## GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

### 256TH MEETING

### FULL COUNCIL SESSION

Hilton Galveston Island Resort                  Galveston, Texas

October 7–8, 2015

October 7, 2015

### VOTING MEMBERS

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<tr>
<th>Member Name</th>
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<tr>
<td>Kevin Anson (designee for Chris Blankenship)</td>
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<td>Martha Bademan (designee for Nick Wiley)</td>
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<td>Leann Bosarge</td>
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<td>Doug Boyd</td>
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<td>Roy Crabtree</td>
<td>NMFS, SERO, St. Petersburg, Florida</td>
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<td>Pamela Dana</td>
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<td>Myron Fischer (designee for Randy Pausina)</td>
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### NON-VOTING MEMBERS

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<td>Jason Brand</td>
<td>USCG</td>
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<td>Dave Donaldson</td>
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### STAFF

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<th>Member Name</th>
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<td>Steven Atran</td>
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<td>Assane Diagne</td>
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<td>John Froeschke</td>
<td>Fishery Biologist/Statistician</td>
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<td>Doug Gregory</td>
<td>Executive Director</td>
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<td>Ava Lasseter</td>
<td>Anthropologist</td>
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<td>Mara Levy</td>
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<td>Charlene Ponce</td>
<td>Public Information Officer</td>
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<td>Ryan Rindone</td>
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**Carrie Simmons** ............................................ Deputy Director

**OTHER PARTICIPANTS**

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<th>Name</th>
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<td>Jesse Allen</td>
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<td>Pam Anderson</td>
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<td>Eric Brazer</td>
<td>Reef Fish Shareholder’s Alliance</td>
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<td>Gary Bryant</td>
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<td>Shane Cantrell</td>
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<td>Cody Carmody</td>
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<td>Chris Conklin</td>
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<td>Jason Delacruz</td>
<td>Reef Fish Shareholders Alliance/Gulf Wild</td>
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<td>Jane DiCosimo</td>
<td>National Observer Program</td>
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<td>Michael Drexler</td>
<td>Ocean Conservancy, St. Petersburg, FL</td>
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<td>Matt Etie</td>
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<td>Serena Etie</td>
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<td>Carter Frank</td>
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<td>Brad Gorst</td>
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<td>Chad Hanson</td>
<td>Pew Charitable Trusts</td>
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<td>Evan Harrington</td>
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<td>William Love</td>
<td>Houston, TX</td>
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The Full Council of the Gulf of Mexico Fishery Management Council convened at the Hilton Galveston Island Resort, Galveston, Texas, Wednesday morning, October 7, 2015, and was called to order at 11:10 a.m. by Chairman Kevin Anson.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN KEVIN ANSON: Welcome to the 256th 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.

MS. LEANN BOSARGE: Leann Bosarge, Mississippi.
MR. DAVID WALKER: David Walker, Alabama.
MR. JOHNNY GREENE: Johnny Greene, Alabama.
MR. EDWARD SWINDELL: Ed Swindell, At-Large from Louisiana.
MR. CAMPO MATENS: Camp Matens, Louisiana.
MR. MYRON FISCHER: Myron Fischer, Louisiana.
MR. ROY WILLIAMS: Roy Williams, Florida.
MR. JOHN SANCHEZ: John Sanchez, Florida.
DR. PAMELA DANA: Pam Dana, Florida.
MS. MARTHA BADEMAN: Martha Bademan, Florida.
MR. CHRIS CONKLIN: Chris Conklin, South Atlantic liaison.
MS. MARA LEVY: Mara Levy, NOAA Office of General Counsel.
DR. ROY CRABTREE: Roy Crabtree, NOAA Fisheries.
DR. STEVE BRANSTETTER: Steve Branstetter, NOAA Fisheries.
MR. ROBIN RIECHERS: Robin Riechers, Texas.

DR. GREG STUNZ: Greg Stunz, Texas.

MR. DOUG BOYD: Doug Boyd, Texas.

DR. KELLY LUCAS: Kelly Lucas, Mississippi.

MR. DALE DIAZ: Dale Diaz, Mississippi.

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

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

EXECUTIVE DIRECTOR DOUGLAS GREGORY: Douglas Gregory, council staff.

ADOPTION OF AGENDA
APPROVAL OF MINUTES

CHAIRMAN ANSON: The next item of business would be the Adoption of the Agenda. Does anyone have any changes to the agenda? Dale.

MR. DIAZ: Yes, sir. I would like to add a discussion of the status of the preliminary recreational red snapper landings. I did talk with Andy and I think he can give us some information on that and possibly discuss where we’re at with ACT and ACL projections.

CHAIRMAN ANSON: All right. Would anyone else like to add anything? Martha.

MS. BADEMAN: I don’t see spiny lobster on here, but if I recall, we need to have a discussion about that. Is that right, Doug? Yes.

CHAIRMAN ANSON: Discussion on spiny lobster for Other Business. Okay. That is added. No other business? No changes? Is there a motion to adopt the agenda as amended?

MR. RIECHERS: I move to adopt as amended.

CHAIRMAN ANSON: Thank you, Mr. Riechers. It’s seconded by Dale. Anyone in opposition to accepting the motion? No opposition and the motion carries. The second item is Approval
of the Minutes. Are there any changes to the last meeting’s full council minutes? Mara.

MS. LEVY: Just one correction. Page 206, line 47, it says “Amendment 8”, but I believe it should say “Amendment 28”.

CHAIRMAN ANSON: Thank you. So noted. Any other changes or edits to the minutes? Is there a motion to accept the minutes as amended? Anyone want to make a motion?

MR. DIAZ: So moved.

CHAIRMAN ANSON: Mr. Diaz makes the motion to accept the minutes as amended and it’s seconded by Mr. Greene. Any opposition to the motion? Seeing none, the motion carries.

APPROVAL OF 2016 COMMITTEE APPOINTMENTS

That will take us to the next item, Approval of 2016 Committee Appointments, Tab A, Number 6. This is, as you will recall, I sent out a request to all the council members to offer their suggestions or their rankings from 1 to 8 of the various committees and so I took those rankings that you all provided and put them against the various committees, administrative and management committees, that we have.

I have made an error. I kept the Administrative Policy and the Budget/Personnel Committees separate, as was the last time I did this, but since that time, we have since combined them and so it’s really only one committee and so we’ll need to probably look at that, as far as membership and refining that list. These, again, are recommendations.

I didn’t use -- Beyond the rankings, I didn’t really look at folks and whether or not they had particular affiliations to recreational or commercial or anything like that, but basically took the rankings.

The one exception to the rankings is Reef Fish. Reef Fish I conferred with a couple of council members and a couple of members of staff and thought about it and looked at this last year’s process and the motions that came out of Reef Fish and the discussions that were had in full council based on those motions and I thought that perhaps we might want to consider a committee of the whole.

We would set up a committee chair and a vice chair, as we normally would, and we would come up with motions and develop
committee reports. The report would be provided back to the full council and we would accept or not, depending upon new information at public testimony, the motions that were passed in Reef Fish.

Again, these are just recommendations and so certainly if anyone has any thoughts on any of the recommendations for any of the committees, please free and comment. Mr. Walker.

**MR. WALKER:** Thank you, Kevin. I would like to be added to the Data Collection, if there was no objection. I was on there last time and I would like to see someone on there from the commercial reef fish.

**CHAIRMAN ANSON:** Okay, Mr. Walker. Does anyone else have any -- Dr. Crabtree.

**DR. CRABTREE:** I am sort of inclined to agree with your idea of a committee of the whole. That’s what we do in the South Atlantic with Snapper Grouper and what I have seen happening to us the last several meetings is we sail through committee and no one says much of anything and then we get to the last day in full council and we spend a couple of hours arguing about it all and it’s because no one wants to make a motion in committee, because the votes aren’t the way they’re going to be at full council and all of that.

It seems to me that we might be more productive if the committee was a committee of the whole so that we have all that discussion in the committee as a whole and then we get the public comment and then we come back at full council and go through the committee report. It might save us a little bit of having all this happen on the final day of the council meeting when folks are looking to get out.

**CHAIRMAN ANSON:** That’s a good point, Dr. Crabtree. I talked with Doug Gregory about kind of the logistics and planning for meetings. What that might mean is in fact we would have more time devoted on the frontend at Reef Fish and then that would free up or it would cause us to have less time, potentially, at full council when we go to final vote on the committee motions. Dale.

**MR. DIAZ:** Thank you, Mr. Chair. This is on a different topic, but this is going back to what you said a minute ago and I am just making sure I understand correctly. The motion that we passed during the Joint Administrative Policy and Budget/Personnel Committee was -- The motion was to merge the
budget process into the Administrative Committee and leave the Personnel Committee as a standalone committee. It says the motion carried.

What I am assuming is that, the way it’s set up now, is it will be Administrative Policy and Budget and then the other committee will be Personnel.

CHAIRMAN ANSON: That’s a good point, Dale. I went from memory on that and that’s a subtlety and so yes, that would mean there would be two committee with renaming the Administrative Policy to Administrative Policy and Budget. That was the final motion.

MR. DIAZ: Thank you, Mr. Chair.

CHAIRMAN ANSON: All right. Doug and then Greg, followed by Jason.

MR. BOYD: Thank you, Kevin. Dale got my first point, but the second point would be a question. I am okay with a committee of the whole for Reef Fish, but I would like to remind the committee that we talked about doing this a couple of years ago, when I was Chairman, and in full council we decided not to do that and so I think we ought to just revisit if there was some rationale as to why we didn’t do it, as opposed to doing it now. Again, I am not opposed to it, but I would just like to bring that up.

CHAIRMAN ANSON: Greg.

DR. STUNZ: I as well support the Reef Fish as a whole, but my other point is I would respectfully request to add me to the Sustainable Fisheries and Ecosystem Committee. I think some of my professional expertise would lend to that group.

CHAIRMAN ANSON: Jason.

LCDR BRAND: Thank you, Mr. Chair. Just one note is Rear Admiral Cook recently retired and the new Admiral for District 8 is Rear Admiral David Callahan.

CHAIRMAN ANSON: Thank you for that. Anyone else? Doug, you know Dr. Crabtree talked a little bit and I guess I will provide a little bit more insight into what I was thinking. You know we had, in Reef Fish -- Maybe it was because we had a lot of contentious issues or big issues, allocation at least, and that might have caused what Dr. Crabtree noted. A lot of folks maybe didn’t bring fully to the table, those that were on the
committee, out during deliberations what they maybe thought they had on their mind and waited until full council.

Likewise, there were members that didn’t provide comment and we have a fairly open discussion process within each of our committees and oftentimes council members who are not on the committee have a chance to speak and so their comments may have waited until full council and so we kind of get bogged down at full council with that kind of dynamic that’s going on or had occurred, in my opinion, this last year.

I was just looking at a way, a process, by which if you brought all the members to the table then they would feel maybe more obligated to speak, if they were kind of withholding something to full council, or certainly speak their mind when something was brought up for a motion and vote at that time. Again, it’s just my thoughts on it and looking at trying to come up with a way that would possibly be more efficient.

Granted, again, with the consideration of more timing added to the Reef Fish Committee, but then less time at full council. That’s how I was trying to approach this.

MR. BOYD: Yes, I think the positives are there. I guess my question is if there were council members present when we decided not to do it, what were their thoughts about the negative points and if there still are any negative points, we ought to at least just talk about them. Again, I’m not opposed to this, but it’s just that we did not approve it one time and now it looks like we might approve it again. Thank you.

CHAIRMAN ANSON: Mr. Riechers, followed by Doug Gregory.

MR. RIECHERS: I am going to first try to hit this point just a little bit. Obviously some of the negative points could be simply that we are going to rehash the same arguments at committee and then at full council in full detail again, in some respects. I don’t necessarily see that as a problem here and I am not speaking against the notion at all, but that could be part of it, Doug.

What I will ask here though, because I missed it, is what did you all just do with -- What was the suggestion on Administrative Policy and Budget? Was it just the naming change here?

CHAIRMAN ANSON: Yes and I misspoke earlier. I was incorrect in that I had thought that the Budget and Personnel was combined
with Administrative Policy, but it really was just taking some of the functions in Budget/Personnel last year and putting the budget side into Administrative Policy and so it will just be a name change then at that point.

MR. RIECHERS: One last point there, Doug and Kevin. You are suggesting that we’re going to get longer on Reef Fish at the frontend and I’m not certain how you’re going to do that. I would just tell you, looking at the calendars over the last several meetings, I don’t know how you put any more time into Reef Fish on the frontend, given what we’ve been putting into Reef Fish.

In fact, this change could leave you needing to just truncate some of that and make sure that we get through the agenda, so that you leave more time on the backend in the Reef Fish Committee, because you may be going through the same exact sets of discussions in full detail with all members participating that you go through on the frontend.

CHAIRMAN ANSON: Yes and so, as Chair, I guess I was looking at it myself to help kind of guide the conversations, on the backend at least, at full council and we would kind of set up the time, the timeline, to try and force us to do that too and hopefully it would minimize some of the duplicative conversation at least relative to the issues. Anyone else? Camp. I’m sorry, Camp, but Doug was next and then you.

EXECUTIVE DIRECTOR GREGORY: Thank you, sir. In 2013, we tried the committee of the whole and I think what we tried to do that’s different than what Chairman Anson is suggesting is we tried to do the committee of the whole during the council portion of the meeting and not during the committee portion and it created confusion and that’s why we didn’t really pursue it any further.

The committee of the whole during the committee section of the meeting is more distinct and then you can to revisit the decision in full council. We were trying to do them all at once and that created confusion.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: If there is no further discussion, I am prepared to make a motion. I would move that we accept the committee assignments as shown in Tab A-6, with the naming convention changes between Administrative Policy and Budget/Personnel, as described, and with the additions that have been discussed.
That was adding Mr. Walker, I believe, to Data Collection and Dr. Stunz to Sustainable Fisheries.

I don’t know if you want to put those in the motion exactly or just leave that as part of the discussion, but I will leave that up to you, Mr. Chair, as to how to handle that in the motion.

CHAIRMAN ANSON: I think we could just leave it as the additions to committees and we don’t necessarily have to name the folks, but we need to add that into the motion, I would think, “with the additions to committees”. Mr. Riechers, that, I think, completes it.

MR. RIECHERS: That will do it, sir.

CHAIRMAN ANSON: Is there a second to the motion?

MR. BOYD: I will second.

CHAIRMAN ANSON: It’s seconded by Mr. Boyd.

MR. BOYD: Kevin, I think you missed Camp, didn’t you, on comments?

MR. MATENS: I defer.

CHAIRMAN ANSON: Okay. Thank you, sir. I apologize. Mr. Swindell.

MR. SWINDELL: I assume then that you’re still going to have a committee report and final action in the full council?

CHAIRMAN ANSON: Correct. Yes, the same process would carry on, yes. Any other discussion on the motion? Any opposition to the motion? Seeing none, the motion carries. Thank you. It will be a little bit of an experiment, but we will see how it goes. I believe that takes us to our point of recess and so we will recess until one o’clock. Thank you.

(Whereupon, the meeting recessed at 11:30 a.m., October 7, 2015.)
The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Hilton Galveston Island Resort, Galveston, Texas, Wednesday afternoon, October 7, 2015, and was called to order at 1:30 p.m. by Chairman Kevin Anson.

CHAIRMAN ANSON: We will start the council meeting back up again. Our next item of business is the Southeast Observer Program and Jane DiCosimo. Welcome. She will be giving the presentation.

PRESENTATIONS
SOUTHEAST OBSERVER PROGRAM

MS. JANE DICOSIMO: Thank you, Mr. Chairman. I appreciate the opportunity to present a brief summary about the National Observer Program and the Southeast Observer Programs in particular. I will be co-presenting with Dr. Elizabeth Scott-Denton, who is one of the regional fishery observer program managers here at the Galveston Lab.

I wanted to take an opportunity and accepted the invitation that the Council Chair and Executive Director offered when I gave a brief summary of the budgeting component of the National Observer Program at the June Key West Council Chairmen’s Coordination Meeting.

I would also just like to give you a little bit of background on me. I spent six years with the South Atlantic Council staff and most recently wrapped up twenty years with the North Pacific Council staff in Anchorage. I’ve been the National Observer Program Coordinator for a little over a year now.

I am going to give you a brief presentation. I am thinking that this is the longer version of the presentation that I provided, Doug, and I don’t know if there is another version on the site.

I will talk a little bit about the program. The National Observer Program was created in 1999 as the result of an expanding interest in fishery-dependent data collection and we created an office at Headquarters with three staff people currently, the coordinator, a person, Lee Beneka, who specializes on bycatch, and then Dennis Hansford, who focuses on safety and observer training.

The national office was created to provide a central policy and budgeting coordination center to enhance the regional programs.
Some of the objectives that the national program plays is to coordinate a National Observer Program Advisory Team, or a NOPAT.

We meet twice a year and we develop the budget, both at the national level and for the regional programs, and we advocate for continued support of the programs, address national policy issues as it relates to observers, and observer-type programs like at-sea monitors that you may be familiar with from the Northeast and develop national standards for data collection and observer safety and training.

As you see from the slide, nationally, the regional programs deploy over 900 observers, over 79,000 sea days in forty-eight fisheries around the country.

Since 1999, the budget has grown, but in the most recent few years, it has leveled off. Working from the bottom up on the lines, in case you can’t read the slides, federal funds is the bottom line and you will see that we’ve had a fairly steady increase and then flat funding in the most recent period. The same thing with the number of observed fisheries. We feel we pretty much are covering the main fisheries.

Then if you look at the green line above that one, that’s federal and industry funding and so you can see an increase contribution that the industry has been contributing in different programs and then you see the observer sea days was increasing over a period of time and what this slide doesn’t show is a flattening out under flat budgets and some reprogramming for electronic technologies that comes out of the national and regional budgets.

Looking at the most recent fiscal year, the 2015 observer budget, what these lines represent are specific budget lines that come from Congress to fund specific regional and national programs.

In 2015, you will see that one congressional budget line is for Atlantic coast observers at over $3 million and east coast observers at $333,000 and so on. A little further down, I will just focus you on South Atlantic/Gulf shrimp observers has a $1.7 million budget and, in total, it’s nearly $40 million coming into the program, with a separate reducing bycatch budget line and, just looking at the portion of that budget line that goes towards observers, it’s about $651,000.

I want to also take you to that National Observer Program line
that is at $12,503,000. That is divided in half, into two
categories of funding, and most of those funds go directly to
the regional programs, just a transfer, and there is some
discretion to the other half of that money. Some of it funds
the national office and the salaries and the activities there,
electronic monitoring and electronic reporting pilot studies,
through a request for proposal process, or an RFP process.

Now this breaks it out into the regional programs and so if you
were to look at the row labeled “Southeast”, that’s the
Southeast region and that includes funding for both the South
Atlantic, Caribbean, and Gulf of Mexico Council areas and the
regional observer programs that are contained therein.

If you go down that column, you will see, again, since this is
all combined for the three council areas, Atlantic coast
observers contributes to the programs, east coast observers, and
then the National Observer Program contributes over a million
and then the line in particular, the South Atlantic/Gulf shrimp
observers, contributes $1.7 million, for a total funding of
close to $5 million for the region.

The responsibilities of the regional observer programs is kind
of where the details happen. The national office does not get
involved in the design and deployment of observers. These are
all left to the regional observer programs to develop the
sampling protocols and the observer coverage levels. Safety
training is done at the regional level, though there is some
cross-training that occurs from the different programs to bring
best practices.

Observer deployment is done at the regional program level and
the debriefing, or the interviews that happen to verify the
data, the data management, and analysis, again, are also done at
the regional level.

The location of the programs are shown in this map, everywhere
from Massachusetts to Seattle and that covers the North Pacific
area, but for the Gulf of Mexico, you will see that the programs
are located in three offices at the Southeast Fisheries Science
Center, the Miami Laboratory, the Panama City Laboratory, and
the Galveston Lab.

This is a display of the range of observer programs that are
funded around the east coast and Gulf of Mexico. You will see a
range of target coverage levels, but I will concentrate for here
on the Gulf of Mexico programs.
The shrimp otter trawl fishery has coverage at about 2 percent and reef fish has coverage at about 3 percent combined for the different gear types. These can be compared to other programs around the country. For New England groundfish gillnet, it’s about 8 percent. 8 percent seems to be a common target for the Mid-Atlantic and Northeast.

Then you also see, on the right side of the map, for Florida, you will see coverage rates at 10 percent for the Atlantic pelagic longline and a much higher level for the shark driftnet and also for the bottom longline. I think that’s 8 percent, but it’s a little bit off the screen. From here, I will turn it over to Dr. Scott-Denton, who will take you through more details on the regional programs.

DR. ELIZABETH SCOTT-DENTON: Hello and thank you for the opportunity to present today. As Jane mentioned, there were several southeast regional observer programs.

The southeast gillnet fishery is administered out of the Panama City Laboratory. Their coverage is predominantly on relatively small boats, twenty-five to forty feet, from North Carolina to Texas. Trips are usually overnight and most of these vessels switch target and gear. The targets are basically sharks, mackerel, bluefish, croaker, and dogfish and the gears also change from primarily drift, strike, and sink gillnets.

The goals of the gillnet fishery are basically vessels are selected randomly based on the past year of effort. Their target is 8 to 10 percent. This program provides estimates on sea turtles and/or marine mammals in all gillnet fisheries. They also collect data on catch and bycatch of all fish and sharks and protected resources.

Also, life history data are collected and that includes just not only lengths and weights, but also genetic samples, gonads and otoliths and so forth.

The shark bottom longline fishery operates from North Carolina to Louisiana and trips are one to three days in duration and they target large coastal sharks, blacktip, bull, sandbar, and longline characteristics vary, but most gear normally consists of about four to thirteen nautical miles of longline or mainline and 500 to 1,500 hooks.

Similarly, the goals of the shark bottom longline are similar to the gillnet, in that the vessels are selected randomly based on the previous year of effort. Their target is 5 to 10 percent.
and there is also, very interestingly, a research component to this program and that is for industry folks that want to land sandbar shark.

This research, there is five to ten vessels that have participated in this and not only do they collect biological data with the assistance of industry, but they look at ways, with gear modification, to reduce bycatch. Again, it provides information, not only on the target, the bycatch, as well as protected resources.

The data that is collected is available online. At the Panama City Laboratory, they produce annual reports describing the effort distribution, catch, and bycatch.

The shrimp trawl bycatch observer program is administered through the Southeast Fisheries Science Center Galveston Laboratory and the objectives are to refine catch rate estimates of finfish and shrimp by area, depth, and season for use in stock assessments and these are primarily used, constantly, consistently, for SEDAR.

We also evaluate bycatch reduction devices and turtle excluder devices, as well as estimate protected species bycatch. The program has been in existence since 1992. It was voluntary at the onset and there was a large number of research collaborators, the Gulf and South Atlantic Fisheries Foundation, the Texas Shrimp Association, and several others.

Our annual coverage since 1992 has varied from less than 1 percent to 2 percent of the total shrimp effort and right now, we are a little bit above 2 percent. In 2007, the programs switched from voluntary to mandatory in the Gulf and later, in 2008, it went mandatory for the South Atlantic. Again, the primary goals are to estimate catch rates of shrimp and finfish and as well as evaluate gear to reduce bycatch.

At the beginning of our program, we sought to characterize the bycatch caught on shrimp boats and a project we did was called Bycatch Characterization and we continued this for several years. Basically, what we did is we randomly selected one of the four nets for sampling and we collected total weight from that net and total shrimp and red snapper, as well as we took a 20 percent subsample and identified all those organisms to a species level. They were counted and weighed and so forth.

Right now, under the mandatory program, we select the two outboard nets and we take similar information in terms of total
weight, total shrimp, and red snapper. Then we take a one
basket sample and characterize that to species, federally-
managed species and others we group such as other crustaceans,
non-penaeid crustaceans.

The shrimp trawl bycatch program is similar to the other
programs in that vessel selection is random and based on the
previous year of landings and effort from NOAA and stratified by
area, which is each of the Gulf states, and depth and season.
We have three trimesters, basically.

Our target is measured -- Our metric is sea days and our target
for the Gulf -- Well, overall, our target is about 1,500 sea
days. We allocate 80 percent of that to the Gulf and 20 percent
to the South Atlantic. To date, we have had over 3,000 trips
and more than 56,000 tows and almost 30,000 sea days. Again, as
I said before, the coverage level is a little bit -- It’s
currently up to about 2 percent of the annual shrimp effort.
Again, as Jane pointed out, this is all dependent on funding
levels.

The vessels that we’ve encountered that have had observers and
so forth, looking at those data, basically there is between
1,400 and 1,500 Gulf licenses and 500 in the South Atlantic and
so that makes our universe of vessels approximately 2,000. Any
of those vessels could be selected for observer coverage.

Looking at vessel length in the Gulf, the vessels were about
seventy-four feet and smaller in the South Atlantic. Also in
the Gulf we see a majority of steel hull and freezer capacity,
whereas in the South Atlantic it was wooden hull construction
and ice holds.

The average trip length in the Gulf is approximately fourteen
days and in the South Atlantic it was three days. Depth is at
sixteen fathoms in the Gulf and about five fathoms in the South
Atlantic. Rock shrimp are a little bit deeper, at about thirty-
four fathoms, and the royal red fishery is over 1,000 feet. Tow
times, we have seen an average of about five hours in the Gulf
and three hours in the South Atlantic.

We also administer the reef fish observer program and the
objectives are to provide quantitative biological vessel gear
selectivity information as related to the directed reef fish
fishery. We collect catch and fishing effort for targeted
species as well as bycatch as well as we assess all the
discarded species and we assess the fate and condition upon
release.
We had a voluntary program back in the early 1990s and this became mandatory in 2006 for the reef fish fishery observer program. The gears we’ve covered are longline and due to turtle management measures, we saw a lot of those longline vessels switch to what we call modified buoy gear. We have seen that in the last few years.

We cover the vertical line, which is basically bandit or electric, and hand line. Again, coverage is approximately 3 percent.

The vessels are selected randomly based on coastal logbook data and stratified by area, which is the eastern and western Gulf, gear type and season. We have four seasonal components and, again, targets primarily are the bandit, hand line, and longline.

We also have a special selection and this is funded through catch shares funding and that allows for expanded coverage on these vessels for use in the reef fish biological opinion as well as it allows us to collect additional life history, age, growth, gonads and otoliths.

We have also had -- It’s very interesting. We’ve had some side studies with participants from the reef fish fishery as far as hook timers, to see how long it takes for a fish to hit the hook. We have had video camera monitoring aboard longline vessels in the Gulf, as well as we did see industry participation that assisted in seafood safety after Deepwater Horizon.

This is the location of sets in the Gulf of Mexico. This is what we call unfiltered data. We do a series of checks on all the datasets and have limits. We have IT people and other folks to ensure that the data is the best it can be.

With that, I would like to knowledge absolutely the industry’s participation, as well as the observers and the observer coordinator south, which I think my whole team is here today. They do an outstanding and incredible job, as well as the IT folks. With that, if you have any questions for Jane or me, I would be happy to entertain those.

CHAIRMAN ANSON: Any questions? Dr. Lucas.

DR. LUCAS: So in your thing, you have about 2,000, but the permit holders are 1,500 in the Gulf and then the other and so
you do roughly about 2 percent of that and then you divide that and so it’s about 80 percent of that is in the Gulf and so of that forty, about thirty-two vessels is what you’re --

DR. SCOTT-DENTON: Exactly. It’s all done basically by -- As Jane has alluded, we get certain days of funding from the National Observer Program and then we solicit other avenues for funding to enhance coverage, but right now, it’s 80 percent -- That’s the target, 80 percent Gulf and 20 percent South Atlantic.

DR. LUCAS: So if you reach out to the permit holder and they are not actively harvesting, what do you do for that?

DR. SCOTT-DENTON: I’m sorry, but could you repeat that?

DR. LUCAS: The harvesters, if they’re not actively harvesting and if you’ve reached out to them to be on their vessel, do you then just do another random?

DR. SCOTT-DENTON: Right and basically if they hold a federal permit, then, as we explain to them, it’s a requirement to take an observer. If they are not penaeid fishing or what have you and they’re going somewhere else, we say we’re going with you, because it’s a requirement of the permit.

Now, if they’re not fishing, then we accept that, but we also have a validation system, where we look at their landings to see if they were actually fishing or not.

CHAIRMAN ANSON: Any other questions? Mr. Swindell.

MR. SWINDELL: In your budget, I see that you have $56,000 in 2015 for electronic monitoring and reporting. Can you tell me where that is and what that’s about?

DR. SCOTT-DENTON: I’m sorry, but I couldn’t tell who was talking.

MR. SWINDELL: In the observer budget by region.

MS. DICOSIMO: My recollection is that was an electronic reporting study that was funded through that request for proposal process that we have at Headquarters.

MR. SWINDELL: It didn’t work?

MS. DICOSIMO: The money just went out and so it hasn’t actually
been in the field yet. I can follow up with you on that specific project.

**MR. SWINDELL:** What is it identified for? What are you going to do with it?

**MS. DICOSIMO:** I don’t have the information with me. I can look it up to tell you. I can follow up with you and let you know what that specific project was on.

**MR. SWINDELL:** Okay. In the shrimp bycatch observation studies, is that in all waters of the Gulf or is it in the EEZ zone or just in waters of the Gulf of the fishery?

**DR. SCOTT-DENTON:** Yes, it’s federally-permitted vessels and so whether they hold both licenses -- For example, in Texas, they hold a Texas license and a federal permit. If they’re holding that federal permit, then we go where they go.

**MR. SWINDELL:** Okay and where do you send these -- Do you send reports out or do we have --

**DR. SCOTT-DENTON:** Yes, we have two reports and, like I said, there is the National Bycatch Report that shows the catch, actual catch, by the Gulf, for example, as well as the data are used for numerous SEDAR. Those data are presented in those reports.

**MR. SWINDELL:** Okay. Thank you.

**CHAIRMAN ANSON:** Yes, Ms. Bosarge.

**MS. BOSARGE:** I was just wondering -- I was looking at some of those statistics on the shrimp trawl and I saw where that tow time, that max tow time, was at twenty-and-a-half hours. Did you have any information on that twenty-hour two?

