean the Gulf of Mexico is a beautiful place and I want to see my grandchildren and my great-grandchildren be able to fish recreational for all species in the Gulf of Mexico. Thank you very much for your time.

CHAIRMAN ANSON: Thank you. Dick Brame, followed by Steve Tomeny.

MR. RICHARD BRAME: Good afternoon and thank you for having me. I am Richard Brame, the Fisheries Director for the Coastal Conservation Association. I am here to speak in support of Alternative 9 in Amendment 28.

You know Alternative 8 and Alternative 9 in Amendment 28, the rationale for them was brought about by a change in the last stock assessment, the recalibration and the change in size selectivity.

The recalibration came about because of changes in the recreational data catch estimation methods, which produced a higher catch estimate. When fed into a stock assessment, they produced a larger ACL and the same with the size selectivity. The recreational fish, they saw that the fish caught by the recreational fishery were larger and they changed the selectivity in the stock assessment.

Both of those two together brought about a change in the stock assessment that raised the ACL and it’s solely due to the change in the recreational data and so, in our view, the increase in the ACL ought to be allocated to the recreational fishery, but fundamentally in Alternative 8, the recalibration ought not be thought of as a reallocation, the change brought about by recalibration, but it really should be a reset.

That was a fundamental change in the recreational catch estimation method and it changed the catch string back to 1979 and so that was a fundamental change and so, in closing, I would like to urge you to support Alternative 9 in Amendment 28 tomorrow. Thank you.

CHAIRMAN ANSON: Thank you. Steve Tomeny, followed by Skipper Thierry.
MR. STEVE TOMENY: Good afternoon, council. I’m Steve Tomeny and I’m from Port Fourchon, Louisiana. I run a charter fishing business and I’m also a commercial shareholder and a commercial fisherman. I have been here several times, every time Amendment 28 has been up, and I will still and have not changed my opinion that it’s not necessary. I am going to speak for Action 1, no action, actually.

Just like the gentleman before me just said, selectivity, this is something that came up -- I never heard of it until about two council meetings ago and all of a sudden we went back forty years in the data and over a new thought process that somehow they were landing bigger fish, but it might be that they hacked through fifteen or twenty little fish and killed them to get the big one. You know I don’t know.

I also am not really understanding some of the logic where there is no particular benefit for the recreational fishery. I am a part of it and I’ve been a part of the problem. We had de facto reallocation just from the overfishing that we did in the last twenty years.

Eighteen out of the twenty years, we overfished the quota tremendously. I mean that was -- So you’re talking about the selectivity is a reason to go back and change things after we banged away at the fish over our quota for twenty years while the commercial group was set in their quotas and stayed within them since the IFQs, for sure.

A lot of the burden was put on the commercial to have some of the bounty that we’re seeing in the Gulf right now and I too have some grandkids and one is old enough to fish and two of them are still babies and I want to see this abundance and this plentiful red snapper stock that we have now not gone away from this open-ended access that we have in the recreational fishery. My kids or grandkids are going to have to take their turn, if that’s what it takes. So thank you.

CHAIRMAN ANSON: Thank you. Skipper Thierry, followed by Eric Brazer.

MR. SKIPPER THIERRY: Good afternoon. I am Skipper Thierry and I have a headboat out of Dauphin Island, Alabama, the Escape. I have had it there for eleven years, believe it or not. The last two years, I have had the incredible good fortune of being part of the Headboat Collaborative. It’s been an unbelievable blessing. Everybody here knows what a success it’s been.
Honestly, I am terrified of this year ending and no permanent plan being in place to replace it and it going back into the derby fishery. I was able to catch red snapper up until last week by catching only one per person on most of my trips. It’s been amazing and it’s given so many more people the opportunity to have a nice little trip. We’re not out there catching thousands of pounds of snapper every day.

It’s given our little business a tiny bit of stability the last couple of years and, personally, it’s given me a little bit of dignity and sanity back. It’s not easy to go fishing day after day and have just about everything closed when you could easily go catch a few fish for the people and do a good job.

I would love to see every charter and headboat be able to permanently enjoy what the boats in the Collaborative have had a taste of the last couple of years. Please move forward with the charter and headboat management plans without delay.

I am against reallocation. It does nothing to solve our problem. Two or three more days for the recreational sector at the expense of the commercial sector solves nothing. Shortly after you reallocate a few points to the recreational sector, they will need a few more and instead of focusing on reallocation, I would focus on solutions, like a tag system that’s been brought up for recreational anglers, or any other system over the drama of a short derby season.

I would also love to see every recreational angler enjoy a split season or a tag system or anything besides the disaster that that nine-day season has been.

Please leave charter and headboats out of Amendment 39. We have come too far in this process with Amendment 40 to throw it all out and start over. I would also love to see you all look at a one fish bag limit or any other option that would give us a longer season for triggerfish. It would be very helpful. Closed seasons are rough on us. Thank you for your time.

CHAIRMAN ANSON: Thank you, Skipper. Eric Brazer, followed by Avery Bates.

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. Thank you for the opportunity to speak today.
Before I jump into reallocation, I do want to note that we support Amendment 39, regional management, for private anglers only. That’s Alternative 2, Action 2. We support extending the shrimp permit moratorium at this time.

Now reallocation. The council has been provided with a lot of information this week. We trust you’ve read it all and you will use what you’ve learned to make an informed decision tomorrow. If you do this, you will know that in your head and in your heart the only viable option in front of you this week is Alternative 1.

Three credible independent scientists have confirmed what we’ve been telling you for years, that reallocation is not justified from a biological, social, or economic perspective.

You know I’m glad that Dick Brame mentioned recalibration and selectivity and I’m going to take this ball and run with it. The very people who came up with the recalibration methodology concluded that it’s preliminary and it may not be defensible from a scientific point of view and that the two other methodologies should be continued to be investigated, because it’s possible that one of them may be determined to be better in the future. Those are their words. Those are not mine.

I also want to point out that we keep hearing from some recreational sector representatives that the reallocation fixes the allocation of the baseline years of 1979 to 1987 and this is not true.

Nothing in Amendment 28 says anything about fixing the data from the baseline years. You would actually need a new alternative to do that, but staff, council staff, has made it clear that there is insufficient information to recalibrate the recreational data from this period, in any event. I quote from last October, just ten months ago, Dr. John Froeschke said that the problem historically is that prior to 2004, and ultimately prior to that, is that they don’t have the information necessary to recreate the experimental design that was used in order to sample it and so that’s why they can’t calibrate historically and so how did the Science Center do it? No one knows, because the information isn’t available to us. The public needs that information.

Selectivity yet has not been justified. There is not enough analysis to say why selectivity is occurring. Is it targeting practices? Is it biological? Is it something else? We just don’t know, but what we do know is that it’s likely to change
and fluctuate year to year. Why are we reallocating based on something that will change year to year?

Please see the rest of our comments for every other rationale we’ve provided for why reallocation is not a viable alternative and therefore, Alternative 1 is the only way that you should move forward. Thank you for the opportunity to comment.

CHAIRMAN ANSON: Thank you, Eric. Avery Bates, followed by Debbie Jones.

MR. AVERY BATES: I didn’t bring no notes with me and so I will speak off the top of my head. My name is Avery Bates and I’m Vice President of the Organized Seafood Association and I’m glad to address you all for the commercial fishermen of Alabama, at least most of them.

We want to see our shrimping industry stay strong and like the man from Louisiana, we want to see 1,933 permits issued. A lot of people can’t get permits and we are a ship building area in Bayou LaBatre. It’s the seafood capital of Alabama and we want Amendment 28 to stay as is. Keep in mind the commercial fishing industry helps feed the country and some of the world with our commercial fish.

We want the constitutionality of this thing looked at and what it means to our commerce. Don’t affect our commerce in a negative way. We want to keep our hard-working fishermen supplying fish to these restaurants that you keep hearing about.

87 percent of the Gulf Coast after the BP oil spill -- The restaurants said 87 percent of the money that comes through their restaurants is seafood-oriented and do you want that affected in a negative way? Do you want the people in all the states that don’t border that has the liberty to buy the fish in the markets -- Alabama law 912.125 says that you can only purchase seafood from a licensed commercial fisherman.

If you get them where you don’t have enough licensed commercial fishermen, you are going to have to import that product from a country that is not inspected like we have inspections from our FDA here.

By the way, you know something? In the Constitution, in Article 1, Section 10, you can put a tariff on inspection. You know only 2 percent of our imports are inspected? Let’s put a three-dollar tariff on it and we’ll see our shrimp go up. It’s legal and it’s constitutional.
Let’s not violate the Magnuson-Stevens Act. You’ve already got 51 percent going to commercial fishermen and 49 going to the recreational sector and let’s keep it adequate. Let’s keep Alabama and Bayou LaBatre and all the other towns that’s doing a good deed by supplying good seafood, whether it’s shrimp, oysters, or crabs, but don’t take away from our industry and the people of the United States that buy it, that has access.

Keep the constitutional aspect. Remember, we’re entitled to life, liberty, and property. Guess what seafood is? It’s property. It’s our business.

Some of these headboats, that’s a business. Life, liberty, and property is important to our way of life. If you take property away from the people, they should run the people in office out of business. Why? Because they are entitled and they have a right to what God gave them rights to and that’s fish. All the fish that passes through the seas should remain seafood. Remember, it was food before it was fun and if you want to be without food, you keep taking that away from the people of America and then you’ll see where we’re at, depending on China and depending on Vietnam, who doesn’t have clean water.

CHAIRMAN ANSON: Avery, if you could wrap up your comments, please.

MR. BATES: Yes. If you want to eat tainted antibiotics in these ponds that is shipped to America that’s not inspected properly -- These restaurants don’t want to serve tainted product. Kevin, you know that Alabama has some of the best artificial reefs in the whole country and we want to keep our artificial reefs out there for everybody.

CHAIRMAN ANSON: Avery, your time is up and I’m sorry. You will have to wrap up.

MR. BATES: Thank you, all. Keep us fishing.

CHAIRMAN ANSON: Debbie Jones, followed by Tony Melerine.

MS. DEBBIE JONES: Hi. I am Debbie Jones with Organized Seafood Association. We represent commercial fishermen in Alabama and we want the Reef Amendment 28 to stand as is. We believe any changes in it would represent a loss to the U.S. commerce and the states who purchase our resource and it would be a loss in commerce in our fishing communities and it also would be a possible increase of imports of the resource and a possible
increase in the bycatch in the recreational sector.

Our Alabama commercial fishermen practice sustainable management of our nation’s red snapper industry in accordance to the MAS and under the Alabama Code, which governs sale and distribution of seafood, and we pride ourselves -- Our fishermen pride themselves on sustainability, accountability, and traceability, providing fresh, domestic, wild-caught seafood.

With that, we agree that the recreational fishermen deserve a management plan that gives them the same abilities that our commercial guys have, sustainability, accountability, and traceability. However, we don’t agree impacting the commercial seafood industry is the way to do it.

We ask that you remember the MSA when it talks about -- The portion that talks about that no particular individual or entity can have an excessive share of such privileges whenever you’re talking about reallocation and also remember that such impacts, economic impacts, could have a negative effect on these fishing communities. By that, we ask that you keep it with the status quo. Thank you.

CHAIRMAN ANSON: Thank you. Tony Melerine and Johnny Williams.

MR. TONY RICKY MELERINE: I want to thank the council for letting everyone here speak and also, I want to thank if there was anyone involved in having me speak before Dean Blanchard, I want to thank you.

My name is Tony Ricky Melerine and I live in the Great Parish of St. Bernard and what I want to do is I’m here about the shrimp permit moratorium, which I feel is just a sugarcoating. What I want to do is I want to give a small history. Since I’m sixty-five years old, I feel I have a little history.

There is a bigger picture here than this moratorium and the bigger picture started thirty years ago. I have been in the shrimp seafood processing industry for thirty years and we dealt in steamed oysters, canned oysters, and canned shrimp. One of the first things that disappeared because of imports was canned oysters back in the early 1980s or late 1970s. We lost that completely, the United States.

2005, we had one shrimp canner in the United States. Back in the 1970s, we had forty shrimp canners and in 2005, we had one and now we have lost that. That was the only domestic shrimp canner in the United States that we have kept fighting for
imports.

We also, thirty years ago, and I get back that we’re not going to get on prices, but us dealing with shrimp thirty years ago, forty and fifties, it cost the same as what they do now. Now, where else in the United States is there a product that costs the same as it did thirty years ago, forty or fifties, this cost the same as what we used to buy it for twenty or thirty years ago.

Now, with that, we have this moratorium and we have the TEDs and of course we had Katrina and we had BP and all of that put burdens on the commercial fishermen and when is it going to stop putting this burden on commercial fishermen, these imports and everything and then the natural disasters?

Then the last thing I have to say is the government has got to quit turning their backs on the commercial fishermen in this great United States. Thank you.

CHAIRMAN ANSON: Thank you. Johnny Williams, followed by Mayor David Carmedelle.

MR. JOHNNY WILLIAMS: Good afternoon. Johnny Williams from Williams Partyboats in Galveston, Texas. I’m a third generation partyboat operator out of Galveston and first, I would like to praise the council on some of the past votes that they’ve done.

Here a while back, they came up with the pilot program that we developed and the council approved and the National Marine Fisheries Service approved and we’ve been participating in it, one of my boats, for the last two years has been an overwhelming success.

It was good for the folks that went fishing with us. It gave them a greater time to access the fishery and it was great for us because we can run our businesses better than the government can run our businesses, as probably just about anybody in the country would tell you. It was a win/win situation and so I want to praise the council for that.

Also, I want to praise them for Amendment 40. It was something that was necessary to save the for-hire sector and that same motion, I want to say that I’m totally against including us in regional management. I am very concerned that this will lead to the destruction of the for-hire sector, just as actions by the states in the past were leading to its demise.
You know we only had a nine-day season the year before last and we would have had a very short season this year again if we had not gotten sector separation by the Gulf of Mexico Fishery Management Council and so I don’t think the states have the best concern for the for-hire sector and you see some of these groups coming up here and say, well, it’s not fair because of what happened this year with sector separation and that you all got forty-four days and the recreational fishermen got ten and they get up here and they whine about that.

How many of them whined to the states about, hey, why don’t you close your state waters so we can all have equal access out there in the federal waters? I haven’t heard anybody complaining to the states or anything like that about that. I mean instead of trying to take something away from us, why don’t you try to make -- You know if you want to call something fair, then do the right thing and Amendment 40 was the right thing.

I want you all to move forward on Amendment 41 and 42 and like I said, we had an excellent program with this pilot program and we would like to see something like this done on a permanent basis. It gives us the opportunity to manage our own businesses and it gives us some hope for the future and it gives us some stability and that’s what we need more than anything.

As far as the regional management, I don’t want to try to tell the -- I mean if that’s what the pure recreational fishermen want, the private recs want, that’s great. I don’t want to tell them how to run their fishery, but I don’t want them to tell me how to run mine either and so that’s why I ask that you all go forward with 41 and 42.

As far as 28 goes, it’s not the right thing to do right now to take fish out of an accountable system and put them into a system that’s mostly unaccountable. Thank you very much.

CHAIRMAN ANSON: Mayor David Carmadelle, followed by Dean Blanchard.

MR. DAVID CARMEDELLE: Good evening, council and Dr. Crabtree. I am Mayor David Carmadelle from Grand Isle, which is about a hundred miles south of here. I’ve been a fisherman all of my life and my grandfathers on both sides were fishermen.

In the early 1980s, we went to Washington to meet with the council to fight the TED issues, but what I have to tell you today is the problem we’re having here is to make sure that I got elected by my fishermen to represent our fishermen and we
live off of tourism and we live off of the fishing industry and
the oil business and going through many hurricanes watching my
parents lose everything in 1965 when my dad was elected and
supported by the fishermen right there around the island itself.

We could make a good living there, but when the government came
in and put the TED issues on us, we had to live with that, but
today I am telling you there is things that need to be changed.
Leave us alone, number one. Let our fishermen go out there and
make a good living.

Our President of the United States, President Obama, came to
Grand Isle for the oil spill and our President walked on the
pier with me and I showed him that this is the way the oil is
headed and, Mr. President, we don’t want no federal funds. We
want BP to pick up its mess. Mr. President, we’re like a
farmer. We walk and get up in the morning and kiss our family
and we go to work. He said, David, this is where you make a
living and this is where my dad put me through school and my
sister and all the whole family.

You see the fishermen in the back and they will get any permit
you want them to have. They want to do the right thing. I
could go back to Grand Isle tomorrow and I could go take eighty-nine gas meters and water meters off, but I know what it is when
my dad couldn’t pass his water bill and gas bill catching crabs,
which we have no crabs because of the oil spill.

We didn’t get nothing from BP and we are still dealing with BP.
These fishermen want to feed their families, just like a farmer
wakes up and kisses his family to go cut his sugarcane or grow
his crop.

Please, I am asking you, don’t reduce the permits. If you’ve
got 500 left or 400 left, I’ve got young couples coming to my
office in the last two years with the insurance rates that’s
gone up and we followed every rule when FEMA came in and the
President sent money to elevate the homes. We’re doing
everything we can to make our livelihoods.

We want to make a decent living, but when you’ve got a young
couple that comes -- You send our kids to college and come home
and be a teacher or get a good job in the oil field or be a
tourist director, to promote tourists to come in, to bring the
fishermen in, and when they throw the keys on your desk and say,
Mr. Mayor, we can’t afford our house insurance because the back
wants to lend to me and pay a note for $900 a month, but the
insurance is $1,500 a month.
Seven young couples left my town and guess what? These fishermen, like my dad, sent me to school to get a better education and all we want to do is make a living on the waters. Leave our people alone and I want to tell you that I suggest that you delete Alternatives 5, 6, and 7, as there is no reason to reduce the permits for our younger generation.

You let our people go to work in the waters, Dr. Crabtree, we will respect the laws. I get the National Fisherman book and I read every article, every article. Since 1971, I’ve been getting the National Fisherman. I want to know what the fishermen do all over the United States and everywhere I read, it’s just mandates and mandates.

When my friend, Mr. President, came down twice, he showed me -- I didn’t know that you could just off the pier catch all the shrimp and crabs and oysters in your backyard and, David, we’re going to help you. That’s why I’m here, to represent the fishermen. As long as there is one grain of sand along the Gulf of Mexico, we are going to support our fishermen. Thank you.

CHAIRMAN ANSON: Thank you. Mayor Carmadelle, we have a question over here.

MS. BOSARGE: Mayor, I am from the shrimp industry and so I was very interested in what you had to say. These people that are wanting to get these permits, tell me about them. How many do we have and what type of shrimping do they do and what type of gear do they pull and where are they going and what do we need to do to help these people? I need to know more about them.

MR. CARMEDELLE: First of all, the three-mile limit with the federal waters, if our fishermen leave along the coast in Grand Isle or Leesville or Port Fourchon or they come from Venice -- If they come in from Venice to come to our ports, they travel across the federal line, because the line gets narrow as you get to the mouth of the river and so they’re scared they’ve got to have the permits, because you catch shrimp all along the coast.

You might have to go -- With BP oil at the beginning, you had to shrimp seventy miles off of Grand Isle and so these fishermen are going to travel all over, from offshore and they will cut across the line. They are scared to death. They caught their shrimp in inside waters and they’ve got to cross the line sometimes to go unload and they go to different ports and get fuel and ice and their wives meet them at the dock and get the money to go feed their kids and they go, because it’s the phase
of the moon. You work with your moons.

That’s all they want to do and so we need to keep them permits so I can tell that young couple that, look, don’t worry about it and the government is not going to take their permit and you can go fishing anywhere in the Gulf of Mexico, where we represent, from Texas all the way to Florida, and I’m sure along the east coast, like the young gentleman -- This shrimp buyer right here, this young man, just talked about the amendments.

We just want to make a living and just let the permits open and we’ve got young -- Right now, with the BP oil spill, being honest with you, I’ve got young deckhands right now, twelve or fourteen years old, and I was on a boat and I still have a skiff and I’m just telling you to have a heart.

We just testified across the river with BP giving funds to Jefferson Parish and we want to build levees with that kind of money and we want to take care of the coastline and the oil is still on my beach and I can give you data now. We are still dealing with that after five years and so don’t -- Seventeen feet of water off my coast in Grand Isle right now is poison for shrimp.

It’s like you’re going to your home, ma’am, and you’ve got a carpet and this carpet on a wooden floor and every time the Gulf gets rough -- I don’t want another storm. We’ve done a lot of prayers and we don’t want another storm. When it gets rough, it tears that piece of carpet off the wooden floor and it comes on my beach and so we’re still dealing with a big mess.

These fishermen have got to travel seventy miles away from the west or the east to make a living in the last five years. It’s getting better, but if there’s a disturbance in the Gulf, the oil comes on my beach and I am not blaming nobody for that. I am just telling you that’s another issue that we have to fight. We support drilling. We do. We clean up our mess.

When the fisherman isn’t making no money, he goes on the oil rig and he works. We just want to make a living in the waters and if somebody makes a mess, Dr. Crabtree, let’s support each other and let’s go make him pick it up, but listen. They just want to pay their bills and they want to put their kids -- You don’t know how hard it is to have a young couple -- Like my daughter, they came to school to teach. She is buying a home in Scott, which is west of Lafayette and I am leaving here to go see her. She starts school on Monday.
She left my town and I gave her property to build a home and she can’t afford the note, because of the insurance. That’s hard. When you’ve got a fisherman that leaves tomorrow morning that goes crabbing right across from my home or anywhere or comes from anywhere, from Houma -- These fishermen in the back, look at them. Look at them. They just want to feed their family.

Any permit you ask them, they will pay for it. They will abide by the law. The toughest law we ever had was to save the turtles. When you have got the Coast Guard that comes in that serves our country, they didn’t want to enforce those laws, but we respected them and we put them on and we did everything right, but that fisherman has got to travel all over, but if he goes across the federal waters, he is scared. He didn’t do nothing illegal.

I mean you’ve got big boats and small boats and medium boats and we just want to be like a farmer. We want to go out there and there is no farm aid with shrimpers or fishermen. There is no farm aid. We just want to make a living and the interest is down a little bit and thank God for that. They are trying to pay their notes, but that family that builds a home anywhere along the Gulf Coast -- The people from Alabama and Mississippi can tell you that any one of them that goes to try to build a home, the fishermen can’t afford their notes and they can’t pay their insurance.

If one storm comes into the Gulf of Mexico -- I just became Mayor of Louisiana and I served one year and I represented 303 and I traveled this whole state and I just got off the board in August and all along the coast, Mr. Carmadelle, please, we can’t afford our insurance. Our fishermen want to make a living and it goes all the way anywhere from Florida to Texas and all along the coast.

I was there to help the mayors from Hurricane Sandy. Because of Hurricane Sandy, we got more help. We got the east coast to represent us and show us that we didn’t know what Hurricane Sandy could do to us and we’re talking about mayors that didn’t have a clue, because they didn’t call no mandatory evacuation. Those poor fishermen are in a mess the same way.

If a disaster leaves us alone, we can climb up. We are resilient people and we don’t want nothing for nothing, but don’t make it hard on the fishermen. I am not going back to cut a water bill and I am not going back. I see my daddy couldn’t pay a water bill, but he made sure we had clothes on our back and that’s why I am still elected and let me tell you, I am
going to fight for my fishermen and I am going to take care of
the tourists that come enjoy themselves on Grand Isle.

Anybody that wants to recognize and understand and enjoy the
fish to eat and bring your families to fish, don’t put no more
regulations on any families. Let us enjoy it and if it’s out of
tune, Dr. Crabtree, listen. We will be the first ones to go
help you, but I read National Fishermen books, and I’m going to
repeat it again, since 1971 or 1972 and I watch what’s happening
to our fishermen.

I made a promise to my fishermen that I will take care of you
and I will never cut a mother with kids when they’re trying,
like the crab fishermen that could have sold 150 dozen of crabs
yesterday, this past weekend, and they only caught maybe fifteen
dozens and his wife comes up to me and says, I can’t pay my water
bill. There’s things like that.

You’ve got good jobs and I don’t know what you do, but we’re
just the farmers of the sea. You take care of the working men
and women with hands and you should have no problem with this
and I support you all and please have a heart and leave us
alone.

You’ve got good Wildlife and Fisheries and you’ve got agents
from all over and they do a great job. The Coast Guard, they’re
right there and they’re all along the coast and they support any
laws that you do and we make sure that we follow them, but we
don’t need nothing down our throats. Leave it open, ma’am.
Leave it open, so I can give that young couple and maybe I can
get my daughter, because her husband is trying to be a fisherman
and an oil field man. Maybe I can get them back home. Thank
you, all. I took too much time. Thank you.

CHAIRMAN ANSON: Thank you. Dean Blanchard, followed by Douglas
Olander.

MR. DEAN BLANCHARD: Hello. My name is Dean Blanchard and I own
Dean Blanchard Seafood in Grand Isle, Louisiana. I had a speech
in my phone, but you made me wait so long the phone died, but
basically we’ve got the largest -- The shrimp is the largest
industry in the Gulf of Mexico, because you haven’t regulated it
yet.

You’ve got a one-year crop with the shrimp and there is no
reason for you all to regulate it. If you don’t catch the
shrimp, they die and it gets wasted and I mean how could you all
regulate it? How could you all help it? The only thing you all
could do, I mean Ms. Bosarge over there seems to think that if
she cuts enough people out that her permit will be like a red
snapper permit, but when they cut the red snappers out, they
didn’t have 500 unused red snapper permits. Everybody that had
one used it.

There is a reason there is 500 unused shrimp permits, because
you all’s form ain’t right. We are using those permits. We’re
not using them to actually fish in federal waters, but we’re
using them to cross federal waters, but there is no question in
the form that asks that question and so if you all redo you
all’s form, you all might find that more people are using those
permits than you think.

In 2004, I unloaded over 1,400 boats. I unloaded so many boats
that I jammed up the trip ticket system for the Wildlife and
Fisheries and that’s how I know how many boats I unloaded that
year and so you all are trying to make the industry smaller than
one dock in Grand Isle unloaded in 2004.

Crabtree says those unused permits make it look like we’re
catching more turtles. He can’t say that we are catching more
turtles, because they’ve been having his goons out there for
seventeen years and have never found a turtle on a boat, dead or
alive and so it’s just in his imagination that he thinks we’re
killing turtles, you know?

If we are killing them, it’s people that sure don’t do a good
job, because I talked to the agent that catches and they have
never found a turtle on a shrimp boat in federal waters, dead or
alive. Go in the computer, all of you all, and punch in
“trawlers killing turtles” and you know what’s going to come up?
All these environmental groups that keep suing them and that’s
saying we’re killing the turtles, but it don’t say that Joe Blow
killed a turtle on such and such a day, because they ain’t got
it, because it’s not there. It’s not there.

I mean I don’t want to make his job easier. He’s probably
going overpaid already and I mean if we’re killing the
turtles, prove it and if that will help you by taking our
turtles away and I hope you question me later, because if you
make the business too small, your permit is going to be less
than what it’s worth right now. You’ve got to have some
infrastructure in the business.

If you make it too small, where you ain’t got no ice houses and
you ain’t got no docks, what are you going to do? You’ve got
four permits and you’ve got 500 unused permits, I will buy them
right now. I will write you a check right now. How much do you want for them? Don’t throw them away. I mean we’ve got kids.

You could kill every larvae tomorrow and come May, you’re going to have a graduation class. If you cut the chain of the fishermen and stop the father from teaching his son how to fish, what have you got? If we can’t feed ourselves in this country—You all remember waiting in line for gas? Just imagine waiting in line for food. Thank you, all.


MR. DOUGLAS OLANDER: Good evening. My name is Douglas Olander, owner of Big D’s Seafood out of St. Mary. I am currently looking for one of those offshore permits. It’s been a long time. In other words, the last year-and-a-half, I’ve been asking anybody for one of them offshore permits and I wasn’t able to get none at all.

I heard that you can purchase them, but I didn’t know and so I am just curious about when I will be able to go ahead and get one and so please go ahead and leave it open the way it is like that right now currently, okay? Thank you, all.

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

MS. BOSARGE: I am glad you brought up that point, because I think that is a big problem in the industry, that you’re looking for a permit but you can’t find them.

MR. OLANDER: No, I can’t.

MS. BOSARGE: Then what ends up on the table in front of us is a document with data showing that we have a minimum of thirty of these permits that people are not even renewing and they don’t want them and they are essentially handing them back to NMFS every year and saying I don’t want this Gulf permit and so I think that’s one important thing that we need to do.

If we do nothing else, we need to have some outreach and education. We need to make sure that everybody understands how to find these permits and I learned something that I didn’t realize on Monday. It’s on NMFS’s website. They have every permit and the name of the boat the permit is on and the name of the man or company that holds the permit and the address with the city and state and they even have the expiration date, so you can see if that thing is getting close to expiring.
MR. OLANDER: Okay.

MS. BOSARGE: I hope that you will take that back and use it to your advantage, but spread the word, because we certainly don’t want these thirty permits falling off every year and seeing them go away and the fleet have no capacity to expand. If there is people out there that want them, we have got to show them where to get them.

MR. OLANDER: Yes and I know of four people currently looking for the permit.

MS. BOSARGE: So help me, please. Please.

MR. OLANDER: Thank you, all.

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

MR. RUSSELL UNDERWOOD: Hi and thank you, Mr. Chairman. I am Russell Underwood from Panama City, Florida. I fish out of Leesville, Louisiana. I have been coming to these meetings for about thirty years and today I would like to talk about Amendment 28.

The first thing is I’m against that. I think it’s wrong, morally and legally wrong, and I would like to see some things done differently. I would like to see the recreational industry finally come up to this podium and somebody make a recommendation to try to help the recreational sector.

I have heard some testimony today about this Amendment 28 and every time people were asked questions, they started stuttering a little bit and, well, well, but, yes, but. You know if we’re going to form a recreational committee, you know you shouldn’t be worried about your fellow neighbor. If you’ve got a recreational committee, you will have recreational people on that committee and we developed the IFQ seven years ago and we had recreational people on that committee and we had environmentalists and we had enforcement and nobody intimidated me and they were all gentlemen and we got something done.

It’s time for the council to do something. You’re not doing anything by giving these people a small amount of fish. You are not doing nothing for them. Do your job. I am asking you or I am begging you to do your job like you done for me and what you’ve done for the charter boat and the headboat industry. Do
your job and make the fishermen have a better way of life.

I appreciate what you all have done for the recreational sector as far as the charter boats, Amendment 40 and 41 and 42. You all need to keep on working on that.

On the king mackerel, I believe that we’re going to have some problems with having a high -- As far as getting these 5,000-pound permits and stuff like that and so the mackerel fishery has changed in the Gulf and I used to catch quite a few and now I don’t catch that many and I really don’t want to lose my permit. That’s coming up and I’m really concerned about that, but the bottom line is think about -- You are helping a small amount of people and I came from the recreational industry with ten years in the partyboat business.

I love that industry and I want to help these people, but think about the people that you’re hurting, that you all are going to hurt. The first thing, you’re going to hurt about 300-million Americans, depriving them of the resource, and then you’re going to hurt -- How about that new entrants that you all said, hey, let’s let some new people into this industry. You are going to take away from these people that just got in the fishery business and how about that poor fisherman in the eastern Gulf on the bycatch issues?

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

MR. UNDERWOOD: Yes. You’re willing to give these fish away and you’re hurting a lot of people. You are hurting the tackle shops and the fish houses and I support the fellow fishermen and I think you all need to reconsider this and vote tomorrow to Alternative 1, just status quo. Thank you.

CHAIRMAN ANSON: Thank you. Wayne Werner, followed by Louis Vallee.

MR. WAYNE WERNER: Good afternoon. My name is Wayne Werner and I live in Alachua, Florida. I’m a member of the Fish for America and I would like to say I think the Gulf Council should vote for the status quo in Amendment 28.

None of the options address the goals and objectives or the purpose and needs. With poor recruitment since 2006, we are seeing the gap in the size classes. This is availability for red snapper and not what the council is calling selectivity. This is more predominant in the eastern zone in the Gulf of
Mexico. The best science available does not mean the newest science just developed for this amendment.

Roy Crabtree stated at the Baton Rouge council meeting that the recreational sector has never received benefits from any quota increases. This would be true if the recreational sector had not overharvested the largest amount of red snappers when the TAC was at that level.

The SESSC has advised you to look at a management plan for the recreational fishery and not reallocation. The rationale was so poor for reallocation at your last special SSC meeting that the panel did not discuss reallocation. This council has shown no consistency when addressing allocation issues. They pick and choose whatever benefits the recreational sector.

There are signs that the SPR is falling in the eastern zone of the Gulf of Mexico. This may create a situation that makes it hard to reach the rebuilding threshold in 2032. The council can only make this worse by reallocating fish, the majority being harvested in the eastern zone of the Gulf.

I have never seen a document this unfair with the poorest rationale that I have ever witnessed with no real science to back it up. If this council votes reallocation, I would urge the fishermen in this audience to contact your congressmen and senators and voice your disapproval. Thank you.

One more thing I would like to say about king mackerel, considering I have twenty-three seconds left, is I would like to say that I would like to see it by zones and pick your zone. It was with the advisory panel and just like Russell Underwood, we had the same situation where we saw our catches go down as people came traveling. Thank you.

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

DR. CRABTREE: Wayne, since you attributed a statement to me, and I don’t really know where that comes from or what the context of it was, but --

MR. WERNER: You said it like three different times on Monday.

DR. CRABTREE: I don’t think so or at least not in that context.

MR. WERNER: Oh, yes, sir.

DR. CRABTREE: Clearly when the quota has gone up, the
recreational season has been longer than it would have been --

MR. WERNER: Then why is it shorter now?

DR. CRABTREE: If you will let me finish. The recreational season was longer than it would have been had the quota not gone up and so in that sense, they gained from having quota increases. That’s not the same thing as saying their season didn’t get shorter, because it has gotten shorter, in many cases, but had their quota not gone up, it would have gotten even shorter than it did.

MR. WERNER: So you’re saying by giving them more fish that it’s going to make the season shorter?

DR. CRABTREE: No, that’s not what I am saying at all.

MR. WERNER: That’s what you just told me.

DR. CRABTREE: Well, I am not going to debate it with you right now.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: Wayne, I have two questions. The first question is why do you think the SPR is falling in the eastern Gulf of Mexico?

MR. WERNER: Well, there is several reasons. Let me give you my own personal ones. Number one, I used to get ten or twelve people calling me and asking to lease fish and now I think I had one or two this year call and the one person that I had been leasing fish to, I leased a couple thousand pounds to and I do it every year just to address bycatch. I never made it a secret to this council. I catch most of my fish, but those people haven’t even called me back to get any more fish.

You know by this time last year, they were calling to get another 2,000 pounds and everybody I talk to, it sounds like their CPUEs are going down in the eastern zone. The western zone, pretty healthy. It looks real healthy and just like I’ve heard people say in here there’s more fish than they ever saw in their life, but what we see there, no.

Talking to some of the scientists like Jim Cowen, who are doing some of the surveys, they’re seeing less fish on the reef and less fish on the structure and they’ve been doing it for the last five years and they’ve seen a decrease.
MR. WALKER: One more. What do you think about the recalibration?

MR. WERNER: I think it’s just one part of a whole bunch of science. You know I’ve made the statement here before that IFQs made the fishery rebound and, as a matter of a fact, Dr. Crabtree shot me down on that. He said it wasn’t just IFQs and it was -- You know we had shrimp trawl bycatch and we had size limit reductions and it’s not just recalibration that allowed you to get more fish.

If our CPUEs had fell out, if we had had huge discard numbers, then I would agree with that statement that it was just recalibration, but all of this is what made the quota go up and not just recalibration.

CHAIRMAN ANSON: Ms. Bosarge.

MS. BOSARGE: Just a quick question. Something you said caught my attention. You said that the SSC said the rationale was so poor that they wouldn’t discuss reallocation?

MR. WERNER: Well, you gave them the charge before they met last time and that’s the only reason why I went to that meeting, was because they were going to discuss the Amendment 28 and recalibration selectivity and Dr. Patterson gave them -- Just before they broke for lunch, he goes, if you want to talk about these subjects later on, you can and the meeting ended and I just spent my money to go down there because you gave them that charge and they never discussed it and you gave them the charge. Thank you.

CHAIRMAN ANSON: Louis Vallee, followed by Kristen McConnell.

MR. LOUIS VALLEE: I am Louis Vallee, Tournament Director of the Southwest Louisiana Fishing Club in Lake Charles, Louisiana. We have held a tournament there consecutive for seventy-seven years, as of this year, and I am a recreational fisherman since 1948. My godmother and godfather brought me fishing at a rig in the Gulf, one of the first rigs in the Gulf of Mexico, and I have seen all kinds of things happen in the Gulf of Mexico over the years.

I came to support Alternative Number 2 on Amendment 39 and I think that the State of Louisiana has been doing an excellent job on finding out the catch of the fishermen. I have a camp in Grand Isle and every time we come in from offshore, they
approach the boat and they want to know what we caught and all
the information about the fish and everything and there is
hardly a trip that goes by where they don’t come gathering.

As of last week, I got a call on the telephone wanting to know
what I had caught within the past week and different things.
You have to register to fish in Louisiana with a permit, a
saltwater fishing permit, if you plan to go offshore. It’s free
and you register and then they have your information to call and
see what you caught and what’s going on and everything.

They’ve been doing a real good job and I got a notification that
they are closing their red snapper season on the inland waters
on September 9 because their quota had been reached.

One last thing I want to say is I know you all don’t have any
control over the menhaden industry and the porgy industry, but
the fish in the Gulf of Mexico have to have something to eat.
As long as this menhaden people can come along and wipe out all
the food fish for our fish, then there is nothing. There is
nothing for them to eat and you can say what you want, but they
are starving out there, because of the menhaden industry. There
were six menhaden plants in Cameron and now you know how many?
There is none. There is zero right now.

UNIDENTIFIED: There were only three in Cameron. Excuse me.

MR. VALLEE: Right, but not in Cameron. Omega Protein has one
at Intercostal City and they fly over to see where the porgy are
and they go in there and grab up all the fish and that’s the
food for our fish. Until we start feeding these fish, you can
just about forget the quotas and everything else. They have to
have food to eat. Thank you very much.

CHAIRMAN ANSON: Thank you. Kristen McConnell, followed by H.
Cooke.

MS. KRISTEN MCCONNELL: Good afternoon. I am Kristen McConnell
and I am with the Environmental Defense Fund. On behalf of our
over one-million members and supporters, I wanted to talk to you
today about red snapper management. Thank you very much for
your attention today.

What I wanted to say that all of the pieces are on the table in
front of you and I think whether we move towards positive
changes or continued chaos depends in large part on the choices
that you make and I think that your duty is to focus on the
things that actually help and actually provide benefits.
To that end, I wanted to talk about those three pieces. The first one is private anglers and I think you have a real opportunity, both perhaps with Amendment 39, if we can reach a place of agreement on that, as well as with the private angler AP to really think about what kinds of things might fix the frustration and the derby and the things that these folks are locked into.

However, I think Amendment 39 is probably not the place for charter operators. I think there are better ways to help them and provide benefits and so I think for charter and headboats that moving forward with Amendments 41 and 42 is really important and exploring those options.

This industry has come together in a really terrific way and worked in good faith with the council to talk about what they want and to talk about how to make compromises and sacrifices and all of those kinds of things and so I think it’s important that the council move forward with those.

Finally, allocation is the third piece and I think this is the one where you are likely to do harm and not good. None of the alternatives in Amendment 28 other than Alternative 1 are justified. It also has a conservation impact, no matter which alternative you choose other than Alternative 1, because of the impact in the eastern Gulf.

I think it’s important to keep that in mind, how can we do the most good this week, and I think by moving forward with thinking about how to help private anglers and how to help charter fishermen and headboats, that’s what the council can focus on.

Finally, I did want to say with shrimp that as you consider what to do with a moratorium, I think it’s important that effort should be analyzed and carefully considered with regards to the effect on red snapper and turtles, giving the current shrimping techniques, and so I would encourage the council to continue to explore the impacts of both increasing and decreasing that situation. That’s it and thank you very much.

CHAIRMAN ANSON: Thank you. Mr. Cooke, followed by Tom Ard.

MR. H. COOKE: Good afternoon. My name is Butch Cooke and I don’t have a commercial boat. I don’t have a charter boat and all I’ve got is sixty years of fishing in the Gulf of Mexico. I have seen the bad times and the good times and right now, we are riding the tide of excellent red snapper population. There is
some truth that they run in cycles. I have seen it, but under
good management, or somewhat good management, we have reached a
tremendous amount of fish out there and this fellow a while ago
was talking about the Constitution and he was talking about life
and liberty, but he left out the pursuit of happiness.

I only got nine days of happiness this year and some folks got
forty-four days of happiness and somewhere we’re missing the
boat, folks. I caught a total of four red snapper this year and
if I want to eat red snapper, I’ve got to go to the restaurant,
which you know I’ve for everybody getting their share of the pie
and I just don’t feel like I’m getting much of the pie and so I
think there is bound to be a better way than the way we’re doing
it and the State of Louisiana has come up with a viable
reporting plan.

I think if we would have had something like this in the past
that we wouldn’t be having this conversation today and in
closing, I would like to support Alternative 2. Thank you.

CHAIRMAN ANSON: Thank you, sir. Tom Ard, followed by Ed
Landgraf.

MR. TOM ARD: Tom Ard from Orange Beach. I’m a charter boat
captain. I’ve got two federally-permitted boats there. A
couple of things I really want to talk about and the first is
amberjacks. I don’t mind the fact that you guys want to go to
thirty-four inches and that doesn’t really bother me at all.
It’s how we get there that bothers me.

Both of my boats fish within twenty miles most every trip and
we’re going to have a really hard time catching thirty-four-inch
jacks. That doesn’t really bother me as much either, but it’s
what we’re going to do with all these other fish trying to catch
a thirty-four-inch jack.

I would like to see, if I had my way, to go to thirty-one
inches, thirty-two inches, thirty-three inches, and then thirty-
four inches and work our way to that thirty-four-inch mark. I
would love to see it go four years, but even if it was a few
years, you go from thirty to thirty-two and then we know the
next year it’s going to go from thirty-two to thirty-four. That
would work out better for most of all the small boat, you know
the forty-foot type range boats in Orange Beach, and I think it
would be better for the fish.

I would like to see you guys start talking about triggerfish. I
heard we’re going to get a pretty crappy stock assessment and so
even if we’re going to -- They are worth something. They are very valuable to me to be able to catch a triggerfish. Opening them in January does not help anyone around the northern coast and so I would love to see something, even if it’s for a short while.

I don’t know how much -- None of us know what the stock assessment is going to be, but I would love to see maybe a spring opening and then maybe a fall opening, something like the jacks, even if it’s for a month. I don’t really care, but if it’s in May, that would be great. We could use them in May. August, we could use them in August. That would be nice.

No on Amendment 28. That’s not going to really do anything. I want to see fish management. I want to see Amendment 41 and 42. I want to see our charter boat stuff going through. Sector separation was great this year and my customers really appreciated it and they thank you.

The forty-four days was nice. That’s about it. I appreciate you letting me talk. Like I say, you all start talking about triggerfish, okay, guys? Let’s try to stay ahead on this deal so we maybe can have some sort of open fishery next year, hopefully. Thank you.


MR. BOBBY KELLY: Ladies and gentlemen of the council, my name is Bobby Kelly. I am a charter boat owner and operator out of Orange Beach, Alabama. First off, I would like to thank you on behalf of my entire fleet and the thousands of Americans that caught and kept red snapper during our forty-four-day snapper season. Without the hard work of this council, none of this would have been possible.

Had Amendment 40 not been passed, I do believe that there would have been several small businesses in my town that would have gone under and so, again, thank you for that.

Even though I would benefit from Amendment 28, I am in no way in favor of it. The charter for-hire fleet would receive a few extra days, but I don’t see how taking fish away from an accountable fishery would help anybody and so we’re going to say no to that. Status quo is probably the best way to go.

Amendment 39, if it ever becomes a viable option for the private
recreational angler, again, I ask you to leave us out of it. We are federally-permitted boats and we have confidence in the federal process and we have seen how that has benefitted us in the last year.

Your next amendments that you guys are going to have a lot of work to do on is going to be Amendment 41 and 42. I think the council needs to expedite this process. Please don’t drag your feet on it. We know we’re looming up against the sunset provision.

If the scoping meetings have to be done, and I guess they have to be done as part of the vetted process, but we all know the benefit that 41 and 42 will provide for the fleet and that the American public would benefit greatly from that as well, as well as having the flexibility to manage our business in the way we want.

I’m sure by now you realize how important the triggerfish fishery is to us. As Captain Ard said, these fish do mean a lot to us. It’s a great fishery and these are a great sportfish for us and we really need to have a fishery for that. However you all can work it with the stock assessment, please help us catch these fish. We’ve got to have them, something else to catch.

One fish at sixteen inches seems to be the general consensus and I’m great with that. Open it to get our best usage out of it. The thirty-seven days at the beginning of the year didn’t help anybody out. However, had we had thirty days in the spring or late fall, it would have been wonderful as well.

Finally, please extend the moratorium on the shrimp permits. You have the ability to positively impact every shrimper in the Gulf with this in a great way. These guys have had a rough year. Shrimp prices are down and I’m sure you all have heard all about that, but you can help these guys do a good thing and protect their investments. If they’ve got the funds to buy up a hundred-foot Gulf shrimp boat, they can purchase a $7,500 shrimp permit, which there was one on Craigslist, by the way. All right. Thank you, guys.

CHAIRMAN ANSON: Kenny Begneaud, followed by Julie Hebert.

MR. KENNY BEGNEAUD: I am Kenny Begneaud and I’m a recreational angler from Lafayette, Louisiana and as of eight o’clock this morning, I didn’t even realize that I was going to be here, but I am glad that I came. It’s been very educational hearing all the different issues from the different parties.
My reason for coming was really because of my children and my grandchildren. I have caught enough red snapper for one lifetime. I have fished in the Gulf the past forty-five years and I just wanted to report too for a management purpose to try and manage the entire Gulf of Mexico as one unit to me -- It just can’t be done.

I was fishing the Sunday before last and in our area, the red snapper, you’ve heard it over and over, but there are so many red snapper, it’s ridiculous. When the rules first came out for limits, I was all for it. I said we needed to do something and there is plenty of other fish to catch, but you know you go out today and you can’t catch any other fish hardly but red snapper.

We caught some mangrove snapper finally, but we had to catch a dozen red snapper to maybe catch one and those red snapper are on the surface. They are nibbling at the prop of your motor. I mean they’re not down deep and, once again, that depends on the area you’re fishing.

I catch all my red snapper in forty to seventy foot of water. Seventy is deep for me and I can release fish and they can swim off. I don’t have the problem of them bloating up and so forth, but there is just a heck of a lot of red snapper out there and I have fished from one end of the state to the other. I made use of the state season for the first time this year.

I fished off of Venice and I fished out of Grand Isle and I fished out of Bayou du Large and Freshwater City and Rollover Bayou, from one end of the state to the other. Everywhere, it’s the same thing. I mean there are snapper everywhere and it’s just -- You know someone brought up triggerfish and I really became a trigger fisherman when the red snapper was going and now, I can’t catch a triggerfish, because I can’t get past the red snapper and those snapper are aggressive.

They will hit the first bait as soon as it hits the water at the side of the boat and so the snapper population is definitely there and I would just like the opportunity for my kids and my grandchildren to be able to experience what I’ve experienced throughout my life and what a difference it’s made for me in my life and for my girls.

They started snapper fishing when they were five years old and they still do it to this day and they are tremendously successful human beings, individuals, and so snapper fishing just isn’t about the fish. It’s also about human beings and
life and what do you grow up to be.

That’s why it’s so much more to me personally than just going out to catch red snapper and so that’s it. I think, in closing, one of my favorite quotes was Henry David Thoreau, who said many men go fishing their entire lives, never realizing it was not the fish they were after. I think that’s how it is for the recreational angler. Thank you.

CHAIRMAN ANSON: Thank you. Julie Hebert, followed by Ben Graham.

MR. ED LANDGRAF: I am Ed Landgraf. I was supposed to be before him and I stepped out to use the restroom and can I go or not?

CHAIRMAN ANSON: Yes, that’s fine.

MR. LANDGRAF: Yes, that’s fine. Again, I am Ed Landgraf from Houma, Louisiana. Just a few quick comments from a recreational perspective. I am not a scientist, but I am originally from a landlocked state, in Oklahoma, and I really didn’t appreciate the fisheries that is here in the Gulf Coast until I moved here. I really didn’t have a real fishing hobby until I moved here and I would just like to say that the ability to go out offshore and catch multiple types of fish, especially red snapper, is really special to me and I appreciate the resource.

When I think of where I’m from, deer hunting comes to mind and quail hunting. There’s a lot of hunters in the area and you know, I can’t go out to a grocery store and buy deer. I can’t here either. I can’t buy rabbit and I can’t buy quail, but one of the special things about the Gulf of Mexico is you are able to buy a wild species in a grocery store, but you can’t buy a wild species on land of deer and if you open that up, the deer population would be very small.

I don’t know if that’s really a fair analogy, but it’s just one of the things that I think about and so where I’m from in Oklahoma, I can go hunt deer as a recreation, but, again, it’s not harvested commercially and sold in stores, but here red snapper is and other fisheries, which is good. It’s good that we have enough fish to be able to do that.

I would like to say that I think that there is an abundance of red snapper in the Gulf and I feel a little bit robbed, because my snapper season this year was two days. I work for a living, like most recreational fishermen do, and two days, Saturday and
Sunday, is what I was able to go fish, which is like most recreational fishermen.

I think that looking at this allocation and being able to increase the number of days is really important to the recreational fishermen and I think that there’s a balance that we need to strike and from what I know about the Alternative 9, I think I speak for a lot of recreational fishermen, which I know a lot of them aren’t here, because they’re working on a Wednesday, right? But there are a lot of them that fish on the weekends.

Help protect that special experience for the recreational fishermen and understand the differences, the checks and balances, for what the commercial provides and what the recreational experience is. I would just challenge the council to understand the realities of what goes on in the commercial area and try to accommodate facilitating that culture and that experience for many generations to come. Thank you.

CHAIRMAN ANSON: Thank you. Julie Hebert, followed by Ben Graham.

MS. JULIE HEBERT: Good afternoon. My name is Julie Hebert and I’m here to represent the recreational, solely recreational, fisherman or angler, if you will. I started fishing at the age of four and Hebert is a last name that is traditionally south Louisiana. Anywhere else in the nation, my reservation will be wrong and will be under “A” instead of “H”.

It’s also a name where people have grown up on the bayous, the waterways, the coastal areas. They hunt, they fish, and it’s heritage. It is a way that we teach our sons and daughters about the conservation of the land.

You cannot teach a child about the conservation of the land from a textbook. In fact, I have had some folks from Washington when I’ve been in a meeting that read in a textbook that there is no life after eighty feet in the Gulf of Mexico and I said, come grouper fishing with me, please.

We run our own boat and have many, many friends who are charter fishermen. We love our charter fishermen and support them in ways when people call us from outside of Louisiana and say, hey, can we come stay with you and go fishing with you? We may be working Monday through Friday, but let us give you the name of a great charter captain that will show you what Louisiana is about.
With that being said, Amendment 28, the alternative I would like to see is Number 9, because not only did we have nine days of fishing last year, but if you’re from here, you knew that it was blowing like nobody’s business and you couldn’t even get out there that weekend to go catch the fish and so we had zero days.

Now, that being said, it wasn’t adjusted for and nobody said, well, let’s change the date and give them another weekend and we know the recs really couldn’t get out there, but we just lost those days. Very rarely do I buy protein at the grocery store. My husband hunts and my two boys hunt and I don’t hunt, but I fish. I fish every weekend I can.

We usually are stocked with red snapper, with amberjack, with wahoo and tuna. Our trips typically go something like this. We get up in the morning and we leave Grand Isle after breakfast and we go out and we go as far out as we can and we catch our tuna and we come back and we catch some amberjack and we come back and at those amberjack always with twelve-inch hardtails will catch your huge red snapper and right now, we’re letting them float away. They do not survive. It’s probably an 80 or 90 percent mortality rate.

We work in an industry of science. I like numbers. We all know that the numbers were flawed from before and so I just ask you to please go for Alternative 9 on Amendment Number 28. With the hunting and fishing, some of the men that were up here talking about the commercial fisheries, I bet if you told them that they could no longer go harvest their own deer that they would all have a heart attack. We would just like to go get our own snapper and teach our families what it’s about and when we have grandchildren -- We are in no rush, but when we do, we want to be able to take them too. I appreciate your time.

CHAIRMAN ANSON: Thank you, Ms. Hebert. I’m glad that I was able to pronounce your name correctly, because I have not done a good job today.

MS. HEBERT: You did a great job.

CHAIRMAN ANSON: Ben Graham, followed by Kim Chauvin.

MR. BEN GRAHAM: My name is Ben Graham and I have been a recreational fisherman for my entire life. I’ve fished all over the Gulf of Mexico and for the last ten years or so, it’s been out of Grand Isle and as you all know, there is no shortage of red snapper in the Gulf of Mexico right now, or at least in the
Louisiana portion of the Gulf of Mexico.

One thing that I would -- First of all, I’m here to support Alternative 9 of Amendment 28. I think it’s probably the right thing to do and I’ve heard somebody mention that there’s not many recreational guys at these meetings and that’s correct.

I have made a number of these meetings over the years and the reason they’re not is guys are at work and it’s hard to take an entire day off and come to one of these meetings. I am self-employed and luckily I’m able to do so, but I talked to four or five guys over the last couple of days who said I would love to go, but I can’t make it and I will send an email comment, but go up there and speak what’s on most of our minds.

A lot of these charter guys bring up the idea that -- The charter-for-hire guys bring up the idea that the fish belong to the American public and we’re robbing them of access. Well, I would agree with that, but the problem with that is the only way they can access it is if they come here and pay one of these guys hundreds of dollars to take them fishing, to take them out there to access this public resource.

I have friends who come in all summer long to fish with me from Atlanta and Tennessee and Texas and they come to fish with me in Grand Isle and they want to know why we can’t go catch red snapper, but if they walk across the dock and pay a charter guy hundreds of bucks, he can take them to catch red snapper, fishing in the same spot that we would go to.

Then the answer is it’s just the way the system is and we thought it was a public resource and we could access it. Well, no, you can’t. The only way you can access it is if you go through a handful of people who happen to have a permit to take you out there and you pay them to access the resource.

It’s not really about accessing the resource for 300-million Americans, but it’s about making money for a handful of people. I own a business and I completely understand that that’s the realities of why you’re in business, but don’t paint the picture of it’s access for these 300-million people when the only way they can get to that resource is to pay you.

You know the mortality issue was brought up and I don’t know the numbers on it, but I know I’ve come up on a lot of commercial boats before who have miles of dead snapper floating behind them. I spearfish a fair amount and there’s a lot of fish down there.
Simply put, NOAA has -- There’s been an admittance that there was a mistake made in historical numbers and the fact that the mistake was made and has been admitted to is really a great step in the right direction and all we’re looking for is to go ahead and act on that and correct it and the only way to do that is Amendment 28, Alternative 9. Thank you for your time. I appreciate it.

CHAIRMAN ANSON: We have a question, Mr. Graham, from MR. Sanchez.

MR. SANCHEZ: Hi there and thank you for coming. How many state days did you have? I keep hearing everybody say nine days, nine days, nine days, but different states had a lot of different days open and there were fishing opportunities open.

MR. GRAHAM: I don’t know. I don’t work for the Wildlife and Fisheries Department. You can call them and ask them and I’m sure they can answer that.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: It was a 172-day season in Louisiana.

MR. GRAHAM: For the state season?

DR. CRABTREE: Did you fish in state waters? Did you take advantage of that? Do you fish in state waters?

MR. GRAHAM: I probably fished state waters one day, I would say. I am in Grand Isle and so we’re kind of on the edge of I guess where the benefits are. We would have to travel to the east to the do that and most of the guys to the west of us cannot take advantage of that. Any other questions? Thank you, guys. I appreciate your time and I hope you have a good evening.

CHAIRMAN ANSON: Thank you. Wait. We have one more question from Mr. Diaz.

MR. DIAZ: Thank you for coming. I appreciate you taking the day off to do that. I am going to ask you the same question that I asked some of the other recs. A couple of meetings ago, we talked about getting a recreational advisory panel together and would you be in favor of us trying to get a panel together of recreational folks, and maybe a few other people, to give us some ideas about how to better manage recreational fishermen?
MR. GRAHAM: Absolutely I would be in favor of that. I have applied for some of the advisory committees to try to serve on them and the only recommendation I would have is that whatever recommendations come out of that advisory panel that we take them seriously and try to act on some of them. Thank you and have a good day.

CHAIRMAN ANSON: Thank you. Kim Chauvin, followed by Chris Niquet.

MS. KIM CHAUVIN: Good afternoon. I am Kim Chauvin and I own three commercial shrimping boats and a dock in Dulac, Louisiana. We do have some poor communication with National Marine Fisheries Service in the permitting part, because in May when I sent off my permit, I sent in all the information and I didn’t receive my permit until July 22. That was mid-May when I got the renewal to send in for.

With that, I had to make several phone calls in which they had abandoned my permit because they couldn’t read my documentation and I had to call Roy and try and get some of this cleared up, but my deadline for my permit was June 30 and so they had my boat sitting at the dock for twenty-something days so that they can decide to send me my permit and so we do need some better communication with National Marine Fisheries and that was me keeping up with the internet and keep calling them.

I had called them many times over to try and get that permit back to me and so we do have some issues on that. I am for capping the permits at a level, after talking to Dr. Benny Gallaway and finding out what our issues were with the bycatch issue and how we were exceeding that goal in the reduction part of it on the 2008/2009 numbers, which I see your Shrimp Committee Report is kind of pulling together that right now, but to put the latent permits or the expired permits in a pool with National Marine Fisheries Service.

The guy said that he found one on Craigslist and great. Let him go buy it. I don’t do Craigslist. I don’t trust anything on Craigslist. It’s a crazy world we live in, but you might get -- It might be something that you’re not wanting to meet up with.

As far as permits, it is hard to find them and I’m glad that you did say where they could find them on National Marine Fisheries, because I think that you will have a few of them doing that. Thank you.
CHAIRMAN ANSON: Thank you. Ms. Chauvin, we have a question from Ms. Bosarge.

MS. BOSARGE: Hi, Kim. Thanks for coming and please do -- I know you interact with a lot of the shrimpers and we’ve got to have that communication. Please let them know, because we don’t want these permits being handed back to NMFS and nobody taking advantage of them and so please let them know. The NMFS website I found it and it was really easy and all the information you could ever need and so please pass it along. Thanks.

MS. CHAUVIN: I definitely will do that.

CHAIRMAN ANSON: Chris Niquet, followed by Will Spann.

MR. CHRIS NIQUET: Hello. My name is Chris Niquet from Panama City, Florida. Most of you here on the council know me and if you don’t, you will be in the future. The first thing is on Amendment 28, for the status quo on Amendment 28. I don’t think there is any need to reallocate. The approximately three-hundred-and-fifty-something-thousand pounds that you’re thinking about reallocating will be just over one day of fishing for the private recreational fishermen and I haven’t heard anything from anybody here on the council or any scientific committee about how you’re going to stop the increase in the number of the private recreational fishermen accessing the fishery.

If they keep increasing, they will eventually outrun the entire TAC. If the IFQ fairy come down and gave them 100 percent of the TAC, they would have eighteen days fishing. I have heard it over and over again that that ain’t enough. Well, if 100 percent ain’t enough, somebody here tell me what is.

You can’t have more than 100 percent and so this reallocation ain’t the answer, fellows and ladies. We’ve got to do something else. You’ve got to come up with a plan to limit participation, tags, stamps, a lottery system. It works for elk and it works for deer and it works for ducks and it will work for snapper and it will work for grouper.

The next thing is you need some kind of way for the shrimpers and I don’t know if it’s to limit the participation by the permits you give out or to make the imports meet a certain standard on their sanitary conditions or something, but you need to level the playing field.
If you don’t level the playing field, you are going to put a bunch of shrimpers out of business and shrimping is already in bad trouble. You’ve got people going out of business and they can’t feed their families and something needs to be done to help the shrimpers and it needs to be done rather quickly. There are a bunch of them tied up because they can’t make any money and they can’t support their families. Thank you very much for your time.

CHAIRMAN ANSON: Will Spann, followed by Chris Horton.

MR. WILL SPANN: Good afternoon. My name is Will Spann and I work for a company called Big Rock Sports. We’re a distributor in the fishing tackle industry and so I work with a lot of the independent shops in this area and further to the east.

I call on about seventy retailers in Mississippi, Alabama, and Florida and so I am speaking from that side of it, seeing the economic impact that red snapper season does have. I am here to support Alternative 9. I think that increasing the allocation of red snapper to fifty-seven-and-a-half percent for the recreational side will have a great economic impact in the actual shops that I call on as well as the local economies further outside of just the fishing industry.

As it is, the hotels and the restaurants and the number of people that it does bring in, that’s the biggest portion of it. We do provide such a great economic impact for the local economies. It’s something that is very important and it’s far too important for action not to be taken. Thank you.

CHAIRMAN ANSON: Thank you. Chris Horton, followed by Stan Harris.

MR. CHRIS HORTON: Thank you, Mr. Chairman and members of the council. My name is Chris Horton and I’m the Fisheries Program Director for the Congressional Sportsmen’s Foundation and also serve on the Recreational Fishing Working Group, the Marine Fisheries Advisory Committee, and as frequently as I can, I’m a Gulf Coast recreational angler.

 Actually, several years ago I had a great trip with Mr. Greene there, but I am here to speak in favor of Alternative 9 for Amendment 28, a reexamination of the allocations between the fishery sectors for red snapper, because it’s been overdue, although I can appreciate the inherent difficulty in ultimately coming to a final decision on that, for sure.
However, given the guidelines in the Magnuson-Stevens Act and the National Standards as it pertains to reallocation as well as the mandate by the councils to manage on the best available science, I think it seems clear that Alternative 9 should be the preferred alternative.

Obviously the original allocation of 49 percent recreational and 41 percent commercial was set in the early 1990s and was based on recreational catch data that we now know underestimated angler harvest and, in fact, that system, Dr. Patrick Sullivan, before a report to Congress in 2006, said it was fatally flawed.

With this better MRIP data, Alternative 8, and I believe even said that earlier, shouldn’t be an alternative for debate. It should be an automatic reset in order to correct an incorrect original allocation and that should serve as the baseline for a starting point about truly looking at reexamining allocations based on the best social, economic, and environmental data and we know that there’s been plenty of debate around some of those parameters, but the economic data I think clearly shows that an adjustment in favor of recreational anglers would be beneficial.

Although there are other alternatives out there, I think honestly Alternative 9 is the best one, based on the best available science. As the fish get bigger, the recreational anglers are reaching their quota quicker and basically Alternative 9 just makes a slight adjustment in identifying that.

I know at the end of the day that Amendment 28 is not the silver bullet to managing the recreational sector, but what Amendment 28 does is it provides an opportunity to correct poor data and to reallocate slightly based on the latest and best available science and so we urge you to vote in favor of Alternative 9. Thank you.

CHAIRMAN ANSON: Thank you. Stan Harris, followed by Mike Jennings.

MR. STAN HARRIS: Good afternoon. My name is Stan Harris and I’m the President and CEO of the Louisiana Restaurant Association and I’m also the Louisiana Co-Chair for Share the Gulf and I believe they distributed some information to you earlier.

Our industry is the largest employer in Louisiana, about 12 percent of overall employment, about 200,000 plus people, and our sales exceed a little over $7.3 billion a year now. The
proposals today are damaging to our restaurants and don’t provide a real recreational solution. Our restauranteurs, which chefs spoke with you earlier today, prefer to serve wild-caught Gulf seafood, but, as you’ve heard, their options are limited.

In Louisiana, we are known for our cuisine worldwide. It isn’t just how we prepare an item, but it is what we prepare and Gulf fish is the center of the plate and critical to fill our consumers’ demand.

We will continue with our state restaurant association partners in Florida, Texas, Alabama, and Mississippi to follow the Gulf Council process as we seek more opportunities to share the Gulf and what it can sustainably provide to our restaurants, customers, and visitors, but we know a critical element to what feeds the restaurants and feeds the consumers is working with the commercial sector to be able to know that we’ll have something that can sell.

We ask you to support the status quo on red snapper allocation for Amendment 28 on Option 1 and we thank you very much for the opportunity to speak to you today.

CHAIRMAN ANSON: Thank you. Mike Jennings, followed by Jim Green.

MR. MIKE JENNINGS: Hello. I’m Captain Mike Jennings and I’m President of the Charter Fishermen’s Association and I own two federally-permitted charter boats in Freeport, Texas and I would like to thank the council from the association standpoint for Amendment 40. It was not only good for the industry, but it was good for the access of a lot of American recreational anglers.

I would also like to congratulate some of the members on their reappointments and the musical chairs that Mississippi played and I’m speaking at Dale for a moment, but I would really like to thank Harlon for his service and welcome Mr. Swindell and I look forward to working with you and having a working relationship that can help move this fishery forward.

We would like to ask on Amendment 28 that the council choose Alternative 1, no action, and that’s been our answer from day one on this and we stand by that. On Amendment 39, we still ask that you remove the charter-for-hire industry and if you want to move forward on Amendment 39 for the private recreational industry, we have no reason to ask the council to not move forward or any reason to stand in the way of that. We would like to see you all move Amendment 41 and 42 forward and
continue working on a new FMP for the charter-for-hire industry.

On the shrimp moratorium, we see that moratorium reflected in our own industry and we ask that you leave that moratorium in place and extend it and help them keep that stability there and we see it connected to our own industry in some of the red snapper bycatch issues and those thresholds that they have to stay under and so forth and so on.

We see it affecting more than just the shrimping industry alone and I would like to see the council seriously move forward with an FMP for the private recreational angler and I don’t care if it’s a tag system or whatever that was discussed earlier, but something other than just lip service to it.

Last, but not least, and real quickly I will get off this mic, but I heard a comment yesterday about when the committee was discussing Amendment 39 that it was unfair that one sector got more than the other and that conversation went back and forth and even one comment was made that it was unfair that one sector got forty-four days while the other sector got ten.

If I take that at face value, the season is closed for both, yet I opened social media yesterday and the very first thing at the top of my phone is Cyprus Cove Marina and dead red snapper. It’s insulting. It’s insulting to me and it’s insulting to you and it’s insulting to everyone behind me right here.

I mean if we’re going to be disingenuous about this and just draw lines in the sand and get nothing done, then I guess that’s where it goes and it has to go beyond this council, but I am hoping that, looking around this table, I can figure out that that’s not the case and that a nine-day season was not the case and it’s not cut and dried in federal waters and I’m thinking that everybody at this table has got a higher IQ than me and so I’m figuring they can see it, too. I’ve got my red light on and I thank you all.

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

MR. WALKER: This is kind of like what Robin mentioned earlier. I just want to ask you what do you think and would you be in favor of a tag system that would remove Amendment 40, end Amendment 40?

MR. JENNINGS: For the entire recreational industry as a whole and remove Amendment 40? I don’t know. I mean now you’re talking limited access to the private recreational angler and
I’ve been told by some of the people on this council that that’s not necessary, but unless it’s going to be an open access tag system.

If we did that, would the states close their waters? I mean that would be something that would have to be answered. How would those tags be distributed or at what time of the year would they be distributed? Would it be an access to where the tourist industry would have the ability to say, hey, I didn’t know red snappers even had tags, but I am sure glad that some are still around or would they all be bought up early on in the year?

Would the council be willing to remove separate-type regulations that already create a de facto sector separation? I don’t know. Would these tags be put into the control of NMFS or would they be given to the state under some kind of an Amendment 39 scenario, where we can work behind closed doors with five state directors and they just throw it out here and say this what you’ve got, guys? I don’t have a clue.

The answer to that question of would I be in favor of a tag system for the entire recreational industry that would include the charter boats -- Would I or is it something that the council is actually looking at or is it just a ploy to kill Amendment 40 and just continue on with status quo as it is? The answer is I don’t know and if you could answer all those questions for me as a council, I could give you an answer and I could very well support it or not. Thank you.

CHAIRMAN ANSON: Jim Green, followed by Ryan Prewitt.

MR. JIM GREEN: Hello and thank you for the opportunity to speak today. Welcome back, Mr. Diaz, and welcome to the council, Mr. Swindell. We appreciate your time and effort being onboard. My name is Captain Jim Green and I’m the Vice President of the DCBA and I’m also the Chairman of the For-Hire Red Snapper AP and I’m also a member of the Headboat Reef AP.