**DR. SCOTT-DENTON:** No and that is something that the filtering process -- It was extreme and so we validate all of those extreme outliers and that was truly a tow time. They broke down, but that was the max, twenty. They rarely exceed I think more than fourteen. When you start getting to the fourteen hours, that’s pretty much a cutoff, but the average, again, was five.

**CHAIRMAN ANSON:** Any other questions? All right. Thank you very much for the presentation. Next we have a presentation by Dr. Branstetter. Are you ready? Thank you.
STANDARDIZED REPORTING BYCATCH METHODS

DR. BRANSTETTER: While she is bringing that up, as you’re aware, standardized bycatch reporting is required in our fisheries and so in the Southeast, we have begun to, in cooperation between the Regional Office and the Science Center, including Liz Scott-Denton and Jim Nance at the Galveston Lab, we’ve begun putting together information that we do have available on standardized bycatch reporting on the various bycatch reporting programs, the data that we actually have on bycatch.

What I’m going to give you here today is a very brief overview of kind of where we’re at in that process and when we get this all put together, then it will be presented to the council in full.

As I said, our workgroup is -- At this point, we are still putting together the information, but we have identified where the standardized bycatch reporting methodologies have been identified within our FMPs. We have fifteen different FMPs throughout the Gulf, South Atlantic, and Caribbean that do have identified SBRMs.

We have also identified the various bycatch data reporting programs that exist in the Southeast, including -- This would include MRIP, logbooks, the headboat survey, those types of standardized reporting requirements.

We also have been trying to put together what fishery-specific bycatch estimates we do have, such as what Liz was talking about with looking at the composition and the quantity of shrimp trawl bycatch, the reef fish bycatch. I will show you a couple of examples of that as I go through this, but also, again, current observer levels, which I don’t have to talk about anymore.

The goal of this is to come to the councils and make the recommendations for how you could improve your standardized bycatch reporting requirements.

Now this all stems from the last revisions to the Magnuson Act, where it, in Section 303(a)(11), it states fishery management plans shall establish standardized bycatch reporting. You all have heard this all before. It’s to minimize bycatch and minimize the mortality of bycatch which cannot be avoided.

This is also reflected again in National Standard 9, that our
conservation and management measures need to minimize bycatch and bycatch mortality. This is also then reiterated again in the National Standard Guidelines for National Standard 9. Obviously you can read the whole thing if you want.

The important parts here are the councils need to make improvements in data collection methods, sources, and application of those data and it should categorize responses that are necessary. That’s one of the issues that I’m sure many of you are aware that the Northeast had to come back and revise their bycatch reporting. One of the things that they’re going through is a prioritization.

Obviously everybody needs more money, but you prioritize what really needs addressing and what doesn’t need addressing and maybe you put a lesser effort on things in the future.

Now, for the Gulf, you do have standardized bycatch reporting in the reef fish fishery and the shrimp fishery. We have standardized bycatch reporting programs available for coastal migratory and spiny lobster, but they are not specifically identified as such in your FMPs.

Then for red drum and coral, obviously all harvest is prohibited and so it’s very hard to put something in the FMP to identify bycatch in those fisheries, but they are covered incidentally, because they are part of the -- They are going to get reported through the bycatch reporting programs for the other fisheries.

Under reef fish, as Liz outlined, they have the observers and we’re also -- Your bycatch reporting, your SBRM, is to expand MRFSS surveys. Obviously MRFSS has expanded to MRIP and these are programs that are in place. For shrimp, there is the ELB program and the observer program.

For the reef fish program, there are a couple of different layers of this and this is true for shrimp as well. Not only do you have the Magnuson components, but you also have protected resources components. The reef fish observer program, under the protected resources, the biological opinion requires that the reef fish observer program cover at least 100,000 longline hooks and 105 sea days on vertical line gear.

As you can see there, over the last few years we have averaged over a million longline hooks and at least 200 to 500 sea days of vertical line and so that part of that component is being met.
Under the shrimp observer program, as Liz just outlined to you, observers are on 2 percent of the trips and approximately 1,500 days a year and, as you heard this morning, electronic logbooks are on about 450 vessels.

We also have BRDs and TEDs. BRDs must reduce finfish bycatch by 30 percent by weight and obviously TEDs are supposed to reduce sea turtles by more than 90 percent.

I thought it might be a little interesting for you to at least see back in the 1990s the historical shrimp catch composition was about 69 percent fish and shrimp was about 16 percent. Now, with improvements in TEDs and the introduction of bycatch reduction devices and the increased shrimp catch per unit effort, that composition has changed a bit and the finfish bycatch is actually going down.

It’s hard to compare this, because the catch rates are different and the tonnages are different that are coming onboard the boat, but the shrimp catch is now a much larger percentage of the overall harvest that comes up in the net.

For spiny lobster, as I said, we do not have identified standardized bycatch reporting. Those are things that we need to address, that the council probably needs to address, but it’s another one of those that there is a minimal amount of bycatch in some of the studies that have been done in the spiny lobster fishery.

The bycatch is -- It says 32 percent of the traps contain some sort of bycatch and much of the bycatch is stone crab and small other invertebrates and little fish and the bycatch -- The important point to walk away with here is daily bycatch mortality rates are very low and so the bycatch that is taken, that can’t get out of the traps, is released alive. This would be an area that we probably need to improve on.

For the coastal migratory pelagics, there is three different types of gear types that are used in the fishery and you can see the various -- These are the top ten species that show up in the bycatch that is reported through the coastal logbooks and through what little observer programs that have been in this.

Obviously the hand line electric is not something that coastal migratory -- It’s not a primary gear in coastal migratory and so I’m assuming that this is probably reef fish fishing that is picking up coastal migratory and discarding coastal migratory along with other regulatory discards in the reef fish fishery.
When you get into the trolling aspect of the coastal migratory fishery, which is the primary gear type, as you can see, compared to some of these other gear types, the bycatch is very, very low and as one last kind of overview slide, as you might expect, this is discards ranked by the amount of discards and the amount of bycatch that show up in trips with more than 50 percent of the landings being attributed to that specific fishery.

As you expect, shrimp falls in number one and hand line electric for reef fish and coastal migratory is up fairly high and longline in the reef fish fishery comes in fairly high and then the others are relatively low levels of bycatch. As we talked about, trolling for reef fish, which obviously doesn’t happen very often, and gillnet and trolling for coastal migratory is fairly low.

Obviously Gulf of Mexico reef fish diver is very low, but this is just kind of an overview of this. We have lots of big graphs and tables that I could have put up here and put you all to sleep with, but we do have a lot of these data that we’re accumulating now and assimilating and hopefully within the next few months we’ll be able to bring this all back before the council for your consideration as to how to better address this requirement for standardized bycatch reporting. That’s it. I would be glad to answer any questions.

**REVIEW OF EXEMPTED FISHING PERMIT APPLICATIONS**

**CHAIRMAN ANSON:** All right. Any questions? All right. Thank you. If we come up with some questions, we know where to get you, Steve. We have next on the agenda Review of Exempted Fishing Permit Applications and Dr. Crabtree.

**DR. CRABTREE:** We don’t have any.

**CHAIRMAN ANSON:** Thank you. We are ahead of schedule by about forty-five minutes. We will wait until 2:30 to begin the Public Comment Period and so I have checked with Mr. Riechers and he is ready to proceed with Committee Reports. Mr. Riechers, can you proceed with Sustainable Fisheries and Ecosystem?

**COMMITTEE REPORTS**

**SUSTAINABLE FISHERIES/ECOSYSTEM COMMITTEE REPORT**

**MR. RIECHERS:** Yes, Mr. Chairman. The Sustainable Fisheries/Ecosystem Management Committee met on October 5, 2015.
The first item on the agenda was the SSC Review of Integrated Ecosystem Assessment/Management Strategy Evaluation/Single Species. That was Tab B, Number 4. I believe I said then we needed a different title for that, but the SSC representative, Dr. Luiz Barbieri, summarized a presentation given to the SSC by Dr. Bill Harford on how Management Strategy Evaluation could be applied to an ecosystem model to evaluate the impacts of various management strategies on single-species management.

Evaluating the possible impacts of a future red tide event on gag and red grouper was shown as an example. The MSE approach allows the evaluation of multiple performance metrics, such as avoiding an overfished state, avoiding risk of collapse, and evaluating net present value of catch.

It was reported that the SSC discussed formation of a workgroup to increase integration with the Integrated Ecosystem Assessment group at Southeast Fisheries Science Center. The IEA group will give a follow-up presentation to the SSC in 2016 on applying MSE to a multispecies approach based on SSC input. I will pause there in case anyone wants to have a comment or a question or a motion. Okay.

Next on our agenda was the NOAA Ecosystem-Based Fisheries Management Policy, Tab E, Number 5(a) and (b). Dr. Jason Link presented a review of the NMFS draft ecosystem-based fishery management policy.

Part of the reason for this policy is to make clear that NMFS needs to, can, and is committed to establishing ecosystem-based fisheries management. The draft policy includes a statement of policy, definition of ecosystem-based fisheries management, and guiding principles for implementation.

Dr. Link pointed out that there are several levels of ecosystem-based fisheries management and that ecosystem based fisheries management is different from ecosystem-based management or an ecosystem approach to single species management.

The comment period for the draft policy is open through December 16, 2015. Executive Director Doug Gregory suggested that staff work with Chairman Kevin Anson to draft a letter providing comments on behalf of the council. The letter could be circulated to council members before being submitted to NMFS. Committee members agreed that this was a reasonable approach. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you for that report. Does anyone have
any other questions for this committee? All right, Mr. Riechers, I believe you have Administrative Policy and Budget.

ADMINISTRATIVE POLICY AND BUDGET COMMITTEE REPORT

MR. RIECHERS: Yes, sir. The Joint Administrative Policy and Budget/Personnel Committee met on October 5, 2015 as well. Mr. Doug Boyd and myself were the Chairs. The committee moved to adopt the agenda as written and to adopt the minutes of the August 2015 Joint Budget/Personnel Committee meeting, which was held in New Orleans, Louisiana, without any changes.

We then went to the first committee item, which was Tab G, Number 4, and it was Review of the AP Staggered Terms. The committees reviewed the staff revisions to the schedule of AP appointments, based on changes made at the August council meeting to create a procedure for reviewing the appointments of one-third of the APs each year. The ad hoc APs would be reconsidered for continuation and reappointment yearly at the council’s January meeting. The committee recommends, and I so move, that the council move the appointment of the Spiny Lobster and Coral APs to 2016.

CHAIRMAN ANSON: We have a committee motion and the motion is on the board. Do we have any discussion on the motion? Any opposition to the motion? Seeing none, the motion carries.

MR. RIECHERS: There was some discussion then beyond that regarding some of these committee had not met and basically, it was determined by committee that staff could notify the AP members of the change and the rationale by letter, so that we basically would explain to them why they’re being either asked for reappointment or not at this point in time.

Then that took us to Tab G, Number 5, the Review of Standard Operating Procedures Update Regarding AP Appointments and Administrative Committee Structure. The committees reviewed staff track changes to the SOPPs based on council decisions in August of 2015 and minor editorial changes.

The presented track changes, with one exception related to personnel records, were accepted by committee. No motions were made. Staff was asked to work with General Counsel to clarify the language related to the three-year time that violations would be a factor in AP appointments.

In addition to review of the SOPPs changes, a motion was made to limit participation at full council committees and council
meetings by phone or other electronic means. Currently, a member cannot vote based on MSA provisions, but can participate by other electronic means. Motion failed by a voice vote. I will pause there. Okay.

Tab G, Number 6, Review of House and Senate Red-Snapper-Related Magnuson-Stevens Act Bills, the committees reviewed the staff summaries of red-snapper-related MSA bills, noting that we had contracted with Mr. Dave Whaley to help us monitor legislative actions through the remainder of the year related to NEPA, MSA and other Gulf-related legislation. All the summaries are on our website under “CCC Meetings”, “Legislative Page”. These were presented to the council for informational purposes only.

Any additional questions or further clarifications regarding any aspect of the legislation, please contact council staff and they will attempt to clarify or get additional information. Staff will inform the council of additions as they become available. No motions were made.

Moving to Tab G under Other Business, staff was requested to make the recent council audit report for 2013 and 2014 fiscal years available to council members, upon request, when it is completed by the auditors. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Mr. Riechers. Any other questions under this committee? All right. We have still some time left and the two reports that are remaining that have been completed are Mackerel and SEDAR and Mackerel is rather lengthy and there might be somebody that wants to provide some testimony, some comment, today and so I will go ahead with the SEDAR Committee Report.

SEDAR COMMITTEE REPORT

Staff summarized the proceedings from the recent SEDAR Steering Committee meeting, highlighting the proposed changes to the stock assessment process. The Science Center has proposed a new process for assessing species.

The proposed process would include a research cycle, which would essentially perform the tasks typically conducted during a benchmark assessment, except management advice would not be provided. Such advice would be generated through operational assessments, which would function similar to the current standard and update assessments, depending on the issues to be addressed.
Comments from the Gulf and South Atlantic Councils’ Science and Statistical Committee members will be solicited and used to fine-tune the proposed assessment process before implementation.

Staff reviewed the status of planned stock assessments in the Gulf for 2017 through 2018, Tab I, Number 4. Some reorganization of assessment priorities was recommended during the SEDAR Steering Committee meeting.

The red snapper standard assessment scheduled for 2017 would remain and would incorporate updated MRIP effort calibration data. A research cycle assessment for scamp and gray snapper would be conducted concurrently with the South Atlantic, beginning in 2017 and concluding in early 2018.

In the latter half of 2018, the option would be available to the council to conduct update assessments which incorporate updated MRIP effort calibration data or to update as many stocks as possible, by order of priority, with the updated MRIP effort calibration data. The SEDAR Steering Committee will meet via webinar on October 30th, 2015 to finalize the schedules for 2017 through 2018. This concludes my report. As I mentioned, we don’t have any other committee reports. Dr. Crabtree, do you have something?

DR. CRABTREE: I believe there was a request for an update on red snapper landings and Andy would be prepared to do that if you would like.

CHAIRMAN ANSON: Yes, that was under Other Business and we approved that on the agenda and so, Andy, if you’re ready, we can do that now.

OTHER BUSINESS
UPDATE ON RED SNAPPER LANDINGS

MR. ANDY STRELCHECK: Thank you. I don’t have a presentation prepared, but I can share some information afterward on the details of the landings. As you are well aware, we have many different data collection programs in the Gulf of Mexico. We have data available for various time periods and so I will be providing you both reported landings, so the information we have in hand today, as well as what we’re projecting will be the final red snapper season landings, given that many state waters still remain open.

Just as background, the Marine Recreational Information Program,
which covers Florida to Mississippi, we have landings through June 30. For the headboat fishery, including the Headboat Collaborative, we have landings through September 30. For Louisiana Creel, we probably have landings through the end of the month. For this summary, we have them through the middle of September and for Texas, we have their first wave of data, which is January 1 through May of 2015.

To date, 4.82 million pounds have been landed. If you recall, the catch target is 5.61 million pounds and so we’re below the catch target as well as the annual catch limit, which is approximately seven-million pounds.

Including landings that would be projected to come in, based on all of the data that hasn’t been submitted yet, we are looking at 6.1 million pounds landed for 2015 and that would equate to 108 percent of the annual catch target and so it would be above the annual catch target, but we would be below the annual catch limit, at 86 percent of the ACL.

Then, given sector separation and the splitting of the for-hire and private sectors, interestingly, both of them are tracking almost identical with our projections. We have right now landed -- I don’t have the ACLs, but for for-hire, we have landed 1.97 million pounds. For private, it’s 2.85 million pounds and from a comparative standpoint, those are running about the same percentages for the ACL and ACT when you factor in projected landings as well as reported landings.

At this point, our next update will be for MRIP landings to come in next week and that will include landings from July and August and with the states of Mississippi and Alabama being open into July, as well as we already have Louisiana landings, and so we expect a good amount of landings to be reported during that time period. With that, I will send around more details with the numbers so you can have them, but I will answer any questions.

CHAIRMAN ANSON: Dale.

MR. DIAZ: I don’t have a question right at the moment, but I do want us to have some discussion and I guess to start that discussion, I will make a motion and maybe we can talk after I make the motion and see how the council feels about it. I apologize to the ladies that is handling the computer over there. I thought we were going to do this under Other Business tomorrow and I would have emailed it.

My motion would be to direct staff to begin a framework action
for the recreational red snapper fishery to revise the buffer between the annual catch target and the annual catch limit. If I get a second, I will elaborate.

DR. LUCAS: I will second, for the sake of discussion.

CHAIRMAN ANSON: All right. We have a motion, which is being refined.

MR. DIAZ: I can read it again if they need me to.

CHAIRMAN ANSON: Yes, if you wouldn’t mind.

MR. DIAZ: It’s to direct staff to begin a framework action for the recreational red snapper fishery to revise the buffer between the annual catch target and the annual catch limit.

CHAIRMAN ANSON: Okay. That looks pretty good. The motion is to direct staff to begin a framework action for the recreational red snapper fishery to revise the buffer between the annual catch target and the annual catch limit. It’s been seconded by Dr. Lucas and is there any further -- Dale.

MR. DIAZ: One of the reasons I bring this up -- I know we’re talking about projections right now, but if we actually want to consider doing this -- If we don’t do something at this meeting, there is not going to be time to do a framework action that would be in place before the 2016 season.

I think a framework action generally takes about six months to go through and so if we tried to start that in the January meeting, it wouldn’t be ready before June 1. At least if we do this, we can get some better numbers in January and this process will be started and we can decide whether we want to proceed with the framework at that time, but if we don’t start it now, it just will not have any impact on 2016, if it’s justified. Thank you, Mr. Chairman.

CHAIRMAN ANSON: Mr. Riechers and then Dr. Crabtree.

MR. RIECHERS: Dale, just because it’s not completely clear in the motion, when we say “revise the buffer”, are we shrinking the buffer or are we increasing the buffer or what’s -- Are we looking at both in an options paper or what is your intent?

MR. DIAZ: It would be to shrink the buffer. We can make that change in the motion and that’s probably very good. Thank you, Mr. Riechers.
CHAIRMAN ANSON: Dale said to reduce the buffer and I think Dr. Crabtree is going to have a point of order, I guess, with this motion. Yes, sir, Dr. Crabtree.

DR. CRABTREE: Not a point of order, but, one, I don’t think you have time to get this done and be implemented in time for next year’s season anyway. I would point out to you that you have exactly one year of actual having landings in hand with the current buffer.

In my opinion, you have absolutely no basis to reduce this buffer from where it is now and I can tell you, given the court decisions, that the Fisheries Service will look very carefully at any amendment along these lines and I think it’s very unlikely, with only one year’s data, that this would be approved.

Secondly, I am looking at a newspaper article, and I don’t know if it had any basis and perhaps Myron could comment, but Louisiana is considering reopening the fishery. We are still fishing in Florida and I just don’t think you have any basis for this.

As Andy reported, we are at 86 percent, by their projections, of the ACL now. We generally close down commercial fisheries if we hit 90 percent and so you can’t expect to get much closer than what we’re getting to the ACL and so I speak strongly against this. We have a lot of things going on right now and this is way too premature.

Before you are going to reduce this buffer, we’re going to have to have a number of seasons under our belt showing that we can stay within these catch limits and I don’t think there is any point in going down this path and winding up in front of a judge again or heading towards disapproval after we invest a lot of time and effort into it.

Now, we have talked about working on a framework amendment to allow us to reopen the fishery in the fall if we get the data and it looks like there’s enough fish left over to do that and I think that is something we potentially could do and I think that’s a much more productive use of our time and effort, so that if we come in next year, at our August meeting, and it looks like there is enough fish left over to reopen again that we have the ability to do that. I would encourage us to look at ways to make sure we catch as much of the ACL as we can and remain safely under and not go down this path.
CHAIRMAN ANSON: Dale.

MR. DIAZ: You know that might be the way we decide with this motion, whether we vote it up or down, but, Dr. Crabtree, what I was thinking about is when we set the initial buffer, we had an analysis in front of us that said, based on information we had at that time, if you did a 5 percent buffer that this was your chance of going over. If you did a 10 percent buffer, this was your chance of going over.

We’ve got some history now and we did not reach the ACT last year and we are going to be slightly over it, but we’re still under the ACL this year.

I would like to see that analysis again for what chances we would have of going over with the different percentages that we can consider and that was my reason for bringing it forward today, so we could have the discussion and see how other people feel about it. Thank you, Mr. Chair.

CHAIRMAN ANSON: Do we have any other discussion on the motion? All those in favor of the motion to -- Mr. Walker.

MR. WALKER: Could we have a roll call?

CHAIRMAN ANSON: We have had a request for a roll call vote. Mr. Boyd.

MR. BOYD: Dale just asked if we could get that table back up and do we want to look at that before we vote? I mean I will leave that up to Dale.

MR. DIAZ: Part of it is I would like to see a new table developed also that includes the history that we have now. You know once we get that information -- Dr. Crabtree did point something out about timing that I may have been incorrect on.

I was thinking framework action and it takes six months. If we wanted to do this in January, there is no way to do it and so I don’t know about that. I mean I think Mr. Gregory might could speak to the timing issue of it also.

EXECUTIVE DIRECTOR GREGORY: I don’t think we’ve done anything that quickly, but, off the top of my head, and I will look to Carrie and others for assistance, if you told us that you wanted the buffer to be 10 percent or 15 percent and we could start working on it right away, we could probably bring it back for
final action in January, but leaving it open like this, we’re
going to come back to you with a 5 percent and 10 percent and 15
percent buffer with analyses and you could choose it. I guess
we could do that almost as quickly, but without further
guidance, that’s probably what we will do, is look at multiple
buffers.

CHAIRMAN ANSON: Ms. Levy.

MS. LEVY: You’re going to have to look at multiple buffers
regardless. We can’t just pick a number out of the hat and say
we’re going to do it. We have to do a NEPA analysis and we have
to have alternatives and we have to look at the impacts.

From what I understand, the Fisheries Service won’t have final,
or close to final, 2015 numbers until February and so you
wouldn’t even know what your 2015 numbers are when you’re
thinking about taking final action to reduce a buffer and so I
mean I would have to agree with Roy on this point, that this
seems a little bit premature in deciding to reduce a buffer,
when in reality we only have one year’s worth of data showing
performance using the ACT.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: Excuse me for being so new, but what is the
buffer now?

CHAIRMAN ANSON: The buffer now is 20 percent. Any other
discussion? The motion is to direct staff to begin a framework
action for the recreational red snapper fishery to reduce the
buffer between the ACT and the ACL. We’ve been requested for a
roll call vote. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.
DR. CRABTREE: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: No.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.
MR. WILLIAMS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: The motion passes nine to eight.

CHAIRMAN ANSON: All right. We’ve got a few minutes before 2:30 and to give members a chance to go ahead and use the restroom if they need to, please do so. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN ANSON: That will bring us to the public testimony portion of the agenda. I have a written statement that I need to read before we begin. Public input is a vital part of the council’s deliberative process and comments, both oral and written, are accepted and considered by the council throughout the process.

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

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

Knowingly and willfully submitting false information to the council is a violation of federal law. If you plan to speak and haven’t already done so, please 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. That concludes the written portion of the statement.
I will remind folks in the audience or to new participants that I will call on two individuals and the first will approach the podium and begin their comment and if the second individual that I call out would just kind of be waiting off to the side, it would help speed up the process.

As you can see, we have -- On the screen, we have the list of individuals who have submitted a card and please refer to that list and see when your time is up, if you submitted a card, so that when we call on you that you are present and able to come up to the podium. That being said, we will start with our first and second speakers and that is Jason Delacruz, followed by Clarence Seymour.

PUBLIC COMMENT

MR. JASON DELACRUZ: Good afternoon and I want to thank everybody on the council for giving us this opportunity to speak. There’s not a lot on the agenda today, but I guess I will start with gag grouper. As you guys heard from the report from the AP, which is was on, I think the idea on gag to try to extend that season a little bit in December is ideal.

A little longer would be better for my guys, but also I think we have to bear in mind the conservation of this stock. We’ve got a stock that we’re not catching. We’re not catching it no matter what we do or what changes or what allocations change or what happens in the recreational fishery and so I think that needs to be in mind as you guys think about that stock of fish and what we’re doing with it.

Also, if we do make any momentum in that fish -- Let’s say we decide to make a size change in the recreational sector to twenty-four inches. All of my commercial guys and everybody that’s a part of my organization agree and let’s move it commercially to twenty-four inches as well. We don’t want a disparity between the two sizes, for a myriad of reasons, but there is also biologically good reasons to move that fish in that direction as well.

I think, next, the AP also had a lot of discussion about regional management and as I sat there and listened to all of that, it kind of struck me as to the fact that I really didn’t understand it and I’ve done this enough to really understand these things pretty good and so this is such a complicated amendment. I don’t possibly see how you guys are going to get in the direction and I guess all I really want to say, as far as
a good public comment, is please keep the charter boat guys out
of this.

We seem to be going in a direction that these guys don’t want to
go and everybody is just forcing them in a position that they
don’t want to be in. Give these guys an opportunity to build a
business plan and be in a position where they actually have a
real business.

I think that’s probably about all I’ve got today, because today
seems like kind of a light day and we’ve solved or moved some
problems along and so thank you very much.

CHAIRMAN ANSON: Thank you, Jason. Martha, do you have a
question?

MS. BADEMAN: Yes, just real quick. Gag, what do you want to
see, season-wise? What do you think your boats want to see?

MR. DELACRUZ: My charter boat guys would like to see that
January season, but, realistically, that fish is in bad shape
and so personally, I would be content if we got it into the end
of December and I think that’s reasonable and fair. That gives
them opportunity to that Christmas run, where we have people.

They say the size limit, but I will be honest. Earlier this
week, I got beat up on size or a bag change in red grouper,
because they took it as that I was the guy that could control it
and because we went to two per person, they called and yelled at
me because the season was still short. That’s a whole other set
of complications, but I think the twenty-four across the board
for both sectors and then, if we got a full December, I would be
content. If we got a little bit of January, great, but nobody
is heartbroken on that. Thank you.

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

MR. CLARENCE SEYMOUR: Hello. I’m Clarence Seymour from Biloxi,
Mississippi, the Charter Boat SYL. I came to Texas for the
meeting. I rallied up a petition for the Gulf Council to see
how Mississippi stood on Amendment 39, which we chose
Alternative 2, Action 2.

Thirty out of forty-one, and I think the state says we might
have forty-two, but that’s just the data that I have. I think
we will put it in the public record also and we would like to
remain under federal fishery management, which is through the
Gulf Council.

Basically, I rallied -- These guys were at picnic tables and dinner tables and calling me and we want to know what we can do and how we’re going to get more involved in the fishery and so we decided we were going to make Mississippi a good avenue to let the Gulf Council know that we want to be involved in all the decision-making and maybe we can listen better and know more about the system and how we’re going to go about it.

We have also come to the conclusion that we would like to move forward with Amendment 41 and 42 and get on the path of a different sector of the fishery, which we was very happy in Mississippi with Amendment 40 this year and the derby.

The guys that I spoke with on it and myself, we had an excellent fishery. We have a good fishery in Mississippi. It’s sustainable and the majority of the group basically told me that the derby is fine, but we are more into possibly some type of a tag allocation or IFQ or whatever and we would like to be part of the decision-making on that.

Basically, when the Gulf Council votes on Amendment 39, we ask that you select Alternative 2 in Action 2 and keep us under federal management. What else have I got here? Everybody got a copy of my particular petition. I guess it’s a signed signature of the reef fish permit holders in the State of Mississippi, which they are more adamant about. Like I said, I’m trying to elaborate on how we feel about the thing.

Also, gag grouper, June 1 through December 31 on the black and a twenty-four-inch limit. I guess I’m about out of time. That’s all and thank you all for having me here in Texas.

CHAIRMAN ANSON: Thank you, Clarence. Clarence, we have one question from a council member, Dr. Dana.

DR. DANA: Thank you, Clarence, first of all for taking the initiative to work with your fellow charter operators, federally-permitted. You know that’s quite a task to get to thirty of a finite number of forty-one maximum charter boat folks and get them to sign on to something and agreeing on it.

In our meetings yesterday, it was remarked that perhaps some of the charter operators that did sign on to that letter were not in fact -- They did not in fact fully understand what they were signing on to and that perhaps they were led to believe that they were going to lose their permits if they did not -- If the
MR. SEYMOUR: I think possibly -- I don’t know where the misunderstanding came, but as of this morning, no one on the list contacted me to be removed, which would have been a fair thing, to say, hey, I didn’t understand and I would like to be removed, which I thought that -- I didn’t really have the opportunity to -- I couldn’t call everybody on it to find out how they actually -- If they was misrepresented, but I don’t think anybody was misrepresented.

I personally never told no one they would lose their reef fish permit. It was basically it’s to keep the reef fish permit in the federal sector, like we all bought into. I did in 1997, which made me part of the fishery. They all bought it. You know we all got in it when it was the beginning and so as far as I know, out of the thirty folks here, nobody called and complained to me about me standing up here in front of this council and taking that to an action. Anybody else?

CHAIRMAN ANSON: Yes, we have one other question from Mr. Walker.

MR. WALKER: Clarence, you had I guess it was like ten or so who did not send the petition and was it maybe inactive permits or people you didn’t know that participated in the fishery?

MR. SEYMOUR: Well, what happened was I found out, by going through the deal, I’ve got, I think, several permit holders -- I’ve got -- Let me get my little paper here. Okay. I’ve got one permit in Vicksburg, Mississippi and that’s about two-and-a-half or three or four hours away from me. There’s one permit in Richton, Mississippi and one permit holder in Diamondhead and one in Belden, Mississippi.