The DCBA is against any allocation shift from commercial to recreational. We feel that the entire recreational sector needs to bring accountability to the fishery before we can make this discussion.

This feel-good shift in allocation doesn’t solve any problems and it doesn’t address the real issue and that is constraining effort. The commercial industry did it and the for-hire industry did it and some might not want to talk about it, but
it’s about time that the private angling component did it.

You have to look at what constrained effort has done for this fishery and reallocation is not a solution. If it was, the boost in TAC from 2008 to now would have solved all those problems.

The DCBA is asking that Amendment 41 and 42 be placed on a fast track. Again, the DCBA also thanks the council for Amendment 40. I have heard that some may not be comfortable with how fast it’s moving and I say to that that we’re not pleased with the limited amount of time that we were given either.

This time constraint has helped our industry leaders get in gear and it’s also helped us make some real hard decisions. We moved through two one-day AP meetings with tenacity and we put our individual needs aside and both APs created a strong list of recommendations.

Of those recommendations, over 90 percent of them were supermajority approved by those AP members. You gave us this opportunity and we have seized that chance. We have given the recommendations of what our industry would like to see. It wasn’t contradictory and it wasn’t even vague, but it was a blueprint on how the stakeholders of our industry want to see our future laid out.

It brings to the table accountability, good stewardship, and more access for the non-boat-owning public and it also allows for the generational transfer of our industry. Please do not slow this down. We want to be removed from 39, as it does not have a clear path or balance involved. It might be further along in the council process, but it does not have the legs and the unity that 41 and 42 has demonstrated. Both APs would like to reconvene with an updated charge and move forward with the development of these amendments.

Real quick, I think that the moratorium should be extended at the current level for the shrimpers, with consideration of a permit pool for the ones that are expiring and also the DCBA would like to see options for a split season, a reduced bag limit, and an increase in the size limit in triggerfish. We want to be proactive with this fishery and not lose all of our access. Thank you.

CHAIRMAN ANSON: Thank you. Ryan Prewitt, followed by Chris Flocken.
MR. RYAN PREWITT: Good afternoon. My name is Ryan Prewitt and I, along with Donald Link and Stephen Stryjewski, are the chefs and owners at Peche Seafood Restaurant here in New Orleans. We are a restaurant that’s dedicated to serving the best wild-caught Gulf seafood that we can and I am here to speak against the proposed reallocation of hundreds of thousands of pounds of American red snapper away from restaurants, grocery stores, and the American consumer.

There are already a number of iconic Louisiana finfish that we cannot serve in the restaurant and I do not want to see the American red snapper follow suit. People associate Louisiana with seafood and they travel here from all over the country and the world to enjoy what swims in our waters. Nowhere is this more apparent than in a restaurant.

At Peche, we work with shrimpers and crabbers and oyster farmers and fishermen to provide our customers with the best seafood that we can. We take our role very seriously and to that end, we focus almost exclusively on Gulf products. We never buy imported seafood and just about the only thing that doesn’t come from Gulf waters is a small number of farm-raised fish.

The majority of people in our country enjoy seafood in restaurants and maintaining access to the seafood is very important to me. When my mother drives down from Memphis, she comes to Peche and eats the fresh shrimp and snapper she cannot get at home.

The thousands of people we serve each week come to Peche just to do the same thing and we’re a relatively small part of a very large economy that’s tied to the Gulf seafood. The people who catch the fish and process the shrimp and sell the crab and serve customers in restaurants all have their income directly associated to our wild commercially-caught seafood.

The commercial sector is highly regulated and has allowed for the regeneration of a species that was very recently in serious trouble. The commercial captains are highly incentivized to fish within their quotas and follow the rules, as their livelihood and the welfare of their families depend on income derived from these fish.

As I understand it, this reallocation will only give recreational fishermen an extra day or so of fishing. Moving any snapper from the commercial sector means that it becomes less accessible to the general public. There must be a balance and the current balance allows the recreational fishermen,
charter captains, and the vast majority of Americans to enjoy wild-caught, sustainable American red snapper.

On behalf of the employees of Peche, our fishermen and our customers, please vote no action and keep the existing balance in this iconic fishery. Thank you very much.

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

MR. BOYD: Thank you for your testimony and just a quick question. In the past three years, have you experienced any shortage of red snapper?

MR. PREWITT: We buy our snapper when it’s available at prices that we deem acceptable for our restaurant and we have not had really -- No, not really. Week in and week out there will be a few days a week where it won’t come in. We’re dependent on the certain boats that we work with. When those boats come in with the fish, we buy them and when the boats don’t come in with the fish, we buy something else.

MR. BOYD: Thank you.

MR. PREWITT: You’re welcome.

CHAIRMAN ANSON: Chris Flocken, followed by Shane Cantrell.

MR. CHRIS FLOCKEN: Good afternoon and thanks for having me. I am Chris Flocken and I am Sales Director of the Southeast United States with Big Rock Sports and I’ve been fortunate enough to have lived here since 1991 and served as a sales representative with the company, serving from Panama City over to Biloxi.

In that time, I’ve just been fortunate enough to have become great friends with the tackle dealers and many of the captains and some of who -- I look at both sides of this equation, but what I want to talk about today is the economic side of the equation and the ripple effect that I see the sportfishing side create.

During snapper season, it’s just amazing to be in a store and there is no room to walk and the aisles are just full of people and the parking lots are full and there is no place to park and no spots at the fuel pumps and the day after it closes, and we’re talking in the heat of the summer, it’s a ghost town.

For me, I sit there and look at the ripple of all the industries that that touches and I just feel that it’s an area that still
needs support, continued support, and I’m here in support of Alternative 9, Amendment 28.

In my many years or one of the things I heard today, a comment, is that one extra day, that little bit of extra fish, doesn’t mean anything. It does mean a lot. I have called on these same dealers as a rep and now I’m the Sales Director and I hear it from a different perspective and just that little bit of extra fish is that many more weeks they didn’t have to lay people off early for the summer. It’s that many more gallons of fuel sold and that many more heads in beds for people that tow their boats down. So on and so forth and just the economic impact to the boat dealers and it could be the person at the drive-thru at McDonalds. It does make a huge impact.

What I hear today is it doesn’t really mean anything, that one extra day, that little bit extra. It does mean an awful lot and so I’m here in support of Alternative 9 in Amendment 28. Thank you.

CHAIRMAN ANSON: Thank you. Shane Cantrell, followed by Jillian Williams.

MR. SHANE CANTRELL: Good afternoon. I am Shane Cantrell and I’m the Executive Director of the Charter Fishermen’s Association. First off, I want to welcome Dale back in his new capacity here at the council and to welcome Ed Swindell onboard. It’s a little weird seeing Harlon back here in the back of the room and not as a council member. He spent some time back here anyway, but we were just joking about that a minute ago.

First off, Amendment 28 seems to be the hot topic today. Our organization is still Alternative 1, no action. I have heard a lot of people come up here today and discuss Alternative 9 and I have not heard one person mention what it is. Being the size selectivity, I am not sold on that.

I think it’s a function of behavior and biological data rather than substance. It doesn’t seem like three years of data is enough to justify pulling some fish away from that industry. Just the way it seems to me that there’s not a lot of rationale for saving the position of Alternative 9 and I would like to see it removed.

Amendment 39, the same place we’ve been for a long time and we hold federal permits and we’re dealing with the federal management system that is getting better. It moves at the speed of government, but it is effective and it moves forward.
Action 2, Alternative 2 on that one is the only option we see with creating a viable industry for the charterboats. Amendment 41 and 41, I would like the ability to keep moving those forward. We’re on a condensed timeframe and we want to keep those moving forward in an effort to get this done, get something done for the charterboats. Then we can continue to move forward.

On triggerfish, I fish out of Galveston and the western Gulf of Mexico triggerfish, it’s hard for me to find one that’s a legal size, but it’s a very important thing to our members over in the eastern Gulf. They catch a lot of them and I believe the Alabama Deep Sea Rodeo winning triggerfish this year was nine pounds. I am not sure what I would do with something that big if I catch it on the boat. You can consider size limit or bag limit adjustments on those or consider adjusting the seasons.

On the electronic reporting amendment, I would like to see it continue moving forward with separate reporting frequencies for the Gulf and South Atlantic, both consistent software and equipment. There shouldn’t be any mandate for VMS at this time. We are way too early in the process to get this done.

On the shrimp permits, I support extending the current moratorium and I would like to see those expiring permits move into a pool to be used for new entrants. They are being condensed in exploration rather than growth in the industry. If they want to grow, let those permits be used. They need to be used there. That’s all I’ve got right now and if you all have any questions, I would be happy to answer them.

CHAIRMAN ANSON: Thank you, Shane. Jillian Williams, followed by Dillian Atkins.

MS. JILLIAN WILLIAMS: Good afternoon, everyone. I am Jillian Williams and I’m a fourth-generation captain for my family’s business, Williams Partyboats, in Galveston, Texas. We are one of the people that participated in the red snapper pilot program for the partyboats and it was really successful for us the last two years. Unfortunately, we’re not going to have it next year, but hopefully with sector separation and some of the different amendments we’re trying it would be really nice if we could get something like that for us for the future.

You know I’ve heard rumors that we probably went over our snapper quota again. We always do, but the pilot program did not go over their snapper quota, because they know what they’re
going to get. You all knew how many fish that we were going to
fish for and so you know things like that are beneficial to
everybody, especially the red snapper. We don’t have to worry
about guessing as to how many red snapper that we caught. We
know and so hopefully we can get something like that going for
us in the future.

It was real successful for us and I am very disappointed that
we’re not going to have it this next year, but we’re going to
make it through hopefully.

You know red snapper is very important for us. I know somebody
got up here earlier and said that even with the year that they
had the nine-day season they were more successful than ever.
Well, in Galveston, that’s not how it’s working out for us and
so snapper are extremely important for us and so hopefully we
can get something going to where we can have a little more
freedom with when we can catch them.

As far as regional management goes, I do not support that for
the charter and party boats. I think we should just kind of
stay with what we’re doing now. We are starting to make some
progress and hopefully we can continue doing some things to make
it better. If the states want to do the private anglers and
that’s what they want, that’s fine with me, but I would like us
to not be included in that. Thank you all very much and I
appreciate you all letting me come up here and talk today and I
hope you all have a good evening.

CHAIRMAN ANSON: Thank you. Dillian Atkins, followed by Buddy
Guindon.

MR. DILLIAN ATKINS: How are you all doing? I’m Dillian Atkins
and I’m a second generation commercial fisherman and charter
boat operator out of Galveston, Texas. My family also owns a
fish market in the Dallas/Fort Worth area. I’ve grown up in
this fishery and I’ve watched it evolve into something that I
can really say that I am proud to be a part of and now that
we’re doing this, we are penalizing the people that are doing it
right.

We go out there and follow the rules. We are doing what we’re
supposed to be doing. The recreational fishermen don’t gain
anything from taking allocation from us and putting it with
them. They are still going to get penalized every year for
overfishing it and they need a management system. They don’t
need more fish.
Regional management, I do not agree with it. If that’s what the private anglers want to do, I am good with that. They can do whatever they want, but charter boats are federally permitted and held to a higher standard than others. I want to be managed under a separate system like I see in Amendment 41 and 42. That’s all I’ve got.

CHAIRMAN ANSON: Thank you. Buddy Guindon, followed by Harold Liner.

MR. BUDDY GUINDON: My name is Buddy Guindon and you probably all know that already. This is my son, Christopher. I brought him with me to give you an idea of why I even do this stuff. Normally I wouldn’t even spend any of my time publicly speaking and so you should all vote no on Amendment 28, because reallocation is unfair and it harms the commercial fishery and it won’t do a damned thing for the recreational fishery. They need a management plan.

Some of you may be thinking that, hey, we’ll just take Alternative 8, because it’s the least damage we’re going to do to the commercial fishery and you’re tired of dealing with the issue. Please don’t let that mindset enter into your head. We don’t need that right now.

By doing this and taking the path of least resistance, it’s just the wrong thing to do. Ten years ago, the commercial sector faced the same problems that the recreational sector is facing now, short derby seasons and instability, but we buckled onto those challenges and it was hard work.

We held thirty workshops across the Gulf of Mexico and attended countless council meetings and AP meetings. There was a lot of disagreement and there was a lot of hard feelings and a lot of issues to put this plan together, but we got a plan together and put it on the water. We had to do referendums to do it.

Everyone had something they had to leave on the table while we went through this process and some of the people even left this fishery because of it and right off the bat, we had to take a 50 percent reduction in our quotas, but we did it. We stuck with our quota reduction and all during that time the recreational fishery did not. It continued to overharvest.

Our efforts paid off and we’ve stopped the overages on the commercial side and we reduced discards and we became stewards of the resource and helped rebuild the stock. We endured the sacrifices and the stock benefitted, along with all the
stakeholders, including the recreational sector, from our sacrifices.

The red snapper IFQ program is the most positive thing the council has ever approved. It’s a huge success story and we should all celebrate and be proud of that.

Reallocation is a slap in the face to all that did the hard work and put in the effort and gave the contributions and made the sacrifices to rebuild this stock and they are going to be penalized for it now, if this council has its way. This sets a terrible precedent.

Voting for reallocation is just a show of bad faith. We come here and we work hard and we find solutions and then what do we do? For all our work we’re punished for our efforts.

Now think about this as fair and equitable. Make the recreational sector come to the table through the APs and through building a panel that will solve their problems and get them up here and get them to work and understand what needs to be done to rebuild their fisheries. Vote no action on Amendment 28.

CHAIRMAN ANSON: Buddy, if you could wrap it up.

MR. GUINDON: With regional management, Action 2, Alternative 2 and 41 and 42, don’t drag it through the mid. Let it go through and get a management plan in place. Thanks for letting me talk a couple of seconds extra.


MR. ASHTON DETTART: I am Ashton Dettart from Bayou du Large, Louisiana. I represent the shrimpers down in that area and we’re just out here to see what we can do, the commercial fishing. It’s really the commercial fishing industry. I have three shrimp boats and I have a crab boat and I’ve been doing this for twenty-five years and they’re taking a real beating right now. We’re getting ready to lose a lot of our fishermen, a lot of the shrimpers. The crabbers, they are having it hard in some situations. We all are and all we’re asking is for a little bit of help.

We really need this and we lose half of that, it’s going to hurt this economy in this state worse than what its getting hurt right now and that’s what we’re asking for. Just a little bit
of help is all we need and you don’t have to give us nothing. We will work for it and that’s all we want. Just let us go and earn our honest dollar and that’s all we’re asking for and I appreciate it. Thank you, all.

**CHAIRMAN ANSON:** Johnny Carradine.

**MR. JOHNNY CARRADINE:** Hello. My name is Johnny Carradine and I own Steel City Seafood in Birmingham, Alabama. This is my first council meeting and I appreciate the opportunity to speak. I have been in the fish business for thirty years and in the last fifteen years, I made a commitment with my business to only sell domestic seafood.

Through these years, I have watched more and more wild domestic product be taken off menus and be taken away from me. You have heard from the restaurant owners and restaurant suppliers and you’ve heard from captains, charter boat captains, and commercial fishermen. I’m the guy in the middle. I am the guy who goes to these guys and buys the fish and then takes it to the restaurants and supermarkets and to the consumer and so I feel like I’ve got a good hand on the pulse of what the consumer wants plus what’s available.

Through the years, I have watched what I had to sell decline more and more each year. Probably 50 percent of my seafood sales and fresh finfish right now is Gulf red snapper, American red snapper, and so if we start taking less of that product away from me, my business will suffer from it and so will my consumers.

We service restaurants and grocery stores all over the southeast and most of those demand fresh Gulf seafood from me and I would really like to be able to continue to service them with domestic product, since that is the only product we sell and I do not buy any imported shrimp and I do not buy any imported fish. That’s all I have. Thank you. Thank you and I was probably the one you all were looking for at the last one.

**CHAIRMAN ANSON:** Actually, we’re looking for Harold Liner. Harold, you’re not there? Is there anyone else out in the audience who has not already given testimony that would like to speak? All right. That concludes our public testimony and we will recess until tomorrow morning at 8:30 A.M.

(Whereupon, the meeting recessed at 5:00 p.m., August 12, 2015.)
August 13, 2015

THURSDAY MORNING SESSION

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Hilton Riverside, New Orleans, Louisiana, Thursday morning, August 13, 2015, and was called to order at 8:30 a.m. by Chairman Kevin Anson.

CHAIRMAN ANSON: Good morning, everyone. We are going to start the council meeting back up again and we’re going to continue where we left off. We finished the Admin Policy Committee Report and the Mackerel Report yesterday and so that leaves us with the first committee report today of Shrimp Committee and Ms. Bosarge.

SHRIMP MANAGEMENT COMMITTEE REPORT

MS. BOSARGE: Thank you. The Revised Options Paper for Shrimp Amendment 17, Addressing the Expiration for the Shrimp Permit Moratorium, the committee reviewed the revised options paper for Shrimp Amendment 17.

The committee did not make any changes to the preferred alternative and option in Action 1. The committee discussed the current alternatives and options in Action 2-1 and requested the analysis in the document be reviewed by the SSC. While discussing a need for a permit pool, it was noted that there are permits available for purchase by new entrants.

The committee requested that the amendment further discuss the distinction between valid permits and permits that are actively shrimped offshore. The factors affecting landings, including environmental variability and shrimp and fuel prices, were also discussed.

The committee considered additional reference years and offered the following motion. The committee recommends, and I so move, in Action 2-1, Alternative 3, set a target number of Gulf shrimp vessel permits based on the number of valid permits issued: 1. at the beginning of the moratorium (1,933 permits); 2. 2009 (1,722 permits); 3. 2011 (1,582 permits); 4. 2013 (1,501 permits). Option a is if the number of permits reaches the target number, any permits that are not or were not renewed within one year of the expiration date on the permit will go
into a Gulf Shrimp Vessel Permit Reserve Pool. Option b is if the number of permits reaches the target number, the council will review the status of the fishery to determine if action is needed. The motion carried three to two.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Ms. Bosarge.

MS. BOSARGE: The discussion that we had at the end of the committee meeting was from the IPT and essentially they said that they were worried about having this document done on time, based on the alternatives that we had before. What they had hoped that we would do in committee was to streamline the document, possibly, to speed it up and they said with adding this that the way it’s worded that it would create fourteen different alternatives under that action item.

I understand where Myron -- It was Myron’s motion and I understand where he is going, but I am concerned about the timeline and so we did hear some comments last night though about needing permits and we can talk about that later.

There is some things we do need to address, whether it be a permit problem or an outreach problem or a transit problem, but we need to discuss this and we need to have some good discussion, but I don’t want to end up in a situation where the moratorium expires, because that is something that everybody is onboard with, that they want to keep the permit moratorium in place and extend it for ten years.

I think we need to possibly look at separating these two things out and 17, as it stands right now, with the preferred, will extend the moratorium for ten years, but we have a separate issue in trying to say, okay, we want to make sure that we don’t let this fleet get too small and we provide an avenue for new entrants.

Maybe we could do a 17A amendment and a 17B amendment and so they will still go out together for public comment and the public will see them together and understand that we are still looking at both of these things together, but from a logistical standpoint of being able to take final action on one and get it finished in time and having the time to parse out all these issues instead of rushing through it and not getting it right, maybe that’s the way we need to go with this.

I mean we have this motion on the board and you can’t make a substitute motion and you have to -- You do? Okay. I would
like to make a substitute motion that the motion above be incorporated into Shrimp Amendment 17B, which will address the creation of a permit pool.

CHAIRMAN ANSON: Is that your motion, Leann?

MS. BOSARGE: Yes and I guess maybe I should add, to make sure that we get done what we need done, we would actually need to move the motion above with that alternative as well as Action 2-1 and Action 2-2, the one that talks about any qualifiers that we may put on the permit. Move those two actions into the 17B amendment. Let me pull it and make sure that’s right.

CHAIRMAN ANSON: All right and so Leann’s intent is to, as she described, was to create a 17B, which would specifically address establishment of a permit pool and leave 17A, we will call it, just to address the moratorium timeline. Is there a second to the motion?

MR. DIAZ: Second for discussion.

CHAIRMAN ANSON: Second by Mr. Diaz and, Dr. Crabtree, did you want to discuss anything? All right. I had -- Roy, did you have something about this?

MR. WILLIAMS: Well, yes. I had something else, but now that we’re addressing this, I don’t understand why we are moving Action 2.1 into this. 2.1 is address the expiration of the federal shrimp permit moratorium and that shouldn’t be in here. That would be 17A, right?

MS. BOSARGE: Yes, you’re right. Let’s get the actual numbers right.

CHAIRMAN ANSON: Leann is checking on that.

MR. WILLIAMS: Then let’s see what 2.2 is.

MS. BOSARGE: All right and so let’s wordsmith this a little bit then. The motion above be incorporated into Shrimp Amendment 17B, which will address the creation of a permit pool. We can delete everything after the comma and I think staff will understand exactly what we mean.
CHAIRMAN ANSON: Just for clarification then, this motion, in my mind, would establish -- If it were to pass, it would give direction to staff that there would be creation of a 17B amendment specifically, because we haven’t created a 17B yet. I just want to make sure -- Mara, is that okay, the way it’s written, that it’s clear that we would be creating a new amendment now and that the new amendment would just address the pool issue, the permit pool issue?

MS. LEVY: Right and I think as long as we’re clear that what we’re saying is we’re going to split it and create a new 17B that would just address this permit pool stuff.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I think that does address -- My concern is that I don’t believe we can get the permit pool portion of this completed in the time that we have. One thing that I have had raised to me is the issue of optimum yield.

You know when you do something like this target number and limited access, it needs to be set up to achieve optimum yield and right now in this fishery we have optimum yield equal to MSY, which is probably not where it ought to be.

It probably ought to be at some level below MSY and so I would suggest that in this Amendment 17B that we need to readdress the issue of specifying optimum yield as well and I just don’t think that’s possible to get done and we’ve got October and we ought to vote this up at the January meeting for the moratorium and I just don’t think we’re going to get this done properly in that length of time and I think it’s complicated.

It’s going to require a lot of economic analysis to figure out where this target level ought to be and I can tell you this will be subject to great scrutiny and I think we’re going to have to make sure we can defend what we’re doing here, because I think it will be challenged.

I am getting emails from my staff that they don’t believe that we can get the economic analysis of all this done in the timeline we need and so I think this addresses that and it seems to me this is a good idea.

CHAIRMAN ANSON: Is there any other -- Roy.

MR. WILLIAMS: There was a lot of discussion yesterday during public testimony about needing a transit provision to go from
state waters to state waters and there are places where you have to go through federal waters and that’s why they needed a permit and I am wondering if that can’t just be done in the way the rule is written.

You know if gear is stowed, that you could legally pass through the federal zone and so I would like to see some exploration of that by staff, either in 17 or 17B.

CHAIRMAN ANSON: Myron.

MR. FISCHER: In addition to that, Roy, there are vessels who are actively fishing and just because of the geography and how it’s changed to get beyond the sandbar to make the turn to come back in, they get into federal waters in Louisiana with the three-mile zone.

Then there is other industries that do rig clearance and their total intent is not to catch shrimp, but it’s to catch steel, but they need permits and as more and more platforms are being removed from the Gulf, they will need more of these types of vessels.

They have to have permits, because they are dragging what appears to be an otter trawl. It’s not designed to catch shrimp with the mesh size and the material it’s made from, but they have to be permitted. It’s not just a transit that’s a problem. It incorporates other areas.

Now, when we left the committee meeting, what we said was we would look into ways to streamline the document to move it forward, which is what we were prepared to do. Now we’re talking about splitting the document and we will take care of the moratorium portion quickly and we will worry about what we do with the rest and this feels like something we fell for with mackerel, where we were ping-ponging with the South Atlantic and ping-ponging with Michelle Duval on the North Carolina system and we finally said, well, let’s let them have what they want and then we’ll come back and we’ll get this late season in the western Gulf and it never happened. It never happened and I feel this is the same way.

If I give into this, I will never see it addressed with the pool and it will be slow and we will slowly wear down more and more permits and I think we don’t -- We kick the can down the street on everything we do and we take the easy way out.

Let’s pull some items out of this and let’s streamline it. We
have alternatives we could remove and my hand was originally up
questioning why do we have this a and b under each alternative?
Can't we just go with one, because the council can always come
back and review a fishery and so we don't need a b for that.

I think we're doing an injustice by splitting it and just
continuing the moratorium and continuing the slow death until we
come up with something. The fact they're tied together makes us
do it now and that's what I would like to see, is something that
makes this council act.

CHAIRMAN ANSON: Ms. Bosarge.

MS. BOSARGE: Myron, you know I care very much about the men in
my industry and I want to get this right and I know you're
worried about -- I don't know that they may get down to a level
where there is no permits left before we could maybe finish this
document, the 17B, but I don't see how that could happen.

Even at thirty permits a year falling off, if it took us ten
years that's 300 permits and we're at right about 1,500 now and
that brings you down to 1,200 permits and there is only 800 or
900 boats actively fishing in the industry right now. You
still, even right there, have room for a permit pool over and
above what's still fishing out there at that point.

I want to get it right and I think there are some other things
that we have to address in it as well. We need to get these
transit provisions in place, but we need to have some good, hard
thought. What I heard when we had this discussion the other day
is that at this point there is a lot of misinterpretation and
misunderstanding even on what these tables are saying, what they
represent, and what some of these alternatives do.

I think we better slow down and take a hard look at this and I
was the one that asked to please have the AP look at the vessel
pool. I was the proponent of it and so if you think that I'm
going to not be a proponent of it, I think that you're mistaken.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I mean I am going to support the motion. You
know the whole issue we heard yesterday of the transiting thing
was kind of new and I hadn't thought about it in that light and
I think that's just an example of there's a lot of issues here
that we need to understand and figure out.

I don't think that this is like mackerel. I mean this is this
council and there is no reason this has to get delayed or not happen unless this council decides that we don’t want to do it and there is really no reason that the number of shrimp permits out there needs to decline. It’s not like we’re actively reducing the number of permits.

It’s only declining because people are just not renewing their permit and basically throwing them away and I suspect that that rate of decline is going to diminish and I think it has diminished over the last few years, but this fishery is not going away in the short term and there are still a lot of permits out there and so I would rather see us take a little extra time and do this right rather than try to rush it through to meet the deadline we have on the moratorium and not do it right, because that will have consequences if we don’t get this right.

I understand about kicking the can down the road and I don’t like that, Myron, any more than anyone else does, but we have to take the time to make sure we do the required analyses and do it right and make a good decision and I just think this business with the pool is going to take more time than we have and maybe only by an extra couple of meetings, but I think we’re going to need that time.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: In some respects, I agree with Dr. Crabtree, because if people are letting these permits go, then I don’t think there is a real demand for the pool that would then be setting there for someone to get them.

What I will ask the question of to staff, and I looked through the document and didn’t see it, is are we losing -- Are we losing vessels out of a particular area at a much more rapid rate than across the entire Gulf, meaning -- As Myron has shared this concern and certainly the folks who were at the podium yesterday sharing that concern, have they lost vessels at a much greater rate, which could speak to some issues in a localized area that we need to -- That’s the more important reason here. I will just ask that question, because I don’t know the answer to it.

CHAIRMAN ANSON: Does anybody on staff know the answer to that question?

DR. SIMMONS: If you look on page 37 of the document, there is some information in Figure 3.5.6 about the terminated Gulf
shrimp permits by community since the moratorium. Ava, can you
speak to this issue about the number of terminated permits by
community in the shrimp amendment?

DR. AVA LASSETTER: I apologize, but actually the NMFS staff
worked on this section and I would have to look more into it.

MS. BOSARGE: If you look there, you can see that the big red
dot in Alabama, that’s essentially Bayou LaBatre. Myron, you
would have to advise what your big red dot is exactly right
there and then in south Texas and then further in the document,
it also goes on to give a little bit of the socioeconomic
analysis and which communities essentially are the most impacted
from both the falloff of permits, but also how dependent those
communities are on shrimping.

I have to find the exact page, but essentially it’s Texas that
is most impacted. I think they had like the first -- Texas and
Bayou LaBatre, Alabama made up like the first five or six
communities.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: That kind of gets at what I am talking about, but
it kind of doesn’t, in some respects, because I am really
looking at the -- I am wanting to get to the percentage, to see
if they are -- I mean that Brownsville was the highest and Bayou
LaBatre was the highest doesn’t really surprise me, because they
are probably the highest license holders as a whole anyhow, in
some respects, and so before the next meeting, I will dig into
that myself.

CHAIRMAN ANSON: It is important, obviously, to kind of know if
there is some localized or some regional differences in permit
loss, but you know I think the same issue, the same points we’ve
already brought up, would apply for those localized issues.
There is not enough demand and there is something going on and
the folks just aren’t renewing and so even if you drill down to
a smaller level, I think the same things would still apply, but
it’s noteworthy to know if there are certain areas that are
losing permits faster than others.

We have a substitute motion on the board and we’ve had some
discussion and there is anyone else that would like to address
the substitute motion? All right. All those in favor of the
substitute motion please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Eleven.
CHAIRMAN ANSON: All those opposed like sign.

EXECUTIVE DIRECTOR GREGORY: Three. Eleven to three.

CHAIRMAN ANSON: Eleven to three and the motion carries eleven to three.

DR. CRABTREE: I don’t know if we need a motion, but can we ask staff to include an action that addresses our specification of optimum yield into 17B?

CHAIRMAN ANSON: I think staff would prefer that we put that in a motion to specify the items.

DR. CRABTREE: Okay. I am going to make this motion based on my discussions with Mara, but also I’ve gotten a couple of emails from some of the shrimp industry asking about this. I would move that we add an action to 17B which addresses the specification of OY, optimum yield.

CHAIRMAN ANSON: Is that your motion?

DR. CRABTREE: Yes.

CHAIRMAN ANSON: That’s your motion. Do we have a second to the motion?

MR. WILLIAMS: Second.

CHAIRMAN ANSON: It’s seconded by Mr. Williams. Is there any discussion on the motion?

DR. CRABTREE: I think it’s critical with the permit pool and the target number to explain how that target number achieves optimum yield. That’s what the statute says we need to do.

CHAIRMAN ANSON: Any other discussion? Is there any opposition to the motion? Seeing no opposition, the motion carries. I am wondering, do we need to specifically state then action items regarding a transit permit or somehow -- Because there is I think two issues going on. The biggest issue is folks not knowing where they can go to find out where and who has a permit that might be renewed.

Then the second item is that the current market just might be out of their price range and they might take their chances or it’s just not maybe worthwhile for them economically to get the
permit and so, as Roy described, if maybe we can look into sort of transit provision, if that’s not allowed in the current permitting or current operation for shrimp vessels.

Maybe we establish a Permit A, which provides shrimp activities, and a Permit B, which provides for transit provisions and you can still have the gear, but it has to be stowed. Again, I am not sure as to how that could work and whether or not that needs to be an action item in there. Mr. Fischer.

**MR. FISCHER:** Thank you, Mr. Chairman. Kevin, it’s not strictly transit. It’s a lot of other compounded issues. The shrimp industry, we are capturing shrimp coming from the estuarine area to the offshore area and so they are passing through the state waters and into the territorial sea and then out into the EEZ and on given days following shrimp that were just in the inside waters, you are, with some of the three inner states having a three-mile boundary, they are presented with difficulties that the outer states of Florida and Texas may not realize or may not see, because three miles on water is right there. It’s very close.

There is just more people fishing in this area or trying to than what we have permits for is what we’re seeing and we would just like to let additional people get permits, back to where -- It’s the same stories we heard in reef fish fishing. You have two boats tied to the dock, the same identical boats, and they go out to fish and they are following the shrimp and one boat can continue and the other boat has to come back in and he can’t follow them and it’s an inequity and how did it get that way?

Well, nature probably made a few changes, along with people not getting permits, because originally they were inland bay fishing.

**CHAIRMAN ANSON:** All right. Thank you. Dr. Crabtree.

**DR. CRABTREE:** You know regardless of the merits of transiting and whatever issues there are there, if that’s something we want to look at, whether it’s just a transit provision or some special permit, we need to ask staff to look at some options on that one.

Now, one thing I can do with respect to the permit information is I can ask Dr. Branstetter when we get back to put together a Fishery Bulletin to go out to all shrimp permit holders that does two things. One, it reminds them of the need to renew their permits within one year of the expiration date. We do
that periodically anyway and that if they don’t do that they
will lose it. Two, we can point them to, and by the way, a list
of permit holders is on our website and here’s the link to it
and I can do that, but I don’t know beyond that what more we can
really do to facilitate finding someone.

They’re just going to have to do the legwork of tracking them
down themselves, but I will ask Steve when we get back to put a
Fishery Bulletin together in that regard.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: You know one other thing that we might can do
that’s fairly simple that NMFS can do with the website is one
thing that I noticed is it gives the effective date of the
permit, and so essentially the issue date, and then it gives the
expiration date and I didn’t get to go through all of them.
There were some of them that were close to expiration, but not
quite at it, but I think we also need to give the termination
date and the permit should stay on the NMFS website until it
reaches the termination date, because that’s that grace period,
that one-year window when they haven’t renewed it and so they
probably are thinking about leaving the fishery, but it hasn’t
been terminated by NMFS yet and that may be something that’s
really good for somebody out there in the industry that’s trying
to figure out which one of these permits is probably for sale.

CHAIRMAN ANSON: Dr. Branstetter.

DR. STEVE BRANSTETTER: Yes and I heard from our staff that we
have the valid permits up on the website and our Permits Office
said it wouldn’t be that much of an additional step to take the
expired but renewable permits and have them listed as well.
It’s kind of automated anyway and it’s updated every morning.

DR. CRABTREE: Yes and I don’t see any reason that would
preclude us from doing that. I just don’t believe this ever has
come up to me and I really, quite frankly, wasn’t aware that it
was only the active, non-expired permits and so I will explore
that when we get back.

MS. BOSARGE: Thank you. I think that would be an amazing
benefit to the industry. I mean they have one place where they
can go and they can see who is not probably going to get back in
the fishery and so that would be of immense value to the
fishery.

CHAIRMAN ANSON: Mr. Gregory.
EXECUTIVE DIRECTOR GREGORY: Dr. Branstetter and Roy, do you all know if a number of these permit holders let them expire by accident and then later call in and say -- Even after a year. I know when the permits system first started in the 1990s that a lot of Keys fishermen would let it expire unknowingly, because they are not used to dealing with paperwork.