There is five, basically, that I definitely knew I couldn’t get in contact with. The thirty that’s on the list was basically the guys in the harbors, from Pascagoula to Hancock County, which would put us -- I think the farthest that they guy came to see me was in Long Beach and so as far as giving Mr. Tony a chance to comment on the petition and the permit, I couldn’t get in touch with him and so yes, I had five that was from a pretty good distance and then two -- I’m going to go ahead and say it on the record. Two was on the fence, 50/50, on the issue, regardless. Maybe they didn’t have enough information and wanted more time to think about it and so I thought that was a fair assessment of how it was operated.
CHAIRMAN ANSON: We have one other question for you.

DR. LUCAS: Clarence, thanks so much for coming out from Mississippi.

MR. SEYMOUR: You’re welcome.

DR. LUCAS: I do appreciate you taking the week off and coming here to do that. We don’t always have a lot of Mississippi representation and so I appreciate it. This may help to Mr. Walker’s point as well. Several of the people that you even got to sign aren’t necessarily always actively fishing. Some of them aren’t actively fishing and so Clarence kind of went above and beyond there.

MR. SEYMOUR: That’s correct, yes. Thank you.

CHAIRMAN ANSON: Thank you. We have Brad Gorst, followed by Billy Archer.

MR. BRAD GORST: My name is Brad Gorst and I come from Clearwater, Florida. We have three vessels and two of them are federally permitted, over six boats, and one six-passenger boat. Briefly, Amendment 39, we prefer to stay out of the state’s hands and stay within federal protection and so Alternative 2, Action 2. Leave us alone. Move forward on 41 and 42, because we need that to keep going.

My main thing is about the gag grouper. Raise the size limit for the gags to twenty-four and the blacks twenty-four as well and do away with any openings in any other time of the year other than June 1 through December 31. We ran the numbers and we will still be 13 percent below the ACT and 22 percent below the ACL with modification to the season opening. Instead of July, move it to June, to the end of the year of December 31.

In the event that we exceed or come close to exceeding the ACL the following year, I would like to see it revert back to a July 1 opening. That way, if it does, we find out that June was a problem and so, in a way, it’s kind of an experiment, but it’s a way that will work through the system at this point, in my vision. That would give us 183 days, which is still well below the numbers that were on some of the tables in the framework action paper here.

Other than that, I have talked to a couple of guys down in south Florida and a fifteen-inch hogfish size is good and one guy
suggested keeping the boundary where it’s at and it’s just
because it’s traditional, but they would be willing to deal with
any changes in that.

I would like to see moving forward with electronic logbooks. We
need that up-to-date data on a daily basis and it needs to be
pushed through, because without the numbers, what have you got?
It’s all a big guess game. Thank you.

CHAIRMAN ANSON: Thank you, Brad. Billy Archer, followed by
Eric Mahoney.

MR. BILLY ARCHER: Captain Billy Archer from Panama City,
Florida. This is forty-first year as a captain and that’s all
I’ve ever done. I’m a third-generation fisherman. On Amendment
39, I also support Action 2, Alternative 2.

I hope the council will hear Dr. Crabtree’s dire warnings about
the dangers and complications of Amendment 39 and if you feel
like you have to do it, please leave us out of it. It’s not
going to work for the federal permits.

Amendment 40 is working, as Dr. Strelcheck just testified before
you. I would encourage you to continue forward with 41 and 42.
Also, I would like to -- On the issue of gag grouper, I would
like to suggest Action 3, Alternative 4, set the seasons to open
June 1, the same day as snapper, and increase the size limit to
twenty-four inches.

Keep the closure and close it when the ACL is met. The size
limit increase should offset any potential overages on the ACL
and help reduce gag discards during the month of June.
According to Dr. Larkin, it could be done. It would be 13
percent below the ACT, which is a safe bet, or 22 percent under
the ACL. Thank you very much.

CHAIRMAN ANSON: Thank you, Billy. Eric Mahoney, followed by
Bobby Kelly.

MR. ERIC MAHONEY: Here we go. Thank you, Chairman and council
members and staff. I appreciate it. My name is Captain Eric
Mahoney and I’m from Clearwater Beach, Florida. I have a
charter fishing company there.

With gag groupers, I would like to see the size limit raised to
twenty-four inches across the board for recreational and
commercial fishermen. I prefer, as with Billy and Brad, who
just spoke, I prefer to see a June 1 opening on gags and running
through December 31.

After talking with staff, I believe this would keep us under the ACL and help with the release mortality that happens with gags during the snapper season.

I would like to see the council keep moving forward with Amendment 41 and 42. Let’s not stop the progress the for-hire and headboats have made over the past few years and let’s listen to the fishermen, something that you are not doing with Amendment 39.

I am not sure how many ways or how many times our industry has to tell the state representatives and this council that we don’t want any part of Amendment 39. The majority of the for-hire boats in Florida don’t want it and Texas federally-permitted boats don’t want it. Alabama charter guys have said no and Mississippi federally-permitted have spoken and spoken loudly, with over 70 percent of their fleet saying they want to stay under federal management for red snapper.

What does it say about Amendment 39 when Mississippi and Texas are being promised a significant increase in days by the state and still want nothing to do with it?

Amendment 39 leaves the for-hire fleet unprotected and in the hands of state managers who have shown very little interest in listening to federal permit holders. If the Gulf states really want to help this fishery and work towards solutions, they will listen to the overwhelming majority of charter fishermen and, on Amendment 39, support Action 2, Alternative 2, taking the for-hire fleet out of this debacle that is Amendment 39. Thank you.

CHAIRMAN ANSON: Thank you, Eric. Bobby Kelly, followed by Pam Anderson.

MR. BOBBY KELLY: Well, that was a tough one to follow, ain’t it? Good afternoon, Gulf Council. Thank you for the opportunity to speak to you guys and address you in this beautiful great state of Texas.

First off, I would like to say that the Alabama Charter Fishing Association has unanimously voted to support Amendment 39 only in the faction of Action 2, Alternative 2. Again, we don’t want to be part of the state management scheme. We believe that we have better protection through the federal council level, such as the Magnuson-Stevens Act. Again, we only support Action 2, Alternative 2.
I want to thank you all for the successful summer that you had and the hard work that it took to pass Amendment 40. We ask that you continue on with Amendment 41 and 42. I believe the council can get this going and not drag their feet.

I support a June 1 opening on gag grouper and it closing December 31 and twenty-four inches for both commercial and recreational use.

I ask that the triggerfish undergoes a benchmark assessment to overhaul the models. Please listen to the fishermen. These fish are in the Gulf and they are ravenous little creatures. I think we’ve all heard the phrase there is more snapper now in the Gulf then there every has been and I’m going to probably be the first person at the council level to ever say I believe there is more triggerfish in the Gulf now then there has ever been.

I actually got to go diving last week in one of our natural bottom spots back home and I learned, after about three minutes of being on the bottom, on the 200-foot ledge I was swimming along, I do not turn around and look behind me. They were twenty deep and about fifty tall and there was over 200 legal, breeding triggerfish just following me around and so lots of little mouths looking behind me, guys. These fish are here. I think you all can do something with it and provide us a fishery for next year. Thank you.

CHAIRMAN ANSON: Thank you. Bobby, we have a question from Mr. Swindell.

MR. SWINDELL: How would you feel -- Where are you on monitoring and reporting electronically?

MR. KELLY: I already have a VMS installed on my boat and I will be doing the subscription plan coming up. I was one of the first boats in Orange Beach to have one. We have said for a long time that we are willing to count every fish that comes over the rail. Better data leads to a better fishery.

MR. SWINDELL: Thank you.

MR. KELLY: Thank you.

CHAIRMAN ANSON: Pam Anderson, followed by Chris Niquet.
MS. PAM ANDERSON: Mr. Chairman, Dr. Crabtree and council members, I am Pam Anderson with Captain Anderson’s Marina in Panama City and a member of our Chamber of Commerce Government Affairs Committee and First Vice President of the PCBA. Thank you for this opportunity to make comment.

One of the issues that has come up among some scientists and many stakeholders is how management is so focused on limiting and decreasing the number of participants in the fishery. It has been said many times in this room that independent data is better data than harvest data, even though the latter helps, of course, in management, in regulatory management.

Has independent fishery data collection increased on the key reef fish species in the Gulf in recent years? We believe that this is a very important issue.

If you recall, I have said that all these proposed measures, like daily trip reporting, just give management more control and are not for the sake of improving the stock. Some of our leaders here do not have the funds, nor the desire, to use all this data that would be provided if all the boats have daily trip reporting and a VMS and it has come out again in the Reef Fish Committee discussions. Why then would this council enact such stringent measures that are so costly?

There is one thing that stands out to me in all of this, the elephant in the room, so to speak. The management of our fishery is based on regulating fishermen and not on how to grow and enhance the fishery. It is long overdue to rethink all of these management tools and start looking at growing the fishery and not always going to the limitation of access as a solution.

A robust artificial reef building plan across the Gulf, providing more habitat and using a design of material that protects the juveniles, would go a long way to help rebuild fisheries quicker.

On triggerfish, fishermen are now saying they are seeing tremendous numbers of them and having trouble, like we’ve said in the past about snapper, getting past them to harvest other species that are available. We agree with the SSC that there is no reason to decrease access to that fishery at this time.

Divers are seeing more and more large three-pound lionfish offshore. Is there a program in place or can one be put in place to attempt to control this problem better? The only thing that comes to mind is some sort of fish traps, but we need to
find something that works. In south Florida, they have been quite successful with traps and have created a market for lionfish in restaurants.

I submit to you that this council and the stakeholders in the Gulf fishery will be better served to have APs populated with a more realistic percentage of members from each component of this fishery who are not mostly invested in the same organizations. I do not believe it is necessary at this point to appoint a private recreational AP.

Regional management still needs some work, but we agree that with our state leaders that this is a good path forward in the Gulf reef fish management for all recreational anglers. Thank you.

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

DR. DANA: Just a quick question, Pam. When you started off your talking points, you mentioned about reporting on fish catch. Now, your community, Panama City, traditionally has been pretty supportive of that. Did I misunderstand you, because it sounds like kind of a turnaround.

MS. ANDERSON: Trip reporting, no, as far as I understand, but yes, electronic reporting, absolutely. There is a difference. We don’t see any reason to have to report every single day, when that information isn’t going to be used for a week or two. It’s just causing more hassle for the operators that is not necessary and more expense.

You know on a headboat, if you have sixty passengers and five deckhands, you are going to have to employ another person or two to keep track of all those fish as they’re coming in, because you have to report it before you get back to the dock, on a trip reporting situation.

That is an absolute nightmare. Right now, they are keeping track, of course, but it’s -- They don’t go in and tally up everything until the end, once they’ve got the passengers off and taken care of.

CHAIRMAN ANSON: All right. We have Chris Niquet, followed by Bart Niquet.

MR. CHRIS NIQUET: Chris Niquet, Panama City, Florida. I would like to address the council today first on the triggerfish. We
heard yesterday from some of the presenters here that the triggerfish information may be as high as two years behind. I would like for the people on the council to just stop and imagine for a minute if you had to base any of your decisions, everyday decisions, on information that was two years old.

Just try it for a while. It doesn’t work out too good. Just drive down the street and close your eyes and say, let me imagine what happened two years ago at this stoplight and I will just keep them closed and just go on through here when I think it’s green. It ain’t going to work out, people, and it’s not your fault.

You need to talk to a scientist and talk to a fish house and talk to people who report these catches and get them to report to not just the fish house, but have the fish house report to somebody in the federal government, or to you directly, about how many they catch and when they catch them and where they’re catching them and put them in your database. You can’t have it two years behind the times. It doesn’t make sense.

As far as I know, the red snapper right here in Texas -- Somebody said that they’re just going to be reporting the first quarter of this year and this is October and January and February and March? You can’t get those numbers together and get them reported before then, ten months down the road? Come on, fellas. Something is wrong.

I know it’s bigger and better in Texas, but the flow of numbers can’t be that much when you can’t keep track of them. Use those numbers. Let these fellas in the commercial and charter and private recreational people have a chance at these triggerfish that have shown up in the Panhandle all the way up Louisiana.

They may not be thick here in Texas and they may not be in south Florida, but they are sure there in the Panhandle. I appreciate your time and thank you very much.

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

MR. BART NIQUET: Bart Niquet, Panama City, commercial fishing. I am glad I can see you all this time. Despite the sort of confusion in the report from the SSC to start this meeting, I shouldn’t have expected much. I was a little bit surprised.

Despite numerous reports from the desperate regions of the Gulf conferring on the abundance of gray triggerfish and the lack of
gag grouper, the scientists say differently. Who are we
supposed to believe, the scientists or our lying eyes?

I am against regional management. The states shouldn’t manage
federal waters. There is already enough in-fighting. I think
the charter/headboat section should have their own quota and
draw up their own management plan. I think the private
recreational anglers should have to have a license or a tag
system or something to limit their catch and produce useful
data. Otherwise, you are going to be overwhelmed by sheer
numbers. I would also like you to explain to me why it takes
years to raise the TAC, but only a couple of days to close the
fishery.

Since there are only five to fifteen active royal red shrimpers,
why not require them to call when leaving and returning like
they do red snapper, instead of going through all of this new
licenses and new permits and new whatever you want to put on it?
It works in the snapper fishing and I don’t know why it wouldn’t
work there.

I think gag and black grouper should both be twenty-four inches
recreationally and commercially and I think otherwise we’ve got
too many regulations. Thank you.

CHAIRMAN ANSON: Thank you, Mr. Niquet. Mike Colby, followed by
Steve Tomeny.

MR. MIKE COLBY: Thank you, Chairman and council members. Mike
Colby from Clearwater, Florida, Double Hook Charters and
President of the Clearwater Marine Association. In terms of
Amendment 39, what our guys are telling me is -- To them, it’s a
mental train wreck and I think there is far less understanding
of it over in the east Gulf than there probably is everywhere
else.

I think their attitude is just keep the federally-permitted
charter boats out of it and let them have their system for
federal and so that would be Alternative 2. I think that’s
probably the consensus.

Gag is kind of interesting and I have talked to FWC. Martha,
I’ve talked with you about it a whole bunch of times and I have
-- In the last month, I have talked with the Kline family in
Steinhatchee and Gary in Steinhatchee and all of our Clearwater
guys and to tarpon guys and Will Garrity in Naples and three of
his federally-permitted boats that are in that area and I can
tell you what we all agree on.
What we all agree is that we go to twenty-four inches and we keep gag open until December 31. That gives everybody Christmas week. That’s the olive branch for our gag guys and I think keeping that same ACL, we’re not going to get in any trouble doing that through Christmas week.

Now, we’ve got some other ideas from our marina on the table that I became aware of this morning and I think our fishermen would support a June 1 opening instead of a July opening, but, again, I presented that to the Steinhatchee guys just several hours ago and the Naples guys and they’re saying, well, you know, do you want to poke the beehive?

I mean we don’t want to end up having to have something in stone and then if we do have some kind of update assessment next year on the gag numbers, on female to male ratios or total stock abundance, are we going to have to do an about-face, but if council staff can find that those numbers from a June 1 to a July 1 will still keep us at the ACT, I think I could take this back to everybody in the eastern Gulf and they would say fine, but the Naples guys don’t even target gag in June and they would like to have January, but they don’t want to do it at the risk of having a fishery that they may end up like where we are now with red grouper and we’re closing them down.

They just don’t want to push the envelope so much that they end up with a fishery that’s doing this on them and I agree with that, but the June 1 is really an interesting idea. I haven’t talked with the rest of our Clearwater Marine Association members, but I guarantee you I think they would all be onboard with it if there was some reasonable assurance that that ACT won’t be popped and that’s where we would like to keep it, at the catch target.

We don’t want to get into that buffer. I don’t know if that’s possible. Steve Atran can tell us or somebody, but I think that would be the overall consensus, that we could do a June 1.

Thank you.

CHAIRMAN ANSON: Thank you, Mike. Steve Tomeny, followed by Randy Boggs.

MR. STEVE TOMENY: Hi and I’m Steve Tomeny and I operate two dual-permitted vessels, charter/commercial vessels, out of Port Fourchon, Louisiana. I’ve been down there about thirty years and I’ve been in the charter business longer than that.
We all got into the permitting business, I guess, in the early 1990s and we’ve been with the federal government regulating us, the good, the bad and the ugly, over the years. You know we’re finally making some progress and we’re getting some things that we’ve been in here pitching for for several years now.

You know Amendment 40 and we’ve got Amendment 41 and 42 on the books. We’re not looking to see it undone with Amendment 39 and so I guess my point on that is we just don’t want to be part of it and we just want to stay in the federal system. We just feel like we’re going to be better off in the long run.

Also, my vessel has -- We’ve been on the electronic logbook program for about three years now and I’ve got VMS on the boat because of the dual permitting, but reporting with the electronic logbook has been easy. It’s not a big task. We’re tallying fish every day. The whole time we’re out there, we’re counting fish. You’ve got to know what’s in the box all the time. I mean at least on our boats we do.

Putting it all in the electronic and punching the buttons on the way in has just not been a problem. I think every charter boat ought to have at least that. I’m a big proponent of the VMS on everything. You know we need to know who is fishing and who is not. There’s lots of good stuff that we can have and we’ve been asking for it and that’s what we want. That’s the direction we’re moving in and we want to stay there.

That’s all I’ve got to say today. The big thing is we just want to stay with Alternative 2, Action 2 with Amendment 39 and keep the electronic monitoring on the right track. Thank you.

CHAIRMAN ANSON: Thank you, Steve. Randy Boggs, followed by Bill Kelly.

MR. RANDY BOGGS: Good afternoon, everybody. My name is Randy Boggs from Reel Surprise Charters from Orange Beach, Alabama. I’ve got a couple of headboats and a charter boat out of there.

I’ve been talking to the guys in the audience and listening to what everybody has got to say about the triggerfish. The Panhandle and west seems to be pretty good. Texas seems to have a shortage of triggerfish. We seem to have a dividing line in the Gulf.

The southern Gulf has a lot of gag groupers and a lot of red grouper and the grouper fishery there seems to be stable and the numbers increasing. We don’t see them off of Alabama and from
what I’m understanding from the guys in Mississippi, Louisiana, and Texas, they don’t have the fish. This might be one of the times that we need to look at the dividing line on what we do and maybe make the grouper season a little bit longer in south Florida and make it an incidental catch off of the Panhandle and west, because we just don’t catch that many.

Last year, I caught about -- This year, about 1,800 snapper and only about four gag grouper and so we don’t have that many of them up here.

I think the triggerfish data off the Panhandle is way behind. Some of the guys were saying they’re not seeing them down off of Tampa and some of the areas there and some of the guys here in the west are not seeing them. A lot of that has to do with the gear that we fish and I talked to them about that.

You know when we’re fishing bigger circle hooks and bigger baits for the snapper, you’re not going to see the triggerfish. You know you can tell when you lose a bait and you think it was a triggerfish, but we just don’t see the harvest of them.

On Amendment 39, guys, we’ve got 40 and 41 and 42 out there. I learned a lot about 39 here at this meeting and I think we’ve got a long way to go before we can make that work. I think we’ve got some other good options on the table.

You know a lot of the guys here are not in favor of it. They feel like they’re better protected somewhere else. There is some alternatives in there. Kevin and I talked about them last night and there is some in there that could be beneficial, but you know there’s a lot more to be fleshed out in the program before we get there and so if we move forward with it, I want to see a lot of extreme caution and a lot more information out in the open before we do anything there. That’s all I’ve got today, guys, and thank you.

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

MR. SWINDELL: Randy, how far offshore do you ever fish?

MR. BOGGS: I am a unique kind of deal. I’ve got one partyboat that fishes mostly nearshore, inside of twenty-five or thirty miles. A lot of my stuff -- Kevin, when the guys went with me the other day on a six-hour -- We were gone five hours and we fished thirty miles offshore and so we fish thirty to fifty miles almost every day.
The Panhandle of Florida, all the natural stuff off the Panhandle of Florida and even the bigger public wrecks, are just -- They’re almost unfishable with the triggerfish numbers. In the deeper water, the 200 to 250 feet, you’re seeing the big, giant garbage can lid triggers and we’re seeing the bigger -- I guess what you’re hinting at is the triggerfish and how far offshore.

**MR. SWINDELL:** Yes.

**MR. BOGGS:** The guys -- I mean Bill Staff will come up next and Bill fishes -- He will come up sometime during the day and make sure you ask him. He fishes way offshore in a lot deeper water, but the consensus is in that area that we’re seeing a lot of triggerfish and we talked about them migrating with the sargassum weed and I believe that has a lot to do -- Wherever the sargassum weed, when they get it eaten away and the shrimp are gone out of it, then the triggerfish drop off and that’s where they stay and so I mean we’re seeing them in the Panhandle everywhere and I’ve heard off of Tampa not so much and I’ve heard here in Texas not so much, but we fish anywhere from thirty to fifty miles almost every day.

**MR. SWINDELL:** Okay. Thank you very much.

**CHAIRMAN ANSON:** Randy, one more question from Doug.

**MR. BOYD:** Randy, thank you for your testimony. In the EFP, you manage that EFP.

**MR. BOGGS:** Yes, sir.

**MR. BOYD:** All right. You all use tags to distribute the fish?

**MR. BOGGS:** Yes, sir.

**MR. BOYD:** How did that work for you?

**MR. BOGGS:** We found out -- You know the EFP was granted and it came into effect very quickly. We got it on the ground and up and running in about ninety days and the tag program was a hindsight that I put into the deal and the tags were a receipt, because if you’re fishing out of season and the game wardens stop somebody that’s got two red snapper in the cooler -- We had sequentially numbered Tyvek tags that accompanied each fish that left the boat.

They’re sequentially numbered and it wasn’t that hard to keep up
with. You know we absorbed the cost of them and it’s about -- If you order them in bulk, it’s not so bad. It’s about twenty-cents a tag for the fish, but it taught us to be more diligent with our fish counts.

You know with a headboat, when we’ve got thirty-two or thirty-five people and you get on a red-hot bite of fish -- Kevin was on the boat the other day and we caught twenty-six snapper in four minutes. When you’ve got fish like that coming in the boat, it’s pretty hectic, but you know we pull off quicker and the tag program worked really, really well and you know I have no qualms about it.

With the headboat program, we reported electronic daily and it makes us a lot more diligent about what we’re doing and it makes us keep up with our fish count a lot better, because you know our reputation was on the line to make sure that we towed the line.

I will tell you the first two weeks of it we didn’t realize how many times we were one or two fish over or one or two fish under, but with the tag program, it made sure that -- Because our tags had to coincide with the fish and the first year we were really intercepted at the dock a lot and so it made us a lot more diligent with our fish count and the customers seemed to like it a lot better, because we didn’t get to the dock and say we thought we had a limit and we missed one fish, but it made us -- I mean the tag program worked great and I have no problems with it.

MR. BOYD: All right. Thank you.

CHAIRMAN ANSON: One more, Randy, from David.

MR. WALKER: Thank you, Randy. What do you think about a one-fish bag limit on trigger and maybe a later opening?

MR. BOGGS: Wow. I think a one-fish bag limit on triggerfish would be good. You’re going to make them throw darts at me. As long as we have state compliance with the triggerfish, so we can keep it at a one-fish bag limit -- I noticed that one-fish bag limit on trigger and in the northern Gulf, I don’t think anybody would fight you too hard if we had an incidental catch on gag grouper and one or two per day per boat.

I mean I don’t see where that would -- That would keep down the dead discards and we don’t necessarily have to have a long -- We don’t have to have one grouper per person or two or three or
four. If we just had an incidental catch on grouper and even
with triggerfish -- You know if you went with a five or ten fish
per boat per day boat limit, that would certainly -- With a
bigger size limit, that would certainly satisfy what we need to
do and on a six-pack, or even on the headboats, we would be
tickled to death to have that and not have a two-fish or one-
fish per day bag limit with a long season.

It doesn’t matter when the triggerfish are open, if it’s winter
or summer or fall. Just like what we’re talking about opening
gags in June instead of July -- We talked about keeping one
trophy fish, one big fish that you could keep, and our
triggerfish have moved into that trophy fish category, because
we’re seeing a lot of five to eight-pound triggers. If we could
separate that somehow, it would be fantastic.

CHAIRMAN ANSON: Thank you, Randy. Bill Kelly, followed by Dale
Woodruff.

MR. BILL KELLY: Mr. Chairman and members of the council here,
I’m Bill Kelly, representing the Florida Keys Commercial
Fishermen’s Association on three issues: king mackerel,
yellowtail snapper, and spiny lobster.

Regarding king mackerel, thirty years of rebuilding and we will
reap the benefits only to listen on Monday on committee reports
for two-and-a-half hours that collectively we’ve been
underfishing them by about 50 percent, or close to that, over
the last ten years and that we need to proceed cautiously so
that we don’t create bigger problems with all of these older
fish that are out there.

Rather incredulous, at least the mathematics part of it, is we
still don’t fully understand this thing, but we certainly feel
that there’s something wrong with the modeling that is being
used here.

Obviously there is a need for reallocation and we certainly like
this concept of 5, 10, and 20 percent. If you don’t take the
lead on this and we don’t do something with regard to
reallocation, we are going to have so many old fish out there
that it’s going to be like the old dogsled adage.

If you don’t take the lead, if you’re not the lead dog, the view
ain’t never going to change and next year, we’ll be back here
looking at the same issues again and again and again. Anyway,
we encourage you to do that and please examine the reallocation
and see what we can do with this on a very healthy,
underutilized stock.

With regard to yellowtail snapper, reallocation is also an issue. We’re seeing an abundance of fish available on the Gulf side, when the reality is probably another 20 to 25 percent of that quota should be reallocated to the South Atlantic side, where those fish are being caught.

We also see a recreational side on the South Atlantic that’s only fishing about 35 percent of the quota and we will address that with the South Atlantic Council. Again, reallocation seems to be in order.

Very confusing here. We had this same issue about three years ago, or something similar to it. We worked with National Marine Fisheries Service and Dr. Crabtree found some irregularities in reporting and I certainly hope that we can run those numbers again and see if we don’t have a similar issue, where we, because fish houses have not reported, that we’re averaging the numbers and causing problems here.

We would like to reaffirm our support for management by the councils as opposed to state jurisdiction on this, for many reasons, which I will not elaborate on at this time.

We also applaud your action to separate the yellowtail snapper fishery issues into a framework amendment and regarding spiny lobster, we have a good year and reduce the traps. If we have a bad year, reduce the number of traps. If the sun comes up, reduce the number of traps.

One thing or a couple of things are consistent. The greatest impact on the spiny lobster fishery is hurricanes and tropical storms and the PaV1 virus. Something else very consistent and more than a thirty-year history of a very sustainable fishery here.

We would like to join in on the review process that will be established by both councils and we would like to recommend that, one, you have an AP meeting prior to that and let’s get some industry-based solutions on the table and let’s have the SSC get together with the same thing and find out what their recommendations are and possibly a joint AP/SSC meeting and then we’ll sit down with that review panel.

One thing that was consistent from the last time was that we should be exempt from an ACL exemption. Unfortunately, that language does not exist in Magnuson and we’re working to have
that changed. Thank you very much.

CHAIRMAN ANSON: Thank you, Bill. All right. We have Dale Woodruff, followed by Gary Bryant.

MR. DALE WOODRUFF: Dale Woodruff, Charter Boat Class Act and Baby Blue. I am dual-permitted. I’ve got two boats and one of them has got a commercial permit on it and also the smaller boat does, the Baby Blue.

Last week, as a board member of the VFA, we voted not -- We want out of 39 and so we voted to go with 39, 2, 2 and we want to move on with 41 and 42 and we would like to see maybe the sunset clause even be extended a couple more years. That would be great.

Electronic logbooks, I just had one installed on my boat just a few days ago and it’s very easy to operate and very easy to handle. You know real-time data reporting, you know where my boat is at when I leave the dock and before I get back to the dock, you should already know what I have caught, hopefully fish-by-fish by the time it’s over with. If that’s not good data, then I don’t know what is, because the data that we’ve been dealing with for years has always seemed to be the best available, but it doesn’t always seem to turn out that way, especially with the last deal with dealing with the triggerfish.

You know we’ve got -- It’s amazing that we used to pull up on a spot and snapper would be swimming on top of the water and now we pull up on a spot and triggerfish are swimming on top of the water. It’s unbelievable. We are catching triggerfish on sabiki rigs at the end of our rock jetties, which is only a few hundred yards from the beach, small triggers.

We go out three miles and the State of Alabama has put a cluster of spots out there, sixty spots, all in clusters. We are catching triggerfish this small to fourteen to eighteen-inch triggerfish three miles off the beach.

If you get out to fifteen to twenty miles, they’re five to eight-pound triggerfish. They are everywhere. You can’t even chum up a black snapper and you can’t do something other when all the other species are closed because of regulations. If you try to catch something else that’s not closed -- Because the triggerfish are just in the way.

You know having one area of the Gulf open longer than the other area, how is that fair and equitable? Magnuson-Stevens says
that one state cannot I guess supersede or be whatever and have more days and I guess that’s what -- I don’t know the terminology of it, but you know you’re going to see a big effort shift on that. Have boat on trailer and will travel and that’s what’s going to happen.

Just a few minutes ago, we watched you all do a little thing and Roy said don’t do nothing with this buffer deal, because it’s not going to work and so we wasted a lot of good time and money and our staffers over there are fixing to have to go through that process and for what? For it to be thrown in the garbage can and that seems like what’s always happening here lately and so no to 39. Thank you.

CHAIRMAN ANSON: Thank you, Dale. Gary Bryant, followed by Bill Staff.

MR. GARY BRYANT: Gary Bryant, owner and operator of Red Eye Charters, Fort Morgan, Alabama. I’m also Vice President of the Alabama Charter Fishing Association. I would like to start off my comments as a representative of this association.

We are really fortunate to have a good relationship with Kevin and Chris Blankenship. I think we work well with our fishery managers and they have taken time to meet with us and try to inform us on 39 and the benefits it could have.

Short-term, we could actually get more days under it, but our biggest problem is a word you’re all familiar with, uncertainty. That’s our biggest concern, is what happens when Kevin is not there and he’s gone and what happens when we get a new Governor and his biggest contributor doesn’t like the charter boats.