In fact, a number of fishermen would just throw their permit on their dash in an unopened envelope and let it sit there and so are there people that have called back and said, oh my God, I intended to renew it and I forgot?

DR. CRABTREE: Yes and so this is not an issue that’s specific to shrimp at all. This is all of our permits have this issue. Most people whose permits expire and they don’t renew them, I never hear from them and I don’t know what happened, but I do get calls every month, probably.

We get a letter of someone who accidentally, for whatever reason, and they have a world of reasons, forgot to renew their permit or whatever and they want us to make some kind of exception, but there isn’t any exception. If the year goes by and you don’t renew it, you have lost it.

Now, the reason we give them a year is to make sure that it isn’t because they had a vacation or they had something to do or they were busy or they work part-time. The feeling when we did this was that a year gives anybody a more than reasonable amount of time to renew their permit.

Now, in my opinion, most of the guys who don’t remember to renew their permits are not very active fishermen and they aren’t in it and that’s why they didn’t remember it, but it’s a whole mixed bag and certainly what Mr. Gregory brought up has happened and that’s why we go to great lengths to send out renewal notices to people to make sure they know you need to renew your permit.

Most everything we send out, we remind fishermen that you only have a year to renew your permit and sometimes we’ll call people up and tell them, hey, you’re about to lose your permit if you don’t do something and so it’s a problem and I think we’ve done everything we can reasonably, with the staff I have, do to try and avoid having this happen, but ultimately the fishermen -- It’s their responsibility to renew their permits.

CHAIRMAN ANSON: All right. Leann, if you want to continue.
Mr. Diaz.

MR. DIAZ: I am going to back up for just a minute and I would hope for this transit in federal waters that we don’t have to make a separate sub-permit for that. I think it would be a lot more efficient if the language in the document could spell out under what conditions you can legally transit federal waters.

I know in the State of Mississippi that you can legally transit through the State of Mississippi with a species that you legally caught in another jurisdiction. You know you have to have the proper license for that jurisdiction and you have to be making headway in a direction that is doing what you’re saying you’re doing and under this circumstance, I mean we let shrimp boats transit through our waters now.

They can’t be dragging their nets and the boards can’t be in the water and those types of things are obvious and we might have to put that type of thing, you know some definitions, in the language, but if we could handle it that way, it would be a lot less work on staff and I think it would be just as enforceable and it would probably take care of a lot of the concerns that some of Myron’s folks have anyway.

I fully understand you all’s concern, especially by Grand Isle and in that corner and around the sand bars and stuff. I could see where there is a need for people to be able to transit those areas at times and so, anyway, hopefully we can work it out that way.

CHAIRMAN ANSON: To that point, Dr. Crabtree?

DR. CRABTREE: We have transit provisions in a lot of fisheries and places and so I think it could be done that way. We just need to find something that law enforcement can live with and work with on it and we’re going through a discussion now in the South Atlantic about transit provisions in the shrimp fishery and I think over there the provision is the doors have to be on the deck and that’s creating a lot of discomfort with folks and so I think we can do a transit provision, but the trick is in coming up with the provisions of it that law enforcement feels like they can enforce it, but it’s still something that works for the shrimp boats and so I think we can explore that.

CHAIRMAN ANSON: In light of the timing issue that Myron had mentioned, is that something that we could in the next LEAP Committee go ahead and put it on the agenda so they can address that and make comment on it? Okay. Anyone? Myron.
MR. FISCHER: I appreciate what Dale said and the transiting also affects other areas. You could have some of your boats fishing at the mouth of the river, fishing in the lower Chandeliers, Alabama boats, and when they go home, they have to cross federal waters.

I think instead of having a transit provision to just let them take a permit. It’s twenty-five dollars a year and just instead of going through all the trouble of all the potential transit zones, a twenty-five-dollar permit solves it. What we would like to do is see a pool. We would like to see an official government pool of twenty-five-dollar permits.

It’s the way we do things, but I don’t think it’s right that you say, well, we will look on the website or we will try to find people getting out of the industry and then you’re at the mercy of their price, or you could have the permit, but you’ve got to buy the boat with it. There is always caveats and how about just create the pool? It’s a government-regulated pool and it’s twenty-five dollars a permit, just the way all our other permits are bought, and it’s not part of this black market system of permits that seems to be going around other fisheries right now.

CHAIRMAN ANSON: All right. Leann, if you want to continue on with the report.

MS. BOSARGE: This new alternative, which will now be in 17B, may be restructured to be consistent with the rest of the alternatives in Action 2-1. The committee discussed Action 2-2, which considers eligibility requirements for shrimp permits, added to the permit reserve pool. Staff requested additional information on transferability and expiration of permits in the reserve pool.

Staff is planning to take this document to public hearings after the October meeting. The following public hearing locations are proposed: for Texas, Brownsville and Galveston; for Louisiana, Kenner and Lafayette/Abbeville; for Alabama, Theodore/Tillman’s Corner area; Mississippi is Biloxi/D’Iberville area; and Florida is Tampa and Fort Myers. Myron, did you have a question?

MR. FISCHER: We have had fishermen request alternate locations. It wouldn’t increase the amount of locations, but it would give alternatives, due to the fact of how the geography of our state -- You are either coming from up the river or up one of the bayous, but it appears that Belle Chasse and Houma seem to be the locations of request.
CHAIRMAN ANSON: So those would replace the Kenner and Lafayette/Abbeville?

MR. FISCHER: Correct.

CHAIRMAN ANSON: All right. Robin.

MR. RIECHERS: Kind of the same attempt from Myron’s perspective and not trying to increase the number and we’ve got a long coastline and shrimp ports at all points along it, but I think what we’re going to try to do is ask you to, instead of going to Galveston, go to the Palacios area, where we can grab from three different locations there, Palacios, Matagorda, and the Port O’Connor/San Antonio Bay area there as well. We might have a chance to gather a more nucleus of people from several different locations there in a couple of different ports and so it will be Brownsville and the Palacios area.

CHAIRMAN ANSON: So Brownsville and Palacios and --

MR. RIECHERS: If it doesn’t have to be right on the board, don’t worry about it, as long as we’ve got it.

CHAIRMAN ANSON: Right. Brownsville and Palacios and then -- I am just trying to get staff caught up. That would be two distinct locations and not just one site that kind of encompasses the two. Then Kenner and Lafayette are now replaced with Belle Chasse and Houma. Okay. Anyone else? All right.

MS. BOSARGE: Under Other Business, Update on Changes to TED Regulations in Louisiana, the committee was updated by Myron Fischer regarding the TED regulations in the State of Louisiana, indicating that Louisiana would be enforcing TED regulations.

There was further discussion regarding the potential increased enforcement efforts for TED compliance if TEDs are required in skimmer trawls. It also was requested that a list of possible revisions to the TED Boarding Form be compiled for NMFS to consider. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Leann. That will take us to our next committee report and Myron.

MR. FISCHER: Now that we have two Shrimp Reports, just to regress and recap, we will move forward with the moratorium extension, to make certain the moratorium doesn’t expire, but we’re still going to try to streamline the other document so
it’s not as complicated, which is what I thought we would be
doing today. Is that --

EXECUTIVE DIRECTOR GREGORY: Yes, that’s the direction staff has
and we are moving forward with both as quickly as we can.

MR. FISCHER: So when are we giving our input on streamlining
the document?

CHAIRMAN ANSON: If you want to streamline it any more than it
is now, go right ahead.

MR. FISCHER: Well, I mean not if we’re going to move on or is
this going to be at the next meeting that we’ll be presented the
alternatives and we may omit or reject a few?

CHAIRMAN ANSON: That’s the way I see it. I mean there is no
timeline for that document or time certain that we have to get
that document done and so that would go through the normal
process of deliberations and committee meetings that we have to
streamline it.

EXECUTIVE DIRECTOR GREGORY: Yes and I think we’re going to
encourage the IPT to take a look at it and come back to you at
the next meeting with some suggestions. We’re not going to just
delete something and not let you see it, but tell you that we’re
recommending deleting this and this and this or --

MR. FISCHER: I was going to start with the Option a and Option
b under every one and why do we even have to have an option that
the council will look at it? The council can look at it any
time they want. Just I am sure I will have some calls in the
next day or two wanting to know the status and I just want to be
clear.

CHAIRMAN ANSON: Well, if everyone -- I mean that’s a good point
you make about Option a and Option b and if no one else has any
objections, I recommend that we go ahead and tell staff to
remove Option b and was that the one that was pretty much --

MR. FISCHER: I think Option b just stated the council will look
at it. The council can always look at it.

DR. CRABTREE: I wouldn’t want to remove Option b, because in
fact that would be my preference of where we wind up. I don’t
have a problem with us setting some target number of shrimp, but
I am not comfortable with hardwiring in exactly what we’re going
to do if we get there, because it could take five or six years
before we get there and we may decide when we get there that we
want to revisit the target and not have some permit pool
automatically come up into existence and so I wouldn’t want to
remove that at this point and I think we ought to leave Option b
in there for the pools.

CHAIRMAN ANSON: Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: The other thing I was going to
suggest to staff and the IPT is in looking at a number of our
documents, it seems like we’re getting too many options and
suboptions under alternatives and we end up with -- I think in
the South Florida document we had a hundred or so total options
to analyze, which is impractical, but take the Option a and b
and make it a separate action independent of the action it’s in
now and just say these are our two or three alternatives. We’re
not going to do anything and we’re going to have a pool or we’re
just going to review it and have it as a separate action instead
of having it as suboptions under seven different alternatives
and so let us bring something back to you to look at in October.

CHAIRMAN ANSON: Anything else, Mr. Fischer? No? Okay. Mr.
Greene, Reef Fish.

REEF FISH MANAGEMENT COMMITTEE REPORT

MR. GREENE: Reef Fish Management Committee Report, August 11,
2015, Public Hearing Draft Amendment 39, staff reviewed the
actions and alternatives in the document, Tab B, Number 4. In
Action 1, the committee discussed the process and timeline for
submitting conservation equivalency plans, or CEPs.

Dr. Crabtree suggested the establishment of a technical review
committee to initially review the CEPs. The review committee
would include state representatives, thereby further involving
the states in the regional management process.

By a voice vote of six to two, the committee recommends, and I
so move, in Action 1, to change the Preferred Alternative to
Alternative 4.

CHAIRMAN ANSON: We have a committee motion. Is there any
discussion on the motion? Is there any opposition to the
motion?

MS. BOSARGE: Can we actually, because it’s long and we’re about
to vote on it, can we actually read through this? Johnny, would
you mind reading it?
MR. GREENE: Alternative 4 is establish a regional management program in which a state or group of adjacent states or regions submit proposals to a technical review committee describing the conservation equivalency measures the region will adopt for the management of its portion of the recreational sector ACL. The proposals must specify the red snapper season and bag limit. To be a CEP, the plan must be reasonably expected to limit the red snapper harvest to the region’s assigned portion of the recreational red snapper ACL. The technical review committee reviews and may make recommendations on the plan, which is either returned to the region for revision or forwarded to the National Marine Fisheries Service for final review. If a region does not participate or its plan is determined by National Marine Fisheries Service to not satisfy the conservation equivalency requirements, then the recreational harvest of red snapper in the federal waters adjacent to such region would be subject to the federal default regulations for red snapper.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I just want to clarify that some of us in committee who voted this at this point -- The concern about this in the past has been the extra length of time and the back and forth that it will cause and that delay that could occur in getting seasons set and so forth.

I think some of us who voted for it in committee voted for it with the notion that we basically move to a preferred at this point, but the real notion was we were going to come back at the next meeting with some further definition of that timeline and how that technical review committee would be established and what that might look like, because I think that’s going to determine whether or not at least some of us, and in my case, support this or not and so that we can really understand what that looks like and it’s not as open-ended as it is now.

CHAIRMAN ANSON: As I recall, Dr. Lasseter had said that she would work with IPT staff to try to have a good estimate on the timeline.

MR. RIECHERS: I would encourage that council members also think about that as we come to the next meeting, because we may have some thoughts about that as well.

CHAIRMAN ANSON: All right and so we have a committee motion. Is there any other discussion on the motion? Any opposition to the motion? Seeing none, the motion carries. Mr. Greene. Dr.
Dr. Crabtree.

**Dr. Crabtree:** I don’t guess we need to decide it now, but once we see the timeline that this is going, let’s give some thought to who would you want on the technical committee. I’m assuming it goes without saying that a scientist from each state would be on it and maybe someone from the Science Center and I don’t know, but I would ask all of you to give a little thought about that before the next meeting so we could put some language in the document.

**Chairman Anson:** Dr. Lasseter.

**Dr. Ava Lasseter:** To add to that, another thing to think about is the way the summer flounder review committee is made up, it’s three members from each state, but each state gets one vote and so that’s just their context for us to weigh options.

**Chairman Anson:** Does their technical review committee have anyone from the Service?

**Dr. Lasseter:** That part I do not remember. I am sure it does or no, actually I believe it’s all states. It’s three representatives from each state and each state gets one vote, because it is completely at the state level and then it gets forwarded to NMFS.

**Chairman Anson:** Dr. Crabtree.

**Dr. Crabtree:** I don’t have strong feelings about how it’s set up. Three from each state is fifteen people and that seems like a lot to me, but --

**Chairman Anson:** All right and so staff will bring something -- Unless somebody wants to give more specific direction as to the number at this point so that staff comes back with something that’s a little bit more appropriate and doesn’t have to put any extra work in to clean it up.

**Mr. Fischer:** I would just question, if you’re going to have three from each state, where is the difference if you have one from each state and they bring the documents back and they review them with their upper staff and come back with yea or nay?

I don’t think within a state you’re going to have much disagreement on what you feel about and the payday is coming up. If you want language in here of technical review committee, I
think we could add it at this time, made up of a fisheries representative of each state. If someone thinks it should be three, that’s fine. I think that complicates it. I think it puts a lot of people in the room, where the document is going to go back and it’s not going to be reviewed in one hour. It’s going to be reviewed over a few days.

I will make a -- Would it be germane at this time to make a substitute motion or an amendment to the motion just to add, after “technical review committee”, “made up of the fisheries director of each state”? 

CHAIRMAN ANSON: It would be a new motion.

MR. FISCHER: Then we will finish this and we will create it afterwards. Then at this time -- The technical review committee be made up of one member under the direction of the head fisheries manager of each state. I am trying to think of how we phrase it on this council.

CHAIRMAN ANSON: That the technical review committee be comprised of one member from each state designated by the state fisheries director and does that --

MR. FISCHER: I said it soft. That’s what I said.

CHAIRMAN ANSON: Is there a second to the motion?

MR. RIECHERS: I will second.

CHAIRMAN ANSON: It’s seconded by Mr. Riechers. Any discussion on the motion? Dr. Crabtree.

DR. CRABTREE: I am okay with that and I think what we’re looking for from each state is someone with enough quantitative knowledge of the recreational surveys and things, because they’re going to need to technically evaluate each state’s plan and is it going to stay within and that kind of thing.

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

MR. GREENE: In Action 2, Alternative 4, to ensure that regions do not propose separate management for the recreational components, the addition of the phrase “as a single unit” was suggested. By a voice vote with one opposing, the committee recommends, and I so move, in Action 2, to accept the language in Alternative 4 to include the phrase “as a single unit.”
CHAIRMAN ANSON: It’s a committee motion. Any discussion on the motion? Dr. Dana.

DR. DANA: When I read Alternative 4, I see that it already has “as a single unit” and what are we adding or why -- Am I looking at the wrong thing here?

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Pam, what happened was that was added in the text, but in our version it wasn’t in italics, but in Ava’s version she was trying to highlight that that was italics and that she was just suggesting it and we hadn’t accepted it yet, but it helps to clarify this and so that’s why it’s in your document looking like that.

DR. DANA: Thank you.

CHAIRMAN ANSON: Any other discussion? Any opposition to the motion? Seeing none, the motion carries.

MR. GREENE: After an initial motion to make Alternative 2 the preferred alternative, a substitute motion was made to select Alternative 4 as preferred. By a roll call vote of six to three, the committee recommends, and I so move, in Action 2, to make Alternative 4 the preferred alternative.

CHAIRMAN ANSON: If you wouldn’t mind reading the rest, Johnny.

MR. GREENE: Alternative 4 is remove the sunset and end the separate management of the federal for-hire and private angling components upon implementation of this amendment and have this amendment apply to the entire recreational sector. The private angling and federal for-hire components would be managed as a single unit by each region under regional ACLs, based on the allocation selected in Action 6.

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

DR. DANA: Thank you, Chairman Anson. I would like to make a substitute motion and that would be to have the preferred alternative be, in Action 2, Alternative 2, to remove the sunset and extend the separate management of the federal for-hire and private angling components of the recreational sector and have this amendment apply to the private angling component only. The private angling component would be managed by each region under
regional ACLs that are based on the allocation selected in
Action 6 and the federal for-hire component would be managed
Gulf-wide under a component ACL, based on the allocation
selected in Amendment 40. That’s Action 2, Alternative 2.

CHAIRMAN ANSON: We have a substitute motion and we’re trying to
get it up on the board, staff is. Dr. Dana, is that your
motion?

DR. DANA: Yes and the amendment or whatever this is, the draft
amendment, already has the Alternative 2 language and so just
putting that as our preferred, that’s my motion, for Action 2,
Alternative 2.

CHAIRMAN ANSON: All right and so we have a substitute motion on
the board and Mr. Sanchez seconded the motion and is there any
discussion on the motion? Mr. Sanchez.

MR. SANCHEZ: I think for years we’ve been hearing from the for-
hire and headboat sectors and they’ve worked arduously to come
up with their own plans and I think it’s time for the
recreational sector to come up with their own plan so they can
manage their fishery and if you want to proceed regionally, then
please do, but leave them out if it. They have already come up
with their own plan and that’s the rationale of why I would
choose it and would like to see this become the preferred
alternative.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. I think we’ve heard
pretty convincingly, at least yesterday, that there is no
opposition to regional management going forward, but there is
opposition from the charter-for-hire sector to be included in
that regional management process.

They are opting to be managed by the feds. You know we went
through a very painful process to go into sector separation to
begin with. We battled it for years and we finally made a
three-year program to test it out and we’re only in year one and
so we owe it to the process and to the industry to let at least
the three years play out.

Dale, you told me that in Mississippi that sector separation
worked well, in your opinion, with the charter boats. I know it
worked well in Florida. I have talked to the FWC folks and they
agree. I know it worked. I saw it happen and so I think we
need to honor at least the process of the three years and this
would kind of do away with that whole intent.

CHAIRMAN ANSON: Dale.

MR. DIAZ: Thank you, Mr. Chairman. As you and I had discussed, Dr. Dana, I did talk to several charter boats before coming to the meeting, to kind of get their input on how it went. All of them agreed that it did work well for sector separation. In Mississippi, that was the input that I got from charter boats related to that.

As far as whether they would like to be managed by the state or the federal, it was mixed. I did have some that would be comfortable with the state managing them. I did have at least one of them tell me that they would only want to stay in the federal system and so it’s kind of mixed and I only talked to four. Anyway, I am trying to figure out exactly where I want to be with this.

I mean the whole purpose of this document to me for Amendment 39 was to, first and foremost, get us out from underneath this state non-compliance box that we’re in and I do think 39 does that, but also flexibility, too.

Currently, I really don’t like the previous preferred alternative or really this one. I think the one that’s not being discussed right now probably provides the most flexibility and so, anyway, I am trying to think through it right now, but thank you, Mr. Chairman.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I am going to speak against the motion, but what we’ve heard, and what you have suggested, Pam, was that we need to let the process work and the process was that we put a sunset date on it and certainly there is work moving forward so that if that sunset date expires, there is amendments that we talked about yesterday as well that are moving through the system.

The system is slow and I understand that and it’s slow by design, frankly. I certainly would like to see it move faster for certain documents at certain times, but what we’ve heard from is the sector separation -- The supporters of the sector separation notion who were here and you talk about it being a plan.

Well, the plan was they got more days than anyone else, from a private recreational perspective, and they have a separate
sector now where they’re staying within that quota and I know what you’re going to say. You’re going to say that the state waters were open and yes, five states had different rules. They were inconsistent. They weren’t non-compatible, but they were inconsistent, because the states each have their right to do that.

So, again, I am not going to belabor the point, but I think yes, if you asked me would I like twenty-one days or would I like forty-five days, I am probably going to choose forty-five days and I’m going to tell you up there that forty-five days is better. The question is, is that better for the entire fishery and is it economically better? That’s the big question we’re trying to get at.

CHAIRMAN ANSON: All right. I have Dr. Lucas.

DR. LUCAS: Thanks. I always appreciate Dale and Dale always reaches out to all the community in Mississippi. I also, from the standpoint of being the Mississippi state rep, we continually talk to our charter-for-hire, which is great.

You don’t see our charter-for-hire typically coming to any of these meetings, because they are typically reaching out to us and we have a great working relationship with them and we have worked to ensure that anything we do will provide fair access, because they put out a great service for us and we promote nature-based tourism and we promote people getting out on the water and that’s why it’s great and I think a lot of times you don’t see our charter-for-hires here speaking because they reach out to us and that’s why they want to be managed by the state, because they can find us.

They can come sit in our office and they can talk to us. They can sit across the table from us and they just don’t feel they have that option, necessarily. They don’t want to come and they don’t want to spend their time coming to council meetings five times a year to try to get their perspectives heard when they know they can come sit in our office and say what they need and have us try our hardest to address it. Thanks.

CHAIRMAN ANSON: I have John Sanchez, followed by Dr. Dana.

MR. SANCHEZ: A point that’s lost on this is 80 percent of the landings, 70 or 80 percent of the landings, from Texas, recreationally speaking, for snapper come from the charter boat fleet. Those folks have opted to be federally managed and do their own thing, yet here we are trying to lump them back into
some kind of state management philosophy, effectively
eviscerating what they’re trying to accomplish with their
Amendments 41 and 42 going forward.

This started since the beginning. As soon as Amendment 40 -- I
don’t even think it was typed up yet and we had a sunset
provision brewing and then we had recalibration and then legal
challenges and then legislation being proposed now, things just
designed to either stall or delay or ignore the obvious, that
what we need is a recreational management plan. 80 percent of
your landings has opted to be out of it and I just don’t see why
we’re missing that point.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. Briefly, Robin, you hit
it right on the nose when you said you knew what I was going to
say, but your comment that the charter-for-hire sector is
getting more days than anyone else is super misleading. We have
more in the federal waters, but we had far less than any other
angler in any state, because we can’t fish in the state waters.

When Texas is open year-round, that’s 365 days that a private
angler got to fish versus a charter boat and forty-four days and
how is it that the charter-for-hire got more days than anyone
else? In Florida, we got less than anyone else. In
Mississippi, they got less and in Texas, the charter got less
and in Louisiana, they got less.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Pam, I supported your motions in the past to
remove 30B and so you know I understand that issue and I tried
to support you in removing that so that there wouldn’t be that
differentiation between charter-for-hire vessels in federal
waters and state waters.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: This goes deeper than 30B. We were separated
before 30B ever came about. There was a reason we were
separated and it was to improve data collection and it was to
work on multiple-day trips that people were manipulating the
system and that’s why it was put in to begin with.

30B, I was a proponent to keep 30B, at my own expense. It would
have cost me money and I could have made more money by fishing
in state waters and doing whatever, but it was the right thing
to do and that’s what I did and that’s why I fought against a lot of you here to keep it in place, because had we not kept it in place, there wouldn’t have been a state-water fishery.

There would have been nothing. There would have been no federal season for anybody and that’s not right. Now, all we’re trying to do is set a preferred here that’s going to go out and we can pick one here that’s going to generate a lot of topics and a lot of whatever. It’s not a final vote and everybody already knows where you’re at and you already know how you feel and you already know how you’re going to vote, but we were separated out a long time ago.

I think it was Amendment 11 and we’re trying to deal with that as best we can. We’ve had a lot of people come before us that don’t even understand if we’re federal for-hire, why are we even looking at this within a state.

I understand that you want to keep the landings within a state between the for-hire industry and the recreational in each state and I understand that, but until we get there, we’re not going to have that. I don’t believe anybody is in opposition of regional management moving forward for the purely recreational season and where we’re hung up is what do we do with the charter boats.

I think it’s pretty simple that we’re just trying to select preferreds at this particular point and move forward and we can make all these arguments and everybody kind of already knows the deal, but it’s a lot deeper than just 30B.

CHAIRMAN ANSON: Mr. Matens.

MR. MATENS: Thank you, Mr. Chairman. I actually voted to repeal 30B and I spoke with my friend, Mr. Greene, about why he and I disagreed on that and I understand his point. The point that I want to make here is, to some extent, the point that Dr. Lucas made.

Louisiana is a small state. We have about a hundred federal reef permits and about half of them are fishing. We know each other. They know -- I don’t believe that the bulk of the Louisiana charter fleet wants federal management and the reason for that is much the same as Dr. Lucas.

They know that on the first Thursday of every month that they can go to the Wildlife and Fisheries Commission that my friend, Mr. Swindell, was just on and talk and complain and explain.
They are quite comfortable with that. We know each other personally. Accordingly, I speak in opposition to this and, further, I would request a roll call vote.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: I would like to speak in favor of the motion. If you take, for instance, the headboat pilot program, I mean it’s been successful. They increased their access and they’ve had more days at sea and this state non-compliance just keeps growing and growing and that’s a problem and the testimony is that the charter for-hire does not want to be managed by the states and it makes sense to me and I understand it.

In the commercial industry, we have issues too, but I just -- You know I’m going to speak in favor of this motion. I think it’s the right thing to do.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I think that it seems like what we’ve heard at public testimony, and even with Dr. Lucas’s comments, there is some portions of the for-hire sector that are very comfortable with their state management and they seem to have a very close relationship and they seem to work well and then there’s some that don’t, for whatever reason.

I think that’s likely to change over time. It may be that way in some states now and it may be different in some states later, but, to me, that’s what we see sometimes from the difference between what we see at the state level and what we see at the federal level, is that over time we seem to have larger swings in the pendulum back and forth, whether it be commercial orientation or recreational orientation or whatever the case may be at the state level.

We still have swings like that at the federal level too, but I think you can look around this table and see that we don’t have drastic swings. I guarantee you when we get to that 28 vote that it will be very obvious, because it’s going to be a close vote, that we’re pretty balanced. We don’t really swing to an extreme in one direction or an extreme in the other and I think that that is what this motion is getting to.

This group of individuals wants to stay at that federal level, whether they are comfortable with their current state management or not. They may love them, but in the long run, they see that sometimes there are those shifts and it may shift out of their
favor and they feel like at the federal level they’re a little more protected from shifts and that we tend to stay pretty balanced.

It might not always go in their favor, but it should be fair. It will be pretty fair for them and so I am going to support this motion.

CHAIRMAN ANSON: John.

MR. SANCHEZ: This will be my final comment on this. I think we all know where we all stand. I just keep hearing too that there’s some lack of recruitment post-2006 and there seems to be an increase in state seasons as we’re going forward and I think the two are going to converge and I understand the charter boat and the for-hire fleet.

When those two things converge, there is not going to be a federal season, probably, and I think that if I was them, I would be looking to be managing ourselves in a manner that’s consistent, efficient, objective, and consistent with our goals for sustainability.

Letting this go without addressing the obvious gorilla in the room, which is lack of a recreational plan, we’re allowing these two things to converge of low recruitment and prolonged state seasons and it’s not going to make for a good mix with the federal days.

CHAIRMAN ANSON: We have a substitute motion on the board in Action 2 to make Alternative 2 the preferred alternative and that is to remove the sunset and extend the separate management of the federal for-hire and private angling components of the recreational sector and have this amendment apply to the private angling component only. The private angling component would be managed by each region under regional ACLs that are based on the allocation selected in Action 6 and the federal for-hire component would be managed Gulf-wide under a component ACL, based on the allocation selected in Amendment 40. We have had a request for a roll call vote and so, Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.
EXECUTIVE DIRECTOR GREGORY: Ms. Lucas.

DR. LUCAS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.
EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: No.

EXECUTIVE DIRECTOR GREGORY: Okay. We have eight yes and nine no. The motion fails.

CHAIRMAN ANSON: That takes us to our previous motion, the committee motion. That was in Action 2 to make Alternative 4 the preferred alternative and that is to remove the sunset and end the separate management of the federal for-hire and private angling components upon implementation of this amendment and have this amendment apply to the entire recreational sector. The private angling and federal for-hire components would be managed as a single unit by each region under regional ACLs, based on the allocation selected in Action 6. Is there any further discussion on this motion? Mr. Matens.

MR. MATENS: Again, I would request a roll call vote.

CHAIRMAN ANSON: All right. When Doug steps back to the table, we will begin that. Anyone else want to discuss the motion? All right, Mr. Gregory. Mr. Diaz.

MR. DIAZ: I am going to see if I get a second and I’m going to make a motion that we make Alternative 3 the preferred alternative. This is going to be going out to public hearing and I’m sure this is going to change several times or it may change before it’s final, but I think Alternative 3 provides the most flexibility for the document and for the original purposes that we started this document for. Thank you.

CHAIRMAN ANSON: Another substitute motion and that is in Action 2 to make Alternative 3 the preferred alternative. Is there a second to the motion? Is there a second? No second. You want to look at it? Okay. We will have it up here momentarily.

Alternative 3 in Action 2 is to remove the sunset and extend the separate management of the federal for-hire and private angling
components of the recreational sector and have this amendment apply to both components in any region intending to manage both private angling and federal for-hire components for its region. There is some further explanation and detail as to how that would work that’s provided in the alternative. Again, there is a motion on the board and it has not been seconded.

MR. SANCHEZ: Second for discussion.

CHAIRMAN ANSON: It’s seconded for discussion by Mr. Sanchez. Is there any discussion on the motion? I will make a comment that, as Mr. Diaz stated, the intent of the regional management document was to provide some flexibility to states and it was also a chance for some states that might be disadvantaged in regards to their state-water fisheries relative to other states and the non-compliance issue for the states to maintain a foothold, if you will, with a share or a portion of the recreational quota that’s allocated and so this document would do that and trying to get to a point where we can have that flexibility and maintain some stability for the whole Gulf was kind of the original goal we had in mind as the document was created. Yes, Dr. Lucas.

DR. LUCAS: Since we’re working on a public hearing draft here, I think there was something that Ava said Tuesday in Reef Fish that we might need to add for clarification, which is how this alternative actually works in terms of the split.

Ava, I think some are under the impression that it may work differently than was described by you, which was the allocation goes to the state and then it’s split based on the for-hire and the private recreational split. If you can confirm that, but I know that’s been a source of confusion for some people.

DR. LASSETER: Absolutely and so how it would work is the preferred alternative in your allocation action, Action 6, that split would be apportioned to each state initially and, to remind you, that’s 31.6 percent to Alabama, 37.8 to Florida, 15.4 to Louisiana, Mississippi at 3.1, and Texas at 12.1.

Then, using each state’s landings and not the Gulf-wide that was used in Amendment 40, but each state’s landings by private anglers and state guideboats and charter, federally-permitted charter vessels. Those, each state’s landings would be used to divide that state’s proportion of the allocation. Again, it would be using the same formula, but just applied to your state’s landings.
CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Ava, and I don’t remember, because of the way it was written, but weren’t you also suggesting that this was an opt in or opt out of that notion at the beginning of the conversation, basically?

DR. LASSETER: Yes, exactly. That is the option in Alternative 3. The region could decide to manage only its private angling component and not the for-hire and the quota that would be used for the charter-for-hire would go to a collective Gulf-wide aggregate quota that would be fishing under -- If Amendment 41 or 42 go forward or not, there would be some management measures for that part of the quota.

MR. RIECHERS: Maybe it’s just me then, but I thought in Alternative 3 at committee that you indicated that at the beginning the state -- I mean this is truly the one that, as opposed to 4, where you said it’s as a single unit, I thought you had said in committee that this was the one that basically let the state apply for it as a single unit or as a separate we want a charter-for-hire sector and we want a private recreational angling sector or a charter-for-hire recreational angling sector and a private recreational angling sector.

DR. LASSETER: Would it be convenient to get the document back up and to show that figure for Alternative 3?

MR. RIECHERS: I don’t need the figure. I just need to know -- Because the figure has explained it, but I don’t think it has actually explained the intent as you have described it in committee. Is it or is it not an option for the state, as we walk into a conservation equivalency notion, to declare we’re going to manage them as one or we’re going to manage them as two, because that gets into the motion that was made at the last meeting that failed and we may want to add an alternative in here if it’s not in here.

DR. LASSETER: Okay and yes, I can speak to that. This is an option, an alternative, where the region would decide to manage -- If it wanted to manage both, it could. If it was not going to manage both, it would manage only the private angling and the remaining quota from the federal for-hire would go into that pool.

Now, at the last meeting, Mr. Robinson proposed a motion that I think is better getting at what Mr. Riechers -- Perhaps that would be something the council would like to further discuss.
CHAIRMAN ANSON: Any other comments to that? Robin, specifically?

MR. RIECHERS: I will come back and add an alternative.

CHAIRMAN ANSON: I have Mr. Williams, followed by Mara.

MR. WILLIAMS: It was answered.

CHAIRMAN ANSON: It was answered. Okay. Ms. Levy, did you have a comment?

MS. LEVY: Maybe I missed it, but I read this as managing both components and then that would automatically separate it into a private angling and a for-hire ACL and allocation in the region, but if the state did not want to manage both components like that, that the private angling component alone would be managed by each region under that private angling component ACL and the for-hire would be managed by the federal.

I don’t read it as giving you an option to either manage them together or separately under the state. It’s like they’re separate and you either choose to manage them both separately or one is in and one is out, but I guess conceivably if you said you wanted to manage both and manage them both separately, you could institute the same management measures, but they would each have their own -- I think the difference is they would each have their own catch target.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Mara, then 4 is really a -- Because we’ve talked about this many times and I think there is still some confusion. 4 is the one that would actually allow a state to manage them separately or manage them together?

MS. LEVY: No.

MR. RIECHERS: Hold on just a second. You said it’s a private recreational angling group, but yet the state came in with a conservation equivalency plan or working within the state -- Mississippi says, all right, I’m going to kind of create a plan and here’s how you’re going to work charter boats and here is how you’re going to work private recreational boats and together that adds up to my percentage and you’re saying that Option 4 would not include that?
MS. LEVY: I think adding that language that specifically says as a single entity or unit or whatever we said -- To me, that said they were going to be managed together and I see that you want an alternative that gives the state the option to say we want to manage both and we either want to do them together or apart, but is that apart then going to be under the allocation formula that was established in 40 or we go back to the idea of the states wanting to establish their own allocation formula? It’s not clear to me how far you want to go with that idea.