Anyway, our biggest problem is uncertainty and as a business owner, we are looking for stability. We figure we have more stability under the federal system. Also, in talking with our federal charter boat guys from other states, we see no reason to believe their states can offer them any more stability than we would have.

As an association, the Alabama Charter Fishing Association, we have voted to continue our support for Amendment 41 and 42 and we would like to respectfully ask that you remove us from 39. We think that 39 would be a great tool for giving flexibility to the private recreational angler, but we would like to stay with the federal system for the charter boats.

Also, the association would like to reaffirm our support for
electronic logbooks. We are currently having VMS installed and looking forward to providing data that we hope this council will be able to use at some point in the future in making decisions.

On my personal comments, I am concerned about the triggerfish. I am seeing a growing population and I would like to see -- I don’t understand why that would not show up in the assessment and so I would like for you to look at that again.

Also, on the gag grouper, I would support the twenty-four-inch limit and would like to see an earlier opening, just to do away with the bycatch when we’re catching them when we’re snapper fishing. Thank you for your time.

CHAIRMAN ANSON: Thank you, Gary. Gary, we have one question from Doug.

MR. BOYD: Thank you, Gary. Just a question. Evidently you are one of the leaders of that organization. Did you all spend any time talking about the effects of Amendment 40, 41, and 42 on the fishermen, the recreational angler, that comes and gets on your boat and goes out with you?

MR. BRYANT: On the effects of 40 and 41 on the -- When we get to our goal, we should offer more flexibility is what we’re hoping. I guess I’m a little vague on how you would perceive that.

MR. BOYD: Well, what we hear every time at public testimony is how you all have discussed how 40 and 41 and 42 will enhance your ability to operate and to make a profit and have you all looked at the other side of the coin, on what the impacts are and what might happen to the recreational fishermen that you serve as a guide?

MR. BRYANT: Yes, sir. Anytime we increase the flexibility and access to the fishery for the charter boats, we only -- We are not fun fishing or going fishing for ourselves. Any enhancement we get will enhance the availability of recreational fishing to the general public. Thank you.

CHAIRMAN ANSON: Thank you, Gary. We have Bill Staff, followed by Eric Brazer.

MR. BILL STAFF: Bill Staff, Charter Boat Sea Spray. I’ve been fishing since 1981, charter fishing. I promise you all that Gary and I did not write our speeches together, but it’s pretty redundant.
The 2015 season was the first season in a long time that we were
told we were going to get X amount of days and we got them and
we booked our days. The forty-fourth day, I took somebody
fishing and I didn’t have to call him a week ahead and say, guy,
you can’t go. It was nice and it’s a must for business.

I am afraid of the regional management, just because when you
implemented state non-compliance, you knew it was at the cost of
the charter-for-hire. Nobody really seemed to care about that
when they did this.

Seeing the votes by the state directors against sector
separation makes me wonder how the industry would be treated as
a whole. I do believe Alabama probably would treat its boats
decent, but we all worked together to get sector separation and
I am going to go down with the ship on them. Until sector
separation, I am pretty certain the charter-for-hire were not
being treated fair and equitable.

I would like to see the council implement electronic logbooks
for more timely data. The pilot headboat program guys, talking
to these guys, it was basically flawless. I mean they’re
talking about one or two fish over a year and I mean it’s there
and we need to do something with that. Copy it and do something
close.

Move forward with 41 and 42. The triggers are just like they
say and they are rampant. This fourteen-inch size limit has
helped and the going to two per person has definitely worked.

On gags, a twenty-four-inch size limit across the board. We
don’t catch that many, but if it will help these other guys, I
am all for it. I appreciate your time.

CHAIRMAN ANSON: Thank you, Bill. Eric Brazer, followed by Tom
Ard.

MR. ERIC BRAZER: Great. Thank you very much, Mr. Chairman. I
am Eric Brazer and I’m Deputy Director of the Gulf of Mexico
Reef Fish Shareholder’s Alliance. First off, I hope you guys
had a good meal last night. That was a fun event and Lighthouse
Charities is a really good group and we really appreciate what
you guys did for them last night and so thank you.

I am not going to regurgitate the letter I sent in, our comment
letter, on Sunday. I hope you read it. I know at least two of
you did and I thank both of you.
Over the next couple of meetings, you guys have the chance to do something good and help break some of this dysfunction that we’re seeing. You’ve got the chance to help commercial fishermen by creating a working group that allows them to work with scientists on the HAPC issue and to strengthen and not dismantle the IFQ programs, which are successful, through Amendment 36, and provide an opportunity for us to see if an IFQ may work for triggerfish and some of the other species. Let’s just have the discussion.

You have also got the chance to help the charter headboat guys by keeping them out of regional management. You heard it and you’re going to continue to hear it. Keep them out, please.

Please advance 41 and 42 and please move the Gulf forward on their own charter headboat electronic reporting program. Don’t let them get bogged down by what’s happening in the South Atlantic.

You have a chance to help the private anglers. Give them state management. It’s apparently what they want and do it through Amendment 39 and stop stalling this advisory panel, the Ad Hoc Private Angler Advisory Panel. Please stop stalling that.

Finally, you’ve got a chance to help the resource by putting gray triggerfish under a rebuilding program and increasing the size limit on gags and improving hogfish management.

On my final note, I want to challenge you guys, either as individuals or as a council, to take a stand and to start defending this congressional overreach that is really -- They’re telling you guys that you’re not doing a good job. You’ve got a few congressmen in D.C. that are saying they can do your job better than you can and it’s a slap in the face to you and it’s a slap in the face to your staff and it’s a slap in the face to everybody who makes the time behind me to come to these meetings. Please don’t let a few loud congressmen tell you that they can do your job better than you can. Thank you.

CHAIRMAN ANSON: Thank you, Eric. Tom Ard, followed by Chad Hanson.

MR. TOM ARD: Hello. I am Tom Ard from Orange Beach. I own and operate two federally-permitted charter boats and I am also on the board of directors of the Alabama Charter Fishing Association, OBFA.
I was on that vote the other day on Amendment 39. We, like Dale and a few others already said, we voted to support Action 2, Alternative 2. We also voted to fully support Amendment 41 and 42. Sector separation was a really big deal for us and a nice fishery management plan to go along with that would be great.

We just installed a VMS and electronic logbooks on both of my boats. I am looking forward to using those next year. It shouldn’t be a problem to log in all the fish we catch every day. I mean, like someone said, we have to keep count of every fish we catch now, from b-liners and triggers and whatever, and so it shouldn’t be a big deal to log it in.

Our app that we’ve used for snapper is nothing. I mean it just takes thirty seconds and I’ve got the snapper stuff in and so I am hoping this electronic logbook will go along the same thing. I mean we can put all the species we catch in there and get the National Marine Fisheries instant data. I mean that would be awesome.

June 1 on gags and twenty-four inches. My boats usually catch two to five gags a year. It’s so incidental for us that it’s incredible. Now that it’s two to five, we might keep one. We let the other ones go in deep water and it just doesn’t make any sense at all that I’m having to throw back a gag grouper when we catch so few of them. I mean it’s really tough to throw one back in deep water and watch him float off.

Triggerfish, I’ve always been on the triggerfish deal. The triggerfish really is a big fish for us. It’s just as important as red snapper or amberjack for us off the northern coast. There’s a ton of them out there now.

When it went from twenty fish per person to two and the season closed, the population exploded. I just can’t really tell you how much it exploded. We fished the area called Tricer Grounds twenty miles offshore and if we go out there right now and if there’s a show of fish on it, we drive off, because when you drop the hooks down, it’s going to come up with empty hooks, because there is triggerfish on there from six-inches long to nine pounds, but a bunch of small ones and the population is incredible.

You fish reefs, like artificial reefs around there, and you could easily catch all the nice keeper triggers you wanted and so I would love to see like a May opening, even if it’s for a week, and one fish and sixteen inches. I mean, like I said, they’re very important to us. That’s about all I’ve got and so
thanks for letting me do this public comment and we will see you all in Orange Beach.

CHAIRMAN ANSON: Thank you, Tom. Chad Hanson, followed by Jesse Allen.

MR. CHAD HANSON: Good afternoon, Chairman Anson and the council and staff. My name is Chad Hanson with the Pew Charitable Trusts. Thank you for the opportunity to speak to you all today. I’ve got a couple of issues here.

In Amendment 39, we urge adoption of Alternative 2 in Action 2, to apply the regional management plans strictly to the private recreational fleet. This action could foster conservation and maximize flexibility for each of the unique segments of the red snapper recreational fishery.

It would enable staff and stakeholders to continue working on Amendments 41 and 42, which could benefit the for-hire fishery. This choice acknowledges the differences between the two recreational components, while allowing both to achieve more accountability and flexibility, and it also responds directly to the request of the for-hire fleet for getting data systems and management strategies they’ve been desiring and also for the private recreational fleet.

Electronic logbooks are a vital step toward catch and effort monitoring, in concert with management strategies that are under construction. We support reconvening the technical subcommittee to work out the standards and protocols for that system and with the expert guidance from that subcommittee, in concert with the Science Center and MRIP, the council will have a clear path forward on development of that program and so we urge you to get that group together.

On gag, we support the council’s preferred alternatives to increase the recreational size limit to twenty-four inches and add December to the fishing season. These options provide more fishing opportunities, especially for the southwest Florida fishery, while remaining relatively conservative.

Several indicators point to a problem, however, with the gag population, including low landings by all sectors, low abundance, recruitment heading downward, and catch per unit effort heading downward.

The update assessment next year, late next year, will be coming to you and likely will confirm that the health of gag is not
good and could require further management action and so, therefore, now is not the time to significantly lengthen the recreational season. Thank you very much for the opportunity.

CHAIRMAN ANSON: Chad, we have a questions from Roy.

MR. WILLIAMS: Chad, you have been fairly vocal on gag through the past several meetings. A lot of people have suggested a June 1 opening on gag and you did not address that. Do you guys have a position on that?

MR. HANSON: No, I haven’t had time to confer with my team, but just listening to the comments, I think it’s a reasonable thing to consider, considering the people out there fishing for red snapper and they have a discard issue. We definitely want to help minimize the dead discards and so it’s not an unreasonable approach.

It would be below the ACT and ACL. However, while we supported the ACL staying at the status quo level, there is an indication that those levels may actually be too high, considering what’s in the water right now, the status in the water. Our concern is that we lengthen the season and we catch those fish and we come back and have a problem with the fishery.

To address the discards, the other day we had a presentation by Dr. Luiz Barbieri on the management strategy evaluation and yes, Robin, it’s a mouthful, but when we look at an issue like the gag season, what should the optimal length of the season be, the management strategy evaluation approach could take that gag fishery and put it in the red snapper fishery and put it in the different fisheries, the dead discards, and you evaluate what that optimal season for the resource and the fishery is itself, in concern with those other fisheries and so you look at the best overall approach for the fish and the resource and the fishermen.

I think going to an MSE approach, that’s where these decisions could be made and not in isolation, but in total or overall with other species and interactions and so I would urge you guys to consider looking at the MSE as a tool that could be used for making these kinds of decisions. Thank you.

CHAIRMAN ANSON: Thank you, Chad. Jesse Allen, followed by Michael Miglini.

MR. JESSE ALLEN: Good afternoon, everybody. I want to thank you for the council’s time. My name is Jesse Allen and I’m a
recreational angler from the San Antonio area of Texas and I’m here to voice my support for a private recreational fishermen advisory panel.

I gave public testimony last year at the council meeting in Biloxi, Mississippi in support of Amendment 40 and was pleased to see that pass and I have been pleased to see the council working with the for-hire charter boats to have more accessibility for that fishery.

What I haven’t been pleased at is how the council has interacted with the recreational fishermen community and trying to find workable solutions for some of the management issues.

I grew up in Maine in the 1980s and experienced firsthand the dramatic decline in the striped bass fishery with a subsequent rebound, a substantial rebound, and a subsequent decline. I am not 100 percent convinced that states have the restraint to successfully manage a fishery long term.

As far as Amendment 39 is concerned, if the recreational anglers are going to get pulled into some sort of a mixture between state and federal management, I do think that it’s important that we have a more accurate representation of what recreational anglers want to see from a management perspective.

I think there are ways to better manage accessibility and sustainability, but we need to make sure that we’re getting an accurate representation from what our private recreational anglers want to see.

CHAIRMAN ANSON: Thank you, Jesse. Jesse, we have one question for you from David.

MR. WALKER: Thank you, Jesse. There is going to be some discussion with the council and we’re going to be discussing about the private angler AP development. I would just like to know what you think about that and what you hope it would accomplish, if you supported that.

MR. ALLEN: What I hope it would accomplish, I would hope that we could get together, like I said, a more representative group to better measure recreational interest and try to come up with some more dynamic solutions to tackle this balance between access and sustainability. Thank you.

CHAIRMAN ANSON: Michael Miglini, followed by Skipper Thierry.
MR. MICHAEL MIGLINI: I am Michael Miglini and I’m here to give testimony on 39 and 40 and 41 and 42 and all of the other things. On Amendment 39, if there are some people that want to go forward on that, I understand. I don’t believe that charter-for-hire should be part of it and so if you’re going to vote on 39, I would say 2.2.

I really believe that the charter-for-hire is -- We’ve come together and we’ve got our Amendment 40 and we’ve got our little sector allocation and I think we can work something out amongst ourselves better than we can starting over with each state.

I think that, on the sunset on Amendment 40, that it would be good to extend that sunset by maybe 100 or 200 years. That would give the council some time to work out the issues with Amendment 39 and I would say in the next year or two that we could -- You all could go ahead and move 40 and 41 forward and we can set a pretty good example by learning how to work some things out.

I like the increase in access and some of the things that we’ve done with the headboat EFP. Although there is issues with anything, I think it’s shown that we can move forward on some things and we can make some progress and add some flexibility in seasons and at least the option for operators to fish with less bycatch and everything else like that. At least the tool is out there and gives the boat operators the chance to have some things instead of being constrained into a one-size-fits-all season.

Definitely I would like to keep going with 40 and 41 and 42 and if there is a consensus that 39 is a good idea for a certain group, just keep us out of it and you all have a great time.

As far as data collection goes, I believe that there is not going to be any harm in getting some data collection on the charter-for-hire boats showing who is fishing and who is not fishing.

It doesn’t necessarily need to become part of a reduction in any fleet or anything, but it will show effort and it will show landings and I don’t see a down side in having good data, but I would like the data collection and the system to be fleet-wide and professionally developed and integrate well in the system so that we can use that data effectively with the existing system and stock assessments and everything. I’ve got two seconds and so thank you for giving me time to give public comment.
CHAIRMAN ANSON: Thank you, Michael. We have a question, Michael, from Ed.

MR. SWINDELL: Where are you from?

MR. MIGLINI: I have boats in Port Aransas. I am not running my boat right now, because the rig removals -- I was running a spearfishing and scuba diving operation for the last fifteen or twenty years out of Port Aransas, but with all the oil platform removals, my playground has been pulled up and hauled further offshore, where it’s not economically feasible for me to run diving trips anymore and so I ran a boat up in Alaska this summer and it was kind of nice, but I live in Corpus Christi and I’ve got some boats and hopefully with 40 and 41 and 42 coming back that it’s going to be worth it for me to keep taking people offshore fishing and be able to earn a living on it, like we did when we had a 180-day season and things like that.

MR. SWINDELL: Okay. Thank you.

MR. MIGLINI: Thank you.

CHAIRMAN ANSON: Thank you, Michael. Skipper Thierry, followed by Garrett King.

MR. SKIPPER THIERRY: Good afternoon. I am Skipper Thierry and I have a headboat, the Escape, out of Dauphin Island, Alabama. I have had the Escape there for about ten years and I fished a long time before that.

Guys, charter and headboats have made it crystal clear that we don’t want to be included in Amendment 39. Among a lot of other reasons, how can we support an amendment that’s so vague and has so many details yet to be worked out?

One of the alternatives in 39 discussed yesterday at length has Mississippi, Louisiana, and Texas as really big winners, but Alabama and Florida having ten to fifteen-day seasons, while Louisiana and Texas were -- I don’t remember, but seventy or eighty days.

How is that fair and equitable? It also seems very likely this could cause a shift in effort to the western Gulf. I mean why not vacation in Biloxi or Galveston instead of Destin or Orange Beach? You know pull your boat there and take advantage of that.

Please let us continue on the path we’ve been fighting for for
so long with Amendment 40. Please move 41 and 42 along. You know Gary Bryant was asked how Amendment 41 and 42 could benefit the anglers on the back of our boats and being in the collaborative the last two years, I can tell you my customers have been happier. Day in and day out, they’ve had a better time.

Being out of the derby -- My boat will hold thirty-nine people. I used to fill it up and I dropped it down to twenty-eight people and people love that. It’s a lot more room and it’s just a better time.

We have dropped our limit on my boat to one snapper per person almost all year long. It kind of guarantees they have a little mess of fish to catch and then it gives us a lot of time to fish for other stuff, b-liners or porgies. If it’s a smaller trip, we have more time to fish for kings and cobia and you name it. It gives people a lot more diverse catch instead of just going out there and bringing back red snapper.

One of the stats I saw on the collaborative was that it increased public access to red snapper by 100 percent and I just saw that on a presentation one time. That’s pretty big.

Triggerfish are more abundant than they’ve been in many years. Everybody says the same thing and I would send it back to the SSC for another look, please. They have been increasing for several years and anything showing something different is wrong.

Being in the collaborative the last couple of years, we’ve used a logbook and VMS every day and we haven’t had any problems with it. It’s simple and easy to operate and it just takes a minute to send in your catch at the end of the day. You know there is additional safety at sea there, not to mention how valuable they are for validating our landings. Please continue working to make them a part of our management plan. Thank you.

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

MR. WILLIAMS: Skipper, thanks for coming. You were part of the headboat collaborative, right?

MR. THIERRY: Yes, sir.

MR. WILLIAMS: You said you enforced a one-fish red snapper bag limit on your boat?

MR. THIERRY: Probably on 90 percent of my trips, yes, sir.
MR. WILLIAMS: How long were you able -- How many days were you able to get out of the season then?

MR. THIERRY: I ran out of fish from my own little quota around the first of August this year and then I leased some from another vessel that was having a little bit slower summer and I still have a few of those. Thank you all.


MR. WILLIAM LOVE: My name is William Love and I’ve been the owner of one of these permits for twenty-four years and I am for the 42 and 41 and I just want to make a living. The logbooks, I would be ready to do something like that if you all came out with it. Thank you.

CHAIRMAN ANSON: Thank you. Mr. Love, we have a couple of questions over here, I think. Pam.

DR. DANA: You may be asking the same question as me, but where are you from, Mr. Love?

MR. LOVE: I am from here, Houston.

MR. SWINDELL: Could you say that again?

MR. LOVE: Houston.


MR. GARY JARVIS: Captain Gary Jarvis, President of the Destin Charter Boat Association, the largest federally-permitted charter fleet in the Gulf of Mexico. I stand here representing myself, my fleet, and the tens of thousands of recreational anglers whose only access to the EEZ fishery annually is aboard our vessels. My video at the last meeting showed some of those anglers telling you guys thank for Amendment 40.

Also, I noticed a couple or two meetings ago the headboat presentation, pilot presentation, showed the innate access improvement by looking towards alternative management programs. I stand here asking you to work with me, with my fleet and the other federally-permitted businesses, to sustainably and effectively manage our customers' portion of the red snapper EEZ

67
fishery.

We believe in this Gulf Council process, as slow as it may be, and the laws that are required by the MSA. They provide guidance, rulemaking processes, protections, stakeholder access, and input that is not available at the state level.

There is no state constitutional language or state law that protects our right to be recognized as a separate user group or even our right to exist.

We have an innate lack of faith in the state to be objective, fair, or committed to our success, due to the repeated actions our industry in the past four or five years and so I offer a chance to change this dynamic and to start an initiative, a level of trust and a new level of co-management of these resources.

Our fleet asks this council to start that with Action 2, Alternative 2 in Amendment 39. We wish the private boat anglers much success and the state-licensed guides. We encourage management of this sector by the states if they so choose.

Mr. Chair, I have ideas and so does our industry and thoughts for that portion of the fishery and we look forward to working with the state managers and this council to improve their access as well as ours, but we are a federally-permitted sector who fish in the EEZ primarily who have an allocation of federally-managed red snapper and have the ability, with this council’s help, to develop an accountable, sustainable federal FMP. We already have Amendment 41 and 42 in the process and want to remain in the federal management process and finish these amendments.

I support, and our industry and our fleet, the south Florida fleet’s gag grouper request you heard today and especially I want to thank the federally-permitted Texas charter fleet for their unwavering support and damn fine Texas hospitality. Thank you.

CHAIRMAN ANSON: Thank you, Gary. Jason McRae, followed by Taylor Borel.

MR. JASON MCREAE: Good afternoon. My name is Jason McRae and I’m from here in Galveston, Texas. I run a dual-permitted charter boat. I recently came over from the recreational side and I have watched this go on for years and the regional stuff does not work. The direction that these guys have gone in the
past couple of years is the reason why I came over. I think that the directions are -- We’re headed in the right direction.

The federal folks that run the boards and the way they’re going to do it, that’s the way we need to keep going. I am not in favor of continuing with regional management on 39, 41 and 42, the amendments, I think we need to further the action of both of those. Thank you all very much.

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

MR. RIECHERS: Mr. McRae, you said you recently came over. Did you purchase a vessel and charter federal license or --

MR. MCRAE: I have actually had my vessel and I finally purchased all of my permits to go with it. I decided to make the jump.

MR. RIECHERS: Okay and so you did that in which year, just out of curiosity?

MR. MCRAE: This year.

CHAIRMAN ANSON: All right. Taylor Borel and is Garrett King in the audience? Keegan LaBry is next.

MR. TAYLOR BOREL: Thank you, guys. I just want to say I’m Taylor Borel and I’m from Galveston, Texas. Like most of the guys, I don’t want to go with Amendment 39. I want to go through 41 and 42 and you need to listen to Scott Hickman and Shane. They have gone all over the Gulf Coast and they have a lot of knowledge about everything and thank you all for you all’s time.

CHAIRMAN ANSON: Thank you. Keegan LaBry and Jason Rittenhouse. Is he in the audience? All right. Following Keegan is Dave Woodworth.

MR. KEEGAN LABRY: I am Keegan LaBry from Galveston, Texas with Adventure Charters. We are here today speaking, Taylor Borel and us younger guys, speaking on behalf of not supporting Amendment 39. We would like separation from the state and we feel like Amendment 40 is doing us good and we would like to move forward with 41 and 42. Thank you, all.

CHAIRMAN ANSON: Thank you, Keegan. Dave Woodworth, followed by Jeff Nielsen. Jeff Nielson, followed by Tyler Walker.
Mr. Jeff Nielsen: Thank you all for being here and doing all the work you all are doing for us and stuff like that. I am Jeff Nielson with Galveston Fishing Charter Company, which is based here in Galveston. I run four boats and, as we speak, I am building a fishing lodge at this moment.

I am for Amendment 40 and moving forward with Amendment 41 and 42. I think you all have done a great job with Amendment 40 and so I think it should be pursued from this point on, especially with all these charter guys here today. That kind of puts a picture in your eye that we are very passionate of what we do. Thank you.

Chairman Anson: Thank you. We have a question. Mr. Nielson, we have a question for you from Ed.

Mr. Swindell: Do you know anything about Amendment 39?

Mr. Nielson: Just a little and not much, but I know I’m in a program right now that has worked very well and I can tell you this, that I’ve only been in the charter business for five years. I started with one boat and I have four boats now and I’m building a fishing lodge right now.

Mr. Swindell: Okay. What about vessel monitoring and electronic monitoring?

Mr. Nielson: I would love to go into that program if they offered it here for us in Texas.

Mr. Swindell: Very good. Thank you.

Mr. Nielson: Thank you.

Chairman Anson: Tyler Walker, followed by Derrick Greene.

Mr. Tyler Walker: Good afternoon. I am Tyler Walker and I’ve been a mate on a federally-permitted boat for about six years now. I go to the Maritime Academy at A&M and we do not want Amendment 39, like you’ve heard for the past thirty times, and I would like to have my own charter boat when I graduate from school and I’m off on the ships and initiating Amendment 41 and 42 and proceeding with 40, I believe that would help me out in the future and help me get through school. Thanks.

Chairman Anson: We have a question for you from Ed.

Mr. Swindell: So you’re in school now and you want to go
fishing full time?

**MR. T. WALKER:** No, sir. I will be out on a ship and then when I get off, I want to fish.

**MR. SWINDELL:** Okay. Where are you from?

**MR. T. WALKER:** Texas.

**MR. SWINDELL:** What part?

**MR. T. WALKER:** Moses Lake.

**MR. SWINDELL:** Okay. Good luck.

**MR. T. WALKER:** Thank you.

**CHAIRMAN ANSON:** Derrick Green, followed by Cody Carmody.

**MR. DERRICK GREENE:** Hello. My name is Derrick Greene and I am the owner and operator of In the Zone Fishing Charters. I have been fishing in the charter industry for quite a while now and I have just acquired my federal permits and I think we should go on with 41 and 42.

I really like the forty-four days we had. I hate not having the ability to give our customers the access to our fisheries. I believe that I am the future of this industry. You know I’m younger in the industry and I don’t claim to know everything, but I am learning as I go.

I really think that a lot of us guys are really passionate about this industry and we think we should be able to have access to our fisheries. I actually missed a charter this afternoon to be here just to give my opinion, because I think all of our voices should be heard on this. Besides that, I pretty much appreciate your time.

**CHAIRMAN ANSON:** Thank you, Derrick. Cody Carmody, followed by Hans Guindon. Is Hans in the audience?

**MR. HANS GUINDON:** How are you all doing? I am Hans Guindon and I’m a commercial bottom longline fisherman out of Galveston, Texas. I spend a lot of time out in really deep water. I fish anywhere from 350 foot all the way out to 1,200, catching tilefish.

A growing problem I am seeing is -- You know I average 20,000
pounds of fish a trip, generally, and amongst that 20,000 pounds, 2,000 pounds, usually, in the beginning of the year, is amberjack. Then the rest of the year, I’m having to throw back these massive fish and it’s just sad to watch that many fish float off like that.

Being able to introduce them into Amendment 36, maybe, because everything is working great in there. The snapper population is up and tilefish and grouper and everything is working great in there and so bringing Amendment 33 back up onto the table for discussion would be great for me and so definitely trying to get something to do with these amberjack.

I can’t keep throwing them back and letting them float off like that and in 600 or 700 foot of water, they’re just not going to live, even with properly deflating them and everything. It’s just not going to work. Thank you.

CHAIRMAN ANSON: We have a question from Ed.

MR. SWINDELL: How far out are you going to bottom longline?

MR. H. GUINDON: I start at about a hundred miles out of Galveston, Texas.

MR. SWINDELL: And you’re out for how long?

MR. H. GUINDON: Anywhere from ten to fifteen days, generally.

MR. SWINDELL: Okay. Straight out or are you on an east/west?

MR. H. GUINDON: I fish all over the Gulf, sir.

MR. SWINDELL: Okay. Thank you.

MR. H. GUINDON: Yes, sir. Any other questions?

CHAIRMAN ANSON: No, apparently not. Thank you. Michael Regan, followed by Aaron Grace.

MR. MICHAEL REGAN: Hi, ladies and gentlemen, and thank you for having me this afternoon. My name is Michael Regan and I own Lang Check Charters here out of Galveston, Texas.

Derrick Greene and I are actually basically slip mates. We’re neighbors. We’re right across the street from each other. He and I are both working now and we’re new. We’re new to the industry. We’ve been doing charter fishing for a while, but
we’re new to the offshore. We now have our own boats and we’re running these charters. We are definitely against Amendment 39 and we would like to go with 2.2, please.

We are for 40. We like the extended season that we got this year. It was excellent. The customers could not be happier. People are getting the fish and to segue into that, as far as the logbooks would be concerned, I would love to prove to you guys, through these logbooks, how many fish are really out there.

The actions you guys are taking have really improved the fishery very dynamically. Without up-to-date information, how do you know really what we’re seeing? I can go out there and I can catch so many red snapper right now in places that I have never caught them before, but you guys don’t know that. It’s hearsay. If I have to report and tell you what I’ve caught, you know what’s out there and that is a real-time deal. 40, like I said, is working good and 41 and 42 are excellent and please continue with the work. I appreciate it.

CHAIRMAN ANSON: Thank you, Michael. Aaron Grace, followed by Scott Hickman.

MR. AARON GRACE: Hello. My name is Aaron Grace and I run a federally-permitted boat out of Galveston, Texas. I don’t support 39 and I do support 41 and 42 and I just wanted my vote to be heard. That’s all.

CHAIRMAN ANSON: Thank you, Aaron. Scott Hickman, followed by Matthew Grace.

MR. SCOTT HICKMAN: Good afternoon, ladies and gentlemen of the council and welcome to Texas. It’s great to have everybody here in my home fishing town. I am going to make it quick, because we’ve still got a lot of people to talk and I know everybody wants to get out of here today. It’s so warm.

My fleet does not want to stay in state-controlled type management or enter into that through Amendment 39. We worked real hard to get Amendment 40 done and we feel that through Amendment 41 and 42 we’ve got a bright future and we can develop a plan that will leave more fish in the water and reduce discards and raise the level of accountability and do all of the conservation things that are mandated under the Magnuson Act.

I would like to see Amendment 33 untabled and brought back up. We need to move the rest of the commercial reef fish into an
IFQ. Wasting fish in any form or fashion should be made illegal. If you come deer hunt or duck hunt on our ranches and you’re throwing game out, you would be written a ticket.

Any fishery program that encourages the waste of a natural resource needs to be changed. Amendment 33 could really make a difference in that. That’s basically all I’ve got to say.

I would like to thank Robin and his folks for reaching out to us and we’re discussing maybe moving Texas into one of these electronic logbook programs that GSI is putting forward and that would be fabulous. Our fleet has shown a lot of interest in doing that and so we look forward to working with you, if that’s a possibility. Thank you very much.

CHAIRMAN ANSON: Scott, we have a question from John.