MR. RIECHERS: At least in early drafts of this document, that idea was going to be left to the states with a lot of flexibility in that idea and so there was an earlier draft that certainly tried to allude to that.

The IPT has gotten it and changed it and moved some things around to better clarify things, in some people’s minds, but the whole notion is it sounds like we need another alternative if we want to create that flexibility or at least that’s what I am hearing.

CHAIRMAN ANSON: I will comment that I thought when we started to look or the potential if a state wanted to come and look at the different sectors and even as a single unit idea, when you’re trying to manage so you come to one target, is to how that distribution was going to occur.

I thought were some references made, I think by Dr. Lasseter, that the more you put in the document, the less time that a state would have need when they submit their plan, as far as the NEPA and that type of thing, and so that’s maybe where it’s kind of gotten off the rails as far as not being clear. The more detail that’s in the document on the front end, the more chance that it would go smoothly at least, or quickly, if the state were to submit a plan, but, Mara.

MS. LEVY: I could see adding an alternative that gives the state the option to either manage them as a single unit or separately under the allocation formula already specified. The problem comes in when you’re either trying to manage them separately under different management regimes or expressly with their own allocation, because either results in an allocation decision and that’s something that is going to have to be established through the plan and it’s going to have to have all those consistencies and a plan amendment and all that.

There is a big difference between saying we’re going to manage them separately, but under the established allocation or we’re
going to do something that’s going to result in a different allocation, procedurally-wise at least.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: Mara, you just said that sector separation was an allocation decision as you try to separate these two components, correct? Okay.

CHAIRMAN ANSON: John.

MR. SANCHEZ: I agree and I see what I guess we’re trying to discuss here, separating the two and giving the state the ability to make that judgment call for themselves, but then where that allocation is going to come from is where it kind of gets the waters muddied and so I guess I will just consider this as better than Alternative 4, but not as good as Alternative 2.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: Well, I mean part of this relates to the same discussion when we’re talking about the overall allocation. For instance, in some states there may have been increased charter landings through most recent years. There may have been decreased charter landings through most recent years. The industry may have changed in certain sectors, where they’re taking multiple trips and so landings are going higher in these most recent years.

Each state, to some degree, would be able to look at their own state, if there was some flexibility there, look at their own state to determine what series of years and what might make sense. I understand the NEPA questions and that you may have to do more analysis on the backend and I am not suggesting that that’s not true, but I am just suggesting that if you want to have that flexibility, at least what we’re talking about right now, the only way I can see it happening is us either adding another alternative or building it in under Alternative 4, and I am not certain that it’s really that different than Alternative 4 if the state approaches you with a plan and it allows for the landings to occur and you’re summing them up to private recreational anyhow, because that’s what you’re doing no matter what we’re doing here. You’re summing it up to private recreational.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I mean I think what you’re getting at was a state
wanting to use a different allocation for the for-hire and the private than what Amendment 40 would come at and I think you can do that, but you’re going to have to come back to the council and propose this is what we would like to do and the council is then going to have to do a NEPA document and all of that and amend the plan and they will either say yes, we’re okay with that or no, we’re not.

I think that can happen, but it’s going to have to go through those additional steps and if it makes you comfortable to have some language in the discussion that a state could come back to the council and ask for something like that, but I’m not sure how to tailor an alternative in here to just allow that to happen automatically, because I don’t know how to do the analysis of that, because I don’t know what allocation a state might come up with and propose and so I think we would have to deal with that when we get there.

You know this is obviously an extremely complicated management regime and I suspect that we’re going to encounter all kinds of hurdles and things we didn’t think of and have to come back and tweak this and that sort of thing may be one of those things that we deal with down the road.

CHAIRMAN ANSON: Roy.

MR. WILLIAMS: Just as a follow-up to that then, Roy, could a state, if they chose to manage both the private and the for-hire as a single unit, could they set a one red snapper bag limit on charter boats and headboats and a four red snapper bag limit on a private boat?

DR. CRABTREE: Well, I mean the states, in their conservation plans, can specify the bag limits and so if under this a state decided to have a -- You know they’re going to manage the separate for-hire and private component and they each have the allocation according to Amendment 40 and then they assign a different bag limit to the two and then the seasons are such that each will catch its allocation, I think this allows them to do that.

MR. WILLIAMS: So the allocations then would continue to remain separate and whatever allocation the private sector got, take any state, and theirs would be divided into a private allocation and a charter/headboat allocation and those would remain separate and a state would then just target achieving whatever yield they wanted to or to achieve the full yield, but in the way that they wanted to do it?
DR. CRABTREE: That is my understanding of those alternative works, yes. The allocation would be according to Amendment 40.

MR. WILLIAMS: Okay and so the charter and headboats would be protected and a state just couldn’t gobble up their allocation that they got under Amendment 40 to reallocate it to their private boats.

DR. CRABTREE: That is my understanding of this alternative.

CHAIRMAN ANSON: Any other discussion? Leann.

MS. BOSARGE: There is two things and I haven’t run these numbers on this allocation and what it means going down, but when I actually read the alternative, it says in a region that manages both components, the regional ACL will be separated into private angling and federal for-hire component ACLs based on the component allocation selected in Amendment 40 and so that seems like step one.

It’s listed first and the regional allocation selected in Action 4 and so it sounds like there will be that sector subcomponent split first from 40 and then applied to each region after that, but that’s not what I heard Ava say. I thought Ava said it was going to happen in the opposite direction and it may just need clarification in the document and maybe this adds up to very different numbers. I haven’t run it, but it seemed like we talked about it, but that’s not the way it reads.

CHAIRMAN ANSON: Mara.

MS. LEVY: Right and I think it’s not written in the order in which it was intended to. Meaning I don’t think it was set out as step number one and step number two, but I think it was just the information of how it was going to be used and so I think, given what Ava said and what the understanding is, that it would be clearer if we made it more specific. It would be first this and second this, so everyone understands what the order is.

CHAIRMAN ANSON: Dr. Lasseter, is that something that you can address then?

DR. LASSETER: Yes and that’s why I like using the visualization, that little figure, because it shows that first you have the recreational ACL and then there’s a direct line where the regional private angling component ACLs would be
apportioned based on the allocation selected in Action 6. Then
for each region’s ACL, it is then split using the allocation
that you selected as preferred, but using that state’s landings
for private and for-hire.

CHAIRMAN ANSON: The state landings combine together, for
Amendment 40 purposes, to paint a picture for the entire Gulf
and so it does address -- When you look at it and you describe
it that way, the way the figure shows, it does get down to a
region level and kind of accounts for the differences in the
landings between the two sectors within that state, but it just
might need a little bit more clarification in the text, I guess,
to follow or catch up with the figure and is that correct?

DR. LASSETER: That is correct and -- I lost my thought so go
ahead.

MS. BOSARGE: The second question was, because I am a little
torn on this and I know there’s a lot of strategizing that goes
on when we do all these motions, but I need to hear -- I heard a
little from Pam and I mean I’ve heard from the for-hire sector
that said under no circumstance do they want to be -- At least
at the podium here, for the most part, that they don’t want to
be managed at the state level and so I really want to kind of
maybe get some feedback from Johnny, since I’ve heard a little
from Pam, on how he feels about this motion on the board. It’s
not on the board. That’s Action 2 and I think the motion on the
board is -- Alternative 3. That’s it, yes.

MR. GREENE: I am trying to think my way through it and I guess
before I answer your question, I would like to ask a question to
Mara or Roy or someone at the end of the table. Just to make
sure that I understand things correctly, is there any potential
that the states could come in and choose their own allocation of
for-hire and recreational?

MS. LEVY: Under this alternative? No. It would have to come
back to the council and the council would have to change the
allocation. This alternative specifies that it’s the years that
were used in 40, that formula that you picked in 40.

CHAIRMAN ANSON: To the point earlier about clarifying the text,
Dr. Lasseter, the statement that follows the sentence that
includes the two underlined and bolded -- That confuses, I
think, everyone, because if you read that, it just says I’m
going to be going to the Amendment 40 and the Amendment 40 is
Gulf-wide and people might associate Amendment 40 as the Gulf-
wide split and so that might need to be either struck from the
next revision or more clarified there, as well as in the action
that deals with the allocation. Dr. Lasseter.

DR. LASSETER: Perfect and I remembered my thought. You were
correct earlier about Amendment 40. It averaged Gulf-wide the
proportion of for-hire and private landings and doing it at the
regional level, some states, regions, are going to -- That
allocation is going to be different. They are going to have
more for private and less for for-hire, and vice versa, in other
states and that’s how that average would come out.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I mean basically Number 3 continues with sector
separation, but puts it at the state control level. Number 4
puts the recreational fishery at the state control level and
Number 2 puts the charter for-hire vessels at the federal level
and the private recreational anglers at the state level and, of
course, Number 1 is status quo as we speak today and does that
make sense?

CHAIRMAN ANSON: It does, but I would add that Alternative 4
still requires the state to come back to the council if it’s
outside of what has been identified in 40. The state, if they
wanted to come back and have a different percentage, then yes,
they would have to come back to the council.

MR. RIECHERS: Let me help with that a little bit, just from a
commonsense perspective. Basically the allocation that’s
reflected between any individual groups in any state other than
the last year, which was a sector separation year, is the
allocation that’s been derived by how the people were just
fishing if we were just letting them all go out and fish at the
same time under the same rules in each state.

The only year where that has changed or been altered is just in
the last season and that data is not even included in here yet,
because we don’t have it yet. The percentages that we would be
talking about is basically a reflection of people fishing the
way they had been fishing before sector separation. Each
individual is under the same set of guidelines and rules and
just going out and fishing. When we said the season started,
you went and you came home and you caught what you caught. Does
that make sense?

CHAIRMAN ANSON: David, did you have your hand up? Go ahead.

MR. WALKER: I was just going to ask and with this alternative,
will it effectively kill the Amendments 41 and 42?

CHAIRMAN ANSON: Potentially they could yes, because the same issues I think would be captured under this scenario at least, what’s on the board, or any of them, quite frankly. It would just be slightly different as to how they would be addressed, yes. Mara, did you have your hand up earlier?

MS. LEVY: Just something you said about Alternative 4. Just to clarify, that would require that the state manage everybody the same unless somehow the council changed what that meant.

CHAIRMAN ANSON: I had Johnny.

MR. GREENE: Another question. If the states come up with a different allocation, are they going to be required to follow the same allocation policies that we have set forth now? I mean we battled out an allocation at the council level already, but if the states come in and say, well, we want to do something different, what guidelines will they have to follow and in what case?

MS. LEVY: Really, the state can come in with a suggestion, but it’s the council that’s going to have to set any new allocation and so you would have to follow all the same principles you’ve already been following with respect to allocations and the National Standards and all of those things and so it would be the state saying this is the allocation we want and this is why we want it and this is why we think all of these things are met, but ultimately, it’s the council’s decision and NMFS’s approval of that decision that’s going to have to set a new allocation.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I just want to make sure I understand what we said about 41 and 42. So if we chose this as our preferred and we move forward and somehow we manage to actually finish this document, that essentially means that the Headboat Collaborative and all the work we have in progress for that, that would pretty much stop and it would be nullified and the way that that would have to be implemented is each state would have to on their own go in and implement a program like that for their headboats and for their charter boats?

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: I don’t think so, because in this alternative, it also is kind of an opt in or opt out. You can either just do
private recs or you can do both, according to what Ava said. So you would still have 41 and 42, in that case.

MS. BOSARGE: But can you change your opt in or opt out every year or is it once only and that’s it?

CHAIRMAN ANSON: I mean I think every year you have the opportunity to opt out if you had opted in or vice versa, yes. Dr. Crabtree.

DR. CRABTREE: I think that if you want to pursue Amendment 41 or 42 in anything that’s along the lines of a limited access privilege program, then I think you have to choose Alternative 2 as your preferred.

The states do not have, under any of this, the authority to put in place a LAPP or anything like that. That requires a referendum and has all kinds of specific requirements in the statute and so in my judgment, and Mara can correct me, because this is confusing, I will grant you, but, to me, if we go with this alternative, then I don’t think Amendment 41 or 42, I don’t think those go anywhere towards continuing the Headboat Cooperative.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: Thank you. That answers my question. Then I just can’t support this. You know those two groups have plans that are moving along and they know what they want. One of them has already been operating under that program for two years and we just have to mirror it and actually put it in writing somewhere and so if this backs all that up -- I mean I was shaky about supporting it in the first place, since they’ve been saying no, we don’t want to be under state management, and so I can’t -- I mean we have great headway there and I can’t undo that.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Dr. Crabtree, just to be clear, if the preferred is Alternative 4, that does away with 41 and 42 as well, does it not?

DR. CRABTREE: Yes, it does and so I think if you want to proceed with Amendments 41 or 42 that you’re going to have to come back and choose Preferred Alternative 2. We are making a decision here that has -- I mean we’re not making a final decision today and so everything can proceed for now, but when we decide what we’re going to do with this -- If we’re going to
turn it over to the states, then that means we’re not going to continue the Headboat Collaborative and we aren’t going to pursue a lot of these other things.

CHAIRMAN ANSON: Go ahead.

DR. DANA: As a follow-up, but if we’re looking at the Alternative 4 as a single unit, I mean that just does away with the process of the sector separation in that three years, if this amendment was to go through. At least this allows for two different sectors or subsectors to be continued to be separate and managed by their respective states with the relationships there and wouldn’t that be a better scenario for charter/headboats, Alternative 3, as a preferred, versus 4?

DR. CRABTREE: In my judgment, 3 is preferable to 4, but obviously I voted in favor of 2 and I hope that’s where we wind up, because I would like to pursue some of these other management options.

Now, understand that what you do here you can always undo down the road by amending the plan and so this doesn’t mean we are never going to be able to do it, but we would have to come back in and change course again and at some point we’ve got to bring some stability to all of this and settle this thing down and so I think we should view what we’re doing here is going to have -- That’s what we’re going to do for a good while, but I don’t see -- If a state then wanted to say, okay, we want to have a headboat cooperative for our headboats, they would have to come back in to the council and say, well, we would like to have a headboat cooperative for our set of headboats in our state and then the council would have to go through the amendment process and we would have to do the referendum and whatever things have to be done and then it could happen that way. Whether that practice would really work or not is -- I can’t figure that out at this level.

CHAIRMAN ANSON: I have Dr. Lucas, followed by Mr. Sanchez.

DR. LUCAS: I just want to get some clarification here, because we keep getting wrapped around this as a single unit or whatever. MSA, as currently written, has 407(d), which basically says they are a single unit and you have to do it that way and as long as that 407(d) applies, even 3 or any of them is pretty much a single unit, because it’s all recreational and whether you call them charter-for-hire or you’re talking about private recreational, it’s still one. One affects the other and it’s one, according to that.
DR. CRABTREE: Well, it means we have to have one common recreational quota and if it’s hit, fishing stops, but that doesn’t mean we can’t have a headboat cooperative, because we have had it and 407(d) is in place.

It doesn’t mean we can’t have sector separation and subcomponents under that. It just means if you reach a point where the entire quota is caught, everybody has to stop fishing, but if the buffers work properly and all of that and you don’t ever hit the quota, then 407(d) doesn’t interfere with any of them and so it complicates it some, but I don’t think it prevents us from doing some of these things.

CHAIRMAN ANSON: One point with Alternative 3, relative to what Dr. Crabtree just said, is that within the separate components, if they are managed that way, separately, as it describes in the alternative, there is some stability for that particular sector for reaching that ACL.

When you go to set the season, you base it on average landings within that sector and so just like in the old way, it was done Gulf-wide for setting a target date and all that stuff. You can go ahead and set a target date for that particular sector so that it has some guarantee of having the season last for what you predicted for, if you do it correctly. Myron.

MR. FISCHER: I would like to ask Ava -- I am wrapped around this single unit right now. On Alternative 4 or let me ask it this way. Is there an explicit alternative that would allow states to manage its private component and its charter component differently?

DR. LASSETER: Yes and right now, Alternative 3 would allow the state to manage them separately, but the only things that are under consideration in this amendment would be to apply a different season, season structure, and bag limit.

If you wanted to propose -- Then there is also the closed areas, although I don’t imagine that would be different for the different sectors. Alternative 4, the purpose of Alternative 4 when we began this, was to have an option that sector separation is over. There is no more sector separation.

At the IPT level, we weren’t quite sure, without that language, if the states still could propose it, which is why we asked for further clarification with that language, but under Alternative 4, there is no more sector separation. Under Alternative 3, you
could assign separate seasons and bag limits to your private angling and your federal for-hire vessels.

MR. FISCHER: But based on the percent already established.

DR. LASSETTER: That is correct, for your state’s proportion of landings, yes.

CHAIRMAN ANSON: I am sorry and I went out of turn. John, I skipped over you and I apologize.

MR. SANCHEZ: That’s all right. I’m just hoping we can bring this in for a landing soon.

CHAIRMAN ANSON: Mr. Gregory, did you have a comment?

EXECUTIVE DIRECTOR GREGORY: No.

CHAIRMAN ANSON: Dale.

MR. DIAZ: Yes, just real quick. I wanted to build off of something Roy Williams said a minute ago. He talked about bag limits as being flexible and Ava just mentioned that and that was another thing I was considering. In our area, folks continually say they would like to have the — The charterboats specifically have told me many times they would like to fish in the fall, because the fish are closer into shore.

It would provide that flexibility and I know Robin has talked many times that on the current structure that June is a real windy time of year and that’s not good for Texas and so this would allow for that. I don’t want to stop debate, but I would propose to call the question.

CHAIRMAN ANSON: We’ve got a call the question on the motion on the board and that is in Action 2 to make Alternative 3 the preferred alternative. I won’t read it all over again.

EXECUTIVE DIRECTOR GREGORY: My understanding is at the beginning of this discussion that Mr. Matens asked for a roll call vote on this Alternative 3.

MR. MATENS: That is correct, sir.

CHAIRMAN ANSON: All right. We will do a roll call vote.

MR. BOYD: You have to vote on the call the question.
CHAIRMAN ANSON: We have to vote to call the question. I apologize. All those in favor to call the question please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Fourteen.

CHAIRMAN ANSON: We had fourteen and anyone with a no? We have one no. It’s fourteen to one. Okay. We have the substitute motion in Action 2 to make Alternative 3 the preferred alternative. We have a request for a roll call vote. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Good question. No.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: I’m with Mr. Swindell, but I will say yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: No, out of principle.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: I am with Ed and John, but I guess I will vote yes.
EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Holding my nose, yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: No.

EXECUTIVE DIRECTOR GREGORY: We have six yes and ten no and the motion fails. Mr. Anson, I am sorry.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: We have seven yes and ten no and the motion fails.

CHAIRMAN ANSON: Any other discussion?

MR. RIECHERS: Mr. Chairman, doesn’t that take us back to the original motion from committee?

CHAIRMAN ANSON: Yes, it does. We have a motion on the board in Action 2 to make Alternative 4 the preferred alternative. Alternative 4 is to remove the sunset and end the separate management of the federal for-hire and private angling components upon implementation of the amendment and have this amendment apply to the entire recreational sector. The private
angling and federal for-hire components would be managed as a single unit by each region under regional ACLs based on the allocation selected in Action 6. Should we go ahead with the vote? Mr. Matens, do you have the same request?

MR. MATENS: I do, sir.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: Can I speak to the motion?

CHAIRMAN ANSON: You can speak to the motion.

MR. GREENE: Well, in light of what just came down, this is absurd. We have already been through the sector separation stuff and all this is an attempt to undo what happened in sector separation.

You have convened APs that have passed more motions and had more people working together than I have ever seen work together. I have seen people work together that won’t even speak to each other sitting in that audience out there and this is absurd and to think that basically you go vote up Alternative 4 that you’re going to erase everything that we haggled over for years in Amendment 40 and you’re going to, if this was to pass, undo 41 and 42.

You had APs that came out in one meeting in one day and they came up with an initial apportionment of how to handle the quota and they discussed ideas on shares by passenger cap and also noted to include every single permit holder and not to exclude one single person, whether they fished last year or not.

They wanted allocation to only be used on charter-for-hire trips only and no intersector trading and you couldn’t stack a permit. They decided that if you had a boat that had a permit that would carry six people that you got this and if you had a permit that carried this many people, you got that.

You could even choose to opt out of the program. If you didn’t like the way it was, you could opt out and abide by the state regulations. They even agreed on a split between a charter-for-hire and a headboat. We can’t do that in ten years and you want to undo it in one action in one amendment? I mean this is just absolutely embarrassing.

CHAIRMAN ANSON: Any other discussion on the motion? Mr. Williams.
MR. WILLIAMS: Just briefly, in my opinion, Alternative 4 amounts to reallocation within the recreational fishery. My recollection was when we did Amendment 4, the charter/headboat sector accepted a lower percentage than they were entitled to and that we geared their percentage down, I think at the final public hearing. They were probably entitled to more.

I think that what this will do is to simply reallocate from the charter/headboats into the private boat fishery and I think that’s what it is principally about. Thank you.

CHAIRMAN ANSON: Camp.

MR. MATENS: My friend, Mr. Williams, certainly has a point. My point here is that this allows the region, whatever that region is, the states, to have the flexibility to do that if that’s what their constituents want to do. If Florida wants to keep this thing the way it is, that’s fine with me, but we have our own desires in Louisiana.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: This doesn’t allow any state the flexibility to keep things the way they are. This gets rid of sector separation and the states cannot do sector separation under this.

CHAIRMAN ANSON: Any other discussion on the motion? All right. Seeing none, we are ready, Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Okay. This is to make Alternative 4 of Action 2 the preferred alternative. Mr. Walker.

MR. WALKER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.
EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: No.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: No.
EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: We have eight yes and nine no and the motion fails.

CHAIRMAN ANSON: All right. That concludes that and we are going to take a break, a ten-minute break.

(Whereupon, a brief recess was taken.)

CHAIRMAN ANSON: Do you want to continue with the report, Mr. Greene?

MR. GREENE: Only because I have to. The committee discussed Action 5, addressing closures in federal waters of the Gulf. To facilitate comparison between the alternatives, staff recommended the addition of the Proposed Alternative 3 and removal of Options 2a and 2b.

Dr. Crabtree noted that if a region intends to use Preferred Alternative 2 in its CEP that additional rulemaking would be needed and this could delay approval of the region’s CEP. Staff noted that regions could establish zones with different fishing seasons under Alternative 1 and that federal waters would not need to be closed. A motion to make Alternative 1 the preferred alternative failed. In Actions 6 and 7, no further changes were made to the preferred alternatives.

Updated Option Paper on Framework Action to Set Gag Recreational Season and Gag and Black Grouper Minimum Size Limits, staff reviewed changes to the draft options paper, Tab B, Number 5. At the last meeting, the council voted to retain the status quo ACLs and ACTs. Therefore, all of the alternatives for modifying ACLs and ACTs were moved to considered but rejected.

New actions were added to consider increasing the gag, Action 1, and black grouper, Action 2, recreational minimum size limits from twenty-two inches total length to twenty-four inches total length, which would establish consistency with the South Atlantic size limits and would extend the recreational gag season.

In Action 3, which sets the gag recreational season, Alternatives 3 and 4 were modified so that changes in the gag recreational season length are based on changes in the size limit rather than changes in the ACL. Estimates of season
length are shown in Tables 2.3.1 and 2.3.2.

Following review of the revised options paper, the committee passed the following motions. Action 1, Gag Recreational Minimum Size Limit, by a vote of seven to one, the committee recommends, and I so move, to make Alternative 2 the preferred alternative. Alternative 2 would set the recreational minimum size limit for gag at twenty-four inches total length.

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

MR. GREENE: Action 2, Black Grouper Minimum Size Limit, without opposition, the committee recommends, and I so move, to make Alternative 2 the preferred alternative. Alternative 2 is set the recreational minimum size limit for black grouper at twenty-four inches total length.

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

MR. GREENE: For Action 3, Modifications to the Recreational Gag Fishing Season, committee members deferred selection of a preferred alternative until full council, except for Alternative 2 to eliminate the December 3 through 31 fixed closed season, which is already the preferred alternative. I will pause there. Anything on gag?

Final Action, Amendment 28, Red Snapper Allocation, staff presented the amendment, Tab B, Number 6(a), and noted that the council’s preferred reallocation is Preferred Alternative 8. A motion to make Alternative 1 the Preferred Alternative failed.

Council and National Marine Fisheries Service staff summarized public comments and the DEIS comments. Finally, staff indicated that the codified text for Amendment 28 was included in the briefing book.

CHAIRMAN ANSON: We have a break here and we have on the agenda the Final Action for Amendment 28. Mr. Boyd.

MR. BOYD: Mr. Chairman, in Reef Fish Amendment 28, Section 2.1, I move to make the preferred alternative Alternative 9.

CHAIRMAN ANSON: We have a motion on the board to make the preferred alternative Alternative 9 in Action 2.1. Is there a
second to the motion?

MR. MATENS: Second.

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

MR. WALKER: Well, we’ve had a lot of discussion and there’s a lot of concerns in the eastern Gulf about the allocations and in 9, I mean the selectivity is just not -- It doesn’t make any sense and the SSC hasn’t had enough opportunity to discuss it.

You know you just look at the amberjack and you use the selectivity in amberjack and it’s a lot larger fish and that’s used in the opposite direction. I mean the commercial industry had a larger fish and ended up with a smaller quota. I am opposed to 9. I just don’t think it’s the right direction to go. I have got more comments, but I will let some more speak.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: Thanks, Mr. Chairman. I will speak in favor of this motion and to follow up on the comment concerning selectivity, and I know we’ve had this discussion around the table before and particularly if you look in the appendix of this document and that technical memorandum that came out from the Science Center staff is that we use selectivity all the time when we’re assessing this and a variety of other fisheries and it makes sense if that’s part of the equation, in terms of the best science available to manage this fishery, that we take into consideration what is happening in terms of selectivity and so I think that it’s appropriate to include that and, in addition, if you actually look at the numbers that are calculated and coming from including Alternative 9 in general in this amendment, it’s better for everyone.

We are actually increasing the size of the pie and so it’s a net gain for everyone and no one is actually going down in the amount of fish that are projected to be allocated to any particular sector and so I speak in favor of this motion.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: I would speak against it. You know we talk about recalibrating and selectivity and everything and it’s almost comical when we heard a presentation from the Coast Guard a while back that a ragtag fleet of pangas can catch twice your reported landings in a given year and why don’t we recalibrate
that stock assessment and use some more realistic landings and maybe see how that shakes out?

**CHAIRMAN ANSON:** Mr. Riechers.

**MR. RIECHERS:** Mr. Sanchez, I think we did ask them to try to figure out a way to incorporate that into the stock assessment. I mean it obviously is not in the stock assessment that was most recently done, but I think we had asked the Science Center to take a look at that, based on the projections of the Coast Guard, so that we could at least attempt to do that, because that is a big concern, certainly to the Texas fleet as well as it should be to the Gulf fleet.

**CHAIRMAN ANSON:** Ms. Bosarge.

**MS. BOSARGE:** I have a little concern about this. Have we had the conversation yet from the SSC that gives us some analysis and some sort of evaluation of what this does when you combine these two things? If this is the direction that we go, they have told us, as far as reallocating towards the recreational sector, based on the recalibration, what that’s going to possibly do to that SPR in the eastern Gulf.

If you tack this on top of it, which takes both things into -- You are essentially shifting more allocation and how much further are we going to see that SPR decline in the eastern Gulf?

I guess my concern is more of a long-term view of this stock, right? Okay, well, our quotas are going to go up right now if we do this across the board for both sectors and we are going to shift some allocation to the recreational sector and, okay, this is all short-term things, but if we do this and we make this larger move towards the recreational sector, what does it mean for the long-term rebuilding of this stock?

Are we starting to get close to that SPR level over there in the eastern Gulf, if we make an even bigger shift, where we’re getting to a precipice, where we’re going to end up putting ourselves back in the condition where we were before we could get the commercial sector into a stable management program, where we’re starting to really get worried about crashing a stock?

**CHAIRMAN ANSON:** To that point, Dr. Crabtree.

**DR. CRABTREE:** I sort of thought this would come up and so I
pulled up the relevant paragraph in the report that we got addressing this and this is what it says: The magnitude of recreational allocation did not affect the speed of recovery to the Gulf-wide management target of 26 percent SPR. However, when the trajectory of spawning stock biomass was examined by region, increasing the recreational allocation was expected to result in decreasing spawning stock biomass in the eastern Gulf, while a modest, but opposite, effect was observed in the western Gulf. Following a substantial recovery in the eastern Gulf during 2003 to 2013, we went from 2 to 12 percent of unfished spawning stock biomass. The projected spawning stock biomass in the eastern Gulf is expected to decline to 7 percent of unfished spawning stock biomass by 2032 if the allocation is held at 49 percent recreational, which is status quo. If the recreational allocation was increased to 70 percent, then the spawning stock biomass would decrease to 4.6 percent SPR.

Now, Alternative 9 doesn’t increase the recreational share anywhere close to 70 percent, but it would result in a little more decline than what is expected under status quo. Understand though that what’s driving these declines in the eastern Gulf are the recruitment estimates and so those are based on having average levels of recruitment projected forward.

If we have some big year classes like we had back in 2006 or 2007, that would change all of this, but even where you’re sitting now, the projections at least show that decline. Depending on which alternative you pick, it will cause somewhat more of a decline.

I would add in though that the buffer and all you’ve put in and to the extent we continue to successful constrain the catches, that is probably built into all of this, but to the extent we’re under, that would have the opposite effect on these things.

CHAIRMAN ANSON: Leann, do you have a follow-up? Go ahead.

MS. BOSARGE: I guess my next question is so, for me, somebody without a science background in the sense of biology, at what point at we getting close to a level where we need to be concerned about our spawning stock biomass, especially with the conversations that we’ve had about this division of the Gulf between these two pools, essentially, of red snapper?

I mean we’ve had some discussion about that and whether these are two distinct groups or they’re not. I am really not sure we where we fell out in that, but if they are two distinct groups and we are going to see a decrease in the SPR in the eastern
Gulf, which seems significant to me, when do we have to start worrying that we’re about to crash that stock, if we can’t assume that it’s offset by something in the west?

DR. CRABTREE: Well, I think what you’ve got to do is continue to watch the recruitments and see what actually happens. We really haven’t seen any hard evidence of much of a decline in the eastern Gulf yet. It’s all projected.

I think at some point if that becomes a concern of yours that you’re going to have to make a decision about do you want to continue to manage the stock Gulf-wide or do you want to manage it as two separate units and rebuild both units?

That’s a big decision and it’s going to have huge implications and you would have to construct new rebuilding plans and you would have to revisit every allocation you have and all kinds of things to do that, but at least at this point I think the key thing is to watch these recruitments and see what happens.

CHAIRMAN ANSON: I would note, Leann, that when they combined both the east and west in a prior assessment and the SPR was estimated to be about 5 percent total that about 50 percent of the twenty-five-year period that encompassed the modern data collection activities prior to that time -- Because we’re talking about the early to mid-1990s and ten of the twenty years that I recall had the highest recruitment levels and so that was when the whole Gulf stock was very low and so it’s highly variable and there isn’t a good correlation there. I have several people in queue. I have Dr. Stunz, John Sanchez, and Robin.

DR. STUNZ: Dr. Crabtree made my point somewhat that we need to follow these recruitment numbers, but we’ve been very, very ultra conservative in managing this fishery in the sense that we see things like we expect these big pulses of coming through recruitment and we’re just looking at average recruitment and then we’ve got sort of buffers on top of buffers.

We’ve got the ABC control rule in the assessment process which is putting in a pretty conservative buffer and then we’ve got the 20 percent buffer on top of that and so I would make the argument that this allocation, no matter what we do, is going to see very little with the example, which I agree 100 percent with, of what Mr. Sanchez brought up and you have these lanchas coming up and collecting these huge amounts of fish and that doesn’t even move the needle.
For us to think an allocation like this is really going to do something is -- We’re probably just not going to see it, given the constraints that we’ve put on the fishery so far. As a scientist, I don’t have a big concern right now with the SPR, but like I’ve said many times around this table so far, keep in mind that even talking about that or reading a lot of the work that we’ve got from other scientists, we don’t have a spawning recruit relationship with red snapper in the Gulf of Mexico.

CHAIRMAN ANSON: I have Mr. Sanchez, followed by Mr. Greene and Dale.

MR. SANCHEZ: Whether we go 9, as we’re discussing now, or Alternative 8, those percentages, when you equate them to increased recreational fishing days, angling opportunities, as we heard, what is it, one or two days? If you took the entire commercial quota and handed it over to the recreational, you might get eighteen days and that’s provided we don’t see a continued increase in state days. It would diminish from there.

It seems like we’re avoiding the obvious situation, which is not having a recreational management plan born from that sector. I mean come up with something to help manage your fishery, a way with like the commercial guys did. The hand you’re dealt is what you’ve got to work with.

There is many roads to the same place and figure out a way to stretch it out with weekends or size limit changes or something to maximize your benefits to you until you come up with something meaningful or do tags. There is many things, but nothing is being thrown out there except take from some other sector that has worked hard and stayed within their allocation and stop their overruns.

It just seems absurd to be having these discussions, a grab for the fish, a very short-sighted grab for the fish. As far as what I was alluding to, I will be perfectly clear. When you have Texas landings out at 250,000 or 260,000 or 270,000 and panga landings that are double that, I question the validity of the Texas reporting system. I want to be very clear on that.

CHAIRMAN ANSON: I have Johnny Greene, followed by Robin Riechers.

MR. GREENE: Well, I fail to see, in these alternatives, what we’re doing for the conservation of the resource. It doesn’t do anything there, in my opinion. I went back and looked and recruitment since 2010 in the eastern Gulf has gone down at a
forty-five-degree angle ever since 2010.

Now, I think you can mask it with this selectivity thing, but when you look at the recruitment going down since 2010 in the eastern Gulf, which is where you have all of your effort to begin with, you are certainly not doing anything for the conservation of the resource.

I’m a recreational fisherman and I stand to benefit by eight out of nine of these alternatives, but it’s not the right thing to do and it’s just -- You know we can get into the selectivity recruitment argument all day long and avoid it, but I fish in the eastern Gulf and I see what’s happening.