MR. SANCHEZ: More of a comment. I just want to thank you, the CFA, and the Shareholder’s Alliance for that party last night. The food was amazing and I literally ate until I couldn’t tie my shoes. It was fantastic.

MR. HICKMAN: Thanks for all you all do and that’s the least we could do. Keep up the good work and my charter boat guys, I would like to thank them as well for showing up today and taking time. We have a lot of these guys that actually -- You’ve seen how beautiful the weather has been this week and they have the opportunity to have charters and I got on them and said I know you can make some money, but it’s important for you to get here and they agreed and they came out and so I appreciate you all listening to them. Thank you.

CHAIRMAN ANSON: One more question, Scott, from Pam.

DR. DANA: I am embarrassed that I have never asked this before, but how many federally-permitted charter boats are there in Texas? I appreciate you rounding up folks, because it’s good to see people who are normally not present in these meetings.

MR. HICKMAN: I guess they’re comfortable with Mike Jennings and Shane and I traveling around to these things and speaking for them. We do a lot of communication here and pretty much all of our boats run out of Galveston, but the Houston -- The Houston, Galveston, Freeport area, which is all fishing people from Houston, are basically one fleet.

There is 138 permits in this region. We are the third most dense percentage of federal permits in the Gulf of Mexico and so
we’re the third largest fleet and I think Texas has a little over -- Right at 200 federal permits and the lion’s share is right here and, of course, the fourth largest city in the country, with the best baseball team, and we’ve got a lot of people that like to go fishing.

CHAIRMAN ANSON:  Doug Boyd, do you have a question?

DR. DANA:  Wait, wait, wait.  So you have 138 federally-permitted within the --

MR. HICKMAN:  This small area, yes, ma’am.

DR. DANA:  Okay and so that doesn’t include all Texas and that’s just your particular area?

MR. HICKMAN:  That’s just this particular small area right here and in the whole state, I believe the number is around 200 or so.  That’s what I understand.  230, Robin?

DR. DANA:  230?  Okay.  Thank you.  To what extent do you maintain a cohesive kind of communication with your 138?  I mean do you feel comfortable that you speak for the majority of those?

MR. HICKMAN:  We generally -- In Galveston County, we’ve got one marina and there’s almost 1,000 slips.  It may be the largest marina west of the Mississippi River, the Galveston Yacht Basin.  We have meetings.

I know NMFS does a sea turtle deal and Charlie Bergman goes around the Gulf Coast and he usually says he has two or three people show up and we had one earlier this summer and we had like forty or fifty permit holders there.

Not only do we talk about the sea turtle regulations and what gear to have on our boat, but we talk about council issues and issues with our fishery and what we want to move forward with.  We don’t just come to these meetings and say what I want.  We reach out to these guys and talk to them and say, how would you like to execute your business and how would you feel moving forward with this?

Our level of communication here is really, really good, mainly because the fleet Mike Jennings and those guys run, it’s basically off of one or two docks and the whole fleet in Galveston County runs off of one marina.  We all get gas on the same dock.  Like Destin, we all get bait from one or two places
and so it’s a big fleet, but it’s a small family.

CHAIRMAN ANSON: All right. I have a couple more questions for you, Scott. Doug Boyd, followed by Ed Swindell.

MR. BOYD: Thank you, Scott. Pam asked most of my question and so I will ask just one part of it. Of the 214 federally-permitted vessels, how many of those are in the CFA that you help represent?

MR. HICKMAN: CFA has got over 600 members. A lot of those are federally-permitted folks.

MR. BOYD: How many in Texas?

MR. HICKMAN: I haven’t done the count, but I know that a big lion’s share of our membership when we started was Texas boats and so we’ve got a bigger following here in Texas than the rest of the -- Well, I guess since Destin just joined us and Orange Beach just joined us that that’s probably -- I would say at least a hundred, just a ballpark.

MR. BOYD: So approximately 50 percent of the for-hire federally-permitted people in Texas are not --

MR. HICKMAN: CFA members, yes. I wouldn’t know without having to go through the records.

CHAIRMAN ANSON: Ed.

MR. SWINDELL: How about electronic logbooks and reporting and monitoring?

MR. HICKMAN: I’ve got a VMS on my boat now, which is the new CLS America system. It works really, really well. I haven’t seen the forms that they’re going to use for the program yet, but the equipment is good equipment. It’s small and it’s non-intrusive and it’s tiny. I’ve got a 900-horsepower high-performance boat and it’s taken a heck of a beating and it’s worked well for me.

The fleet here that’s come to me has said that -- The guys at our docks would like to participate. They are very interested in that, giving Bonnie’s folks at the Science Center better data so we can go out there and show them that we actually have a more robust fishery than what we thought. Better science, everybody benefits.
MR. SWINDELL: Thank you very much.

MR. HICKMAN: Thank you.

CHAIRMAN ANSON: Thank you, Scott. Matthew Grace, followed by Andrew Reed.

MR. MATTHEW GRACE: Hi. I am Matthew Grace and I work for Great Hook Charters. I’m a relatively young captain down here and I look forward to having a long-lasting career down here and as far as the snapper season goes, I appreciate that you guys did lengthen it and I think that’s a step in the right direction.

Just for living and making money with customers, if we can get them down here and they’re always asking about those red snapper and we can never keep them and so if we could just keep it going and maybe get the season a little bit longer, that would be great. I think that’s one step in the right direction. Thank you.

CHAIRMAN ANSON: Thank you. Andrew Reed, followed by Evan Harrington.

MR. ANDREW REED: Hello. My name is Andrew Reed and I fish out of Matagorda. We have been fishing for a while out there and we’ve got several boats. I reckon I think I’m counting about twelve permit holders that’s down there in Matagorda. Maybe give or take a few.

I think as a group, speaking for myself, but 39 is out for me. I like 40 and looking at 41 and 42, to move on. We have so many customers that call wanting to go snapper fishing and we were blessed this year to get the forty-four days and I would like to see a little bit more and so would my customers.

It’s kind of hard. You know we’re out there fishing and we’re on a spot and you have a recreational boat come up and the season is closed for us and they’re sitting there tearing the snappers up and my customers are asking me why are they catching them and we can’t keep them?

I say, guys, the season is closed for federally-permitted boats and just turn your head and go on. That’s all we can do. We’re catching them and throwing them back and they’re putting them all in the boat. If we had a little bit longer season, everybody can get their red snapper out of the way, because mostly everybody that wants to go fishing wants to catch red snapper.
I am all for the logbooks. I think it would be a good deal so we can share our data and get everything proven out so we can have more time to fish. Thank you.

CHAIRMAN ANSON: Andrew, we have a question for you from John.

MR. SANCHEZ: Good afternoon and welcome. I wanted to ask you -- You’re saying then to get this right that right now, as we speak, there is a lot of folks, when the federally-permitted for-hire fleet is closed that they continue -- The federal season is closed and they continue to fish in federal waters recreationally for snapper in your neck of the woods?

MR. REED: Yes, sir.

MR. SANCHEZ: It’s widespread and it happens a lot or a little or how much?

MR. REED: Quite often.

MR. SANCHEZ: Okay. Thank you.

MR. REED: Thank you.

CHAIRMAN ANSON: Andrew, we have more one question from Ed.

MR. SWINDELL: How far out are you having to go to get your red snapper?

MR. REED: We’re usually running anywhere from thirty to fifty miles in a day.

MR. SWINDELL: Okay and you’re having then fairly large recreational boats out there fishing or --

MR. REED: Yes, sir.

MR. SWINDELL: Okay. Thank you, sir.

CHAIRMAN ANSON: Thank you, Mr. Reed. Evan Harrington, followed by Marc Wilkerson.

MR. EVAN HARRINGTON: Good afternoon. I am Evan Harrington with Epic Charters. A little background about me, this is my first year to own a for-hire charter boat and so this is a little bit new for me, but I have learned a lot in my first year.
What I do want to say is that myself and my customers and the anglers that are on my boat this year appreciate what you all did with Amendment 40. I would personally like to see it keep coming into 41 and 42 and also, I hear about the logbooks, electronic logbooks, and stuff like this and just personally, you know I ran twenty-five days out of the season and not once did my fish get counted. I would like to see them counted and just moving forward with 41 and 42. That’s it and thank you.

CHAIRMAN ANSON: Thank you. We have a question for you from Pam.

DR. DANA: Thank you. Where are you from again? I am sorry.

MR. HARRINGTON: I’m from Freeport.

DR. DANA: You’re from Freeport and are you at like a larger marina? I haven’t been to Freeport and so I don’t know what it looks like, but are you from that --

MR. HARRINGTON: Yes, the two.

DR. DANA: The two-dock marina and so you don’t have a lot of dockside intercepts over there or --

MR. HARRINGTON: No, ma’am.

DR. DANA: Okay. Thank you.


MR. MARC WILKERSON: Hello. I am Marc Wilkerson, owner and operator of Blue Street Fishing Charters out of Freeport, Texas. I would like a no vote on Amendment 39. Amendment 40 has been great for us and I would like to continue on with Amendment 41 and 42 and I would like, for me, for voluntary VMS to be put on my vessel. Thank you.


MR. MICHAEL SHORT: My name is Michael Short and I own and operate Good Hook Charters here out of Galveston, Texas. I have two federally-permitted boats and 39 is a no for us. I would like to see 41 and 42 go further.

I mean how many of you all know Scott Hickman and Shane
Cantrell? Pretty much everybody. Then why don’t you all listen to them? They are speaking for all of us. You know we have great communication down here with each other and I guess that’s about it. Thanks.

CHAIRMAN ANSON: Thank you. We have one question for you, Mr. Short, from Pam.

DR. DANA: It’s not a question, Michael, but what it is, it’s that insofar your Texas representatives have not been voting on 39 to allow the charter boats to remain under federal rule and so --

MR. SHORT: Yes, he’s been lacking a little bit and so we’ve still got to talk about and see how we can remedy that. Is that it?


MR. GREG BALL: Good evening. I am Greg Ball from Galveston here. I run Wave Adventure Charters and I have two federally-permitted boats. I want to ask that you keep us out of the Amendment 39. I have been tickled to death with Amendment 40.

I am like the guy a while ago. I would like to have another year or 200 years or something for the sunset clause. That was kind of good, but, anyway, I am for Amendment 41 and moving forward with that and 42.

Currently, I don’t have the VMS on my boats, but I plan on putting them on this winter and having them set up for next year. I appreciate everything you all are doing and hopefully we can keep it going in the right direction.

CHAIRMAN ANSON: Thank you.

MR. BALL: Thank you all.

CHAIRMAN ANSON: Keith Carman, followed by Hughes Andry.

MR. KEITH CARMAN: Good afternoon, council. I appreciate the opportunity to speak with you. My name is Keith Carman and I run charters out of Matagorda, Texas. Those of you that haven’t been to the lovely big city, this week is a wonderful Chamber of Commerce opportunity.
First of all, I want to thank you for Amendment 40. You cannot imagine the joy, and it’s like getting a tax refund, of calls that I got to make to customers who could never, ever go during the limited season we’ve been having and so it’s awesome to be able to call them and say, hey, no pressure, but let’s pick a weekend or let’s pick a day or let’s pick a whatever. Thank you very much for that.

At first, I thought I was in favor of 39, Amendment 39. I thought yes, the states regulating, you got it and I am all over that, because you know, these federal folks -- Then I got to checking it out and not so much.

What I would like to do is stand in opposition to Amendment 39. I would absolutely not like to be mixed back there. I just remember the days that were lost and so I am against that, please.

I do also want to say that I do support 41 and 42. You know I just want to be able to manage my business. I am fortunate enough, like a lot of the captains that have testified today, that not only do we have the families and the family reunions and things like that, but I have some corporate customers.

As all of you know, because we don’t have these meetings on Saturdays and Sundays, corporate customers typically like to have their customers out during the week and so a longer season, more opportunity, means more corporate fishing. I appreciate that very much, because, frankly, they are better tippers.

I, unlike a lot of the folks that I have talked to here, we have dockside surveys. One of the folks on the council was asking a minute ago about dockside surveys and we have them in Matagorda. I cannot tell you that I have, and Andrew Reed, who testified before, but I cannot tell you that a trip I went this year that we did not get dockside surveyed and we’re happy to do that, absolutely happy to do that and so no problem.

That leads me into the logbook piece. I used iSnapper and I thought iSnapper was the coolest thing on the planet and I did report that and so I have no issue, no problem, telling you the fish that I’ve caught and so e-logbooks, obviously.

Let’s see. I think that was all the topics I had. Triggerfish, over where we’re at -- I know there’s an effort about triggerfish and we’re not seeing so many triggerfish and the reason we’re not is there are so many doggone red snapper. They are in the way. I had to clean them out of my bilge pump the
other day. I’m just kidding. I don’t want that in testimony. Thank you very much and I appreciate the opportunity.

CHAIRMAN ANSON: Keith, we have a couple of questions for you. Ed.

MR. SWINDELL: May I ask -- The people that you’re taking to fish, where are they -- Are they all from Texas or where are they coming from?

MR. CARMAN: No, I was fortunate enough this year to have -- Well, a majority are Dallas and San Antonio and we get a lot of weekenders in Matagorda, believe it or not. One of the nice things is there are boat owners, private recreational folks, that have offshore boats or offshore-capable boats, but they have never gone past basically the nine-mile limit or the nine-mile rigs, as we call it, and so we get to take those guys out. I did take a group of ministers out that was from Indiana earlier this year and that was a lot of fun.

MR. SWINDELL: That’s a long way. Thank you, sir.

CHAIRMAN ANSON: One more question from John.

MR. SANCHEZ: You are from Matagorda?

MR. CARMAN: Yes, sir.

MR. SANCHEZ: We heard from somebody earlier that there seems to be -- I guess he kind of describes it as problematic or excessive fishing during the federally closed season, the period where you’re not allowed to fish if you have a permit, and people kind of fishing perhaps in federal waters that should be in state waters. Are you seeing that?

MR. CARMAN: Yes, sir. We call those state-water snapper or those folks call those state-water snapper and they come in and they’re big enough to hang on the wall. I must say, at least myself and I can’t speak for the other charter captains, but I was -- Twice, I think, I was encountered by the federal law enforcement offshore and they asked about it and I did talk about it and I did tell them.

I think what Mr. Reed said, the gentleman from Matagorda that testified before me, is our customers see these snapper come aboard and I have binoculars and I purposely look at what’s going on. I am looking for the discard and I don’t see it. I don’t see it. It doesn’t mean that they’re not, but those
state-water snapper. Thank you.

CHAIRMAN ANSON: Thank you. Hughes Andry, followed by Tommy Thomson.

MR. HUGHES ANDRY: Good afternoon. Thank you to the council for letting me get the chance to get up and speak today. It’s going to be a little bit different story from what you’ve been hearing for the balance of the day and that’s unfortunate.

I would like to start by taking the opportunity to thank the state’s fishery management for their leadership in implementing and supporting state red snapper regions within their specific regions. The state-managed seasons have had a much greater economic impact to the tackle industry than the federal season could have ever offered under the current management.

I should have started this by saying that I am in the tackle business. I have been in the tackle business for twenty-two years, going on twenty-three years, and I have sold fishing tackle in four out of the five Gulf states and so I am pretty well immersed in what’s been going on over the past few years.

Tackle store owners and their suppliers require time and a level of consistency to properly prepare and manage their business so they can capitalize on seasonal opportunities, such as the red snapper fishery.

The federally-managed seasons offer no such consistency as of right now or much opportunity to capitalize on them. I encourage the Gulf Council to pursue state management of the red snapper fishery. I support the regional management of both private boat anglers as well as the charter vessels that carry the private recreational anglers to the resource.

Individual state fisheries management has shown that they can successfully manage species and red drum, speckled trout, and flounder are species that are currently managed under the state guidelines and have been very successful.

I would ask the council to look towards the NOAA Recreational Fishing Policy that was implemented this past year as a guidance document for opportunities to improve the recreational fisheries management in the Gulf of Mexico.

In addition, there are new state fishery-dependent data collection processes, such as LA Creel and the Florida Wildlife Commission’s reef fish permit, that have been implemented by
many states and shows promising results for more accurately measuring angler harvest.

I would encourage the council to work with the states and the private recreational community on fostering more angler participation and accurate accounting of recreational harvest and ensure that the data is incorporated in stock assessments.

I would ask that the council work with the states and universities on stock assessment methodologies that include more fisheries-independent data. The recreational community is not as collectively organized as the commercial sector or the charter boat community and often relies on a few small organizations to spread their message and make their views heard, but make no mistake that the recreational community is divided in any way about issues such as red snapper fishery management.

I feel as though the decisions made by the Gulf Council in managing this public resource have been an enormous letdown to the recreational community and it’s time to pass the management to the five Gulf states’ leaders. Thank you for your time.

CHAIRMAN ANSON: Thank you, Hughes. We have a question from John.

MR. SANCHEZ: Where are you from? I didn’t --

MR. ANDRY: I’m sorry. I’m from Richmond, Texas.

MR. SANCHEZ: Okay and so you have 365 days to fish in Texas and one question. Do you think charter boat people don’t buy tackle?

MR. ANDRY: No, I agree completely. They do and we’re not trying to push the charter boat guys out of this. I have heard fair and equitable brought up several times and ten days of a federal season is not fair and equitable.

MR. SANCHEZ: (The comment is not audible on the recording.)

MR. ANDRY: Within state waters, absolutely, but I think that the states can do a better job managing the fishery. Anybody else?

CHAIRMAN ANSON: We have one more from Dr. Crabtree.

DR. CRABTREE: I appreciate you being here and it’s good to see
tackle shop owners, because you’re right that we don’t sometimes
here as much as we ought to from the private sector guys. I am
curious. I can understand your support of regional management,
which is Amendment 39, but pretty much all we’ve heard from the
charter guys today is they don’t want to be included in it and
we’ve heard that same message pretty well everywhere we’ve gone
and so I am curious as to why would you want the council and
courage the council to include the charter boats in it when it
appears that they majority of them don’t want to go there?

MR. ANDRY: It’s clear that they don’t want to go there, but I
don’t think that it’s in the best interest of the recreational
fishery to take the total allotted quota and split that between
a recreational sector and another recreational sector and
pushing the actual recreational sector away from that specific
allotted catch.

It’s difficult, again, for tackle store owners and tackle store
manufacturers to manage when all they have is a ten-day season
of the federal ten-day season. I think that it needs to be
managed as one sector and that’s a recreational sector. Thank
you.

CHAIRMAN ANSON: A follow-up, John?

MR. SANCHEZ: This will be it. Maybe that will be a good segue
to pushing for a recreational AP to discuss.

MR. ANDRY: I think that the document that NOAA produced on
recreational fishing is probably the guideline that we could use
and so I don’t feel as though an AP is needed for recreational
fisheries.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: We have a whole set of APs and if we don’t have
recreational involvement in those APs, all we’re going to hear
from is commercial fishermen and charter boat guys, which I
think is one of the things you’re --

MR. ANDRY: I agree. I think you need to see more actual
recreational anglers at this podium on a more frequent basis to
express their concerns and views. As we saw with Amendment 40,
to the council, in some cases, it didn’t really matter what the
APs proposed and so, again, I think that the guidelines that
have been set forth by the NOAA recreational fisheries policy is
what we should use as a guideline.
CHAIRMAN ANSON: Ed.

MR. SWINDELL: I am fairly new to the council for this year, but I will tell you the advisory panels make a big impact on this council and so don’t ever think that they don’t. They do and unless we get enough people on advisory panels that are willing to fully work with us and try to get us to understand, we’re never going to get anywhere.

I mean you have only seventeen members here that are working with this and we use advisory panels for advice and we get some from you as we go to meetings, but advisory panels can, most of the time, do a much more intense job of helping us and so don’t ever think they can’t help us. Thank you.

MR. ANDRY: Thank you for your opinion.

CHAIRMAN ANSON: All right, Hughes. Thank you very much.

MR. ANDRY: Thank you.

CHAIRMAN ANSON: Tommy Thomson, followed by Kellie Ralston.

MR. TOMMY THOMSON: My name is Tommy Thomson and I flew out here from California. Like Hughes -- It’s obviously not easy to get up here in front of a room full of people that seem to be all in support or not in support of 39, but, like him, I work in the fishing tackle business and have done so for the last four years and so I’ve been keeping up with the different amendments and the issues and challenges that you guys have or are discussing and so I appreciate the opportunity to come and share my voice with you guys, as I’m here on business and I have the opportunity to be here today.

I just wanted to express my sentiments in support of 39 and very much reemphasize some of the same points that Hughes just made. Like he had suggested, I definitely encourage you guys, the council, to pursue state management of the red snapper fishery. That’s all I have to say.

CHAIRMAN ANSON: Thank you. Kellie Ralston, followed by Jordan McIntyre.

MS. KELLIE RALSTON: Thank you, Mr. Chairman and council members and staff. It’s a pleasure to be here today and I appreciate the opportunity. My name is Kellie Ralston and I am the new Florida Fisheries Policy Director for the American Sportfishing Association.
It’s my understanding that you all have received a letter outlining an informal recreational fishing meeting that occurred last month in Biloxi. There, we discussed the issues facing this sector and are working on a pathway forward.

I am here to speak in support of the continuation of this informal recreational group to develop improved management strategies for recreational anglers. ASA participated in this initial meeting and is committed to the long-term success of this process.

The meeting’s outcome was overwhelmingly positive and productive, with a wide swath of recreational interests represented. Future meetings are planned to continue to move forward and strive for recreational solutions.

ASA encourages the council to support this effort and allow this recreational group to continue to develop outside the council process and work towards a positive outcome and recommendations. Thank you for your time.

CHAIRMAN ANSON: Thank you, Kellie. We have a question from Dr. Crabtree.

DR. CRABTREE: I just wanted to lend my support, Kellie, because we’ve been trying to find some way to get this conversation going with mostly private recreational anglers for some time and I think there is some merit to having it happen a little independent from the process and so however it can get done, I encourage you folks to keep talking about how to better manage these fisheries and keep bringing us your input on that.

MS. RALSTON: Thank you, Dr. Crabtree. I really appreciate your support on that.

CHAIRMAN ANSON: Thank you. Jordan McIntyre, followed by Josh Stone.

MS. JORDAN McINTYRE: Hello. I am Jordan McIntyre and I fish out of Freeport, Texas with Cowboy Charters. I am newer in the industry. I support Amendment 40 and I was very thankful to have those days to fish and make money and also take other people to fish and have the experience and produce the fish as well.

I don’t like 39. I think it’s obvious that the charter businesses -- It kind of hurts us a little bit. I am new in the
industry, but I would like to continue to see the council work on building a better fishery and a better business plan and I thank you all for you all’s efforts so far. Thank you.

CHAIRMAN ANSON: Thank you, Jordan. Josh Stone, followed by Dan Green.

MR. JOSH STONE: I am Josh Stone. I am twenty-one and I captain a boat out of Surfside, Texas for Cowboy Charters. I also live out of Matagorda, which I fish recreational when I’m not charter fishing.

I am not in favor of Amendment 39. I want to thank you all for what you all did with Amendment 40 and I want to go ahead with 41 and 42 and I think we need to do something along the lines of the VMS or stuff like that and keeping track of what we catch as we’re putting it into the box and we are compliant with all the federal regulations and I think it’s the other guys you all might need to keep an eye on a little more than us, but thank you all and I appreciate it. Thanks for letting me speak up here today. Thank you all.

CHAIRMAN ANSON: Thank you. Dan Green, followed by Paul Bitner.

MR. DAN GREEN: How is it going? My name is Dan Green and I have been in the industry and a permit holder for about nine years, right here in Galveston, Texas. Recently, I started dating this girl, about eight months ago. She’s got a great job. She’s a registered nurse and when we first started dating, she thought it was kind of intriguing that I was a fishing guide. She’s a city girl and so it was kind of cool.

Well, we’re starting to get serious now and you know she’s seen how the business went through the summer and she’s like, wait a minute, I work twelve months out of the year and you’ve only got to work two months out of the year? That’s not very fair. In her mind, she’s like hoping it will be the other way around and I’m just sitting here thinking, well, I’m glad I’ve got you.

Basically, I am asking you guys for some help to be able to keep my girlfriend and stay with Amendment 40 and go through with 41 and 42. We don’t want to be a part of 39 and I would be in support of electronic log booking and that’s about it.

CHAIRMAN ANSON: I was wondering if we had some questions for you, Dan. Myron.

MR. FISCHER: Dan, you do realize this is streaming and she’s
listening to it?

MR. GREEN: No, actually she’s asleep right now, because she’s got to work tonight.

MR. SWINDELL: One of the things that I have to ask you is are you in favor of electronic reporting?

MR. GREEN: Yes, I am. I have done the iSnapper program. I don’t have a VMS on my boat right now, but I would be in support of that.

MR. SWINDELL: Are you going to do this for your --

MR. GREEN: For multiple reasons.

MR. SWINDELL: Give her the receiver?

MR. GREEN: Yes, she might like that too. Thanks.

CHAIRMAN ANSON: Thank you, Dan. Paul Bitner, followed by George Huye.

MR. PAUL BITNER: My name is Paul Bitner and I have been a charter captain here for thirteen years out of Galveston. Since we lost our season -- it used to be almost seven months long and we’ve seen a big decline in business. A lot of people that call and want to charter my boat are looking to go catch the red snapper.

I operate a thirty-eight-foot sportfishing boat and so I have a lot of extra costs that goes along with it than a lot of these captains are enduring with their outboards and so it’s not cost-effective for me to do some of the fishing that -- People don’t want to pay the prices to go do things if I can’t catch snapper and so that kind of affects me, in a way.

I am big on what happened with Amendment 40. I think it was great and it helped us out this year some. I would like to see 41 and 42 keep and continue on. I am not in favor of 39. I don’t believe the state is going to do a very well job of managing something that’s a federal deal.

I am pro for the electronic logbooks. I think that would be a great way to establish data and to be able to increase the length of our seasons and just keep doing the good job you’re doing.
CHAIRMAN ANSON: Thank you. We have a question for you.

MR. SWINDELL: I have a question. I have asked this of one other charter person. Are you getting people from out of state or just from Texas that come down here to go fishing with you?

MR. BITNER: This last year, you know we only had a forty-four-day season and I fished twenty-four or twenty-five of those days. About 20 percent of the people were from out of state. Most of them were from the Dallas or San Antonio area and various parts around Texas, the Austin area.

MR. SWINDELL: Okay. I appreciate that. Thank you.

CHAIRMAN ANSON: Thank you. George Huye, followed by Serena Etie.

MR. GEORGE HUYE: I am George Huye. I am a bit of an anomaly, in that I am a recreational fisherman first and foremost, but I do have a state charter license. I fish inshore and do this as a sideline and so therefore, I have quite a number of relationships with the charter-for-hire industry in Grand Isle and in Louisiana.

I would like to commend the charter-for-hire industry for showing up the way they’ve shown up today. It’s a testament of their organization and I am opposed to some of the things that have transpired over the last several years, but I am in favor of Amendment 39.

In Louisiana, we have a terrific Wildlife and Fisheries Department and we have developed the LA Creel program, which has contributed to recreational accountability. I am in favor of recreational accountability and I am not in favor of any type of tagging or random system that would dole out permissions to fish, but I do believe the recreational sector has to become as accountable as we can possibly be.

I am in favor of 39 and I am in favor of both the charter-for-hire and the recreational, pure recreational, sector being brought together, since the fish come from one allotment and they should be managed together going forward.

I represent quite a number of recreational fishermen in Louisiana, being state president of CCA. We have about 23,000 members and we have been firmly behind the Amendment 39. I appreciate you and thank you.
CHAIRMAN ANSON: George, we have a question for you from Pam.

DR. Dana: Thank you, George, for coming over from Louisiana. Are your charter permits state permits or are they federal for-hire?

MR. HUYE: I am state permitted and so I fish inshore and when I fish offshore recreationally, then I am going out as a recreational fisherman and fortunately in Louisiana, we can do that. We have some good spots in the Louisiana three-mile limit and, of course, we have a wonderful offshore fishery as well as inshore fishery and so I do both.

DR. Dana: Okay. I was kind of confused as to whether you were representing those in Louisiana that were federally permitted, but I got that answer.

MR. HUYE: Actually, in Louisiana, the charter-for-hire and the recreational sector are very close in so many ways. We work together quite a bit. Louisiana is an anomaly in the Gulf of Mexico. We’re just different.

CHAIRMAN ANSON: Ed.

MR. SWINDELL: George, it was nice meeting you today. I am also a recreational fisherman and a CCA member from Louisiana, but I am also very interested in strong accountability for what’s happening with the fishery and I think one of the things that I’ve heard since the two meetings I’ve been on the council is the uncertainty about what is really the recreational catch.

You know it seems to be bouncing around so much that it becomes a real problem for the council to try to manage and so I am just really interested in why you are so against any kind of tagging or anything else like they do in deer seasons and everything else and why that wasn’t part of --

MR. HUYE: I am against the possible randomness of such a program, where I have an investment in a home on Grand Isle and boats and all the things and a slip in the marina and where if tags or permits are issued only to a few and not to the entire sector, then I could possibly be left out.

Somebody from Chicago could come down and apply and get a recreational permit and here I am having a vessel on the coast and I can’t even fish. That’s my concern. Now, accountability, I have been pushing for accountability in the recreational sector for a long time.
I knew that we had to start going out and getting permits through the state Department of Wildlife and Fisheries so we could be counted, so we could verify who we are and how many we are.

The more that I am involved with the APs and different programs, I think there is possibly a way, maybe through iSnapper, that the recreational could report their catch and we could get a better grip on actually what’s going on out there.

Mr. Crabtree, you had mentioned to someone else about the value of APs and I belong -- I am on the Reef Fish AP. I wish we could get more recreational on there. We had seventeen commercial and charter-for-hire and four recreational a few weeks back when we were in Tampa.

I hear there is talk of a recreational AP and that personally I would be in favor of and so we need to get the recreational more involved, but their attitude is that it does no good and it’s just that we’re a few and we just don’t have a proper voice.

MR. SWINDELL: It’s certainly not going to do any good unless you’re involved.