It’s already starting to slip and it’s already starting to slide and I don’t care what anybody tells you. I spend 200 days a year out there and have for the last twenty-four years. It ain’t as strong as you think it is and you need to really think about this, because I don’t see anything in here that’s going to help out with the conservation of the resource.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I am going to go into my second statements first, but first I want to answer to John. Certainly our landings system, which has been going on for thirty years, has had all the science reviews that MRIP has had and has had the different kind of National Science Foundation reviews. We have had people in to do that.

It’s been turned over to National Marine Fisheries Service, all our methods, and we, like everyone in this room, as a state are trying to do different things now to see if, because of the truncated seasons, our landings estimates are still as accurate as they were before.

Our coefficients of variation around those estimates are as tight as anyone else’s and, in fact, MRIP has started to change their system or when they went to MRIP, it actually mirrors more of what we do methodologically than what they did before and so I understand your concern about the landings. I am still concerned about the panga boats and the estimate from the Coast Guard, because that’s landings that we’re not including in stock assessments that would make the whole assessment go up.

I know that may not basically cause you to believe those estimates, but those estimates have been checked and rechecked through the years many, many times and we will share those with
anybody, anytime, anywhere.

Now I will go to my other point now. We keep talking about this as a reallocation and this really isn’t a reallocation, folks. This is a recalibration of landings. We are not taking anything away from anybody, because they were already there. These landings were what was going on in the past and so it’s just now a recognition of that, based on a new MRIP estimation.

The same thing with the selectivity. That’s what is going on out there. It’s not a change or it’s been a change in selectivity, but it’s what is going on currently and so you’re not actually reallocating, but it’s just recognizing the fact that that time series had a higher percentage when you re-estimated those MRIP landings as opposed to MRFSS.

Trust me that those MRIP landings caught us all by surprise. As we were working on regional management, if you will recall, we had several meetings where those numbers were changing every meeting, based on estimations, and we were trying to get those straight and we were trying to talk about percentages that we could deal with and so we all understand the difficulty of those numbers changing through time and the difficulty that it’s caused many of us as we’ve talked about different management issues.

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

DR. CRABTREE: I don’t really want to weigh in one way or the other on the wisdom of the motion, but I do want to say something about the comment that Johnny raised of what does this have to do with the conservation of the resource and I heard that in a number of comments.

The main tool we’re using right now to rebuild this stock are the quotas themselves. That’s how we control the catch and central to having those quotas is an allocation, because you can’t have the quotas without the allocation and so the allocation is central to how we’re conserving and rebuilding this stock and we do have an obligation under the statute to make sure that the allocation that we have is fair and equitable and based on the best available science and is timely and under our catch share policy.

We have an obligation to review the allocation every five years or so, which is what we’re doing, but I mean the allocation is central to the tools we use to control fishing mortality in this fishery.
CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: Thanks, Mr. Chair, and this is sort of along the lines of what Robin was saying. Roy, maybe this is a question for you or perhaps Anna with the South Atlantic and looking at this recalibration and what other groups and other councils are doing in terms of MRIP.

My understanding is that because, and this is what really convinces it for me in terms of this alternative, is that it’s just built into the process and I don’t know maybe if it’s the assessment process or where it actually takes place, but there isn’t a real debate like we’re having here in the sense that it’s just part of the process and if the numbers were not correct to begin with, that is factored into the assessment process and then brought back to the council and I don’t know if that’s just my wrong understanding or maybe, Roy, you can help us with that.

CHAIRMAN ANSON: To that point, Dr. Crabtree.

DR. CRABTREE: Well, we have had other cases where we had recalibrations and we did readjust the allocations based on those. Those situations were more simple than this, because the allocations were based on more recent years. We just took the recalibrated landings and recalculated it and so here’s the new allocation.

In this case, we can’t really do that, because the allocation is based on 1979 to 1986, I think, and some of those years aren’t even supported by MRIP and so you can’t really recalibrate that period of time and so instead of coming at it that way, what we did was look at, all right, what happens with the assessment with recalibration and without and here is the difference and so that’s how you adjust for it.

Now, with this particular alternative though, the selectivity is involved in it and I don’t know that we have consciously before reallocated based on selectivities, but it’s implicit in it, because it affects the landings and the historical time series.

I think the one thing I would say though, if you’re going to make an allocation decision based on the selectivity, is be aware that selectivity can change and you could find out that almost every time you do a new assessment that the selectivities have shifted and so the precedent is then we’re going to start changing allocations much more often based on selectivities.
That probably has pros and cons, but just understand that selectivity does change periodically in these assessments when characteristics of the fisheries change.

CHAIRMAN ANSON: A follow-up to that, Dr. Stunz?

DR. STUNZ: Just a brief follow-up. I agree. I think if the selectivity changes, that’s what needs to happen and that’s why maybe down the line, outside of this Amendment 28 process, is we begin to look -- There is probably going to be more recalibrations down the line and if there’s not some type of more automated process where that happens as the recalibrations dictate rather than going through this drawn-out process that we’re sort of mired in now.

CHAIRMAN ANSON: I have Mr. Walker, followed by Dr. Dana.

MR. WALKER: First is just a question to Roy. I mean when has selectivity ever been used for allocation?

DR. CRABTREE: I don’t recall when we’ve had it laid out in this fashion and used it before, but it’s probably implicit in the historical time series and things, but almost every allocation we have is based on some time period and I am not sure when we’ve changed an allocation or set an allocation based on anything other than historical landings.

Now, I will say that that’s been one of the complaints that I’ve heard out of people, is all of our allocations are backwards looking and not forwards looking.

MR. WALKER: I guess as far as the stock assessment and everything and this recalibration, that’s not just all it is and isn’t that just one part of it? I mean there’s a lot of factors involved besides just that.

DR. CRABTREE: True. There are all kinds of factors involved in the assessment, but in this case, the recalibration was reviewed and looked at and the recalibrated landings were accepted as the best available science on the landings and these selectivities were reviewed by the SSC and everyone else and they were accepted in the assessment.

It’s because of the recalibration and the selectivity change that we got as much of a quota increase as we got and we accepted all of that and we acted on it and so we have essentially already taken action and accepted the assessment based on the recalibrated landings and the shifts in the
selectivities.

Now, whether you want to reallocate based on the selectivity or not, you are going to have to figure that out, but we’re already operating based on that update assessment, which includes the recalibrated landings and the shift in selectivities.

MR. WALKER: That’s from the stock assessment and that’s not based on the baseline years of the original allocation, the 51/49 split.

DR. CRABTREE: These alternatives aren’t based on those baseline years either. They are looking at the impact of the selectivity and the impact of the recalibration in a different way.

MR. WALKER: The alternatives, except for the two new ones, I mean most of them are based on economics. It’s supposed to be fair and equitable and there is no alternatives in there that looks at fair and equitable access for the entire country, the net benefit.

CHAIRMAN ANSON: Dr. Dana, followed by Leann.

DR. DANA: Thank you, Chairman Anson. The way I see it, and maybe I am wrong, is that our current preferred alternative, which is Alternative 8, would be essentially status quo, but using the recalibration science to -- I mean yes. So it’s status quo, but using the new science through the recalibration. Alternative 9 adds a slightly creative element by looking at the selectivity, which I heard from -- Well, I read that some of the scientists and such are not certain if we can hang our hat on that. I mean how confident are we in the science, first of all, that we’re getting and, secondly, why for selectivity are we only looking at two to three years versus a much longer scale of time?

DR. CRABTREE: We have selectivities specified in the assessment all the way back through the time series, but it changes periodically and when they did this update, they redefined those recreational selectivities over the last I don’t remember how many years, but I think it was approximately three years, to recognize that the size of fish being caught in the recreational fishery had shifted.

Now, how much you hang your hat on it, well, we hung our hat on it enough that the SSC accepted it and we increased the quotas based on that, but if you’re asking me if anything is certain,
then no, there are uncertainties about everything and I can’t
tell you that when we get an assessment a couple of years from
now that the selectivities won’t change again.

They might and in terms of recalibration of the landings, I am
fairly certain that there will be more recalibrations coming.
We’ve got this mail survey that’s being tested now and MRIP has
indicated they are going to shift to a mail survey and the pilot
studies indicate that that’s going to result in higher effort
estimates and we will need to go through this recalibration
exercise again, probably for every species we manage, and we
will probably need to revisit the allocation issues for
everything at that point. It’s not going to go away and we’re
going to have to deal with this.

CHAIRMAN ANSON: I have Leann, followed by Martha and Myron.

MS. BOSARGE: I touched on this a little bit at the last meeting
with this size selectivity and how we’ve seen the recreational
sector targeting and landing larger fish in the past and how as
we go to state water seasons, longer and longer state water
seasons, you just don’t have the abundance of that sized fish in
these state waters. You don’t have the abundance, period, of
red snapper in state waters that you do in federal waters.

In Mississippi, I know our preliminary landings already are
showing a lower average weight of the fish this year relative to
last year and, well, that makes sense. We are getting longer
and longer state seasons and we’re probably going to start
landing smaller fish, on average.

What I’m getting at is yes, maybe right now, if we went this
route, it’s going to move fish over to the recreational sector
and then next year or the year after -- I don’t know how long it
will take to show up in the data, but a few years from now we
will reexamine it again and it’s probably going to shift back to
the commercial sector.

My problem with the whole thing is I would like us to be a group
that proactively manages our federal fishery resources, as
opposed to be firefighters that just react to all these changes
and this and that and we’re sitting here fighting over
allocation. To me, that’s a reactive management strategy and I
don’t want to get bogged down in it by setting a precedent that
says, man, we’re going to go into allocation every year now
because we’ve got to adjust for these selectivities and we’ve
got this constantly -- We have better things to worry about,
If we could actually have some management that works for every sector, then allocation really becomes a minor issue that we deal with, because people are happy about where they’re at. They can catch the fish when they want to and this is just deterring us from the big problem and I don’t want to set a precedent where we are constantly going in and adjusting for these selectivities and you can bet that if we do this that we will, because you will have the commercial people fighting next year and the year after and saying, whoops, guess what, that selectivity has changed and you better go look at this allocation again.

I don’t want to get bogged down in this. Maybe it increased the stock and maybe it was good for everybody. Okay. Great. There is a lot of things that have increased the stock that have been good for everybody. Share it the way it is and let’s move on. We’re not going to do this selectivity every year and never get anywhere on the bigger issues.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: Thank you, Mr. Chairman. I think one of the things that it comes down to for me -- I mean we just used this information to raise the quota, an unprecedented raise in quota this year.

It’s tough for me to explain why we wouldn’t use the same scientific information that is the best available science to make some of these fixes to some of this past historical data where we’ve had issues. I just don’t understand and I can’t argue for how would it be fair and equitable to ignore that information in this case, but not there.

CHAIRMAN ANSON: To that point, Dr. Stunz?

DR. STUNZ: Yes and just to follow up to the point that Martha is making and Ms. Bosarge, it seems logical that this is not an every year recalibration based on selectivities, but it just is built into our assessment process and, of course, we decide when that occurs and that’s the logical time for that to occur and that seems to be when it would make sense and not at the whim of we think we caught bigger fish this year and it’s just part of the process that happens in more of this automated fashion and that’s why -- Anna maybe wants to comment on how they handle it on the South Atlantic, because they are dealing with the same issue, I’m sure, or something similar.
MS. BECKWITH: I think Roy spoke to it, but we’ve taken it as par for the course as part of the process and so as new information has come up, we have recalibrated according to the new information.

CHAIRMAN ANSON: Myron.

MR. FISCHER: Thank you, Mr. Chair. I am just trying to absorb and sum up what I’ve heard, but it seems like allocation is one of the fundamental base tools we have in our fishery management plan. It’s either in the fishery management plan or the first amendment of it that we come up with a quota and then we come up with allocations on how to divide it.

In this case, the quota increase that we already accepted comes from selectivity and recalibration. The council has already accepted this. They accepted the data and they accepted the premise on how it was designed and so if we don’t agree with this, that means we really have to reduce our quota a few million pounds. That means we didn’t understand the basic concept.

What we did is we took a quota increase created by a recreational selectivity, but we split it 49/51, where at that time it should have been a recreational increase. What this is doing is it’s just a correction to the adjustment. We should have done this when we had the increase and so all we’re doing is making a correction and that’s the way I am looking at it and I welcome other views as I try to figure this out.

CHAIRMAN ANSON: I have David, followed by Doug Boyd.

MR. WALKER: The assessment is different than reallocation. I mean you’ve got a lot of social and economics and there is a lot of factors that go into allocation and we’ve heard a lot of testimony for a lot of years and just because it was used for the assessment, it doesn’t mean that it should be used for reallocation.

Everyone keeps trying to pound it into you about the CPUEs in the eastern Gulf and I don’t know how many are fishing in the eastern gap, but I am sure there’s a gap there. It’s about four or five years and recruitment -- There has not been a good year since 2006.

Right now, you catch a fish and they are anywhere from, in the commercial, anywhere from thirteen to seventeen inches and then you have a gap where the fish jump to ten pounds and so it’s
about availability right now that’s showing in this selectivity and there is a lot of this high-grading. There is some high-grading going on, but Johnny is right. He’s being honest with you.

Things in the eastern Gulf aren’t good. I mean we heard some testimony and someone said that they had someone that liked to lease fish or whatever and they swap fish back and forth, but they are not calling. The eastern Gulf, off the west coast of Florida, I don’t hear people getting up here in the testimony anymore speaking to that.

All of this is just one part of it. You’re just trying to tie the assessment to reallocation and that’s not fair and equitable, but I am telling you that it’s -- We’re going to be looking at some drops coming in the allocation too and this right here, I think I had some notes here somewhere.

For this, the economic impact, it’s somewhere -- Alternative 9 is a $44 million economic impact of reallocation away from the commercial sector. That’s pretty substantial and you know we can keep on beating this drum and where are we going to go? You’re taking out the breeders and what’s left and accessibility and when those are gone in the eastern Gulf and all you have is the little fish and bad recruitment coming, it doesn’t make any sense to reallocate fish into a sector where the most effort is taking place.

I mean you have the highest effort in the Gulf. I think it’s something like 70 percent of the recreational effort takes place in the eastern Gulf and then you take that effort and reallocate into it and when they have a history of exceeding the allocations -- I mean we don’t know and what’s the state non-compliance going to be at the end of this year? Are they going to be over? Is the buffer enough?

I have said over and over that we need to be looking at reforming management. It’s what the best science told you. I mean it was sent there for the economics and we looked at it for economics and that didn’t work. You know I’ve said it over and over that it changed the purpose and need and yes, you changed the purpose and need, but all of the alternatives were for economics and it wasn’t based on stock assessments. It’s not based on the baseline years of allocation that was determined back years ago and even before that.

You know before recreational fishing was favorable, it was a commercial industry. It was 100 percent and I have said it
before. They provide access to 100 percent of the people in
dthis nation and so how you can justify taking that away and then
you look at the different ones and it’s eighteen to one and you
figure how many people and you want to look at them as
constituents and for every recreational angler access that you
increase, you take away eighteen.

I just don’t understand where and how that is fair and equitable
and how this is good conservation. You all like to see some
groups stand up and come forward with something that actually
helps and until -- You know this state non-compliance, it just
doesn’t cut it. It’s the real problem and it started -- I think
out in Texas they have the year-round fishery and then in
Alabama and Mississippi, they are basically forced into this too
and I mean it’s taken away the opportunities of what everyone
here is complaining about, federal access.

People want federal access and so the days are getting smaller
and they are not going to get any bigger. Yes, you can
reallocates, but the state non-compliance just keeps exploding
and the access for the fishery keeps exploding and I just don’t
see any justification in it for any reallocation, but I do see
justification in what the best science told you when you asked
them for a recommendation on allocation and they said instead of
looking at allocation, you need to be looking at management
reform.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: Thank you, Mr. Chairman. I guess I am going to echo,
just for a minute, what Dr. Stunz said a while ago. He and
Myron both said what I was going to say and that is that the
science is there and it’s been used. It’s been used in the
assessments and it’s been used in the allocation that was just
done this last year where we saw a substantial increase in the
amount of fish that are allocated.

Dr. Crabtree said that the SSC had reviewed the allocation and
they reviewed the MRIP changes and the recalibration in that and
I would like for us not to use just half of the science. I
would like to use all of the science in making this decision and
we’ve already done that and Myron made the comment that maybe we
ought to go back and relook at the two-million pounds we added
that had this selectivity and had this recalibration in it.
Thank you.

CHAIRMAN ANSON: I have Mr. Sanchez, followed by Roy Williams
and Martha Bademan.
MR. SANCHEZ: Thank you, Mr. Chairman. I would like to offer a substitute motion. In Action 1, to make Alternative 1, no action, the preferred alternative.

CHAIRMAN ANSON: We have a motion to make Action 1 the preferred alternative and it’s been seconded by Ms. Bosarge. We have already had lots of discussion and is there anyone who has a new point they want to bring forward in favor of this motion or in opposition to the motion, quite frankly? Mr. Sanchez, you were the maker of the motion and do you have any additional information?

MR. SANCHEZ: I think we’ve spoken at length about it and I think we all pretty much know where we stand on this issue. We heard from the public for years now, and even here at this very last meeting, and I think the overwhelming majority was in favor of Action 1. On their behalf, I make that motion.

CHAIRMAN ANSON: Johnny Greene, followed by Roy Williams.

MR. GREENE: Just getting back to the title of the document, “Red Snapper Reallocation”. The purpose and need doesn’t mention anything about recalibration. Not one word, in my interpretation of it.

What you’re doing here is you’re setting a precedent. Now, I was questioning conservation of the resource and Dr. Crabtree mentioned that you manage by quotas and shifting allocation back and forth and so as aggravating as the conversation was on Amendment 39 and to think that I’m going to go back there now is insane, but we are.

If we have five states and all five states agree on their CEP plans and you have one state that’s not playing by the rules and not doing their job and you want to reallocate fish from the other four states that are to that one rogue state that doesn’t seem to manage it, it’s just crazy.

You know if the situation was reversed, would we be thinking about this? I just, for the life of me, don’t see it. Now, if you want to reallocate fish, as opposed to recalibrate fish, those are two different things.

If you want to reallocate fish away from the commercial industry to the recreational industry and put them in a pool somewhere until the recreational sector, charter boats, purely recreational, and headboats, all become accountable and not let
those fish leave, I might could support it, but without anything on the horizon, we have 39 and 40 and 41, but those are the most contentious amendments that I have ever seen.

If for some reason those fail, there is nothing else on the horizon and that really does bother me and so this is a fundamental ethical decision and I think the only way that I can support anything would be through Action 1 and I speak in favor of this.

CHAIRMAN ANSON: Mr. Williams.

MR. WILLIAMS: Thank you, Mr. Chairman. I have had some difficulty with this issue and it’s been a difficult one for me to decide. I will say I think I have been fairly heavily influenced by the opinion on the Destin Charter Boat Association though.

They have a lot to gain or they have some to gain by a reallocation and they, in the past, have said they kind of supported it, but as they have considered it more and more, they are concerned about the -- Even though they would stand to benefit by it, they are going to -- We are reallocating from a fishery that has been completely accountable and hasn’t exceeded its allocations and stayed totally within its quotas and we’re going to reallocate to a fishery that has generally exceeded its quotas, exceeded its allocations.

If the private boat fishery will come to the table and accept tags or something like that as a way to control their harvest of red snapper, it would be easier for me to support a reallocation to them, or at least a recalibration for them, but I came to the council two years ago and it was sort of obvious to me to use tags to try to keep the fishery under control, but, gosh, there was no support for that whatsoever and so until the private boat fishery can step up and find a way to bring themselves under control, to control their allocation of red snapper, I just can’t support this reallocation from the accountable sector to the unaccountable sector. With that, I am going to vote for Alternative 1.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: When we originally started looking at recalibration as part of this amendment and we changed our purpose and need and we did all kinds of things, I asked that we take this recalibration -- I said recalibration is something that I understand and that I could probably support and that if
the historical landings were different than what we thought they were, that has allocation implications.

I asked that it be moved to a new document that focused on recalibration and look at that and have a nice discussion about it, the same way we did for sector separation, because there is different things going on in each fishery.

All right and so what years do we want to use and what constraints were in there? This is what we’re dealing with on changes in those landings for those years and so what is our new allocation going to be? That’s the discussion I wanted to have.

That’s not this alternative that we have in this document. It doesn’t do that. It does not go back to the discussion we always have for allocation, which is looking at historical landings and choosing which years. What this does is it says, and this is Alternative 8 I am speaking to and that’s why I want no action, but in Alternative 8, it says, okay, so there was this change in survey methodology and we had a huge increase in what we saw that the recreational sector was actually landing.

That huge increase tells us that the stock was able to actually sustain a lot more removals than what we thought it was able to and what it was undergoing and, therefore, it’s a little bit healthier than we thought and, therefore, there is probably more fish out there than what we thought, more biomass out there.

That obviously has implications for a stock assessment and that also has implications on historical landings, but that’s not what we’re doing. That’s not what we’re looking at. What we’re looking at is, okay, so how much healthier was the stock over what we thought it was, based on these changes in our landings data?

Okay, well, it was this much healthier. All right. Well then guess what? All of that should go to the recreational sector, because their overshooting of their quota is obviously what led to the stock being healthier. I mean that is essentially the rationale that we’re using here and that’s not correct.

That was not the discussion that I wanted to have. I wanted to have a recalibration and maybe Dr. Crabtree said we can’t go back a long way in time and okay, well, that’s one comment. We never got to a point where we actually had an in-depth discussion and saw all this data.

We had a blip. We had a summary from the SSC and they are still
working on all of it and why do we not have an amendment that
discusses that, instead of saying, okay, the stock went up by
this and it’s healthier and all that rebuilding, we’re going to
take whatever that percentage is and shift historical allocation
from commercial to recreational.

To me, a stock assessment decision on healthier stock out there
and an increase there, that’s different than an allocation
decision. What we’re doing is taking that increase in the
health of the stock and deciding who it goes to.

If you made me make that decision right now, instead of doing it
the way I wanted to, the reason the stock is healthier has to be
based on who has been staying within their quota and leaving the
fish in the water and helping to rebuild it and not taking more
fish out than what we said we needed to take out to be able to
rebuild it.

CHAIRMAN ANSON: Dr. Crabtree, to that point?

DR. CRABTREE: Yes and I think there’s some misunderstanding
here. The recalibration and the shift in the selectivity does
not say anything about the stock being any healthier. It just
says the stock apparently is more productive than we thought,
because it sustained more harvest all along.

It doesn’t say it’s any healthier and so this isn’t about
rebuilding, necessarily. This is just about we now realize that
landings have actually been higher that we thought and so the
stock is bigger than we thought and so it’s not like anybody is
getting a benefit of rebuilding, but it’s just the stock is
apparently more productive than we thought it was in the past
and we’re not harvesting any more than we thought. We have
always been harvesting more than we thought and so it’s not
about being healthier, really.

CHAIRMAN ANSON: A follow-up, Leann?

MS. BOSARGE: Then what is our rationale for deciding that the
increased productivity of the stock -- The stock is more
productive than what we thought and therefore that productivity
should be given to a particular sector instead of being split
the way it always has?

DR. CRABTREE: All right. Think about it this way and I am
going to give you a very simplistic example, which may not be
exactly. Imagine you had a stock with two sectors fishing it
and each sector catches 100 pounds per year. The total
allowable catch is 200 pounds and this goes on for a while.

The catches are estimated by a survey and so imagine you discover, through looking at the survey, that in fact one sector has actually been catching 200 pounds a year all along. Now, so the original allocation was 50/50, 100 pounds each and the TAC was 200.

Now you realize in fact you’ve been harvesting 300 pounds all the time and so the TAC really is 300 pounds. Now, if you say we’re going to stick with the original allocation of 50/50, everybody gets 150 pounds and so one sector that’s only been catching 100 all along gets a bonus of fifty pounds. The sector that’s been catching 200 pounds all along now is getting cut, because they are only getting 150 pounds from now on. That is what happens if you readjust the historical timeframe and the productivity but you don’t make a shift in the allocation.

It is a de facto reallocation away from the sector whose catches have been recalibrated to the other one and I say that is very oversimplified, probably, but that gives you the gist of it.

CHAIRMAN ANSON: A follow-up one more time, Leann.

MS. BOSARGE: Yes and thank you. But that exemplifies my point, Dr. Crabtree, that your example there assumes that it goes back in time forever and that was the case. That’s the discussion I wanted to have and that’s what this assumes, that those recreational landings must have always been that way all the way back in time.

We didn’t have a discussion though, like we did between for-hire and private angler, where there is different constraints on both groups back in time and so you can’t say it’s always been that way. That’s the discussion we never got to have.

When we do it this way, it does not allow us to have that discussion and that’s my problem with this. I wanted this to be in a separate amendment so we could actually look at it, but now we’re just going to assume that it’s always been that way and they have always been catching this much and I don’t think that’s right.

CHAIRMAN ANSON: I have Martha, followed by Dr. Crabtree. You had another point and then David.

MS. BADEMAN: I am going to go back several people ago. I think the point was brought up that maybe if recreational was under
tags we wouldn’t be in this situation or we wouldn’t be talking reallocation and I disagree with that for a couple of reasons.

Number one, we have this catch share policy and I think even in the Gulf Council’s allocation policy it says we’ve got to sit down and look at this stuff. That’s just it is what it is and we’re having the conversation.

Two, I think we would still have this science issue and the other thing is let’s pretend we did have tags and we started the tag program for recreational when we started this new rebuilding plan. We would still be in a situation where -- We would be in a situation where there would be fewer and fewer tags issued every year, because the size of the fish that’s coming has gone up. I mean we would be having this conversation either way, in my opinion, and I just wanted to make that point. Thanks.

CHAIRMAN ANSON: Dr. Crabtree, you had your hand up earlier.

DR. CRABTREE: One other point I wanted to make, going back to Mr. Williams’s comment about whether sectors are accountable or not, yes, we’ve had issues with overruns in the recreational fisheries, but bear in mind we did take an emergency action to address that and then we put in place a management action permanently to address that, which put in place a 20 percent buffer and a payback provision for the recreational fishery.

Based on the one year of return we have on that, it worked and we were a million-and-a-half pounds under the quota last year and so we have taken actions to address accountability.

Now, does it result in a well-managed fishery that we’re all happy with how it’s performing? I think the answer to that is probably no, but it, at least based on what we have now, appears to be keeping us underneath the quota.

CHAIRMAN ANSON: David Walker, followed by Dale.

MR. WALKER: I’m just going to say you know the commercial industry has been constrained since 2007. We had problems in our fishery and it did take us five years and I mean we’ve been sitting here arguing over this for all this time and we still haven’t even worked on the -- I guess the last meeting we decided to move forward with the ad hoc program, which I hope we do.

We were there and I mean we got together and I’m just going to tell you some of the things we had in our program that
benefitted. I mean it improved biological benefits and improved social benefits and it improved economic benefits and it improved safety at sea. It improved the market glut issues and it improved the discard issues and it improved the conflict issues and it improved the access year-round.

It improved enforcement and it improved quality of product and it improved data. It improved real-time data. It improved accountability. It improved management costs via cost recovery fees and it improved the rebuilding plan schedule. It improved efficiency and it improved stability and it improved conservation. It improved the net benefit to the majority of the nation.

That’s a lot of things and it’s just one industry that got together. I mean the charter industry, they want to get something for them that works. They want a program that benefits them too and where is the leadership from these private anglers? Where have you been for the last twenty-five years or let’s say the last five years?

I heard someone say the other day they wanted some allocation, but you know the recreational fishery plan was -- Allocation was not the silver bullet. How can it be fair and equitable to reward someone historically and penalize someone who has put the effort forward -- Leaders in their industry got together and worked it out and I am telling you that it was tough when we started.

Everybody had different ideas, but we came together. It took some time and we came together and we developed the profiles and we brought them to this council and there were a couple of things that they took out and there was a couple of things that they complained about, but our industry developed the plan that worked for us and why can’t we work on management reform for the recreational angler?

Why can’t we continue to let these charter boats continue on down with Amendment 41 and Amendment 42? If the states want 39, then the charter industry and the commercial, we don’t want to get in your way, but don’t take the people who has worked hard and think it’s fair to penalize them.

There is recreational fishermen that go out there on charter boats and what I am getting to is just there is no way it’s fair and equitable, but I will tell you what will be fair and equitable. It’s if you allocated more time to management reform.
CHAIRMAN ANSON: Dale Diaz.

MR. DIAZ: Thank you, Mr. Chairman. A lot of good discussion and this is a tough issue. I just kind of wanted to go on the record and say some of the things that I’ve been thinking. I’m going to vote against the substitute motion and I speak against it.

My rationale for that is I keep coming back to the fact that the way MRFSS and MRIP operated for a long time in the State of Mississippi, and I am sure throughout the Gulf, is a lot of the samples occurred earlier in the day and the methodological change that happened that made Alternative 8 look different is the fact that now they’re sampling around the clock and that is something that was a correction, that was an improvement, to the MRIP program that I think is real.

The selectivity thing, I do have some issues with selectivity, but on Alternative 8, I keep coming back to that and I think that is something that was an improvement to the program and so thank you.

CHAIRMAN ANSON: All right. I have no one else on the list. Mr. Swindell. Since you have not participated, please go ahead.

MR. SWINDELL: It’s finally, after listening to everything, that I want to say a few things. When I first joined the council, conservation of the resource was the primary think that we all paid attention to and so I agree with Mr. Greene that conservation and the resource abundance and recovery or whatever is most important.

I have, as I have looked through the documents here, a big concern about what you call the east side of this resource continuing in decline of abundance. That gives me a huge concern.

You have the west side that seems to be improving, from what I have read, and I don’t see us trying to address anything here that addresses what’s going on in the east if you’ve got good enough information on what’s happening in the east and what can we do with the west to improve the availability of the resource there for people to harvest, which is all part of the game.

I am at a total loss as to how to look at these things that we have here, because I am not certain that, number one, that the Preferred Alternative 1 is even addressing anything to do with
the east and everything I have heard before is that the
recreational people seem to be a bigger problem in the east,
because there is more in the east. Tell me if I’m wrong,
please, because I can only go by what I’ve been hearing for the
last day or two.

I am kind of at a loss as to what to do here, but, people, I
just don’t see that we’re making any progress in rebuilding this
resource as much as it needs to be rebuilt. You are leaving
out, to me, the major part of the rebuilding effort that needs
to take place, according to what you’ve studied, and that’s the
east. Thank you, Mr. Chairman.

CHAIRMAN ANSON: Thank you for those comments. I think everyone
has had ample opportunity to comment on the substitute motion
and so we’ll go ahead and vote. In Action 1, it’s to make
Alternative 1 the new preferred alternative. All the
information that’s associated with that alternative, it’s
basically a no action alternative and everything will remain the
same, as they are today. Mr. Walker.

MR. WALKER: I would like to have a roll call vote, please.

CHAIRMAN ANSON: All right. We have been requested for a roll
call vote and so, Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.
DR. LUCAS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: No.

EXECUTIVE DIRECTOR GREGORY: The motion fails with six yes and eleven no.
CHAIRMAN ANSON: That brings us to the committee motion, I believe, or there was no committee motion. It was a motion earlier for Alternative 9. In Action 1, to make Alternative 9 the preferred alternative. The information is all there and it talks about the changes to the calibration on the recreational side as well as the selectivity. Mr. Walker.

MR. WALKER: I would like a roll call vote on this and all other motions pertaining to 28.

CHAIRMAN ANSON: All right. So noted. Thank you, Mr. Walker.

EXECUTIVE DIRECTOR GREGORY: This is to make Alternative 9 in Action 1 the preferred alternative. Mr. Williams.

MR. WILLIAMS: No.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: I abstain.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.
MR. SWINDELL: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: We have eight yes and eight no and one abstention and the motion fails.

CHAIRMAN ANSON: All right and so I don’t think -- Mr. Greene, there was not a committee motion that was generated and there was no preferred that came out of the committee, correct? So 8 was the preferred? Okay.

All right and so we need to still send it to the Secretary and so any further discussion? All right. Mr. Gregory, we’ve had a request for a roll call and we need a roll call actually on this vote anyway and so --

DR. CRABTREE: Kevin, you need to construct a motion to submit
it to the Secretary and deem the regulations. Someone will need
to make that.

CHAIRMAN ANSON: If someone could make that motion?

EXECUTIVE DIRECTOR GREGORY: Staff, do we have prewritten
language for this?

MR. BOYD: I will make the motion and we’ll get it on the board
and then I will read it. Are you ready, Mr. Chairman?

CHAIRMAN ANSON: I believe so, Mr. Boyd.

MR. BOYD: I move to approve Amendment 28 and that it be forward
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.

CHAIRMAN ANSON: We have a motion. Is there a second? It’s
seconded by Mr. Matens.

MR. RIECHERS: Having seen the different motions that just went
through a series from two substitute motions to the original
preferred, I was prepared, after voting on that last motion, to
actually make a second preferred alternative motion.

I don’t think it would certainly go anywhere at this point in
time, but I do want to put on the record that clearly we started
out this alternative and, as others suggested around the table,
Mr. Walker and Mr. Greene and Leann, that we started out this
alternative as a true reallocation amendment, a reallocation
because we had had this set allocation for over thirty years and
that under MSA we are obligated to look at allocations and under
allocation policies by NMFS, we’re supposed to find a way to
look at allocations.

There has been a call to do that in red grouper and gag as well
as red snapper and there doesn’t seem to be the appetite to
really actually, after we’ve looked at them, do anything with
them, but just recognizing the fact that there are other
alternatives here that would have actually reallocated and this
was not a reallocation discussion, as we just really talked
about recalibration.

I don’t want to go back into a long, lengthy discussion. I
didn’t say a lot during that discussion, but I just do want to recognize the fact that the economics of this would have suggested we reallocate it and we didn’t go there.

CHAIRMAN ANSON: Any other discussion? Okay, Mr. Gregory. Mara.

MS. LEVY: Thank you. Just before you take the final vote on this, I just wanted to address some of the comments related to the data and what’s been available and what is not yet available, so that we’re all on the same page about what has been seen by this council and the public and the SSC and what remains outstanding.

The one thing that we don’t have that’s final is the final update assessment report that the Science Center is preparing and it’s my understanding that that should be complete in a few weeks, but all of the information that’s contained in that report has gone through a number of public presentations, through both the SSC and as this council, and as we’ve heard here today, it has been used by the council to actually increase the TAC for this year.