MR. HUYE: I agree. That’s why I’m here.

MR. SWINDELL: I agree with a recreational AP and I think it should be done. Thank you.

MR. HUYE: Thank you all.

CHAIRMAN ANSON: Thank you, Mr. Huye. Serena Etie, followed by Matt Etie.

MR. MATT ETIE: Matt is going to go first.

CHAIRMAN ANSON: All right. Matt is going to go first.

MR. ETIE: Hello. My name is Matt Etie and I run a multi-passenger private charter boat out of Freeport, Texas. Our main fishing business is red snapper and we really depend on the red snapper to have a good season and so I am saying no to 39 and yes to 40 and yes on 41 and 42. I am second generation and I’ve been fishing out of Freeport for about thirty years. Any questions?

CHAIRMAN ANSON: Apparently not, sir. Thank you. Serena Etie,
followed by Sam Ard.

**MS. SERENA ETIE:** Hello. I am Serena Etie. Like my husband said, we do run an offshore charter business. It’s a private multi-passenger and we are one of the largest on the Texas coast. We can carry up to twenty-four passengers, even though our permits are allotted for forty-four.

We have been in business for several years, like he said, and as the seasons got shorter and shorter, I kept hearing over and over again that it was the data collection, the data collection, the fish count.

I started my research and I started calling around in Texas and asking who is collecting the data and who is doing the research and where is this coming from, because since we’re such a large charter and we take twenty-four people almost every day during the summer and so don’t they want to know what we’re catching, because we are catching a limit every day of red snapper, at an average of about eight pounds.

I found out it was Texas Parks and Wildlife and so I called them and asked them why don’t you all come to our dock and why don’t you see what we’re catching, but they kept telling me no, because we run off of a private dock and we have our own property and we keep all of our boats at that property and because it’s private, they won’t come onto our property, even though we’re the owners and we gave them permission and said that they could.

Last year, they came out with I guess the iSnapper and so they said, okay, now you can give us your fish count and how many people you take and how many fish you caught and I was like, great. This is great and finally they’re going to know exactly what we’re catching and maybe that will help us in the long run.

I log on and realize that they didn’t even make it to where we can report up to twenty-four passengers. It was a maximum I think of eighteen and so I had to call back and say, well, I can’t report my accurate catch because you all’s passenger capacity only goes up to eighteen and we can carry up to twenty-four.

They had to go back and rework their software to allow for twenty-four passengers to be logged and we did the whole nine days and it was awesome, nine days. So I called back this year and said, okay, what are you all doing this year? Are we doing it again and are you all interested in knowing what we’re
catching?

They said, oh, you know, we’re not going to target the for-hire and we’re going to target the private sector instead, the private angler. To me, I thought, you know, that’s strange, because the private sector got ten days this year and we got nine last year and the for-hire got forty-four and so wouldn’t it make sense to know what the forty-four days is catching instead of another little ten-day season?

They said, oh, you know, sorry, and I said, well, where is the data from last year? Is that public information or is there somewhere I can look that up and find it? He basically told me that’s a really good question.

I said, oh, okay, with this Amendment 39 with the regional management and no, obviously. We are very grateful for 40, to get our forty-four days. We ran every day of it except for the four or five days of the Tropical Storm Bill, but we were able to reschedule and thank God we have great customers and we are all for 41 and 42 and that’s all I have to say and thank you for your time.

CHAIRMAN ANSON: We have a question from Robin.

MR. RIECHERS: Ms. Etie, first of all, I apologize. I am not certain who you may have talked with on the phone, but we certainly had our system up and running this year and hopefully you finally got to the website, either ours or Dr. Stunz’s at Harte, which we were fronting for him, so that all the recreational anglers, both charter-for-hire and private rec, would go to that site.

Again, I apologize for you getting any misinformation from the Department. As far as the reporting of the data, we have the nine-day data and we have reported it here to the council and I would be happy to sit down with you and your group and show it to you at any point in time. It’s available. It may not be available on the website right now, but we can certainly get that information to you.

MS. ETIE: Okay. Yes, I would be interested to know, even though it was only nine days. Thank you.

CHAIRMAN ANSON: Thank you. Sam Ard, followed by Walter Lynch.

MR. SAM ARD: My name is Sam Ard and I’m a third-generation fisherman from Orange Beach, Alabama, on a federally-permitted
boat. I started fishing for a living a few years ago and one of the main reasons I fell in love with it is I just love being so close to the conservation of our Gulf and being able to share it with people who don’t normally have the access to these fish.

I truly, truly appreciate everything you all have done to help us. I support Amendment 40 and I see the need for a good fish management plan for the charter-for-hire sector.

To go along with it, triggerfish are very important to us and we need you guys to work hard to get us some kind of season for these fish during the summer or fall. We’ve been fighting through them all season just to get to our catchable fish and it’s very frustrating to tell somebody that there aren’t enough of these fish to keep and then to turn around and catch ten times more of them than something we could actually keep. I think the data is misrepresented on them there.

The charter-for-hire boats in Orange Beach want to stay out of the regional management and so I support Action 2, Alternative 2 on Amendment 39 and then I would also like to state that all of the charter boats in the OBFA are having electronic data reporting systems installed on our boats and we’re trying to do our best with that, but thank you all for your time.

CHAIRMAN ANSON: Thank you, Sam. Walter Lynch, followed by Johnny Williams.

MR. WALTER LYNCH: My name is Walter Lynch, owner of American Fishing Charters. With you all’s help, we all have had a great season with Amendment 40 and we would definitely love and appreciate to move forward with 41 and 42 and that’s it.

CHAIRMAN ANSON: Thank you. Johnny Williams, followed by Jillian Williams.

MR. JOHNNY WILLIAMS: Good afternoon. I am Johnny Williams from Williams Partyboats, Incorporated, here in Galveston, Texas, third-generation partyboat operator.

As a lot of my friends know, and some of them are here, there is two things I really love doing. One of them is being out on the water and another one, and Doug knows this, is singing karaoke. As you all probably realize when I come up here and speak, I don’t have anything written down on paper and I sort of shoot from the hip.

Listening to this today kind of reminds me of one of the karaoke
songs that I sing. It’s by a group called Pink Floyd and the name of the tune is “Comfortably Numb” and it starts off with “Hello, is there anybody in there? Nod if you can hear me. Is there anyone at home?”

Sometimes I feel that way about this council, about the snail’s pace that we’re working on everything. Almost to a man, people come up here and ask to be removed from that are in the partyboat and charter boat industry.

We all try to ask the council to go forward with and we need to reconvene these panels and let’s start coming up with a plan. I mean we’re going along at a snail’s pace and we’ve got this sunset that’s going to take effect in two years and right now, I am real sad to see the pilot program end. I really enjoyed the pilot program.

There were four boats in Texas the first year in the program and all of them wanted to be in the second year. As a matter of a fact, we even added another boat the second year from Texas and so I mean our customers loved it and we loved it and we could develop a plan like this for the whole for-hire sector and that’s what I would like to see done.

I don’t want to tell the recreational people how to operate their business. That’s not my duty. I agree with George that we should have an AP for recreational fishermen, but they should deal with recreational fishermen and deal with their needs and not with the for-hire sector.

As far as Pam said about the electronic logbook, we do that. We report every day and maybe her people aren’t as efficient as mine, but I didn’t have to add anyone to the list to accomplish the needs. Thank you very much for your time. I appreciate it and God bless you and I hope you have a good day.

CHAIRMAN ANSON: Thank you, Johnny. We have Jillian Williams, followed by Mike Jennings.

MS. JILLIAN WILLIAMS: Good afternoon, everyone. My name is Jillian Williams and I’m a fourth-generation captain and partyboat operator here in Galveston, Texas. Welcome to my city and I hope you guys are having a good time here.

You know I am disappointed that our pilot program is coming to an end and I would really love for us to be able to see to do something like that in the future, which is one of the reasons I am against Amendment 39. I would like for us to be able to
explore options and do what we need to do for our businesses.

If the recreational guys want to be state managed, let them do it, but I think that we should be able to choose who manages us and I haven’t been doing this nearly as long as a lot of the people here, but it seems like we are getting more things done now and I would like to continue getting to work with you guys and trying to do stuff to benefit our business.

The pilot program worked out great for us. My guys loved it. I appreciate the longer snapper season we got this year. One of my boats is not in the pilot program and we were snapper fishing with that boat and though we had forty-four days, unfortunately, the weather being what it is, it doesn’t agree with us all the time, but it was okay, because the people that couldn’t go fishing those days, we got to put them on the pilot program trip and they got to go later and so everybody was still happy and so it worked out great for us and it worked out great for our customers.

I actually had a customer call me this morning and was asking me if we’re going to get to do it again next year, because it was awesome for him, because he works a lot during the summer and he can’t come down in June and July when everybody else does. He lives up in north Texas and the spring and fall is when he gets to go fishing and he said he really hopes that we can get something like that again and how much he loved it and he told me to get up here and try to talk you guys into it and so I am trying.

I really appreciate all the work you guys you have been doing for us and I really hope that we can continue working together with the federal management. Like I said, if the recreational guys want state management, I have no problem with them doing that, but I would like for us to stay with you guys and keep it rolling. Thank you.

CHAIRMAN ANSON: Thank you. Mike Jennings, followed by Buddy Guindon.

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

I appreciate you all letting me speak today and from our association, I want to thank you all for the passing of Amendment 40 last fall and the forty-four-day season. It was a
great boost to our businesses and our economies and a great
opportunity for the recreational fishermen throughout this
country to take a larger role in the red snapper fishery.

As you have heard from our guys coming up here today, Texas
supports -- The Texas charter fleet supports the electronic
logbook and moving forward with some kind of possible electronic
monitoring, if necessary. We would like to be a part of that.
We want to be left out of Amendment 39 and we would like to see
the council move forward with Amendment 41 and 42. I know I
sound like a broken record.

There has been some discussion today on 39 though and why would
you support it and why would you not support it and you can go
into -- Depending on a person’s own personal interest, you can
go into a myriad of reasons why you would support it or not
support it.

From my aspect, each and every person -- This is not personal
and don’t take it that way, but each and every person on this
council sitting in front of me right now was appointed by their
governor. That’s where it started, with the state. The states
can manage it right now. You have that opportunity. You are
state appointees and sub-allocating it to the states all of a
sudden is supposed to be this grand fix. It’s hard to have that
faith and trust, as Corky Perret used to always say.

I have a gentleman from the South Atlantic Council sitting here
to my right that I think that if they had the cohesion that we
have in the Gulf right now that they would beat you all to D.C.
and to the Secretary’s office with an FMP. I really believe
that, but I think you all can do the same thing and that’s what
we would like to see happen.

It’s something that our industry is looking forward to working
with each and every one of you all sitting on this council to do
and move ourselves into a more accountable system, because
everybody loves that word “accountability” and a system that
works for the fishermen, the fish, and the recreational anglers
that get on our boats and I appreciate your time. Thank you.

CHAIRMAN ANSON: Mike, we have a question from Robin.

MR. RIECHERS: Mike, I knew you were last and I was going to see
where we were timewise and we’re close enough. One of your
other Freeport members here, and you all mentioned you all have
a pretty small dock and area and I don’t know whether you all
are right next to one another or not, but mentioned not being
encountered. I know that we did quite a few surveys and have you gotten hit in the last two years?

**MR. JENNINGS:** Yes, sir. They are infrequent and I will tell you what happens and --

**MR. RIECHERS:** Excuse me, but let me go ahead. Two years ago, just so you remember, we basically tried to put a census on the dock at the Gulf ramps that we had and this year, because we went to a forty-five-day season, we obviously couldn’t do a census at twenty-five ramps over that long of a period, but we increased our sampling by 300 percent at those locations.

**MR. JENNINGS:** Right.

**MR. RIECHERS:** I understand the periodicity and avenue of getting there this year, but certainly two years ago you should have seen us and did you see us?

**MR. JENNINGS:** We did and I think a lot of times, Robin, it comes down to timing. You will see, because of the distance that we run out of Texas -- I mean I typically, this time of the year, when I turn to head to Freeport, Texas, at times I am eighty miles from the jetties. I am eighty miles from that dock and it’s an all you can get thirty-five-knot run back to the house and you all can crawl back there and go to sleep and we’re going home.

A lot of times I’m scrambling to get fuel and by the time I get to that dock and slowed down, it’s six o’clock and they’re gone and I think that’s where we’re missing some of it, too. The guys that are getting in earlier, on the days that I would get in earlier, yes, I would see them there.

**MR. RIECHERS:** I will just share with you, and certainly would be willing to share with any of your group if they have concerns about that, we also did a diurnal two years ago to look at that, how many people come in after that period of time and getting the biggest bang for our buck. I am happy to share that with you all as well.

**MR. JENNINGS:** I think that may be -- When you get an individual like that that sees them a lot or doesn’t see them at all -- On some of the docks, they’re not there. I know of a couple that you all haven’t surveyed at all that have some charter boats on them. You haven’t been on them once. Others, I know that you all are on pretty often and so it’s each individual’s own personal experience and it varies widely. Thank you.
CHAIRMAN ANSON: David.

MR. WALKER: Thank you, Mike. I heard some testimony from some other fishermen speaking about seeing some recreational fishing taking place in federal waters when federal waters were closed and could you comment on that a little bit?

MR. JENNINGS: We all have this idea of what may or may not be going on. I personally -- I can’t speak for anyone else, but am I personally seeing red snapper caught and placed in fish boxes or in ice chests in federal waters outside of the federal recreational season, yes, sir.

Out of my port, we have -- It becomes a joke on the dock. It becomes irritating in the afternoons when you’re standing there trying to explain that to your customers. On our dock, you can leave and we have some live bottom that’s within nine miles of the beach. It’s actually within nine miles of the beach.

At certain times of the year, when everything is right and the water conditions are right, there will be a few keeper fish on, but most of the time it’s twelve-inch fish, but on a really good day, it’s an eighteen to twenty-inch fish and that’s it. Those eighteen to twenty-pound fish don’t come out of state waters, period.

Anybody that can show me those fish in state waters, I’ve got the boats and I have the equipment and I have cash money to make a bet. Thank you.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: Mike, I’ve got a quick question for you. We keep hearing about you guys are seeing a lot of the illegal activity when you’re in federal waters. Are you guys -- You know Robin’s shop has got a reporting hotline and that kind of thing, but you guys are reporting them?

MR. JENNINGS: Yes, sir. We seem to get more traction through the federal LEO.

MR. RIECHERS: Mike, I certainly appreciate you sharing that and obviously we’ve got several of our enforcement folks here on the upper coast in the audience and they’re hearing it as well. Hopefully -- They are our liaison for the enforcement purposes and this is a question that not only occurs in Texas and I would just remind everyone.
MR. JENNINGS: No, it absolutely does not.

MR. RIECHERS: It occurs in other places as well.

MR. JENNINGS: It’s something that I know that those -- Our state guys, I mean I know our county well and they do a great job. They do a fantastic job and they are caught in a rock and hard place on that issue. It’s really tough and when you don’t have -- It would take a lot of budget money to run a nine-mile gauntlet. That’s tough. I know and I drive past it every day. It takes a little fuel to get there and back. Anyway, I appreciate you all’s time and thank you.

CHAIRMAN ANSON: One more, Mike, from Dr. Dana.

DR. DANA: Thank you, Mike, for coming up. You had mentioned that each of us were appointed by our respective governors and that’s so true. In the case -- I mean overwhelmingly the charter fleet, with the exception of one charter operator out of Louisiana, has been against 39 with the charter sector in it.

Now, given that your governor appointed your folks too, have you, your fleet’s members, been working with the Governor to articulate your stand on this, so then he, if he agrees, can articulate that to the Fish and Wildlife management?

MR. JENNINGS: Dr. Dana, we here in Texas are exercising our right, yes, to reach out to our Governor’s office and let him and his staff know where we stand as an industry. We also understand that we are not the only people who partake in the red snapper fishery, but our work with the Governor’s office and in Austin we have voiced our opinions on that matter quite frequently. Yes, ma’am.

CHAIRMAN ANSON: Thank you, Mike.

MR. JENNINGS: Thank you.

CHAIRMAN ANSON: Buddy Guindon, followed by Shane Cantrell.

MR. BUDDY GUINDON: Hi. I’m Buddy Guindon. I happen to have some special insight into why Amendment 39 is so important that the CCA is driving this ball down the road. I was involved in a conference call with Jeff Angers, head of the CCA, and a couple other members of the fishing community and Bill Ball of the House Natural Resources.
On that conversation, it was presented to Mr. Angers and said, why don’t you just take the private boat owning recreational fishermen into a management system and he said, well, Bill, after he contemplated it for a few seconds, he said, well, Bill, my constituents won’t have any way to grow.

What he means by that is that the charter boat industry is limited in their ability to grow. They are restricted to the amount of people that will ever be charter boat fishermen.

The purely recreational fishermen are unlimited in their growth and so the reason for Amendment 40 was to stop the bleeding from the charter boat industry into the recreational industry, because it continues to grow.

If we’re going to talk truthfully here, we have to understand that this is just another way for fish to go from the business side of the red snapper fishery to the purely recreational side of the fishery, where most of the fish in this country are at right now.

If you’re going to make these guys go into a regional management scenario, you are putting them into a death sentence situation. Eventually the recreational fishermen will grow to a size where there is no more charter boat fishery or it’s not viable and it’s not able to make a living at and that’s all I have to say about that.

Amendment 33, the rest of the reef fish, you heard my son come up here and say he’s killing amberjack and we need to stop the bleeding. He’s killing brood stock of fish, the same amount that he’s killing -- He’s retaining them, but he’s killing what he’s not retaining and so we need to move these things forward to make more fish in the Gulf of Mexico for everyone.

Amendment 36, we met all the goals of the IFQ system and why are we going to try to manipulate it, to damage it and to make it less profitable? I mean where are we headed in this?

I would like to see you take Amendment 33 and I would like you to take 39 and take your purely recreational fishermen and show us the nirvana that you are going to create for them so that we can want to be in it.

Yesterday was no day for politics, as I said, but today is and so I want you to think with your hearts about what your job is here and what these people need for their business and do the
right thing and thanks for coming last night.

CHAIRMAN ANSON: Buddy, you have a question from David.

MR. WALKER: Thank you, Buddy. I have a question. The headboat collaborative program, to today, has landed 19.2 percent of their gag and I think the commercial has landed about 44.1 percent of the gag. I was going to ask you your thoughts on that.

MR. B. GUINDON: Thanks for that question, David. I think a blind man could see what’s going on there. Your catch per unit effort is in the toilet. We’re deciding what size gag grouper we want to catch and we’re deciding what day we want to start, but what we really need is more gag grouper to catch so that we can reach our catch limits and if we’re not reaching our catch limits, we have to answer the question of why? Why aren’t we reaching it?

It has to be that -- The charter-for-hire industry is starving for days to go fishing and professional fishermen know where the fish live and to only have 19 percent of the fish caught in that collaborative, answer that question yourself.

The fish aren’t there for them to catch and that’s why they’re not catching them. The commercial fishery is at 44 percent and professional fishermen. It’s the highest value fish in the Gulf of Mexico is a gag grouper in Florida and why aren’t they catching these fish? Because they’re not there.

If they were there, professional fishermen in the Gulf of Mexico would catch them and so think about what you’re doing with gag grouper, because, like vermilion snapper, they’re in trouble and we need to do something about it before the stock assessments catch up to the reality of what’s happening on the water.

Catch per unit effort is a really good indicator of what’s going on in the Gulf of Mexico and you’re seeing it from two portions of the professional fishing community. Any other questions?

CHAIRMAN ANSON: Yes, we have one more from Dr. Stunz.

DR. STUNZ: Buddy, I’ve got a question for you. On your earlier comment, when you were referring to -- I am not quite understanding where the bottleneck is for the charter captains and their clients, because you know when we were debating the 40 and just a lot of public testimony, we heard that they could sell tons of trips and they’re affording access to the fishery
to people that couldn’t own their own boats and that sort of thing. It seems like there is much more of those individuals that would go to -- I am not seeing how that would --

MR. B. GUINDON: There are many more of those individuals, but they’re limited to only going on -- I think there’s less than 1,200 permits out there in the entire Gulf of Mexico that these people are limited to go on and some of those permits are inactive.

When you talk about the private recreational fishery, they can buy a boat tomorrow. They can buy boats every day this week and they are new entrants into the fishery, but those people that access the fishery around the country on a charter boat have a limited number of charter boats that they can go and then you limit the days that those charter boats can take them fishing and you have shrunk their fishery down much, much smaller than the people you’re trying to help that had only nine days.

If you were wealthy enough, I guess, to hire a charter boat for nine days, could you get one that had nine days open during climate weather? I don’t think so. I think that the problem lies in access and the access for the consuming public is already restricted to a limited amount of commercial fishermen and a limited amount of charterboat fishermen and we’re allowing most of the fish in this country to go to a small amount of people that own their own boats and I don’t think that’s fair or equitable and I don’t think any of you do.

Some of you I know are mandated by your states to make decisions and some of you should make decisions from your heart, if you are not mandated by your state as to what is right and wrong in these decision making processes.

CHAIRMAN ANSON: Thank you, Buddy. Shane Cantrell, followed by Chad Wilbanks.

MR. SHANE CANTRELL: Hello. I am Shane Cantrell, the Executive Director of the Charter Fishermen’s Association. First of all, I want to thank many of you for coming to our event last night hosted with the Shareholder’s Alliance at the Lighthouse Charity Building. We really appreciate you all coming out there and enjoying some hospitality in the State of Texas.

It seems to be the hot topic of the day, Amendment 39. I mentioned it last night that given the inconsistencies in what is recognized as state water by the state and by the federal government in many, three, states right now, that only further
complicates Amendment 39.

Then we add on top of that the ability to do in-season closures in federal waters or not. Somebody may help me here, on Amendment 39, if 30B is still in place or not in place in that amendment. Going forward, if you want to include the charter boats in it, we see it going away really quickly.

This will not end well for the charter boats and we have heard abundantly now from fleets all over the Gulf that we want to be left out of this. It’s not going to be good for our businesses and it’s not going to be good for the private anglers and it will not benefit on any side of that situation.

For the private anglers, I think the states are very well equipped to handle those anglers. It only seems reasonable, but with federal permits and five states that don’t always fairly represent our businesses, especially yesterday watching -- I mean you’ve heard from a large number of Texas federally-permitted charter boats today and almost every one of them, if not every one of them, has said I want out of Amendment 39 and Action 2, Alternative 2.

Yesterday, I watched Mr. Robin make the motion to put the charter boats in Amendment 39, which would end Amendment 40, which is what we worked for for so long. That’s very, very discouraging to our fleet and we’ve come to the podium a lot of times to work with him and I understand that he may think that’s the best thing. We don’t agree and we would like to be left out of Amendment 39.

CHAIRMAN ANSON: Thank you, Shane. Chad Wilbanks, followed by Robert Reynolds.

MR. CHAD WILBANKS: Good evening, members. I am Chad Wilbanks with the Gulf Coast Leadership Conference. I want to thank you all today and I’ve got a little bit of good news. I am not here to talk about Amendment 39 or 33 or 40 or 41 or anything else thrown out there.

I want to give you all an update, for those that were available for the presentation that Lieutenant Commander Jason Brand gave about illegal unreported and unregulated fishing in the Gulf of Mexico waters.

With his presentation back in February, we kind of took control of that and shopped around to various members of Congress and the end result of that was we ended up with thirty-nine
cosponsors, bipartisan, in the House of Representatives and half of those cosponsors came from the Gulf Coast, including the Congressman that represents Galveston, Congressman Randy Webber.

It then passed unanimously by a voice vote in the House of Representatives and shortly before the August recess, the Senate took it up and the Senate Commerce Committee and we have unanimous support for it, but there is a slight hold on it right now and we’re working with one of our Senators to release that hold, but I wanted to thank you all for the leadership in addressing this issue very early on, because it is so important.

If we want to talk a little bit about red snapper, back in 2014, Mexican poachers, in our waters, took nearly 750,000 pounds of red snapper that we know of. To give you a little comparison to the State of Louisiana, last year they caught 627,000 pounds of red snapper and so there’s a big discrepancy between the two.

By moving forward with a streamlined and stronger enforcement process for the U.S. Coast Guard and enforcement agencies like the Texas Parks and Wildlife, where Texas gets hit the hardest along the Gulf Coast, we can actually increase the red snapper allocation by having stronger enforcement penalties that treat these bad actors to the same standards as American fishermen and not any more and not any less, but the way we have it right now is we capture them and we turn them over and we house them and keep them for about three days and give them some warm food and then we take them back to their country of origin and they repeat the process.

The Illegal Unreported Unregulated Fishing Enforcement Act of 2015 would help give the U.S. Coast Guard and our law enforcement stronger penalties to serve as a deterrent for those that come into our waters. Thank you for your time and if you have any questions, I would be happy to entertain them.

CHAIRMAN ANSON: Thank you, Chad. Yes, we have a question from Roy.

MR. WILLIAMS: What does this bill do that you referenced?

MR. WILBANKS: What this bill does, it really does -- It does a whole host of things. It streamlines various treaties that we have with other countries and allows -- The Coast Guard has to deal with I think seventeen different treaties as it relates to illegal fishing in our waters. It will streamline those treaties.
The second thing it will do is allow our government to treat the foreign bad actors under the same penalties that our American fishermen have under the Magnuson-Stevens Act and so that’s what we’re really after at this point, because now, as it stands with our foreign policy as it relates to fishing in our waters illegally by foreign actors, it’s that there is no deterrent.

The other thing the bill would do is for those that come into our waters, we would have their flag and we would know exactly what ports they are going to. Right now, we don’t know that and so that bill helps make that happen as well. It’s been tremendous the bipartisan support for both parties on this bill.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: I appreciate that and a few questions. The first one is I don’t know -- It’s getting late, but where are you from? What’s the name of your company?

MR. WILBANKS: It’s the Gulf Coast Leadership Conference and we have offices in Texas and in Florida.

MR. SANCHEZ: Okay. Great. Welcome. I wanted to ask you -- I am just curious why you focused in on the estimated landings in Louisiana and not in Texas, being that we’re in Texas, when comparing them to the panga estimate.

MR. WILBANKS: Sure. Great question. We had a great meeting with Senator David Vitter’s office and that was the most recent numbers that I had and so I wrote those up.

Senator Vitter and Senator Cassidy have both been tremendous working with us on this issue. In fact, we just had a meeting last Friday discussing it and so we’re getting there and that was one of the numbers I threw at them so they would get a better understanding as it relates to red snapper of what’s being poached, at least in Texas waters and the Gulf of Mexico, versus what’s just being caught legally in their state.

MR. SANCHEZ: I agree there is a problem with the way they’re -- I guess a slap on the wrist, if you will, or what’s going on here, but what’s troubling to me, and I brought this up before, is when you look at the estimates of what a small fleet of ragtag pangas can do in comparison to an entire state that can catch fish 365 days a year in state waters and they are catching several times over what the reported landings are in Texas, doesn’t that make your scratch your head a little bit?
MR. WILBANKS: It’s certainly frustrating that they’re doing it illegally, of course. When we look at this year, there’s been 250 incursions off the Texas coast and only thirty-nine apprehensions. I mean there’s too much territory to cover.

The Coast Guard and Parks and Wildlife have seized longlines and gillnets that stretch the entire Texas coast and we’re only forty-two weeks into the year. That’s a significant problem, absolutely.

MR. SANCHEZ: Thank you.

CHAIRMAN ANSON: All right. Thank you, Chad, for coming.

MR. WILBANKS: Council members, thank you. I appreciate it.

CHAIRMAN ANSON: I have in my hand, as you can all see, the last card for the first go-through and the yellow highlighted individuals will be asked next, but, Mr. Reynolds, if you’re ready, come on up and then, Garrett King, if you’re out in the audience, you’re on deck.

MR. ROBERT REYNOLDS: Robert Reynolds. I’ve got a federally-permitted charter boat in Galveston. I’m not a good public speaker. I am not going to use the word “amendments”, because I don’t know the numbers all that good, but I am going to go to this.

The state-regulated stuff, I’m a fisherman and so my -- Not when, but if the state could manage red snappers -- One of the tackle guys said the state does good with redfish and trout and flounders and we’re not talking about those.

If, not when, because it’s possible, but not probable, that the state can manage red snappers in the Gulf of Mexico -- The federal government has a hard enough time doing it. We do the best we can and don’t screw it up for us.

The other thing is VMS and I have been doing this for a long time and nobody has ever counted my fish. Count them. I want my fish counted. That’s it.


Before we conclude today’s public testimony, I would like to
also forward my appreciation to the Charter Fishermen’s
Association and to the Gulf of Mexico Reef Fish Shareholder’s
Alliance for the dinner last night and the hospitality. The
food was very good and the organization was very good and it was
interesting to learn about what they do, not only here in Texas,
but in the rest of the country. Again, we appreciate it. On
that note, we will conclude until tomorrow morning. Thank you.

(Whereupon, the meeting recessed at 5:00 p.m., October 7, 2015.)

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October 8, 2015

THURSDAY MORNING SESSION

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The Full Council of the Gulf of Mexico Fishery Management
Council reconvened at the Hilton Galveston Island Resort,
Galveston, Texas, Thursday morning, October 8, 2015, and was
called to order at 8:30 a.m. by Chairman Kevin Anson.

CHAIRMAN ANSON: We are going to start off under our schedule
for full council. As you will recall, we covered yesterday the
committee reports for Sustainable Fisheries/Ecosystem,
Administrative Policy and Budget/Personnel Committees, and SEDAR
yesterday and so we have a request from a council member that
has to leave a little early, but they would like to be a part of
the Reef Fish Committee Report and so we will continue on with
Mackerel as scheduled, but after Mackerel we are going to do
Reef Fish and then after Reef Fish we will continue with Data
Collection and Shrimp Committee Reports. Dr. Dana, are you
ready?

MACKEREL MANAGEMENT COMMITTEE REPORT

DR. DANA: Thank you, Chairman Anson. The Mackerel Committee
met on October 5 and we started off with Amendment 26. Staff
reviewed Coastal Migratory Pelagic Amendment 26, Tab C, Number
4, 4(a), 4(b), which addresses Gulf and South Atlantic migratory
groups of king mackerel.

Action 1, staff reviewed proposed changes to the stock boundary
between the Gulf and Atlantic migratory groups of king mackerel.
The SEDAR-38 stock assessment defined a much smaller winter
mixing zone than that which is currently described. The new
mixing zone occurs south of the Florida Keys from November 1
through March 31, with the difference in the alternatives being which council would be responsible for managing that area year round.

The committee recommends, and I so move, in Action 1, Adjust the Management Boundary for Gulf of Mexico and Atlantic Migratory Groups of King Mackerel, to make Alternative 3 the preferred alternative. Alternative 3 is to establish a single year-round boundary for separating the Gulf and Atlantic migratory groups of king mackerel at the Miami-Dade/Monroe county line. The Gulf Council would be responsible for management measures in the mixing zone.

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

DR. DANA: Actions 2 and 3, Actions 2 and 3 are primarily South Atlantic-centric actions, focusing on defining harvest levels and provisions for selling bycatch for Atlantic king mackerel, respectively. The committee reviewed these actions and decided to wait to recommend preferred alternatives to the council until after the amendment goes out to the Coastal Migratory Advisory Panel.

Actions 4 and 5 are also primarily South Atlantic-centric actions and were created from what was previously a three-part Action 4. The South Atlantic Council decided to divide the old Action 4 into what is now Actions 4 and 5, in order to better address the desired management issues therein. Analyses in the amendment were conducted using the new actions.

The committee recommends, and I so move, in Actions 4 and 5 of CMP 26 to accept the South Atlantic Council’s modified language.

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

DR. DANA: Action 4 addresses the commercial season in the Atlantic Southern Zone, proposing a two-season fishing year with the ACL apportioned between the two seasons. Action 5 has two parts. Action 5.1 proposes the creation of a Florida East Coast management zone within the Atlantic Southern Zone and Action 5.2 proposes trip limits for the proposed Florida East Coast Management Zone.

The South Atlantic Council representative identified an error in
the language in Alternatives 3 and 4 of Action 4, indicating
that the end of season one in those alternatives should be
October 31st, not October 1st.

The committee recommends, and I so move, to amend Alternatives 3
and 4 in Action 4 of Coastal Migratory Pelagic Amendment 26 such
that the end of season one is October 31 instead of October 1.

CHAIRMAN ANSON: It’s a committee motion and it’s on the board.
Is there any discussion on the motion? Seeing none, the motion
carries.

DR. DANA: Action 6, the Gulf Council is considering revising
the ACL for Gulf king mackerel, based on the results of the
assessment. The assessment recommends an ABC which is lower
than the current ABC. However, this new ABC does not include
the current Florida East Coast subzone, which is actually part
of the Atlantic migratory group.

Also, with the exclusion of the Florida East Coast subzone comes
the exclusion of a considerable amount of fishing effort. Staff
have previously described this scenario as follows. The current
relationship between effort and the ABC is similar to eight
people sharing a pie with eight slices. Under the new
recommended ABC from the stock assessment, the relationship
changes, such that it is more similar to five people sharing a
pie with six slices. Each person will get more pie under the
new ABC, since so much effort has shifted from the Gulf to the
Atlantic.

Alternative 2 in Action 6 would set the ACL equal to the ABC.
Committee members were concerned that this alternative had a
declining ACL.

Staff clarified that a surplus of fish existed in the population
as a result of historical under harvesting and that this
alternative allowed the harvest of that surplus. Additionally,
a constant catch scenario cannot be determined without a known
allocation, which the council is considering changing in Action
8 of this amendment.

Committee members thought that it would be more appropriate,
either way, to give fishermen the opportunity to harvest as much
king mackerel as allowed by the stock assessment.

The committee recommends, and I so move, in Action 6, Modify the
ACL for Gulf Migratory Group King Mackerel, to make Alternative
2 the Preferred Alternative. Alternative 2 is set the Gulf
migratory group king mackerel ACL equal to the ABC recommended by the Gulf Scientific and Statistical Committee for 2015 through 2019. ABC values are in millions of pounds, whole weight.

CHAIRMAN ANSON: Thank you. We have a committee motion and the motion is on the board. Is there any discussion on the motion? Seeing none, the motion carries.

DR. DANA: Action 7, staff described commercial zone reallocation options, which the council is considering, since the FLEC is no longer part of the Gulf migratory group. This results in the sum of the remaining commercial zone allocations not equaling 100 percent and thus requires reallocation between the remaining commercial zones.

Alternative 2 would reallocate the 31.91 percent of unallocated quota equally among the remaining zones, while Alternative 3 would do the same, based on the proportion of the remaining allocation held by each zone.

Alternative 4 was proposed by the Gulf Coastal Migratory AP, with the intent of providing additional allocation to each zone, but especially to the Gulf Northern Zone. This action was created to ease the concerns of traveling fishermen from the east coast of Florida coming to the Western and Northern zones to fish king mackerel. Staff will prepare a demonstration of the effects of the alternatives for full council.

Aside from this report, I do believe Ryan had prepared something that he promised he would during the committee meeting. Ryan, is there --

MR. RINDONE: Give me just a second.

DR. DANA: It’s the graph that he said he was going to provide everyone.

MR. RINDONE: It’s flying across the internet right now. I didn’t send it around to everybody, because I wanted control over manipulating the numbers so that everybody could understand it the way that I wanted to convey it to you, because that’s -- Not to make assumptions, but -- I am going to go over towards Charlotte and Bernie and talk you guys through this for a second.

Alternative 1 represents the commercial zone allocations that we currently have and, of course, that Florida east coast zone is
going away, because it’s no longer considered part of the Gulf migratory group, which means that these allocations right here come out to about 68 percent and so we need to do something with the missing 31.91 percent, so that our allocations come out to 100.

That’s what Alternatives 2 through 4 are looking to do and so what I’ve done over here, and I will scoot this over so that it’s a little bit bigger, is Alternative 1 here shows our current allocations, based on our current commercial ACL, which is 3.456 million pounds.

Now, this allocation is obviously being revised based on Action 6 and Action 6, for the 2015/2016 fishing year, would have a total ACL of 9.62 million pounds and, assuming that the commercial/recreational allocations stay exactly as they are, which is 68 percent recreational and 32 percent commercial, that would result in a commercial ACL of 3.07 and change million pounds.

When we’re looking at calculating Alternatives 2 through 4, I am using this number right here, this 3.078 million pounds. Alternative 1 uses the old stuff and so even though this 3.078 is less than the current commercial ACL, because there are fewer people eating pie, everybody gets more per person, if you will.

What you see here are the poundages that would be allocated to each zone, the western zone, the northern zone, the southern hand line, and the southern gillnet, under each of the alternatives, just to give you a better idea of how that’s breaking out in pounds instead of just percentages. Has anybody been lost?

MR. SWINDELL: What percentages are now in place?

MR. RINDONE: Our current percentages are shown here in Alternative 1. The proposed Alternatives 2 through 4 and their associated percentages are here and so Alternative 2 represents dividing this 31.91 percent by four and so essentially each of the four components would get a little under 8 percent additional from what’s considered the commercial ACL.

Alternative 3 breaks this amount up proportionally and so for the western zone, it would be the equivalent of taking 31 divided by approximately 68, since these four components sum to about 68 percent, and I actually need to add that in the beginning. So you get about 45.5 percent and so that’s the western zone’s proportion of the remaining allocation.
Then Alternative 4 represents the AP’s recommended allocations and we covered that -- I think Pam mentioned that rationale a little bit in the discussion.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: Why is Alternative 2, just out of curiosity, 3,078,092, as opposed to 3,078,400 and we’re doing two-digit decimals and I would have thought it would have been closer. I can understand a rounding error, but --

MR. RINDONE: This is just 32 percent of --

MR. RIECHERS: The sum of Alternative 2 should be, based on what you just described, I think the same sum as Alternative 3 and Alternative 4, but it’s not.

MR. RINDONE: Yes, I don’t know.

CHAIRMAN ANSON: We just need to probably change the format of the cell to a whole number. It’s still off relative to the others, the I and J columns. That’s what I think Robin is --

MR. RINDONE: It’s probably just a significant number issue with the percentages over here being rounded to two decimal places.

MR. RIECHERS: I am looking at the opposite. If you rounded to two decimal places, we shouldn’t be off quite that much. I mean am not arguing -- Something is wrong in the table somehow there or in the sum or something, but --

CHAIRMAN ANSON: That would be 0.1 percent, I think of the total, that it’s off by.

MR. RINDONE: We can certainly look at that and this is more just for demonstration purposes than anything and so --

CHAIRMAN ANSON: Any other questions for Ryan and his graph/table? David.

MR. WALKER: Ryan, this discussion that the AP had on Alternative 4, was that a lot of discussion?

MR. RINDONE: There was a fair amount of discussion and the AP had thought that -- They obviously wanted everybody to get some sort of bump and they thought that by combining an increase in the commercial zone ACL with the October 1 opening that it would
give the northern zone more opportunity to fish and so far this year, it seems -- I mean even though October is very, very young, it seems that the fish are showing up at the right time and, from early things that we’re hearing, the fishermen that haven’t been able to fish in the past are actually getting -- They’re being able to go out and use their permits.

So the AP, banking on that, had thought that with an additional increase in ACL that that opportunity could be grown even more for the people that are in that area that haven’t been able to use their permits, some claiming they haven’t used them in more than a decade. They have just been renewing them and hoping that at some point they would be able to.

CHAIRMAN ANSON: I have Mara and then John Sanchez.

MS. LEVY: In terms of the timing of when the AP looked at this and when staff came up with the alternatives, was the AP looking at Alternative 2 and 3 and then being like, oh, we think there should be an Alternative 4 or did they come up with the numbers in Alternative 4 and then staff went back and did Alternative 2 and 3? I am asking because 2 and 4 are pretty close and I am wondering what the AP was looking at when they were coming up with their recommendation.

MR. RINDONE: Alternative 2 and 3 came first and Alternative 4 came fourth. The AP saw Alternatives 2 and 3 and then created Alternative 4 after that.

CHAIRMAN ANSON: John.

MR. SANCHEZ: Thank you. In coming back to the AP, I know we recently added some of the historical participants in this fishery with respect to the Keys. They were not present and they were not on the AP at the time and I think with the exception of Tom Marvel from our neck of the woods, which is more Naples, we really had no southern representation in that historical participation, that component of the fishery, and so you get things like an Alternative 4. Probably 2 or 3 would be more, in my opinion, a fair way to do something that reflects historical participation.

Some additional people will be on your AP and I bet your comments would change today if we were to convene them and have them take a look at this and Tom really -- He called me up on this and he said Alternative 4 is just a drastic departure from history and I was one man standing and so I couldn’t do a whole lot in terms of the AP recommendation.
CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. I was at the AP meeting and they did look at all the alternatives, Mara, but they are meeting again in November and so there is an opportunity to have them readdress this, particularly Alternative 4, because I know there is some consternation surrounding that and how they came with those particular -- You know what’s the rationale behind those particular percentages. I don’t feel that we necessarily have to choose a preferred at this point and maybe let them take a stab at it again.

CHAIRMAN ANSON: Myron.

MR. FISCHER: Thank you, Mr. Chair, and I imagine between Roy and John is some of the entire history of our mackerel management on this council. We went through pains to come up with the percentages in Alternative 1. Unless we are trying to reallocate fish to a different part of the Gulf, wouldn’t the prudent method be to -- Not equally divide, but divide based on those percentages that 31.9, which is what I’m asking. Isn’t that Alternative 3, where it takes the 31.9 percent that we’re doing away with and divides it according to the percentages in Alternative 1 and the yield is what we see in Alternative 3? That way, we are not shuffling fish around the Gulf.

CHAIRMAN ANSON: Dr. Dana or Ryan, can you confirm that that’s the case, that Alternative 3 is based on the percentages, the previous percentages, or --

MR. RINDONE: Alternative 3 is based on the percentages that were originally determined for the commercial zone allocations and so if you were using the council’s previous decisions for how to allocate amongst the zones as your justification for how to allocate in the future, then Alternative 3 would be the option for that.

MR. FISCHER: One quick follow-up. So unless the intent is to redistribute the fish around the Gulf, then I would feel, at this future meeting when we do choose a preferred, to think about what Alternative 3 is doing. It’s just dividing according to the same percentages the existing fish and now into four groups rather than five groups.

CHAIRMAN ANSON: John.
MR. SANCHEZ: Can we not choose a preferred?

CHAIRMAN ANSON: You can. I mean it’s a little early, I guess, in the process, but it’s up to --

MR. SANCHEZ: Okay.

DR. DANA: Okay. Action 8, staff described an issue with the original verbiage in Action 8, which was not explicit on from where the allocation to be transferred to the commercial sector would originate, with respect to the council’s intent. The IPT provided corrected language to reflect the council’s intent.

The committee recommends, and I so move, to accept the IPT’s recommendations to give staff editorial license to update Action 8, Revise the Recreational and Commercial Allocations for the Gulf Migratory Group King Mackerel, to reflect the council’s intent.

CHAIRMAN ANSON: We have a committee motion and the motion is on the screen. Is there any discussion on the motion? Dale.

MR. DIAZ: Thank you, Mr. Chair. I might be just a shade of where I should have discussed this, but I did speak during the Mackerel Committee for just a minute. As I go through the document and I look at it, I tend to think that there maybe should be one more alternative added. I sent a -- Do we need to vote this up or down before I make a motion or --

CHAIRMAN ANSON: Well, depending upon what you want to do. It might be a substitute motion if it ties into what is --

MR. DIAZ: The motion is going to slightly change what’s currently in Action 8 now, slightly. Procedurally, I am just trying to figure out what --

CHAIRMAN ANSON: Is it complementary to this motion or is it something totally different than what’s in this motion?

MR. DIAZ: Complimentary.

CHAIRMAN ANSON: It’s probably a substitute motion, unless it doesn’t add -- It doesn’t add what’s already up there and so --

MR. DIAZ: Bernie, can you put the motion up there and then you all can advise me on when the proper time is. Sorry for the confusion.
CHAIRMAN ANSON: Ryan.

MR. RINDONE: If it’s what I think Mr. Diaz wants to make a motion on, the motion that was on the board updates the language to reflect the council’s intent to transfer our percentage of the stock ACL to the commercial sector, as opposed to a percentage of the recreational. Again, if your motion is what I am thinking it probably is, based on the discussions during committee, then doing this motion first just makes the language that’s in the document appropriate, based on what the council’s intent was, and then Mr. Diaz’s motion would be added to that and it wouldn’t take away from what he is trying to do.

MR. DIAZ: I just want to add another alternative is what I am trying to do.

CHAIRMAN ANSON: So let’s go ahead and vote this committee motion up or down. The motion is to accept the IPT’s recommendations to give staff editorial license to update Action 8, Revise the Recreational and Commercial Allocations for the Gulf Migratory Group King Mackerel, to reflect the council’s intent. Is there any opposition to this motion? Seeing none, the motion carries. Mr. Diaz, does staff have the motion ready, your motion?

MS. BERNADINE ROY: Mr. Diaz, we are not seeing the motion in the inbox.

MR. DIAZ: Sorry about that. If you don’t mind, it’s very short. My motion would be in Action 8, Alternative 4, to add an option to transfer 15 percent of the recreational allocation to the commercial sector.

CHAIRMAN ANSON: Is that your motion, Dale?

MR. DIAZ: Let’s see. In Action 8, Alternative 4, to add an option to transfer 15 percent of the recreational allocation to the commercial sector. That is my motion.

CHAIRMAN ANSON: Is there a second to the motion?

MR. SANCHEZ: Second.

CHAIRMAN ANSON: It’s been seconded by Mr. Sanchez. Ryan.

MR. RINDONE: Thank you, Mr. Chairman. Mr. Diaz, in keeping with the previous motion, where we changed the language to
reflect the council’s intent, which was to transfer allocation from the stock ACL to the commercial sector, as opposed to some percentage of the recreational allocation -- The way that the motion is currently listed, it would take 15 percent of the recreational sector’s 68 percent and transfer it to the commercial sector, as opposed to 15 percent being added to the commercial sector.

The way that the other options are currently defined, based on the motion that just passed before yours, 15 percent, in keeping with that, would raise the commercial sector from 32 percent to 47 percent, whereas 68 percent of the commercial sector is only 10.2 percent. Does that make sense, what I’m saying?

Basically, what I am suggesting is that, in order to keep it in line with the language change that was just made, you might consider changing where it says “of the recreational allocation” to “of the stock ACL”, because that’s what the rest of the options will say.

MR. DIAZ: I would agree with that. If that’s what the rest of the alternatives in Alternative 4 are going to say, I would agree with keeping with the same language. Thank you, Ryan.

CHAIRMAN ANSON: The seconder agrees? Yes, he is nodding his head. All right. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Dr. Dana.

DR. DANA: I think that the next part is germane to this past motion. Committee members asked whether reallocating 15 percent of the stock ACL to the commercial sector had been considered. Staff replied that since 15 percent falls within the options currently being considered, the analyses presented would account for a 15 percent allocation transfer.

Another committee member asked whether the commercial sector had been penalized for exceeding their allocation in the past. Staff responded that the commercial sector is closed by NMFS when their allocation is met or expected to be met and that sometimes that closure did not close the commercial fishery in time to prevent small overages. However, because the stock ACL had not been exceeded, accountability measures beyond a season closure had not been implemented.

Action 9, staff briefly described the methods used to determine the effects of raising the recreational bag limit for Gulf king mackerel. Staff noted that even if everyone currently keeping
two king mackerel per person kept up to four and 20 percent of
the stock ACL was added to the existing commercial ACL, it would
be unlikely that the stock ACL would be exceeded.

The committee recommends, and I so move, in Action 9, Modify the
Recreational Bag Limit for Gulf Migratory Group King Mackerel,
to select Alternative 2 as the preferred alternative. Alternative 2 is increase the bag limit to three fish per person
per day.

CHAIRMAN ANSON: We have a committee motion. The motion is on
the board. Is there any discussion on the motion? David.

MR. WALKER: I would like to see them raise the bag limit. I
mean it seems to me that it might could address some of that 15
percent they wanted to reallocate away or give away. I don’t
think the commercial industry has asked for any allocation on
that. They wanted to just stay with the recreational fishery
and maybe raising the bag limit to address some of that might be
even better.

CHAIRMAN ANSON: Doug Boyd.

MR. BOYD: We are talking about a reallocation of recreational
fish here and one of the things I don’t think we’ve done is
explore all of the management alternatives we have to allow the
recreational fishermen to catch more of these fish.

We haven’t adjusted bag limits and we haven’t looked at seasons
and so I would think that -- I mean it’s mentioned here that
they could keep up to four fish and why don’t we let the
recreational fishermen have four fish if it’s not hurting
anything?

CHAIRMAN ANSON: Dale.

MR. DIAZ: I am just going to weigh in with some of the public
comments that I’ve got. I’ve tried to seek out some fishermen
and ask them what their thoughts were on this and I have talked
to around a dozen fishermen on this.

Of that, two of them have told me that they would like to see
the bag limit raised to three. Their rationale -- One of them,
the rationale was if we’re thinking about an allocation shift,
why don’t we go ahead and put this in place and let them catch
whatever they can and so I guess that kind of goes along with
what Mr. Boyd is saying.
Most of the rest of them were not excited about going above a two-fish bag limit and so I haven’t got a lot of input from recreational fishermen that they’re -- My experience is the majority of them think that two is plenty and they are not real aggressively wanting to go to a higher bag limit.

As far as season goes, I think we’re open year-round now and I don’t think we can give them any more of a season than what we have now. Thank you, Mr. Chair.

CHAIRMAN ANSON: Thank you. Any other comments on the motion? David.

MR. WALKER: I was just going to say it’s more of an abundant fish and it does offer more opportunity for fishing, raising the bag limit.

CHAIRMAN ANSON: Myron.

MR. FISCHER: Somewhere someone fishes king mackerel. It may not be as controversial as red snapper, but for that charter boat or that private boat fishing out of that marina, whether it’s in south Florida or south Texas or the northern Gulf, to them this is an important species and if it’s a charter boat trying to make a day, because he doesn’t have much and all he sees is the ice in the bottom of the box when they open it up -- To him, four mackerel might be very important.

CHAIRMAN ANSON: Doug.

MR. BOYD: I would like to hear from our charter-for-hire representatives here on the council about whether four fish would help rather than two in their businesses.

CHAIRMAN ANSON: Johnny.

MR. GREENE: Certainly every little bit helps. To be completely honest, I don’t see where me selling three king mackerel or four would make a lot of difference, to be honest with you. You know Myron certainly makes some good points. I don’t have any issues with three whatsoever. I really don’t have a preference of three or four. I don’t think it would personally help me, but, as to Mr. Fischer’s point, there may be somewhere else and perhaps Dr. Dana, down in her area, it may be more of an issue there than it is personally where I’m at.

DR. DANA: I think the main advantage -- I mean they’re going to catch them anyway, but the main advantage is when they come back
to port and being able to have it displayed and at least have
fish on the board for pictures and memories and such.

I have no problem with increasing the bag limit for all the
recreational fishermen to have the opportunity to catch -- If
you had a motion to also have another alternative, I mean for a
higher number, I think folks would entertain it.

**CHAIRMAN ANSON:** Mr. Swindell.

**MR. SWINDELL:** My little bit of experience in fishing in the
Gulf of Mexico off of Louisiana is that tournaments -- This
could be a real big plus for king mackerel tournaments that are
held down in Venice, Louisiana, to have some increase in the bag
limit. Whether it’s three or four, I don’t know how that would
play into the whole scheme of things, but my general opinion of
fishing off of Louisiana -- You catch king mackerel and it’s
more fun than really wanting to keep the fish.

You know people in Louisiana don’t seem to like the oily fish as
much and so I don’t know if it’s a big issue or not. I don’t
have a good opinion to pass around.

**CHAIRMAN ANSON:** John Sanchez.

**MR. SANCHEZ:** I completely -- Whatever the recreational sector
wants to do in terms of an increase, I will support. I mean you
can always go four fish and everybody has their own decision
whether they put them in the box or not.

**CHAIRMAN ANSON:** I had Johnny Greene, followed by Myron.

**MR. GREENE:** I can’t remember right off the top of my head, but
I believe this is one of those fish that has an exclusion to
where the captain and crew can’t keep a bag limit and is that
correct?

**MR. FISCHER:** I think they can now, but there were years in the
past where the captain and crew could not catch mackerel. We
would have to ask Roy, but I think today they can.

**CHAIRMAN ANSON:** Ryan gave me the “okay” signal that they can
keep their bag limit for captain and crew. Myron.

**MR. FISCHER:** Mr. Chairman, I think this discussion is moot,
because we didn’t make a motion to remove Alternative 3 and so a
four-fish bag limit is in the document.
CHAIRMAN ANSON: Right, but, again, as Doug said, this will be going out to public hearing after the January council meeting and is that correct? We don’t have to choose a preferred and so that’s what this actually does. It doesn’t exclude any alternative, but it does make this one the preferred.

If you want to support making 3 a preferred, then you can vote this up or not and then Alternative 3, with four fish, still would remain in the document, regardless of what happens here. Any other discussion? Dr. Dana.

DR. DANA: So what you’re saying is either this body of the whole can choose to vote this down and vote later or choose a preferred later, rather than go hard on an alternative? Okay.

CHAIRMAN ANSON: Myron.

MR. FISCHER: I will go for the gold now and make a substitute motion that Alternative 3 is the preferred alternative.

CHAIRMAN ANSON: We have a substitute motion in Action 9, Modify the Recreational Bag Limit for Gulf Migratory Group King Mackerel, to select Alternative 3 as the preferred alternative. Is there a second to the motion?

MR. BOYD: I second.

CHAIRMAN ANSON: Seconded by Mr. Boyd. Myron.

MR. FISCHER: My only brief rationale is if we’re discussing transferring quota from one sector to another, let’s at least give the sector giving it away -- Give them an opportunity to maximize their catch first.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: I would agree with that.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: So that means you’re going to raise the bag limit, but not do anything on the allocation until you get a couple of years’ worth of data to see the impact of the raising the bag limit?

MR. FISCHER: I am sure our analysts can come up with the projection of what a four-fish bag limit will do and then can come up with the --
DR. CRABTREE: I mean what we can do is in the document, but I can tell you that analyses to look at the impact of raising bag limits are subject to huge uncertainties, because you don’t have any way of knowing how many people would really want to keep a four-fish, much less a three.

CHAIRMAN ANSON: Ryan.

MR. RINDONE: Thank you, Mr. Chair. Appendix C in the document has a recreational bag limit analysis in it, which analyzes a couple of different methods to determine the impacts of raising the bag limit to three or four fish and the most generous of those methods assumes that everyone who currently keeps two fish, which is a minority of fishermen, would also keep up to four fish. Even under that scenario and even if you transferred 20 percent of the stock ACL to the commercial sector, you still would have very little chance of reaching the stock ACL.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I remember going through that table that Ryan is talking about and even if you do raise the bag limit, it doesn’t have a significant impact on the recreational take. This, in my mind, would not prohibit or have any conflict with also, in tandem with this, in this document changing the allocations. You can do both and you still won’t come close to harvesting what we project to be harvested.

CHAIRMAN ANSON: Any other discussion on the substitute motion? Camp.

MR. MATENS: Thank you, Kevin. I’ve been thinking about this for a long time. My intuitive thoughts are that increasing the bag limit to anything really isn’t going to affect certainly the pure recreational take. Whether it would affect those charter boats that target some of these fish, I really can’t speak to.

I am a little uncomfortable about making a change in allocation in perpetuity. While I recognize the council can do anything they wish in the future, I am kind of in favor of some of the options that caused this to be alone and I understand -- Dr. Crabtree, I understand that we can do something else five years from now or ten years from now, but that’s just my thoughts on it.

I am not going to stop any of this or vote to stop any of this, but I just wanted to be on the record that we don’t know what
the future is going to bring. We don’t know whether, for example, one of the charter fleets might find it necessary to start to increase their catch, although I just can’t imagine that they would increase their catch so much that it would affect this discussion, but a lot of things in life I haven’t been able to imagine.

CHAIRMAN ANSON: Thank you. Dr. Crabtree.

DR. CRABTREE: Well, I can remember some years back, when we were talking about red grouper and we went from one fish to four fish and everything was good and well and guess what? Now we’re shutting them down and we’re lowering the bag limit back down. I don’t have a problem with raising the bag limit, but it makes more sense to me to raise it from two to three and see what happens. I haven’t heard anyone asking for four and I can see all the analyses in the world saying that they won’t catch it and they won’t hit the catch limit, but, in my experience, I’ve heard that any number of times and a few years later, guess what? We hit the catch limit.

CHAIRMAN ANSON: Okay. No other discussion? The substitute motion is what we’re voting on. In Action 9, Modify the Recreational Bag Limit for Gulf Migratory Group King Mackerel, to select Alternative 3 as the preferred alternative. Alternative 3 is to increase the bag limit to four fish per person per day. All those in favor of the substitute motion signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Thirteen.

CHAIRMAN ANSON: All those opposed same sign.

EXECUTIVE DIRECTOR GREGORY: Three. Thirteen to three.

CHAIRMAN ANSON: The motion carried thirteen to three. Thank you. Dr. Dana.

DR. DANA: We then moved into Coastal Migratory Pelagic Amendment 28. Staff reviewed the status and timing of CMP Amendment 28, Tab C, Number 5. The South Atlantic Council has discontinued work on this amendment and the Gulf Council has directed staff to continue developing alternatives.

Due to the joint nature of the CMP Fishery Management Plan, this results in staff being unable to proceed with developing the document, since there is no participation by, or input from, the
South Atlantic Council.

Staff noted that the document would either need to be completely restructured or the Gulf Council should reconsider moving forward with Amendment 28 at this time. The committee recommends, and I so move, to discontinue work on Coastal Migratory Pelagics Amendment 28.

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

DR. DANA: Other Business, the committee chair asked if there was any other business to be brought before the committee. Science Center staff noted that a potential funding opportunity may make available a great deal of data from Mexican fisheries managers on a number of species, including coastal migratory pelagic species like king mackerel. Whether such funding is made available should be known in the spring of 2016. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Dr. Dana. As I mentioned earlier, we’re going to modify the agenda slightly and, Mr. Greene, are you ready to start Reef Fish?

MR. GREENE: Thank you, Mr. Chairman.

REEF FISH MANAGEMENT COMMITTEE REPORT

CHAIRMAN ANSON: Hold on one second, Johnny.

MR. FISCHER: Excuse me, Mr. Chairman. What do we have remaining? I am old school and if I had my paper copies, I could check them off and I know we’ve taken some things out of order and I just want to see where we are on the agenda.

CHAIRMAN ANSON: What we have remaining as far as committees is Reef Fish, Data Collection, and Shrimp. That will be the order that we will finish.

MR. FISCHER: We will be allowed a few minutes to have a morning break for checkout purposes?

CHAIRMAN ANSON: Yes, at some point during the middle of the report we’ll probably go ahead and do that, but we’ve only been about forty-five minutes into our morning.
MR. FISCHER: Thank you.

MR. GREENE: SSC Summary, Tab B, Number 4, Luiz Barbieri summarized the main topics discussed at the September 16-17, 2015 SSC meeting. Best Practices for Constant Catch ABC Projections and Constant Catch ABC for Hogfish, the SSC discussed four approaches to determining a constant catch ABC. Most of the interest was in Method 2, average of the ABCs over the projection period, and Method 4, use an iterative projection process.

Method 2 was the simplest, but could result in an ABC that exceeds OFL for some years. The iterative process takes more time, one to two weeks, but is more scientifically defensible.

For hogfish, the iterative method will be used to estimate constant catch ABC. Some committee members suggested that the averaging method could produce adequate results with less time and work needed. The SSC will compare results from the two methods for hogfish at its January 2016 meeting.

The SSC also recommended that for declining yield streams if new yield projections are not available by the end of the projection period, the ABC should be reduced to the equilibrium ABC until new projections are produced.