I just wanted to go through the timeline so that we have on the record what the situation is, with the understanding that the final written report is not available yet, but would be available before NMFS actually makes a decision to approve or disapprove this, if you all vote to send it to the Secretary of Commerce, and with the understanding that if there is something in that report, which I would not expect there to be, that is a deviation from what’s been presented throughout all this time and what the council used to actually increase the quotas, then that might be a basis for NMFS to disapprove it, but I don’t think that there’s any understanding that that would happen, but it would definitely be something that the agency would look at.

Starting back in September of 2013, the MRIP calibration workshop was conducted and in October of 2014, the SSC reviewed the results of that workshop. At the October council meeting, the council received a presentation on the workshop and told that the interim approaches were going to be used for red snapper and red grouper for the immediate future and that there was going to be a long-term approach that was going to be developed.

Based on that information, the council directed staff to update Amendment 28 with this new information. In January of 2015, the 2014 update assessment was presented in PowerPoint format at the
SSC meeting. The SSC determined that the update is the best scientific information available and was acceptable for management purposes.

Included in that report was an outline of what the update assessment did and that it updated the SEDAR-31 assessment. The SSC recommended new overfishing limits and ABCs based on these results and so at the January 2015 council meeting, the MRIP calibration update was provided to the council during Data Collection Committee and there was also a draft version of that report that was at the council briefing book at that time.

The 2015 update assessment results was presented to the Reef Fish Committee and, again, it was explained that the update was that to the SEDAR-31 assessment that had already been conducted and incorporated two key changes, the MRIP calibration and the additional selectivity block. That was all laid out about what the update was and what was included.

The council voted to start the framework action to increase the TAC based on the SSC’s new ABC recommendations and at that time is when the council also voted to add Alternatives 8 and 9 to Amendment 28.

In February of 2015, the SSC had that webinar to select ABCs for the 2015 to 2017 year series based on the result of the update, but then also it included those 2014 provisional landings. That’s when they had that webinar and then the council had a webinar in March to look at what the SSC’s recommendations were and actually to approve the framework to increase the quotas.

Also in March, after that webinar, the Southeast Fisheries Science Center produced two reports. One was the effect of allocation alternatives on the red snapper fisheries in the Gulf and then also the report that looked at the runs to evaluate the effect of the recalibrated recreational removals and selectivities on all these estimates and so that’s the report that they produced to actually get the numbers that we have in the Alternative 8 and 9 in Amendment 28.

The actual MRIP final workshop report was completed towards the end of March and that’s available on the SEDAR website. At the beginning of April, the Southeast Fisheries Science Center and SSC reports were presented to the council and that’s when Alternative 8 was actually selected, at that meeting, and in May, we had an analysis of the effects of the alternative allocations and the effect of the recalibration.
That report came out, the Science Center did a report, and that’s what’s attached as Appendix H to the current Amendment 28 and then in June, there was a report from the SSC that was presented to the council where they discussed these two reports that the Science Center had produced.

I just wanted to go through the timeline so that it was clear about what information was available at what public meetings and who looked at it, that the SSC determined that the new update assessment was the best available science and it was used for the increase in the TAC, and to just let you know that we are still waiting on that final written report, but all expectations are that it reflects all the information that had been previously provided. Thank you.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: I would just like to add that this -- I don’t think it’s about the stock assessment and it was allocation. The SSC unanimously recommended, on May 20, 2015, that if reallocation occurs that would prompt the need to reevaluate OFL and ABC projections that the council should request evaluation of the final action. That’s what I wanted to get on record, that we should have done that. Incomplete data.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: That was done. There was an analysis done of the impacts of allocation shifts on the ABC and it was looked at by the SSC and, in fact, the ABCs can go up if you reallocate more fish to the recreational sector. That’s largely because of the shifts in selectivities that we’ve seen and that report is -- Mara tells me that report is Appendix H.

CHAIRMAN ANSON: David.

MR. WALKER: It’s my understanding that it’s still -- We said the CPUEs, all this is tied to it. It is not -- It’s availability and the selectivity is not -- It should not be used in this allocation and I want to make that clear, that this selectivity is not fair and equitable.

CHAIRMAN ANSON: All right. No one else wants to make a comment? All right, Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: All right. This is to submit Amendment 28 to the Secretary of Commerce and deem the codified regulations as necessary and appropriate. Mr. Riechers.
MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: No.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: No.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.
The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Hilton Riverside, New Orleans, Louisiana, Thursday afternoon, August 13, 2015, and was called to order at 1:30 p.m. by Chairman Kevin Anson.

**MR. GREENE:** Final Action – Framework Action to Retain a Portion of the Commercial Red Snapper Quota in 2016, staff summarized the framework action, Tab B, Number 7(a), and noted that the percentage of the 2016 commercial quota that would be retained would be determined by the preferred reallocation alternative...
selected in Amendment 28. Staff indicated that the codified text for this action was included in the briefing book.

By a voice vote with no opposition, the committee recommends, and I so move, that in Action 1 of the Framework Action to make Alternative 2 the Preferred Alternative. Alternative 2 is before the distribution of the 2016 red snapper commercial quota to the red snapper IFQ account shareholders, withhold up to 34.7 percent of the red snapper commercial quota. The exact amount to be retained for later distribution will be determined by the percentage of the red snapper commercial quota that would be reallocated to the recreational sector under Reef Fish Amendment 28.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Mr. Riechers.

MR. RIECHERS: Since you put 34.7 percent into the motion, don’t you want to -- The correct percentage, they may have it now or do we want to leave that blank here or how do you want to talk about that?

CHAIRMAN ANSON: Mara.

MS. LEVY: That’s the way that the alternative is currently drafted, but what staff is going to do is put in the exact percentage into that alternative now and so if you vote for Alternative 2, the actual language is going to change to say what the percentage is that just resulted from the vote in 28, which I believe Assane indicated was 5.9.

CHAIRMAN ANSON: Thank you. Any discussion on the motion? All right. Mr. Swindell.

MR. SWINDELL: Someone has got to explain to a little bit to me. 37.4 percent of the commercial quota to be distributed when? Later distribution means -- What is later?

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Where this came from was an outcome of Amendment 28 and so we will not be able to get through the secretarial review process of Amendment 28 before January 1 and so with the red snapper IFQ program, we release all the TAC to the fishermen in December some time and once you release it all to them, there is really no way to get it back and so the council wanted a way to have the allocation shift in Amendment 28 effective in 2016.
To do that, we need to withhold the amount of quota that we just shifted in the allocation and so in Amendment 28, it’s about 400,000 pounds, I think, or 350,000, that neighborhood. This is set up to allow us to hold that amount back in December and then if Amendment 28 is approved, that amount of quota goes into the recreational side, as per the reallocation. If Amendment 28 is disapproved, then that would be released back to the commercial fishermen at that time.

MR. SWINDELL: Thank you.

CHAIRMAN ANSON: All right. Is there any -- Mr. Walker.

MR. WALKER: Roy, what would that date be? If it is released back, what do you project that date to be?

DR. CRABTREE: I would guess it would be in February or March and does that seem about right, Steve?

DR. BRANSTETTER: Yes.

CHAIRMAN ANSON: Is there any opposition to the motion? Seeing none, the motion carries. Mr. Greene.

MR. GREENE: Draft Framework Action to Modify Gear Restrictions for Yellowtail Snapper, staff reviewed the draft options --

CHAIRMAN ANSON: I am sorry, but we do need to vote on the --

DR. CRABTREE: You need a motion to submit.

CHAIRMAN ANSON: We need a motion to submit the framework action. Does anyone want to make the motion? Do we have that language, Bernie? Okay. We have the language. Martha, are you going to be the motioner?

MS. BADEMAN: I will certainly read that when it comes on the board. I move to approve the framework action and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as modified in the 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.

CHAIRMAN ANSON: There is a motion. Is there a second? It’s seconded by Dr. Lucas. Mara.
MS. LEVY: Just a correction. When I said 5.9 percent, I think the document reflects that it would be 4.9 percent and so as part of that editorial license, staff is going to replace that up to thirty-whatever percent it says with the actual percentage.

CHAIRMAN ANSON: All right. Any other discussion to the motion? Is there any opposition to this motion? We have one opposed, Mr. Walker. All right and so the motion carries --

EXECUTIVE DIRECTOR GREGORY: Isn’t this a roll call?

CHAIRMAN ANSON: This is a roll call. If it goes to the Secretary, it’s a roll call, yes. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.
MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: It passes sixteen to one.

CHAIRMAN ANSON: Thank you, Mr. Gregory. Mr. Greene.

MR. GREENE: Draft Framework Action to Modify Gear Restrictions for Yellowtail Snapper, staff reviewed the draft options paper for the framework action to modify commercial yellowtail snapper gear requirements, Tab B, Number 8.

Commercial yellowtail snapper fishermen in federal waters in the Gulf are currently required to use non-stainless steel circle hooks, 50 CFR 622.30. These fishermen argue that their fishing practices are such that using circle hooks has no added
conservation benefit and decreases the efficiency with which
they operate.

Alternatives to the status quo were presented which would remove
the circle hook requirement for commercial yellowtail snapper
fishermen either throughout the Gulf of Mexico EEZ, only south
of 28 degrees North latitude, approximately Tampa Bay, or only
south of 25 degrees, 23 minutes North latitude, approximately
Shark Point in west central Monroe County, Florida. The council
accepted the alternatives presented in the draft options paper
for further analyses. By a unanimous vote, the committee
recommends, and I so move, to accept the language in Action 1.

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

MR. GREENE: Options Paper, Amendment 42, Federal Reef Fish
Headboat Management, council and National Marine Fisheries
Service staff summarized the draft options paper for Amendment
42, Tab B, Number 9.

The scope of the amendment, purpose and need and management
approaches were presented. Management approaches include
traditional measures such as size and bag limits and allocation-
based measures, such as permit-based fishing quotas, individual
fishing quotas, cooperatives, and regional organizations. The
committee started to discuss scoping hearings and indicated that
the discussion would continue with Amendment 41.

Options Paper, Amendment 41, Federal Charter-For-Hire Red
Snapper Management, staff reviewed the document, Tab B, Number
10, which included options for management approaches similar to
Amendment 42.

In contrast to Amendment 42, this amendment would apply to all
federally-permitted for-hire vessels that do not participate in
the Southeast Headboat Survey. Staff noted that the goals and
objectives for the management of charter vessels would guide the
design of appropriate management measures. Staff identified
recommendations made by the Charter AP, noting that the complete
report was provided in the appendix.

Following review of both Amendments 41 and 42, the council
passed the following motion. By a voice vote of five to three,
the committee recommends, and I so move, to take Amendment 41
and 42 Options Papers out to scoping meetings.
CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Dr. Dana.

DR. DANA: Thank you, Chairman Anson. I think scoping obviously is very important on these and I am wondering though, based on what would be the most efficient but expedient way to carry out the scoping meetings, first of all, and then, secondly, whether the paper that we were given, the review of the 41, even has enough detail in it to go to scoping at this point and whether we should hammer out a few more things and some of the consideration of the AP recommendations in that paper, so that when people come together for scoping that they have something more substantive to review and act upon.

CHAIRMAN ANSON: Do you want to answer that?

EXECUTIVE DIRECTOR GREGORY: Normally when you go to scoping you can go with some options or alternatives that have been identified by the agency as consideration, but it’s also the purpose of scoping, in its essence, and it’s to get input from the public as to what sort of management measures are needed, if anything needs to be managed at all.

It’s kind of a brainstorming workshop session as well. I think these options papers are well enough along to do that and what I suggested in committee was that staff be given the leeway to arrange these with the Amendment 39 public hearings and either try to do them like the South Atlantic does and do three in one day or do 39 one night and 41 and 42 another night, in the same locations as 39, so we can get some efficiencies with staff time there.

If we can do that and we can do that between now and bring the documents back to the council in January, we will also plan on having the ad hoc APs meet between now and January and so in January, we would bring public hearing documents to the council for 41 and 42 and so they’re not so -- They’re adequate for scoping, in other words.

DR. DANA: So, given that, like for 41, dealing with the federal for-hire charter, in that we’ve only got three years with looking at sector separation, that was one of the reasons why we wanted to move quicker with this, at least the evaluation of it, 41, and so that’s why I talked about the efficiencies of the scoping meetings.

No matter what comes out in the scoping meetings. That’s a whole different issue, but the efficiency and timing of them is
what I am probably more concerned with and so would webinars and
those things make more sense? You had talked about monies too,
the cost associated and staff time.

EXECUTIVE DIRECTOR GREGORY: Yes and we can do webinars as well,
but as far as the overall schedule of things, taking them out to
scoping along with 39 or along those lines, it would not really
slow down the process.

We do have a Reef Fish AP meeting scheduled between now and
October. One of our concerns is we only have seven weeks
between now and the next meeting, but we have plenty of time
after the October meeting and so I think we can do all of that
and bring a draft document back to the council for 41 and 42 and
39 again in January.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: For the record, on page 11 of the document, in
April of 2014, the council requested staff to begin development
of an action to examine potential for an IFQ-type program for
the for-hire vessels in the Gulf.

The council reviewed a scoping document in response to the
request, but did not take further action at that time and so a
majority of this has already been to scoping. Granted, you can
justify at what point scoping was done at any particular
amendment process we have, but it’s already been to scoping, to
a degree, at this particular point.

CHAIRMAN ANSON: Mara.

MS. LEVY: Just for your consideration, if you’re moving towards
a public hearing draft, at some point it’s going to be very
helpful for staff, and I think yourselves, to narrow down the
type of program you’re looking at, because right now, this
document throws out five or six or whatever potential types of
programs and each one of those is going to require you to
establish sort of eligibility criteria and transferability and
all of those things and without knowing exactly which one you
want to go towards, you’re going to end up having a public
hearing draft that is going to have to have all of those actions
for every type of program, which seems infeasible and pretty
complicated.

Not to say that some of them can’t overlap, but I think they
could also be very different, very different types of
eligibility criteria, for a cooperative versus an IFQ and all of
those sorts of things.

If you talk about it and decide that this is the type of program you want, it would probably a lot easier for staff to then come up with actions and alternatives to develop that program.

CHAIRMAN ANSON: I have Dr. Crabtree and then Doug Gregory.

DR. CRABTREE: Yes and, personally, I would like to see us move these towards a public hearing draft and we did actually -- I think we had a motion in committee with at least Amendment 42 to move towards something along the lines of the Headboat Cooperative, but it failed in committee, as I recall, but if we could come to some consensus to narrow some of these down and get them moving, I would like to see us do that, but I don’t know if we can get there or not.

EXECUTIVE DIRECTOR GREGORY: Part of the scoping and the ad hoc AP meetings and the IPT meetings, of course, is to look at paring this down and the suggestion in committee was the traditional management measures could more easily be done by framework action if the council wanted to do something and so those could come out immediately and then address the other options.

The other thing that was suggested at some point this week, with the concern about the number of species in the headboat plan, Number 41, was that maybe that could be focused on just red snapper and gag. Red snapper is of primary interest to the headboats in the western Gulf and gag and red snapper to the headboats in the eastern Gulf. Those recommendations could come back to you in January as well.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: But I mean we could make some of those decisions today to scale some of these things down, if we were ready to.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: Right and I think that’s fine. The issue is that staff shouldn’t be the ones making the decisions about what type of programs move forward and what species it includes and so without some sort of guidance about what the council wants the staff to do, everything is going to come back again in the next iteration, except maybe the bag and size limit stuff.

CHAIRMAN ANSON: Dr. Dana.
DR. DANA: Thank you, Chairman Anson. I appreciate your input, Mara, on this and I do agree that staff probably needs some guidance on it and when I look through this, I don’t see a clear purpose and while there is a purpose, it’s not clearly written out in that options paper and Jim Green is the Chairman of the AP for the for-hire or whatever and he said yesterday during public testimony that the AP provided a blueprint of recommendations and the purpose of why this is important, but as it currently stands, the AP recommendations and their review of the purpose as a stand-alone document has not yet been incorporated into the options paper and I think we probably as a council need to give guidance or ask that the staff do incorporate these recommendations.

It’s very clear and they’ve followed along, in a conservative way, the ideas that this council has been concerned about, or the areas this council has been concerned about. For example, no intersector trading and no transferability and having the quota put to the permit versus to the individual and so there’s a lot of things the AP already laid out for us very clearly and we just need to ask that it be incorporated into the paper.

Also, for the purpose, they made the -- In the AP thing they have a purpose clear here and it says the purpose of Amendment 41 is to increase flexibility for permit holders to decrease management uncertainty and increase accountability to catch limits.

The long-term goal is to have a year-round fishery that is totally accountable and so I don’t know how to go about it, but however we can incorporate it in this to make it more clear and give staff the guidance to incorporate the AP recommendations, I would like to do that, before going to scoping, so that we don’t spin our wheels just having all kinds of stuff.

CHAIRMAN ANSON: Dr. Diagne, do you have some comments to those points?

DR. ASSANE DIAGNE: Yes, Mr. Chair, and thank you. Basically the way in which we approached this, bringing this document to you for this meeting, this was your first opportunity for seeing a document relative to 42. I guess it’s the same for 41, but I will speak specifically about 42.

One thing that we had to do is to maintain the maximum flexibility for you as a council to make some decisions, along the lines of what Dr. Crabtree mentioned. Yes, the AP had a
very productive and very informing discussion on a lot of these issues and we attached their report as an appendix to the document that was given and it is our intention to use a lot of their recommendations to draft actions and alternatives for the various programs that you would tell us to work on.

Just one more note. For the purpose of this amendment, it may be that it was missed, but on page 6 of Amendment 42, for example, it states something very similar to what you just read. The purpose of this action is to provide flexibility, reduce management uncertainty, and improve economic conditions for reef fish headboat operators and so on, along those lines.

We are fully intending on incorporating their recommendations, but that will be for the draft public hearing document that you will see in January, because there we will have clear actions and alternatives and it will be very helpful, as mentioned by Dr. Crabtree and Ms. Levy, if you could narrow down, if you would, the scope of the programs that we have to look at, so they could be as fully developed as possible between now and January. Thank you.

CHAIRMAN ANSON: I was listening to the Reef Fish Committee, but when I look at the motion here, going back to the definition of scoping versus public hearing, we’re talking about scoping, but in reality we’re looking at essentially a public hearing draft for 41 and 42, because it will be much more focused, is what your intent is and what you would like for the council to do right now, so that as you work on that document that it will be more of a public hearing draft and it will be much more refined and it won’t be a workshop-type environment and is that -- Am I hearing that and is that correct?

DR. DIAGNE: Yes and essentially the next iteration of this document, the one that we are planning on bringing in January, if the council agrees, will be a public hearing draft and as a public hearing draft, it will have, let’s say, just in short, the background information and management alternatives that are clearly laid out.

Part of the discussion here was management alternatives for which kind of programs, because evidently now we have a very long list and that was to provide flexibility. To the extent that you narrow this down and, for example, say that size, bag, and season adjustments could be made via a framework action, if that is the direction that you want to pursue, so we will not spend time doing that, for example.
That still leaves us with a series of allocation-based approaches, some regional and some co-op and PFQs and IFQs and variations thereof and so as you can, I guess, clarify your intent, that would help when we come to the public hearing draft in January. Thank you.

CHAIRMAN ANSON: Thank you. I had Ava to that point.

DR. LASSETER: Actually, it was to Dr. Dana’s point. I think she was responding to when I presented Amendment 41 on Tuesday. I discussed the purpose and need that we had put together a lot of possible goals and objectives and noted that the charter AP has recommendations and I encouraged -- I hoped that the council would discuss what they felt were the goals and objectives and things you would want to avoid and so I am understanding Dr. Dana to be supportive of the charter AP’s purpose and that that identifies what you see as appropriate goals.

DR. DANA: You’re absolutely correct, Ava. What the AP captured in their recommendation for the purpose, again, the goal is to increase flexibility for permit holders and to decrease management uncertainty and increase accountability to catch limits. I noted some other things.

What we do not want, in my opinion, what I do not want, is to reduce the capacity. We want to maximize fishing opportunity and we do not want intersector trading. We want to improve data collection and we want to promote conservation and I would like to adopt the charter AP’s recommendation list of goals.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I agree with pretty much everything that’s been said. We need to get into this now and I agree with Dr. Crabtree. Let’s take a look at it and give staff the direction that they need.

If the next draft is going to be a public hearing draft, let’s do it and, Pam, you can change this if you want, but I thought if we’ll actually get into the paper for 42 first, simply because I would think it would be the easiest to focus and point in one direction, then we can tell them which species do we want to include. That’s the first choice that we need to kind of look at and come to a consensus on.

Then, Assane, I believe you asked for us to hone in on which type of program that we’re leaning towards and so which species would be the first question. On the headboat, 42, Amendment 42,
I am not a headboat person and so I am looking at you all, but do you want it to be red snapper and gag or do you want it to be all those species that we had on there or what are you thinking?

CHAIRMAN ANSON: I have Robin and then Roy Williams.

MR. RIECHERS: I am hearing two different things and I want to make sure that I’m hearing them right. I am hearing that you’re going to take the current document out to scoping along with the regional management document in October and I am hearing that staff is going to continue working on the document to have a more fleshed-out version at our January meeting, but in order to do that, I am hearing we’ve got to narrow those choices here today, because we should be providing to them what it is they should be putting in the document and not them providing to us the things they think should be in the document. Is that where we are, Doug?

EXECUTIVE DIRECTOR GREGORY: The more guidance we get from the council, the better. Without the guidance, we would be looking at all those things and bringing information back to you on whatever we have. We won’t be just eliminating stuff, except the traditional stuff, that we can do in framework.

MR. RIECHERS: Again, I want to make sure people understand this is not slowing things down, but you’ve got to understand that at least under the exempted fishing permit that some of that hasn’t even gone out to the public, to the extent that it was noticed here and with the council, but not with other folks.

I think we’ve got to get it to scoping, guys. You all can narrow that list some today if you want to, but I think we need to make sure that people are notified. I mean basically we keep talking about transferable rights types of programs here and those are not going to be easy. There is going to be a lot of economic analysis that goes with it.

I don’t think it’s going to occur by January, but I don’t mind anyone targeting that as a date, but it would be shocking to me to see that come back to this council that quickly. Everyone always talks about how long it takes and sometimes things seem to move faster than others, but I kind of would have difficulty believing that we would have that kind of analysis done at that point in time.

CHAIRMAN ANSON: To that point, Leann.

MS. BOSARGE: Yes and to that point, I would like to get back to
Amendment 42 and try and look at what species that we want to include, because I think if we don’t start doing this now that we certainly won’t have it by January and so let’s just take a look at it and go through it and give some input and see if we can come to some agreement and keep moving.

CHAIRMAN ANSON: We are getting a little ahead of ourselves. Let’s take care of this and that will help drive how much under the hood we need to get into it at this point. Any other discussion on the motion? Dale.

MR. DIAZ: I just want to mention something that’s in a little different direction. At least twice in the last week, and it might have been at public comments or maybe people grabbing me in the hall or something, but for traditional management, I heard two different charter captains tell me that split seasons might be a good traditional method to look at.

Both of their comments basically said that in the June time period and July time period they can sell trips, because there is a lot of people around and it’s not that difficult, where if they had access to the fish early and late, that might be more beneficial to their business and help them move more trips and so I just wanted to mention, while we’re thinking about different things that we might consider, that that was told to me twice. Thank you.

CHAIRMAN ANSON: All right. Any other discussion on the motion? Dr. Dana.

DR. DANA: Sorry and I don’t want to belabor it, but, Ava, is what I said -- Does anyone have any problem with Ava and the staff incorporating those things or having that as part of the paper? I think they’re all very reasonable, but I just wanted to make sure that we move forward with clarity.

CHAIRMAN ANSON: I don’t see anybody saying no and so clarification, Mr. Williams?

MR. WILLIAMS: If we vote to take Amendment 41 or 42 to scoping, are we still going to have the opportunity after that to reshape along what Leann is talking about?

CHAIRMAN ANSON: Well, it’s easier now to do it and I thought the Amendment 39, and, Ava, correct me if I’m wrong, but I thought Amendment 39 hearings were going to be after the October meeting and then you come back in January and so we won’t have an opportunity until January, I guess, outside of these
documents and the discussion we held here today.

MR. WILLIAMS: I would still like the opportunity to try to reshape the scope of Amendment 42, for sure. I mean I think there’s a couple of things that could come out. I tried to take them out in committee and it didn’t work, but I would like to try again.

CHAIRMAN ANSON: Yes and so let’s deal with that after this. Let’s make sure and so I don’t see anybody else that wants to discuss and so the motion is to take Amendment 41 and 42 options papers out to scoping meetings. **All those in favor please raise your hand, ten; all those opposed like sign, five. It passed ten to five.**

All right. So now if there is anything that you want to get resolution on or species questions you had or if anybody has any comments on the species relative to Amendment 42 -- Does anyone have any comments to that or want to make a motion? Johnny.

MR. GREENE: Yes, I think it does need to be just red snapper and grouper, just simply because that’s what the EFP had modeled after. We have two years of a pilot with that and while I do think we should do everything, I think that’s just going to overly complicate this to no end and so do you want it in the form of a motion or do you just want me to give staff guidance at this point, Mr. Chair?

CHAIRMAN ANSON: Let’s go ahead and do it in a motion, a quick motion.

MR. GREENE: I will make a motion that in Reef Fish Amendment 42 the species would be red snapper and gag grouper only.

CHAIRMAN ANSON: We have a motion on the board and is there a second? It’s seconded by Mr. Williams. Any discussion on the motion? Mr. Crabtree.

DR. CRABTREE: I support the motion. I just wonder if we pass this if we want to go beyond this and narrow it down to looking at a cooperative, but we can start here.

CHAIRMAN ANSON: Any other discussion? Myron.

MR. FISCHER: Thank you, Mr. Chair. Are gag grouper presently overfished or are they undergoing overfishing? Why do we want to incorporate them at this time? I think we have some overfished species we might want to look at. I will support it,
but I would like to start small. We have red snapper that’s been our problem and we’re starting to introduce non-overfished species.

**CHAIRMAN ANSON:** Dr. Crabtree.

**DR. CRADBREE:** I think, Myron, what we’re trying to do is take this highly successful Headboat Cooperative that we’ve tested out and implement it and so it was based on red snapper and gag and so it makes sense to me to move forward with something that is patterned after that, because we know it will work. We’ve tested it and tried it and the fishermen are happy with it and by all odds and accounts, it has worked well.

**CHAIRMAN ANSON:** Dr. Lucas.

**DR. LUCAS:** I just have a question for clarification, I think. So when we send the document or when we send the topic out for scoping, people will only see whatever we select here and what we’ve narrowed it down to and they can potentially offer to put all those selections back on the table or what do they see?

**CHAIRMAN ANSON:** Do you want to go ahead?

**EXECUTIVE DIRECTOR GREGORY:** They will see the document itself, but we will be receptive to any other suggestions that the public has to make and bring that back to you.

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

**MR. WILLIAMS:** At the committee level, we also, again in Amendment 42, at the committee level we considered a motion to remove the size limit, bag limit, and season adjustments as part of this and that would narrow the scope of this considerably and those are -- All of those three are in Section 2.2.1. I would like to offer a motion that we remove Section 2.2.1, which is size, bag limit, and season adjustments.

**CHAIRMAN ANSON:** All right. We have a motion on the board. Is there a second? It’s seconded by Ms. Bosarge. Any discussion on the motion?

**MR. WILLIAMS:** I would just like to try to defend it. I think we have an opportunity to -- The Headboat Cooperative Program has been very successful and these size limits and bag limits and season adjustments are just not part of what I would like to
see done here.

We can do these independently of this, but these really aren’t about trying to develop some sort of limited entry program, which is where I’m going, for the headboat fishery and so I just think they really don’t fit in.

CHAIRMAN ANSON: Dale.

MR. DIAZ: Thank you, Mr. Chairman. Roy, I understand what you’re trying to do. For the point that we’re at now, I am going to speak against your motion and my rationale is one of the charter boats that I talked to last week is considered a headboat in Mississippi and I had a conversation with him about why he wasn’t in the Headboat Collaborative.

He told me that for him he wasn’t offered enough fish and so at the stage we’re at now, where we’re sending this out for people to look at, if he shows up at this public comment, I think it would be good to have some traditional things in there, because in his situation, he might want to comment more on traditional-type stuff and so that’s my rationale for speaking against your motion. Thank you.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Well, it just seems to me, Dale, that if we want to do those sorts of things that we could do those through a framework amendment pretty easily and I don’t think that --

That’s not really how I’m thinking about Amendment 42, which I’m thinking about a fundamental change to how we might manage that headboat fishery and not just tweaking the things we regularly do and so I don’t have any problem with looking at size and bag limits and seasons and things, but I would rather do that just through a framework and not tie it up into this. I would like to see this focus on whether or not we want to implement a program similar to the Headboat Cooperative.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: My point goes back to Dale. When I was looking through the information, it showed that there was five headboats in Mississippi. Is that correct? There are five truly pay by the individual type of boats or are they charter boats, because I think that might be a little bit of the issue.

MR. DIAZ: I mean without me talking to them individually, I
don’t know enough to answer that 100 percent. I do know that
the five that’s in there report to Beaufort and I do know they
meet that standard, but I can’t really answer your question to
the other standards for certain.

CHAIRMAN ANSON: Go ahead.

MR. GREENE: To that point, I was looking through it the other
night and I think I -- Because I do carry more than fifteen
passengers, which is one of the criteria, and whether I base my
price on a group of people up to ten or I charge individual is
kind of left up to interpretation.

I think I could almost go and report to Beaufort if I wanted. Now, I don’t know how closely they follow up on this stuff or
not, but I think that there may be a little bit of conflict
between who is supposed to report to Beaufort and who is not,
but I think we could very simply move past that pretty quickly.

MR. DIAZ: To that point, I think we had a discussion the other
day, and somebody might be able to help me, but the definition,
the way I remember it, was simply is the group of boats that are
reporting to Beaufort was what we decided to use as the
definition, from discussions from committee the other day.

CHAIRMAN ANSON: We have a motion on the board to remove Section
2.2.1, size limit and bag limit and season adjustments, from
Amendment 42. With that, all those in favor of the motion on
the board please raise your hand, six; all those opposed like
sign, nine. Six to nine and the motion fails. Anything else we
want to address in these two amendments, either one?

MR. GREENE: I am sorry and I thought we were just working our
way through Amendment 42 at this point, but I haven’t heard
anybody make any comments about a regional fishing organization
or a similar type of program and so I think it may be wise to
take that out, because that may take a lot of work.

In reading through the regional fishing organization definition,
it seemed like it was pretty complex and I don’t know that that
would be something that I as an individual fisherman or anybody
else would really want to get into at this point. I would
remove the discussion of self-managed programs by group.

CHAIRMAN ANSON: We have a motion to remove -- That would be the
RFOs as they are described, Mr. Greene?

MR. GREENE: Regional fishing organizations, I believe, was it
and there was a long definition within Magnuson that was associated with it. **Remove self-managed programs such as regional fishing organizations.**

**CHAIRMAN ANSON:** We have a motion on the board and is there a second? It’s been seconded by Ms. Bosarge. Any discussion? Dr. Lasseter.

**DR. LASSETER:** I just wanted to clarify that in Amendment 42 you have that RFO and what Johnny just mentioned about the Magnuson definition, that’s in 41 and that’s the RFA. I think you’re alluding to -- The same issues would exist for both, but I just wanted to clarify that the way that 42 is set up that it does not use that exact Magnuson format.

**CHAIRMAN ANSON:** Mr. Greene, would this apply to then both amendments, this motion?

**MR. GREENE:** Yes, it would apply to 41 and 42.

**CHAIRMAN ANSON:** Dr. Diagne.

**DR. DIAGNE:** Just a quick question for Mr. Greene. Is it your intent to keep co-ops in the document, but just take out the part referring to the regional fishing organizations or associations? If that’s the case, then we can maybe tweak the motion just a little bit.

**MR. GREENE:** Yes, I believe it is, just to remove anything that was done by a group. I have read into both of them to a degree, but I haven’t heard anybody make any interest in doing so and so I believe it would be to remove anything remotely associated with the RFA or RFO, et cetera.

**CHAIRMAN ANSON:** Yes, but these would be the ones that don’t have geographic, like a state, affiliation and they’re just spread out throughout the entire Gulf. That would be those and not necessarily one that would be within a state or a co-op or an organization within a state and is that correct? Any and all and is that what you’re talking about?

**MR. GREENE:** Well, yes. There are so many definitions and I mean I understand the staff’s problem now, because I am having a hard time just keeping up with it and going on and --

**CHAIRMAN ANSON:** While you’re thinking about that, Johnny, Dr. Crabtree.
DR. CRABTREE: I am just -- I mean we have a Headboat Collaborative now and so is this saying we don’t want to do a Headboat Collaborative?

MR. GREENE: The reason I was hesitating is I was trying to figure out what would you categorize a headboat collaborative as? Would that be a cooperative?

DR. CRABTREE: I have to admit that I’m not quite sure what the distinction between some of these different types of things are.

CHAIRMAN ANSON: I have lots of hands on the staff table. Dr. Lasseter.

DR. LASSETER: The Headboat Collaborative would be closest to a cooperative structure and so the Amendment 42 divides into two sections, the self-managed -- That was one of the two types, which is why when Johnny just mentioned that what he was talking about was the RFOs and RFAs and not all of the self-managed programs, that is now reflected in the motion. Would you like definitions of the other types?

MR. GREENE: Yes, please.

DR. LASSETER: This is how I understood -- The motion, as written, is how I understood Johnny’s concern, because the Amendment 41 uses RFA according to Magnuson and this is the type of management approach that would require a preliminary approval of how you’re going to do certain things by the Secretary of Commerce before you could even use it. It has not been employed anywhere by any council to date, but there is guidance that says that there is other ways that you can do something similar to RFAs and in the headboat Amendment 42, they call them regional fishing organizations and it would mirror some of those similarities.

Now, between cooperatives and these regional fishing associations or organizations, the key word there is “regional” and so the RFAs and RFOs would need to be regionally based, whereas a cooperative does not need to be geographically based and so that’s a distinction between those and I will turn to Johnny.

MR. GREENE: But a cooperative -- There is nothing that says that it can’t be regionally based and so at this point, my intent is to leave fishing cooperative in and remove regional fishing organization and regional fishing associations in 41 and 42, respectively.
CHAIRMAN ANSON: All right. Mr. Boyd.

MR. BOYD: I want to go back to Dr. Lucas’s question a while ago. Let’s just take this particular organization that Johnny is talking about removing. If that’s removed, it will not be in the document, correct, and what Mr. Gregory said was the people will receive the document.

I think the answer to Dr. Lucas’s question is if we remove this out of the document, they won’t see it and they will have to understand what all these new acronyms are and they will have to understand Magnuson and the definitions in Magnuson and they will have to bring it up themselves to have some discussion.

In my opinion, what we’re attempting to do is severely limit the discussion here as to organization-type processes that other headboats or other charter-for-hire people might want to see that they may not even know about. If we’re having the confusion here about what the definition is, you can be sure that we’re going to need to explain it to somebody out there in the public. Thank you.

CHAIRMAN ANSON: Dr. Diagne, could you answer that?

DR. DIAGNE: Yes, Mr. Chair, and thank you. When we go to scoping, they will see exactly what you have seen and reviewed during this meeting, but, because you are giving us more guidance, while we are developing the public hearing draft that is coming in January, we are going to narrow it down to the key issues that you have identified now.

At that point, when we come to January, if, after reviewing the scoping comments, you want to go back and say, well, we decided to remove regional fishing organizations, but it is so important to a certain group of constituents that we would want for you to put them back, then we will do that.

Essentially, right now, you are helping us develop the best, quote, unquote, draft public hearing paper for January, but at that time you could say, well, after thinking about it and looking at some of the comments, I would prefer, for example, to add back to the document one, two, or three other options.

When we go to scoping, they will see exactly what you have seen right now and they will have the full latitude of commenting on the whole range. Thank you.
CHAIRMAN ANSON: To that point, Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: I did misspeak earlier. Normally with situations like this we would have a section called considered but rejected and those items would be moved to that, but still be part of the document.

I think at the staff level we’ve got to discuss how we would do it, but it would be in the document, either, as Assane mentioned, as you see it now or in a section called considered but rejected. It would be in the document and it would be available to the public and so I misspoke earlier. Sorry.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: Specifically to the motion on the board, I don’t see this as a problem. This almost takes out some of this overlap and it sounds like the other alternative that we have in the document is not precluded from being on a regional level and so this will just streamline the document without really narrowing a whole lot of options.

You would still have that option under the other self-managed alternative in the document now and this will just save staff some time.

CHAIRMAN ANSON: Any other comments on the motion? Is there any opposition to the motion? Seeing none, the motion carries. I understand the need to try to give staff some direction and help efficiencies with their time, but also looking at trying to land here on time with the rest of the meeting and we do have some other items to go through and so unless somebody has some other points, I think I would like to move on.

MR. GREENE: Can we just ask staff to work off of the AP recommendations? I mean there were APs put together by this council to provide guidance and move on and take that and move forward and I mean we’re trying to accomplish a pretty relatively simple thing. As long as that’s the understanding, we can certainly move on or we can continue to hash out this stuff and that’s fine.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I have no problem with that suggestion, Johnny, but what I will say is everyone around the table needs to remember that we just went through a regional management amendment where there was some specific motions where we were
trying to pick a preferred and we couldn’t come to an agreement on a preferred as we walked through those.

Some of those would have stopped 41 and 42 in their tracks, so to speak, and some of them would have went for other alternatives and we couldn’t reach an agreement there and so any of the streamlining we’re doing and any of the things we’re cutting out, when we come back if we need to add them back in, no one should be surprised and no one should be saying you’re slowing down or you’re stopping things, because we’re setting ourselves up for that as you try to narrow things and, as you say, go to reports and grab specific things that this small group put together.

They did good work and I am not arguing that at all, but just remember that we couldn’t come to agreement two hours ago on that and so we may be back here again.

CHAIRMAN ANSON: Yes and the analogy I can think of is the Slinky approach. The Slinky is kind of going and landing in one spot, but it’s also trying to catch up and move ahead and so I share the concerns and points that Robin has. Dr. Dana.

DR. DANA: Just to follow up on what Johnny said, we don’t need to make a motion to incorporate the AP recommendations on such into the paper, correct?

CHAIRMAN ANSON: I have been doing it motion-by-motion here to try to do these other things and so it wouldn’t hurt to have one more motion then just to have that, because that’s what we’ve been doing so far, is trying to tailor this and to get it fine-tuned. So maybe one more motion, since we’ve done the rest. Mr. Greene.

MR. GREENE: Make a motion to direct staff to use the AP-provided documents within creation of 41 and 42, as practically as possible.

DR. DANA: Second.

CHAIRMAN ANSON: We have a motion that is still being crafted and Dr. Dana seconds. Mara.

MS. LEVY: Council staff can correct me I’m wrong, but I thought that the AP recommendations were pointing to a specific type of program that they envisioned. The charter AP said we like this type of program and we think it should include X, Y, and Z. The headboats said we like this type of program, like the Headboat
Cooperative, and it should include X, Y, and Z.

I am not sure when I read this whether what you’re saying is we have this options paper that has these different types of programs, but we want you to follow what the AP said and so we’re narrowing it down to the program they said that they wanted.

I am not sure, and I don’t know if council staff has any questions, about what this means in terms of how to construct the document and what to put in there.

CHAIRMAN ANSON: Dr. Diagne or Ava?

DR. DIAGNE: In general, I think when we move from let’s say the first draft that you have seen towards a public hearing draft that we try our best to include the recommendations provided by the respective APs that you appointed, but those can be alternatives amongst others and so the recommendations of both APs, the for-hire as well as headboat, will be included in the document.

For example, you mentioned no intersector trading, which was a clear message sent by one of the APs. When we will discuss transferability, the range of options would start from zero transferability to full transferability and, of course, the lack of intersector trading will be one of the options. At that time, that will be your decision as a council to pick your preferred.

The recommendation provided by the AP will inform the structure of the amendment as well as some of the alternatives included in the various actions. It may be that, if you want, we wouldn’t even need the motion, if you want.

CHAIRMAN ANSON: All right. We have a motion and it’s been seconded. Any other discussion on the motion? All those in favor of the motion please raise your hand, eight; all those opposed raise your hand, eight.

EXECUTIVE DIRECTOR GREGORY: I’ve got eight to eight.

CHAIRMAN ANSON: Weren’t you supposed to leave by now, Roy? I will vote no. Eight to nine is the vote. Dr. Branstetter.

DR. BRANSTETTER: As Mr. Greene pointed out this morning, at least the charter boat AP -- I wasn’t able to attend the headboat AP meeting, but the charter boat AP laid out some very
specific things, as Mara pointed out. A lot of those details could fall under a cooperative or a PDQ or whatever this other one is, PFQ. A lot of the details can fall out as parts of that structure, but if you don’t want us to use the AP recommendations in 41 and 42, then what are we supposed to use to develop these documents? You just voted to not use the AP recommendations.

CHAIRMAN ANSON: There is already items in the options paper and that’s what is going to be the basis of the public hearing document and so I mean that’s what -- I mean the AP recommendations were a subcomponent of those that were included in the options paper, is my understanding. Dr. Dana.

DR. DANA: I went through and I went through a list of what we should be -- Like we do not want to reduce capacity and we do want to maximize fishing opportunities and I said we wanted to adopt the AP’s recommended list of goals and I asked specifically did anyone have a problem with that and everyone said no and we’re not talking about using them and making that document, but to incorporate it and staff said they needed our authorization to incorporate it and now -- Then he asked do we need to have a motion and you, Chairman, said yes, we probably should have a motion, just to make it clear.

We have a motion and you guys vote against it and that’s ridiculous. I mean, come on. We got an AP and we put together that AP not very long ago and now we’re saying don’t even incorporate their ideas and that’s ridiculous.

CHAIRMAN ANSON: No, that’s not the way I interpreted my vote to do and, Dr. Diagne, I think you have some clarification?

DR. DIAGNE: Yes, one very quick comment. I think we will try our very best to provide a range of options, I mean actions and alternatives, that will allow you as a council to pick let’s say a set of preferreds that would reflect the recommendations of the respective AP, if that is the program you want to implement. On that front, we have enough to proceed and prepare a public hearing draft that will allow you to make the decisions that you are looking towards.

CHAIRMAN ANSON: Thank you, Dr. Diagne. I think we’ve captured everything that we needed to do in regards to Amendments 41 and 42. Mr. Greene, if you want to continue, please.

MR. GREENE: Ad Hoc Private Recreational AP Discussion, State Directors Comments, Past Council Efforts, the state agency
representatives each summarized the results of meetings their
state had held to get fishermen’s attitudes and recommendations
on red snapper management or input they had received from
attending fishing society meetings and speaking directly with
anglers, Tab B, No 11(a) through (e).

Staff then reviewed the results of series of Recreational Angler
Participation, RAP, Sessions held in 2014, plus recommendation
from two meetings of the Ad Hoc Recreational Data Collection AP
held in 2012 and 2013, Tab B, Number 11(f) through (h). It was
noted that these meetings were held before the 20 percent red
snapper recreational ACT buffer and sector separation were
implemented.

The council had voted at the last council meeting to establish
an Ad Hoc Recreational AP, but had directed staff not to do any
work on creating the AP until after the council received the
above summaries. If the council moves forward with this AP, it
needs to develop a charge for the AP and determine the makeup of
the panel.

Other Business, Johnny Greene stated that he had been approached
by many fishermen concerned about the status of gray
tiggerfish. These fishermen had suggested that a proactive
increase in the gray triggerfish size limit be considered.
Several other council members indicated that they had received
similar comments.

Mr. Greene noted that a new gray triggerfish stock assessment is
about to be produced and suggested that whatever action is
developed as a result of that assessment would likely be the
appropriate vehicle to consider a size limit change. Staff
added that they expect the assessment to be available on about
August 25 and it will be reviewed by the SSC at their September
1 and 2 meeting. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Mr. Greene. Ms. Bosarge.

MS. BOSARGE: Just a quick comment before we get off of that. I
know we’re having to move on to our next committee, but maybe
hopefully at the next council meeting we will have time to
address in further detail that ad hoc recreational and just have
some discussion on it. No motions and just discussion, maybe,
again.

CHAIRMAN ANSON: Thank you. All right, Mr. Greene, if you want
to do Data Collection.
DATA COLLECTION COMMITTEE REPORT

MR. GREENE: Data Collection Committee, August 10, 2015, Johnny Greene, Vice Chair, Draft Public Hearing of Joint Electronic Charter Vessel Reporting Amendment, the committee reviewed the draft Joint Electronic Charter Vessel Reporting Amendment.

Dr. Froeschke noted that additional description of the data elements and approval process for software and hardware used to report electronically is necessary to complete the analyses in the document.

The committee discussed that the technical subcommittee that drafted the original guidelines and recommendations would be the appropriate group to develop these recommendations for the council.

The committee recommends, and I so move, to request that the Technical Subcommittee of the Gulf and South Atlantic Councils on Electronic Logbook Reporting Guidelines, in coordination with GulfFIN, ACCSP, SEFSC and council staff, develop a stand-alone reference document that describes specific catch and effort reporting elements, data standards and protocols that can be used to standardize implementation of Southeast region-wide electronic monitoring initiatives. The data standards and program protocols that should be developed include, but are not necessarily limited to, the following: hardware (electronic tools and devices); process and flow; data integrity; data integration; minimum reporting elements; effort validation; catch validation; compliance tracking; non-reporting (expansion of estimates).

MR. WILLIAMS: We have a committee motion. Is there discussion on the committee motion? Dr. Stunz.

DR. STUNZ: Just to briefly discuss it, Mr. Vice Chairman, I obviously crafted this motion and in talking to some people after that, there are just a few minor, more wordsmithing maybe than anything, and just I wanted to discuss maybe a timeline, so we have some general feel for when something like this might be available.

I don’t know if the best way to do that is to amend that or maybe you could recommend what the best way to slightly change the motion with no major changes.

MR. WILLIAMS: I would recommend that you go ahead and amend the motion. Wait a minute. Mara.
MS. LEVY: Not that we’re very big on technicalities, but it was a committee motion and so I just think you would do a substitute motion at full council to change anything.

MR. WILLIAMS: Is that all right, Greg?

DR. STUNZ: She is going to copy and paste it. It’s virtually exactly the same. All I want to change there was the word “hardware” was problematic for some and that might not include software and I think if we just change that word “hardware” and got rid of it actually and said “electronic tools and devices”, that would make it a little more broad and cover what some of the people might have had an issue with. That’s it and so it wasn’t a big change at all.

The other was to set what the council might think is a reasonable timeline or maybe Doug or Dr. Froeschke might have a suggestion on the timeline for this group to meet and get together and prepare something. I don’t know if January is too early. That sort of seems realistic, but maybe not and I don’t know and so I would look for some advice on that.

CHAIRMAN ANSON: Dr. Froeschke, do you have any comments?

DR. JOHN FROESCHKE: Well, depending on what happens, assuming this motion passes, I will reach out to Gregg Waugh and the council. It might be possible that we might be able to meet in September or October and then, depending on what sort of document and things we end up developing, I would assume we would bring something to the January council meeting for you all to review.

DR. STUNZ: That would work for me. If that’s all we need to handle it here, that’s fine and so there is no additional changes to the substitute motion and just some minor wordsmithing.

CHAIRMAN ANSON: Hold on one second, John. We have a substitute motion and is there a second to the substitute motion? Dr. Lucas, thank you. John, you had a point?

DR. FROESCHKE: Yes and I just would bring it back up. The South Atlantic, I know they have already scheduled their public hearing stuff for this November and I was just asking for a little guidance. It seems like, to me, we may not want to take it out at that time, because we wouldn’t have that feedback to you all to review and so I was just hoping to know what to tell
them when they ask, if we thought maybe we would do it in
February or something, assuming we brought it back to you and
you were pleased with what you saw and we would have the
guidance and does that seem reasonable?

CHAIRMAN ANSON: It seems reasonable to me. Does anybody else
have any comments on that? The South Atlantic won’t be slowing
us down. Any other discussion on the substitute motion? Is
there any opposition to the substitute motion? Seeing none, the
motion carries.

MR. GREENE: The committee also discussed Action 3 that includes
alternatives to require vessel or catch location reporting. The
committee requested that the IPT clarify the language in
Alternative 4 describing the option to report fishing location
manually using an internet-based map with predefined fishing
grids representing potential fishing areas.

After further review of this action, the committee recommends,
and I so move, that in Action 3 to make Alternative 2 be the
Preferred Alternative, with Subalternatives 2a and 2b. Alternative 2 is require federally-permitted for-hire vessels to
use a National Marine Fisheries Service approved electronic
device that automatically records vessel location at specified
time intervals for later transmission. Subalternative 2a is in
the Gulf headboat and Subalternative 2b is in the Gulf charter
boat.

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

MR. GREENE: Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Mr. Greene. There is one note that
staff has brought to my attention relative to an item in the
Reef Fish Report, the Ad Hoc Recreational AP. Mr. Gregory, can
you fill us in on that?

DISCUSSION OF AD HOC REEF FISH PRIVATE RECREATIONAL ANGLER
ADVISORY PANEL

EXECUTIVE DIRECTOR GREGORY: In June, the council passed a
motion to create the Ad Hoc Reef Fish Private Recreational
Angler Advisory Panel. There was discussion about a charge and
we were expecting the council to produce a charge at this
meeting.
I think in the past that sometimes the council has done the charge and sometimes the staff has drafted the charge. We came here prepared with a draft charge, but the thing is we have direction to form that advisory panel and so it seems to me, unless we get a specific motion otherwise, after this meeting we will advertise for that advisory panel. If you like, I can read the draft charge that the staff has developed.

CHAIRMAN ANSON: Hold on one second. Mr. Boyd.

MR. BOYD: I think we went through the committee report and I think that no one came forward to give a charge and no one came forward to give direction to staff and so I think that that was direction to not do anything at this point.

CHAIRMAN ANSON: Staff’s impression is that they are, under the June’s orders, to go ahead and establish the AP.

MR. RIECHERS: There was a second direction.

MR. BOYD: Yes, there was a motion in June to instruct staff not to do anything, but that was until August.

MR. RIECHERS: That was your motion, I thought.

CHAIRMAN ANSON: Roy.

MR. WILLIAMS: As I recall, the motion was to not take any action prior to the August meeting and so sort of -- I agree with Doug that I think it really the direction now is to form it.

CHAIRMAN ANSON: All right and so that’s what they’re operating under, is under the June motions that were made that they were going to go ahead and -- It’s the August meeting and they haven’t received any other direction otherwise and so it’s the August meeting and they are going to go ahead and advertise for the AP and right now there is no formal charge and so it seems like we ought to have a formal charge. Dale.

MR. DIAZ: I asked a few people during public comment yesterday what their thoughts were on it and you all heard the responses. I mean I think generally people said they liked the idea, but it depends on what it looks like and I guess what the charge is and who is the makeup of the committee.

I personally feel that it’s a good idea to try to get the recreational group together to try to give us some guidance, but
I get the feeling that at least some of the recreational community doesn’t want to do that and so I am worried that if we’re going to do it that there’s not consensus on it.

I guess we’ll make a decision on how to move forward with it. I mean I think if people would just look at it from the point of view of is this a worthwhile exercise that could produce some positive outcomes and I think if they just look at it from that point of view, I think more people would be receptive to it, but for whatever reasons, not everybody I talk to is receptive to it.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I would move that we defer any action regarding the advisory panel until the October meeting. If I get a second, I will explain some rationale.

CHAIRMAN ANSON: We have a motion to defer movement on the Ad Hoc Recreational AP until October. It’s been seconded. Go ahead, Robin.

MR. RIECHERS: It’s following up to what Dale said. I just thought we would go ahead and get a motion on the board. Leann kind of said it as well when she was going to say let’s talk about it at the next meeting.

It doesn’t seem to be -- Part of it is not knowing what they’re going to do. Folks, let’s really put this in perspective. We’ve had a bunch of recreational ad hoc APs and we’ve had a bunch of summits in the past and there is only so much they can do in the current MRIP system.

There is only so much they can do unless there is the vehicle to do something different and when you think about -- I mean we’ve talked about tags and all sorts of other devices and opening and closing days and regional management and lots of things.

It is difficult, given the constructs that they’re left within right now, to get together and say how we’re really going to change what’s already being done and so I think they’re struggling with the charge and I would also say that I think it’s not just a question about red snapper, although that’s where we always seem to take it. It’s really more with the whole recreational fishery policy and how are we going to look at that and how are we going to look at that in the Southeast.

Are there some different approaches or different thoughts about
how we manage that we could move forward with? Obviously members of that community are struggling with that as well as this whole council and so I would just say, in this kind of context, given where we are, let’s wait one more month or two months, seven weeks, and see where we are.

CHAIRMAN ANSON: Dale.

MR. DIAZ: I don’t agree with anything you just said, Robin, but I do want to point out that likely a lot of things we’ve considered in the past are the same type of ideas we might get in the future or there may be some new ones, but there was a big change and the big change was when we put this 20 percent buffer in effect.

Some things that folks might not have been willing to consider in the past, if they thought that maybe they could reduce that buffer to something that was significantly less, they might consider it now or there might be some new ideas, because of that buffer, that they would not have considered in the past. That’s kind of my line of thinking of why I think we need to move forward and get some folks to give us some ideas of what they would accept. Thank you.

MR. MATENS: I am not against the concept of this advisory panel, but I will tell you that in my community that the reluctance is more their concern and their desire to be regulated by the states and moving forward with this, I mean I would have some selling to do and, accordingly, I support Robin’s motion to give us some time.

This thing is bigger than it seems and maybe I am wrong, but I think this thing is really bigger than it seems. I don’t think it just -- I think we’re going to have to extend this beyond red snapper and into the other Gulf species and it’s a concept that -- I mean I don’t want to go home and have these guys say, what the heck are you thinking?

I would rather spend some time talking about why this has some value or may have some value. Again, without repeating myself, I support Robin’s proposal.

CHAIRMAN ANSON: All right. I have Dr. Stunz and then Johnny Greene.

DR. STUNZ: To Camp’s point, many of the recreational guys I’ve talked about and I think even Leann made some comments right at the last meeting to follow up with some of these groups to
really see where they are and the same kind of thing. It’s not fundamentally opposed at all to something like this, but it’s much bigger than just what we’re talking about here in red snapper and there probably needs to be some discussions at a little bit broader levels of where they envision recreational fishing going and not getting tied into what’s happening specifically right here with red snapper and so I think they would be more than happy to come together and do that, but they need a little more time to think about what that would look like.

CHAIRMAN ANSON: I have Johnny and then Leann.

MR. GREENE: We put together the last AP in 2013 for data collection and it was made up of entirely private recreational anglers, 100 percent, every one of them. We don’t do that for all the other APs, but we did that for this one.

They came back with some really good ideas. They scolded us. One member from Mississippi scolded us at a Mississippi council meeting because we didn’t do anything with it because we’re so wrapped around the belief that state management is going to pass. What if it doesn’t? What if it doesn’t pass?

There is some really good ideas in here. I am looking it right now. Develop a vessel permit. That’s a pretty good idea. You have to fill out a tag card before you get more tag cards to go back and do stuff and selling points for boat permits and real-time data and data from private docks and data from specific species. Enable panel surveys and better defined sample frame. It goes so on and so forth.

I mean these people took time off of work. As they mentioned yesterday, a lot of the people couldn’t be here, because they had to be at work. They took time off and they participated and we didn’t do one thing with any of it and I understand the anguish from the private recreational people that if I provide you my information that you’re not going to do anything with it, because we as a council don’t do anything with it. We are wrapped around one item right now and it’s whether or not regional management goes through.

If it does, we’re all great, but if it don’t, there is nothing on the radar screen for anybody else, whether you are charter or headboat or recreational or anything else, and it’s a shame. It’s a disjustice.

CHAIRMAN ANSON: Leann.
MS. BOSARGE: Just to clarify, I am not in support of this motion, but my comments earlier were not for something like this. I made the comment about discussing it again because we flew through it and we didn’t really have time to discuss it and I thought it would disappear forever after that and so that’s why I made that comment.

I am definitely in support of Dale’s comments that Dale made and I am scared to even say that I am in support of it, because I’m commercial and last time they said the commercial people are in support of it and so we had better vote it down and it must be a terrible thing for recreational people, but I think that all my neighbors and friends are mainly recreational fishermen and if I ask them if they want us to do something like this, I think they would say, hell, yes, we do.

We don’t like what we’ve got going now and as Johnny said, you are working on possible state management, which we’re pretty interested in, but we don’t have a back-up plan. I think we need to have some discussion and we even heard some things from some charter boat guys and headboat guys about tags and how that may apply to them and they didn’t rule it out and so this can be a pretty open discussion on how some things can work.

CHAIRMAN ANSON: To that point, Robin?

MR. RIECHERS: It’s back to Johnny’s point, just real quick, but, Johnny, please understand that I am not banking on regional management. As I just said when we were talking 41 and 42, we went through a vote that basically would have ratified a regional management concept we thought might work or it could have ratified 41 and 42, in some respects, and none of them -- We didn’t get to a preferred on anything.

Of the list of the things you just read, most of those, four out of six or five out of six, as I was trying to count as you were reading them, are wrapped up in MRIP and it doesn’t matter what we say, just as a council real quickly, it’s going to take a lot of time and effort to move those down the road and even if we say it, MRIP may not agree with it.

I just think we’ve got to -- We may have to take a step back beyond MRIP even and say, okay, if MRIP is working at the speed they’re working at and they’re doing these different studies to figure out where we go next, how do we get involved in that from a management perspective? We’re trying. We’ve done it. Dave is on them and state people are on them, but you just aren’t
moving that very quickly.

**CHAIRMAN ANSON:** Mr. Swindell and then Dr. Lucas.

**MR. SWINDELL:** I am a big believer in advisory panels. We have limited knowledge around this table about what’s going on and I recreationally fish also, but I would love to have an advisory panel full of recreational fishermen to tell us whatever they want to tell us at any time they want to tell us, almost, whenever we can get them together.

I don’t want to wait for a better time. There is liable never to be a better time and I think we need to get them together and let’s get them reviewing whatever they want to tell us. I mean that’s what I see as an advisory panel on recreational fishing. It’s not just reef fish and not just triggerfish, but recreational fishing. I would love to have it. Thank you.

**CHAIRMAN ANSON:** Dr. Lucas.

**DR. LUCAS:** To Johnny’s point and to a little bit of what Robin said, we took those considerations and we made an electronic reporting program and you do have to get a vessel permit and you do have to report before you can go back out and you do have all of this and you have a way to get it and you’re right that MRIP doesn’t accept it yet and it will probably be three years before they are willing to accept it.

Our guys are willing to work with us and go forward, but it’s just such a slow pace at which these things occur that I am not so sure they are willing to continue.

The other thing we have going for us is I think we all know about the Gulf Council and if you’ve got to get a federal permit for something, you know about the Gulf Council. If you’re a recreational fisherman, you get your fishing license from the state and so in their mind, that’s who they’re communicating with and who they are talking to.

When I go out and I talk to our recreational fishermen about participating in these council-based processes, I spend a lot of time just explaining what the Gulf Council is and why it’s important and why they need to participate, because they just want to talk to me and not talk to everybody else, but they were so happy that we moved some of these things forward and, as you said, it was the Mississippi representative that went off on everybody and so he is extremely happy that we moved some ideas forward. Thanks.
CHAIRMAN ANSON: Roy and then Leann and then we’re going to wrap this up.

MR. WILLIAMS: Robin, I am going to support your motion. I mean I think this is something we’ve got to think about, but we can’t really put it together now. It’s too late and so I would support deferring any further action on it until October.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I don’t support deferring it any further. I think staff said they came prepared with a charge and they will move forward with that charge and you know Kelly is right. The states have acted on a lot of what came out of that AP and well guess what? It’s actually our -- It was our AP and they were recommendations to the federal council and so what does it say about us if we won’t act on it?

This is the beginning of starting to -- Let’s take some action and why would we put this off? Why would we say the states are doing a great job of enacting this stuff, but it’s actually supposed to be some federal enactment and then we sit here and say, oh, just put it off? I am sorry, but I’m with Ed. What better time? Let’s get started.

CHAIRMAN ANSON: All right and so we have a motion to defer any action in creating the Ad Hoc Private Recreational AP until the October 2015 council meeting. All those in favor of the motion please raise your hand, nine; all those opposed like sign, six. The motion carries.

EXECUTIVE DIRECTOR GREGORY: If I may, then what I will do is I’ll go ahead and just distribute to the council after this meeting the draft charge that staff came up with and that will give you all a basis for something to start your discussion in October.

CHAIRMAN ANSON: That sounds good and thank you, Doug. All right. We have concluded with all of the committee reports and there wasn’t anything else on any EFPs and is that correct, Dr. Branstetter? We have dispensed with those?

DR. BRANSTETTER: Yes, that’s correct. We just were asking for guidance as to how to proceed. Thank you.

CHAIRMAN ANSON: You got that. It was covered the other day. We didn’t have anything else under Other Business that was
mentioned at the beginning and does anyone have -- No business?
Okay. Great. That leads us to Election of Chair and Vice Chair
and Dave.

ELECTION OF CHAIR AND VICE CHAIR

MR. DONALDSON: Thank you, Mr. Chairman. I will open the floor
for nominations for Chairman. Mr. Boyd.

MR. BOYD: I would like to nominate our current Chairman, Mr.
Kevin Anson.

MR. DONALDSON: All right. Any other --

MR. BOYD: I guess I need a second. I’ve got a second.

MR. DONALDSON: Camp seconds. Any other nominations? If not,
any opposition? Congratulations, Kevin.

CHAIRMAN ANSON: Thank you. Thank you, council members.

MR. DONALDSON: Now I will open the floor for nominations for
Vice Chair. Mr. Sanchez.

MR. SANCHEZ: Thank you. I nominate Leann.

MR. DONALDSON: Martha.

MS. BADEMAN: I would like to nominate Doug Boyd.

MR. DONALDSON: I guess I need a second for Leann. All right.
Doug, I guess we need to do a secret ballot. Have you guys got
those? Okay.

EXECUTIVE DIRECTOR GREGORY: If someone doesn’t have a pad,
borrow a blank piece from your neighbor. Dave, do you want our
staff to collect it?

MR. DONALDSON: Yes, staff will collect it.

MR. BOYD: Where is our Coast Guard representative, Mr.
Chairman?

CHAIRMAN ANSON: Mr. Perkins was called back to the office and
we gave him a pass, so to speak. Dave felt like he could handle
it.

MR. RIECHERS: Has anyone gotten a report on how our friend who
hurt is Achilles is doing earlier in the week?

CHAIRMAN ANSON: Mr. Perkins said he’s been listening in a little bit and checking in with him, but other than that, I don’t know. He has had surgery? Okay. I knew it was something that he needed to get tended to pretty quick.

MR. DONALDSON: Our new Vice Chair will be Leann Bosarge. Congratulations.

CHAIRMAN ANSON: Congratulations, Leann. I look forward to working with you, Leann. Remember you get first dibs after I pass on the South Atlantic and so you might get a chance. You can go over there all you want. That concludes the council meeting and so we will go ahead and adjourn. Thank you.

(Whereupon, the meeting adjourned at 3:10 p.m., August 13, 2015.)
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| PAGE 24:  Motion to merge the budget process into the Administrative Committee and leave the Personnel Committee as a stand-alone committee of the council. The motion carried on page 24. |
| PAGE 24:  Motion to have staff return with Tab G-6 with an ad hoc one-year review in January to decide whether to continue an ad hoc Committee and/or to reappoint members and keep staggered committee terms for the other committees. The motion carried on page 25. |
| PAGE 25:  Motion to recommend that boat owners not be automatically held responsible for violations by a crew member when the owner is not present relative to our AP appointment process. The motion carried on page 28. |
| PAGE 28:  Motion that an individual not be eligible to serve on an AP within three years of the time that the violation was adjudicated. The motion carried on page 30. |
| PAGE 30:  Motion that the violations would be federal fishery violations or state violations of federally-managed species. The motion carried on page 31. |
| PAGE 31:  Motion that after appointment of AP members we request NOAA Law Enforcement to ask state enforcement agencies if those appointees have violations of federally-managed species. The motion carried on page 31. |
| PAGE 33:  Motion to recommend to the council that proposed Alternatives 4 and 5 for Action 7 be added to the document. The motion carried on page 33. |
| PAGE 125:  Motion that the following motion be incorporated into Shrimp Amendment 17B, which will address the creation of a permit pool: The committee recommends, and I so move, in Action 2-1, Alternative 3, set a target number of Gulf shrimp vessel permits based on the number of valid permits issued: 1. at the beginning of the moratorium (1,933 permits); 2. 2009 (1,722 permits); 3. 2011 (1,582 permits); 4. 2013 (1,501 permits). Option a is if the number of permits reaches the target number, any permits that are not or were not renewed within one year of the expiration date on the permit will go into a Gulf Shrimp Vessel Permit Reserve Pool. Option b is if the number of permits reaches the target number, the council will review the status of the fishery to determine if action is needed. The |
motion carried on page 133.

PAGE 133: Motion to add an action to 17B which addresses the specification of optimum yield. The motion carried on page 133.

PAGE 141: Motion in Action 1 to change the Preferred Alternative to Alternative 4. The motion carried on page 142.

PAGE 144: Motion that the technical review committee be comprised of one member from each state designated by the state fisheries director. The motion carried on page 144.

PAGE 144: Motion in Action 2 to accept the language in Alternative 4 to include the phrase “as a single unit.” The motion carried on page 145.

PAGE 145: Motion in Action 2, to make Alternative 4 the preferred alternative. The motion failed on page 174.

PAGE 175: Motion to make Alternative 2 the preferred alternative. Alternative 2 would set the recreational minimum size limit for gag at twenty-four inches total length. The motion carried on page 175.

PAGE 175: Motion to make Alternative 2 the preferred alternative. Alternative 2 is set the recreational minimum size limit for black grouper at twenty-four inches total length. The motion carried on page 175.

PAGE 175: Motion to make Alternative 9 in Action 1 the preferred alternative. The motion failed on page 202.

PAGE 203: Motion to approve Amendment 28 and that it be forward 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 208.

PAGE 209: Motion that in Action 1 of the Framework Action to make Alternative 2 the Preferred Alternative. Alternative 2 is before the distribution of the 2016 red snapper commercial quota to the red snapper IFQ account shareholders, withhold up to 34.7 percent of the red snapper commercial quota. The exact amount to be retained for later distribution will be determined by the percentage of the red snapper commercial quota that would be reallocated to the recreational sector under Reef Fish Amendment

PAGE 210: Motion to approve the framework action and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as modified in the 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 212.

PAGE 213: Motion to accept the language in Action 1. The motion carried on page 213.

PAGE 213: Motion to take Amendment 41 and 42 Options Papers out to scoping meetings. The motion carried on page 222.

PAGE 222: Motion in Reef Fish Amendment 42 the species would be red snapper and gag grouper only. The motion carried on page 223.

PAGE 223: Motion to remove Section 2.2.1, which is size, bag limit, and season adjustments. The motion failed on page 225.

PAGE 225: Motion to remove the discussion of self-managed programs by group. The motion carried on page 229.

PAGE 230: Motion to direct staff to use the AP-provided documents within creation of 41 and 42, as practically as possible. The motion failed on page 231.

PAGE 234: Motion to request that the Technical Subcommittee of the Gulf and South Atlantic Councils on Electronic Logbook Reporting Guidelines, in coordination with GulfFIN, ACCSP, SEFSC and council staff, develop a stand-alone reference document that describes specific catch and effort reporting elements, data standards and protocols that can be used to standardize implementation of Southeast region-wide electronic monitoring initiatives. The data standards and program protocols that should be developed include, but are not necessarily limited to, the following: electronic tools and devices; process and flow; data integrity; data integration; minimum reporting elements; effort validation; catch validation; compliance tracking; non-reporting (expansion of estimates). The motion carried on page 236.

PAGE 236: Motion in Action 3 to make Alternative 2 be the Preferred Alternative, with Subalternatives 2a and 2b.
Alternative 2 is require federally-permitted for-hire vessels to use a National Marine Fisheries Service approved electronic device that automatically records vessel location at specified time intervals for later transmission. Subalternative 2a is in the Gulf headboat and Subalternative 2b is in the Gulf charter boat. The motion carried on page 236.

PAGE 238: Motion to defer any action in creating the Ad Hoc Private Recreational AP until the October 2015 council meeting. The motion carried on page 243.

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