SEDAR-43, Gray Triggerfish Standard Assessment and ABC, the SSC reviewed the gray triggerfish assessment and had concerns with several of the input parameters used. The SSC concluded that the assessment was the best available science and was adequate to determine current stock status, but was not adequate for making yield projections.

The stock was found to be overfished, but not experiencing overfishing. It does not appear to be recovering and is unlikely to reach its ten-year rebuilding target in 2017. However, anecdotal information suggests that gray triggerfish are becoming more abundant and the most recent stock assessment predicted that age zero recruits have increased by 66 percent between 2012 and 2013. The SSC recommended that a new rebuilding plan be established and is requesting guidance from the council on how to proceed.

Roy Crabtree stated that National Marine Fisheries Service is in the process of drafting a letter notifying the council that inadequate progress is being made in the gray triggerfish rebuilding plan. Once that letter is sent, it will require the council to develop new measures for implementation within two
years to rebuild the stock.

The committee discussed possible ways to get a new assessment and the yield projections needed for a new rebuilding plan. The SEDAR schedule has little room for flexibility and the Science Center does not have the personnel, time, or budget to add a new assessment to the existing workload over the next few years.

Council staff noted that the SSC had suggested using the ABC Control Rule Tier 3b, a data-poor method, to produce ABCs. This method would not produce a rebuilding yield stream, but would produce a more conservative ABC than current that could be implemented as an interim measure until a new assessment can be conducted.

One suggestion was made to contract with an outside assessment scientist to rerun the assessment, taking into account the SSC’s concerns. Bonnie Ponwith questioned where the funding would come from. She added that this could be even more time consuming to the Science Center staff, due to the need to train the person and to provide the data inputs needed for the assessment.

However, committee members felt that it would be worth at least exploring the use of scientists from a scientific consortium to help with the assessment. It was noted that this approach had been used by the Mid-Atlantic Council.

Without opposition, the committee recommends and I so move, to have the council explore working with a consortium of scientists to begin working with stock assessments.

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

DR. LUCAS: I just want to say, since I made the motion, I want to say that I think Bonnie’s shop does a really good job and I wasn’t trying to imply anything by suggesting the motion. I do think they are overtaxed and I was thinking that if we could look at ways to add additional capacity that that may be helpful.

It may not be helpful necessarily just for gray triggerfish, but if we look at this mechanism that was funded by NSF and its role was to specifically focus on sustainable fisheries issues -- If that’s a tool that we could use in the future, even if it’s not a tool we necessarily use for gray triggerfish, if we know more about it, then maybe we would be able to make a decision when we
get into these situations where there is no budget in Bonnie’s shop and no personnel and no extra time that we could utilize

CHAIRMAN ANSON: Any other -- I guess, in reviewing the report here and looking at the motion and hearing a little bit of what Dr. Lucas just said, to me, this doesn’t -- The motion on the board doesn’t -- It says “will explore working with a consortium of scientists”, yet it was borne out of the gray triggerfish assessment and you just referred to it and so it sounds like this motion doesn’t match up with the gray triggerfish assessment and it would match up with future assessments and so I just wanted to -- That’s my interpretation of the motion, is it doesn’t use the gray triggerfish assessment as the point to which to start this. Myron.

MR. FISCHER: I was going to question the ending of the motion and I was waiting for Kelly to finish. It’s pretty open-ended in just saying “begin with stock assessments” and I think what we wanted to do is what you were just saying, is narrow it down to a smaller scope. I am not certain. I am not exactly certain what we’re going to accomplish. I guess we have to figure out what was the goal and then create the motion to solve the goal.

CHAIRMAN ANSON: Doug Gregory.

EXECUTIVE DIRECTOR GREGORY: Well, unless I’m mistaken, this is referring to a presentation that was given to the council last August by Dr. Eric Powell at the University of Southern Mississippi.

He came from the Mid-Atlantic area, working on a project, and he’s trying to extend that project into the Gulf, where they can do assessments or some work.

It’s an industry/academic partnership and so this is a particular consortium and this is not an RFP type of thing and so I will distribute -- I can distribute to the council the information that I can accumulate on it, but all I have now is a press release from that organization from last year, but I can get more information from what they’ve done in the past in the Mid-Atlantic area, because they haven’t done anything in the Gulf as yet.

It’s problematic for us to go to a particular consortium, a sole-source sort of thing, but I can certainly look more into what they have done in the past and what they might be able to do here in the Gulf, but I doubt we would be able to contract
with them to do particular stock assessments without going through an RFP process.

CHAIRMAN ANSON: I have Dr. Ponwith, followed by Dr. Lucas.

DR. PONWITH: Thank you. Rockefeller was asked one time how much money is enough and the answer was just a little bit more and I think the same answer is true for stock assessments. How many stock assessments are enough? It’s just a little bit more.

No matter how much we’ve got into it, more is better, because your decisions hinge on having good and timely information and so that’s absolutely understandable. There are two ways to do that.

One is to make the assessments simpler, so you get a faster refresh rate, but that costs simpler assessments. The second way is to infuse additional resources, either finances or extra hands, and I think both of those are worth exploring and keeping a conversation about.

From my perspective, the thing that maintains scientific integrity the best is to think of ways, if you’re going to take the infusion approach, think of ways that can plug in as well to our current peer review process as possible. Getting a stock assessment that’s done completely outside of the system and getting it peer reviewed to a level that it meets the requirements under National Standard 2 is a non-trivial -- It’s a high bar and so having something that can plug into the system, into the peer review process, is something worth considering as you explore alternatives to doing this. Thank you.

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: I think originally, when I mentioned it, it was any group, Doug, and I think it still can be any group. I just had remembered the presentation by the NSF-funded group and I know NSF released a -- There was an article I sent you where they worked on scup or something for the Mid-Atlantic Council and the Atlantic Fisheries Commission and it -- That group operates as a consortium, because, like Bonnie is mentioning, you can’t disassociate her shop.

There is somebody in there that is supplying information and providing it and that’s why they like to work as the consortium, but it’s people from there and it’s people from kind of everywhere working together to get it accomplished.
I certainly understand you couldn’t enter -- I know that obviously the Northeast Science Center and/or the Mid-Atlantic Council must have been able to enter into that, because they produce work for them, but certainly an RFP looking at another mechanism could also be beneficial as well.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Yes and I guess exploring something and trying to figure out what the other council did sounds fine, but I am back to what Kevin said. That’s all well and good, but this is way down the road and it really doesn’t have any bearing on what we’re going to do with triggerfish for the moment.

CHAIRMAN ANSON: I just wanted to make that clear, based on the comments and the context of the report. Any other discussion? All right. David.

MR. WALKER: Kind of like what Roy said and as long as it’s just exploring -- I don’t know about working on Gulf issues with the South Atlantic’s SSC or scientists. I would rather just keep it with the Gulf.

CHAIRMAN ANSON: All right. We have a motion and the motion is to have the council explore working with a consortium of scientists to begin working with stock assessments. All those in favor of the motion please signify by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Eleven.

CHAIRMAN ANSON: All those opposed like sign.

EXECUTIVE DIRECTOR GREGORY: Four. Eleven to four.

CHAIRMAN ANSON: Eleven to four. Thank you. Mr. Greene.

MR. GREENE: Council staff reviewed the Reef Fish AP’s recommendations for gray triggerfish, Tab B, Number 11. Based on the AP’s recommendation to include gray triggerfish in a reef fish IFQ program, a motion was made to untable Amendment 33 and include gray triggerfish in the amendment. This motion failed by a vote of four to four.

In response to another AP recommendation to reduce the gray triggerfish bag limit in order to extend the recreational season, the committee passed the following motion. Without opposition, the committee recommends, and I so move, to ask for
an analysis of a one-fish bag limit for gray triggerfish.

CHAIRMAN ANSON: We have a committee motion. It’s on the board. Any discussion on the motion? David.

MR. WALKER: I support that. I was looking at the one-fish bag limit and I would like, before we finish on triggerfish, to get back to that motion on the IFQ.

CHAIRMAN ANSON: Mr. Matens.

MR. MATENS: Thank you, sir. I want to ask the charter representatives here, do you guys like a one-fish bag limit and why?

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: A one-fish bag limit is better than a zero-fish bag limit and we have been closed for the last year and the year before that we were closed half the year and the year before that it was a similar situation. I am not opposed to asking for an analysis of really anything and I think this certainly may be a possibility with the situation we’re in with triggerfish.

CHAIRMAN ANSON: Mr. Riechers.

MR. RIECHERS: I am in the same boat as Mr. Greene, in that asking for the analysis will illuminate a little bit of what it will really do. I think we heard enough yesterday though to suggest that given that eighty-some-odd percent only bring home one fish now that it’s probably not going to do very much for us, but we won’t know that until we actually ask them to bring it forward.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: On Johnny’s comment, he is absolutely correct. I mean to have a fishery at all, to be able to catch them and bring them in, is better than nothing. However, I am just still bothered by how we’re even looking at reduction in bag limits based on the uncertain science and SSC votes and so I think we have a whole lot more to do on gray triggerfish.

CHAIRMAN ANSON: All right. Any other comments on the motion? All those in favor of the motion to ask for an analysis of a one-fish bag limit for gray triggerfish please, if you’re in favor, raise your hand.
EXECUTIVE DIRECTOR GREGORY: Fifteen.

CHAIRMAN ANSON: All those opposed. Is there somebody that wants to raise their hand? No one wants to raise their hand and so it was unanimous. All right, Mr. Greene, do you want to continue the -- David, did you want to --

MR. WALKER: Yes. Yes, I would like to bring the motion back up again that we had in Reef Fish, to untable Amendment 33 and include gray triggerfish in the fishery management plan.

I think maybe we just have the staff look at the different species and get more information about that species that we included in the original list in 33 and why they were included and let’s just start talking about it. If we decide we want to make triggerfish part of it or maybe we want to make triggerfish and amberjack or maybe triggerfish and amberjack and another species, but untable it and look at it.

I mean it could be good conservation. I mean we have a lot of discards that’s going on in the commercial industry and I think this could be a good way of addressing some of the discards and maybe not just in triggerfish.

I think we have some issues in amberjack with discards and I mean it’s worked well in the snapper fishery and it’s a tool that fishermen could use. I mean maybe they decide they don’t want it and I don’t know. Maybe the council decides and I don’t know, but I would like to have the opportunity to discuss it more and have staff come back maybe in April. I mean they’re so busy and we don’t have to come back in January, but we can come back in April and look at it.

CHAIRMAN ANSON: We have a motion to untable Amendment 33 and include gray triggerfish in the amendment. Is there a second to the motion?

MR. SANCHEZ: I’ll second it.

CHAIRMAN ANSON: It’s seconded by Mr. Sanchez. Any discussion on the motion? Dr. Crabtree.

DR. CRABTREE: I don’t have any problem with untabling it and coming back to it at some point. I think there is a -- We’ve loaded a lot of work on our staff and so I don’t know how much can be done on this and we’ve also got I think it’s Amendment 36 that’s based on the five-year review of the red snapper program and looks at some modifications there and I do think we need to
address issues with the current IFQ program, so that if we’re
going to bring more species in or set up a new program that we
address some of the issues that have been raised.

Leasing issues keep coming up and those types of things and so I
guess I will go ahead and support this motion now, but I think
there’s a lot of other things that are going to have to get done
before we’re going to make a lot of progress towards looking at
this.

CHAIRMAN ANSON: I would just add to that that I concur on both
of your points, Dr. Crabtree, but if I were to vote, I would
vote in opposition for those two points, but would anyone else
like to comment? Mr. Boyd.

MR. BOYD: I don’t know that the council is familiar with
Amendment 33 in detail and what all is in it and so I would not
vote for this until we had a chance to understand completely
what Amendment 33 is and what all it involves. There may be
things in there are moot in today’s world and it could be that
there’s things in there that we can’t or shouldn’t support and
so I would vote against this, until we know about Amendment 33.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I guess we could table this motion until the next
meeting and have staff go over what’s in Amendment 33 at that
time and then come back to it.

CHAIRMAN ANSON: David.

MR. WALKER: That just -- You know the IFQ has been successful
and it’s been a good fishery management plan that has addressed
a lot of issues and I just don’t see why we don’t go ahead and
look at it. I mean it doesn’t hurt to look at it. It’s a tool
and we should look at all the tools and hear from the industry
and let’s talk about it and discuss.

I mean maybe the council just brings it back and maybe explains
more at the next meeting and then we could continue on. I mean
it could always be tabled again, I guess, but I just think that
the industry has asked for it to address some of their issues
and we heard it in testimony and I don’t see any harm in it.

I mean we’re not voting to implement it today. We’re just
voting to look at it. Let’s just look at the tools. It’s good
conservation and I would like to have a roll call for this vote.
CHAIRMAN ANSON: All right. Mr. Swindell.

MR. SWINDELL: Well, you know, being on the council for two months, I have not gone through enough documentation to look and see what 33 is all about, but I somewhat agree with David that unless it’s -- Unless it’s a big burden on the staff and the staff has got too much to do -- You know where does it fit in the priority list of getting stuff accomplished? That would be my only concern about voting for it, whether or not the staff can even get this possibly done and just I don’t have a good way of knowing anything.

CHAIRMAN ANSON: Doug, do you want to comment to that?

EXECUTIVE DIRECTOR GREGORY: Well, I can refer you to our priority list of actions that we have in our briefing material and consider the things that have been added at this meeting. Yes, I think Amendment 36 has been lagging because of our business with other red snapper amendments.

The South Florida stuff is lower priority and the circle hook stuff that you approved meetings ago we’re not working on right now because of lower priority and so we have a lot on the plate. We just keep plugging away as best we can and like you said, oftentimes the squeaky wheel gets the grease, but we have a lot on our plate. There’s no doubt about that and if you look at our website, we have like eleven different amendments in some process or stage of being worked on.

CHAIRMAN ANSON: I have several folks. Johnny, followed by Dr. Crabtree and Myron.

MR. GREENE: Just a question for anybody that wants to take a stab at it, but if you table a motion, my understanding is that you have to stop work and discussion and everything else about it and so for us to look at it or figure out any more information about it, wouldn’t we have to untable it first?

CHAIRMAN ANSON: Mara.

MS. LEVY: I don’t know if it’s a lawyer question. It’s a procedural question, but from what I understand, the amendment wasn’t tabled and so generally if you have a motion, you table the motion and then you don’t have discussion about it. You just vote on whether to table it or not and if you’re going to untable it, you don’t have discussion about it and you just vote on whether to untable it.
I think really, in reality, what happened is the council just decided to stop work on it and so what you’re deciding now is whether you want to continue to work on it and one suggestion would be to just say that at the next meeting you’re going to put it on the agenda for discussion and staff doesn’t have to do anything. They can give you the document that was already there and you can talk about the document and everyone can look at it and you can decide whether to proceed.

I don’t think you necessarily have to direct staff to start working on it again, but you might want to decide whether you want to put it on the agenda for the next meeting, so you all can talk about it with some context about what it is.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: In light of that legal guidance, I would like to offer a substitute motion that at our next council meeting we review the status of Amendment 33 and Amendment 36, the contents of these amendments, workload implications, and we have a discussion on how to proceed.

CHAIRMAN ANSON: There is a substitute motion that’s offered and we’re just cleaning it up right now. Roy, is that your substitute motion?

DR. CRABTREE: Yes, I think that’s fine.

CHAIRMAN ANSON: Is there a second to the substitute motion? It’s seconded by Roy Williams. Dr. Crabtree.

DR. CRABTREE: I offer this to try to find something a little less contentious and maybe less objectionable to some folks and it takes into account the other things going on and this seems like a reasonable thing to do, to me.

CHAIRMAN ANSON: All right. Is there any other discussion? David? No? We had a roll call request and I am just checking to make sure that there is no more discussion on the substitute motion. Myron.

MR. FISCHER: I know we’ll be coming up with 39 possibly coming final and do you know what other agenda workloads we have for the January meeting?

EXECUTIVE DIRECTOR GREGORY: Carrie, help me here. We’ve got 41 and 42 and Shrimp Amendment 17, A and B. I will try to minimize Administrative Policy.
DR. SIMMONS: The electronic reporting document.

EXECUTIVE DIRECTOR GREGORY: You all are keeping us busy.

DR. SIMMONS: We’re trying to work towards an options paper for Amendment 36 for January as well, but, again, after this meeting we will have to have our staff meeting and then get back with the Chair and Vice Chair.

CHAIRMAN ANSON: Dr. Branstetter.

DR. BRANSTETTER: To follow up on Doug’s comment about eleven active things, I have fifteen on my active list for our Gulf Branch working in cooperation with the council staff on the IPTs. You have added three at this meeting and removed one.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I don’t think this would add a whole lot to the agenda and that committee and as we discuss further down this committee report, there might be some things that we end up taking off the agenda for next time and so I think this will be just fine. The amendments are already in place and they are already there. Staff will simply review it and we’ll have a short conversation and decide if we want to do something at the next meeting with it or not.

CHAIRMAN ANSON: All right. No other discussion? We have a request for a roll call vote. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.
MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR GREGORY: Chairman Anson.
CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: It’s fourteen to three and it passes.

CHAIRMAN ANSON: Thank you. I think, Mr. Greene, that will take you to your committee report.

MR. GREENE: Committee members noted that the priority was to develop a new triggerfish rebuilding plan, but a bag limit change could be included as an action in the amendment.

The committee discussed the SSC’s twelve to eight split vote to accept the gray triggerfish assessment as the best available science. Roy Crabtree asked for a verbatim transcript of the SSC meeting in order to better understand why the vote was split. He stated that most other SSCs used a consensus approach rather than parliamentary procedure when making recommendations and felt that was a better way for the SSC to proceed. Other committee members felt that under a consensus approach, one or two of the SSC members tend to dominate the decision-making.

CHAIRMAN ANSON: Mr. Williams.

MR. WILLIAMS: Before we leave triggerfish, I wondered -- In listening to the public testimony yesterday, there is a real feeling of desperation about triggerfish from at least Orange Beach into Texas of the charter fishermen. Captain Ard, Tom Ard, had suggested a one-fish bag limit at a sixteen-inch minimum size limit, which is two-inches larger than we presently use.

I would -- I am going to make a motion that we ask for an analysis of both the effect of a fifteen-inch and a sixteen-inch minimum size limit on triggerfish.

MR. SANCHEZ: Second.

CHAIRMAN ANSON: The motion is to ask for analyses of both a fifteen-inch and sixteen-inch size limit on gray triggerfish or for gray triggerfish.

MR. WILLIAMS: Yes and my reason is there was -- I think at least half the people that spoke yesterday addressed triggerfish. They are convinced that there is some recovery of triggerfish that’s not being reflected in our assessment and I am influenced from a long time ago.
One time we reduced the bag limit on king mackerel to zero and I remember Bob Zales coming to the Marine Fisheries Commission and saying, the old Florida Marine Fisheries Commission, and saying one fish is okay and I can sell a one king mackerel bag limit, but I can’t sell a zero king mackerel bag limit and so whatever you can do to get me one fish, we can sell that, but we can’t live with zero.

Right now, this closure of triggerfish is really having an effect on these guys, I think, and so I am looking for a way to try to keep their fishery open, but achieve our conservation goals. This, I’m hoping, might do that.

CHAIRMAN ANSON: Just to make sure it was on the record, John Sanchez seconded the motion. Any other discussion on the motion? Is there any opposition to the motion? David.

MR. WALKER: I was just going to say I support the motion. I think it’s good to look at analysis and it might help. Anything that could provide another tool or raising the size limits -- I strongly support this.

CHAIRMAN ANSON: So is there anyone in opposition to this motion? Seeing none, the motion carries. Mr. Williams.

MR. WILLIAMS: I was having a sidebar conversation with Myron and Mr. Ard also suggested a May 1 opening. I don’t know if we want to try to explore some -- I don’t know what the Gulf-wide effects of something like that is going to have. It’s likely to have some regional effect to it and that’s my only trepidation about asking for that analysis as well, but what do you think? Should we ask for something like that?

CHAIRMAN ANSON: Dr. Crabtree had his hand up and so he might have some insight.

DR. CRABTREE: I mean we’re going to be looking at a whole lot of things, I think, with gray triggerfish and so I don’t know if we need to ask for that right now or not. I will leave that to you, but I think we do need to talk about the issues of projections and whether we need a motion or we just need to direct staff, but it seems to me we do need to get projections and maybe we already have them. I think we do, but I am not positive that we’ve got projections at F equals zero.

It appears, based on what I know, that the rebuilding plan cannot extend past ten years and so we’re going to need a
projection that looks at a ten-year rebuilding plan and then if there’s any room in between the F zero and ten years, I would think we would want an intermediate projection and then we need to reconvene the SSC at some point and have them work on this and I think some discussions in the interim between the Science Center and some of the SSC would be productive. I guess my question for Mr. Gregory is to get these results back in front of us at the next council meeting, do we need a motion or how do we need to do that to proceed?

EXECUTIVE DIRECTOR GREGORY: We have an SSC meeting scheduled in January. It’s a one-day meeting now and so we have time to do something else. Now, what I also hear is something more like a workshop, a one or two-day workshop, in Miami with some of the SSC members working with Science Center staff.

Is that part of the discussion that I heard yesterday? That would be something different and that would have to occur before the January SSC meeting. Or is the Center going to provide some more analyses for the SSC to review?

DR. CRABTREE: I don’t know that I’m asking for anything that formal. I am more asking for staff and perhaps the Chair or Vice Chair of the SSC to engage in some discussions with the Center about what is needed and what they want to see.

I am asking for a lot of advance staff work by the Center and the SSC before our next meeting, so that all the things the SSC thinks they need to see and need to have addressed have been given a lot of thought and the analyses are all there so we can have a really productive next SSC meeting and hopefully come out with some more straightforward guidance on where we’re heading with this.

I don’t know -- If the discussion turns out they think they need a workshop, then great, but I am not thinking of anything that formal. I am thinking just some really good thoughtful preparation for the next SSC meeting.

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: Thank you. I actually agree with Dr. Crabtree on this. I think that if we had the council’s approval to work informally with the council staff and with the SSC and the Science Center to make sure that we’ve got the input we need to run the projections that we need to address the questions that we have right now and have them prepared in time for the SSC meeting, that would be, I think, the level of engagement that we
would need.

The scope of those discussions, I think we have discussed at length in the council meeting and so it would be just to get the clarification on exactly what those projections would look like, the timeframe, the reference points for those projections, to enable us to have the projections done in time for the SSC meeting.

CHAIRMAN ANSON: To that point, Dr. Ponwith, and maybe Dr. Crabtree or Mara, you know the projections are based on the assessment and, as I recall, there was questions on the assessment side and the projections side, but the projections side were based on the assessment and how the assessment was conducted and so in terms of any jeopardy or questions that the public might have with what Dr. Crabtree proposed, inasmuch as a very informal gathering of stock assessment scientists and SSC members, and then any changes that might have or impact that might have, what is -- What is the council’s thought on that relative to maybe impacting the assessment, which would impact projections, potentially? I guess that’s what I’m looking at, seeing if that will happen.

DR. PONWITH: I guess I need -- If you can say what you said again, because I am not following what the question is.

CHAIRMAN ANSON: Mara, do you have --

MS. LEVY: So I would not recommend that there be any informal gathering of folks and so we’re not talking about a workshop or a meeting. I think what we’re talking about is a discussion that is facilitated through staff about what the SSC would like to see that the Science Center present to them at the next meeting, so that they can make their determinations.

From what I understood from the discussion with the SSC, and maybe they can clarify this at their next meeting, is that they accepted the assessment’s determinations of status, but then were having trouble with the projections, because they were looking at projections that some of them increased the TAC into the future. Some of them looked like recommendations about what you should set your ABC at if you want to rebuild within ten years of 2015.

So I think there needs to be some discussion about when the SSC looks at an assessment and says yes, we agree that this is still overfished and we’re not going to meet our rebuilding target then, in my mind, the appropriate response from the SSC is to
say we need now projections that give us a Tmin, a Tmax, and some sort of in between, so that we can make recommendations and the council can assess what the appropriate rebuilding time is.

I think there was sort of confusion about what should happen once you agree with the assessment results, but the projections don’t seem to address those rebuilding questions. Maybe what this next SSC meeting can do is clarify some of that and get the SSC the projections that they need to make catch level recommendations for a new rebuilding timeframe.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Yes and that’s my motion. I think she summed it up exactly right and that’s where we need to go and I guess my question is, do we need a motion to get all that done or are we okay with just direction to staff is where we want to head?

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: Just to that point, the notion is, again, we’ve had these discussions on the record and getting them streamlined into a very specific this is what we need from the Science Center within the range of those discussions and then, once that has happened, getting a letter sent to the Science Center that captures that advice crisply is, in my mind, the best way to go forward to make sure the SSC has what they need to deliberate upon at their next meeting.

EXECUTIVE DIRECTOR GREGORY: We hear you loud and clear, motion or no motion, but if you look at the SSC report, they list five or six things that concerned them and they conclude the report by saying we need a benchmark assessment, which is not going to happen.

There is some question or talk amongst staff of if we even had another update assessment, incorporating the more recent recruitment trends, things might look different, but I will certainly get with the Chair and Vice Chair of the SSC and we will try to identify the issues, if there is any more other than what’s in the SSC report, and write that letter to you, Dr. Ponwith, and go from there.

CHAIRMAN ANSON: Just to follow up, Mara, on your -- Dr. Crabtree mentioned this as well, about getting it from the SSC, is unless there is another webinar or something where it calls all the SSC members together, it’s only going to be from the SSC Chair and Vice Chair that those recommendations will come, in
order for the projections to get generated and then it will be
provided to the full SSC for review, unless the full SSC needs
to reconvene, which you have to set that up, and then still give
time for the projections to be done and then be available for
the January SSC meeting. That’s just something else. Leann,
you had something?

MS. BOSARGE: I am okay with everything that’s been said and
making sure that this transpires, however we need to have it
transpire, per Dr. Crabtree through Mara. I just want to make
sure that as we do go through all this and we’re getting all
this hashed out and lined up -- I mean in the SSC report, there
were some elements to the actual stock assessment that they had
a few qualms with, the pooled growth rate for male and female
and the stock recruit steepness and the shrimp trawl bycatch
mortality that was assigned entirely to age zero fish. There is
a list of bullet points.

If that needs to be addressed to get anything from the Science
Center before the SSC meeting, so that they can evaluate it, I
just want to make sure that we do make sure we get them all the
data that they need to evaluate during their meeting, their next
meeting.

CHAIRMAN ANSON: Mara.

MS. LEVY: I guess Bonnie can address this, but I don’t see sort
of any changes of that magnitude to the assessment without doing
a new assessment or some sort of thing that -- I mean we have
the assessment and we have said or the SSC has said yes, it’s
still overfished and we’re not going to meet the rebuilding
target.

The thing that needs to happen now -- They didn’t feel like they
could give ABC recommendations at this particular point in time,
but, regardless of that, the council is going to have an
obligation to figure out what the rebuilding time is and as
short as possible and all of that and so we’ve got to get those
projections so that you can see is it ten years or less and then
what it would be with F zero and all those other things, so that
you can come back and revise or do a new rebuilding plan. That
has to happen regardless of what the SSC said about the
projections, in my opinion.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: It seems like we have two different discussions
going on. One is the discussion about the reaction to the
current stock assessment and the finding that it was best
available science, which is what the folks at this end of the
table are suggesting we do, which is get those projections now,
the new projections, and the council is going to have to look at
that moving forward and the SSC is going to have to review that.

The other conversation that we have ongoing that seems a little
more subtle or it’s not really subtle in nature, but it seems to
be being tossed to the side just a little bit in nature, or not
-- That’s a strong word and not tossed to the side, but more
difficult to figure out how to do is how do we look at some of
those issues that it seems at least as if we heard the SSC --
That was part of the reason they weren’t going forward with the
projections.

Not only do they need new projections, but they had these other
concerns that they wanted to look at in some way. It may be
that they can’t be addressed until a benchmark. I think what we
talked about in committee was is there some step between a
benchmark and some sort of iterative process right now that will
either help ameliorate those concerns or maybe even have us
factor in some other considerations as we look at some of those
other things.

I don’t know whether we need two motions to do that. I thought
we were kind of just directing staff to do that second part. I
just don’t want that to be forgotten when we come back here the
next time and say we didn’t get to that or that doesn’t really
matter, because I do think that’s been what many council members
have been asking for and, Leann, I think that’s exactly what you
were getting at, in some respects, is how do we take that
iterative step approach and maybe answer, hopefully, to the
conclusion that it really doesn’t change anything regarding the
benchmark and the SSC becomes comfortable with that.

CHAIRMAN ANSON: Dr. Ponwith.

DR. PONWITH: So what I’m hearing is that we have an obligation
to move on refining those projections so they are the
projections we need to get to the SSC to enable them to set ABC
advice, given the circumstances that we’re in with this stock.

On the other hand, what I’m hearing is there were questions in
the report about the assessment and so that -- When I talk to
the analysts and ask them about the degree of the discussions,
what I hear is that the discussions were -- I wasn’t at the
meeting and so this isn’t first-person.
What I am hearing is the discussions were long and they were
detailed and they were robust discussions about these issues and
questions were raised about parameters in the assessment and
sensitivity analyses were run to evaluate the role of some of
those parameters and the sensitivity analyses showed that it’s a
logical question to ask, but this particular issue did not have
a high impact on the outcome of the assessment.

Because I wasn’t in the meeting itself, I can’t tell you one-to-
one with the bullet list that you had just read that a
sensitivity analysis was run on each of those. I can’t do that
in real time, but what I have in the record is that the
assessment was approved and that we were ready to run these
analyses.

The problem with iterative is if you, on one hand, say I don’t
accept the stock assessment and I want you to change a bunch of
stuff, you can’t do that at the same time as you’re running
projections.

You need the assessment to be able to run those projections and
you need to make sure those projections are parameterized in a
way that answer the question you’re trying to answer, which is
to get at that rebuilding time in a revised plan for rebuilding.

**CHAIRMAN ANSON:** Dr. Dana.

**DR. DANA:** Thank you, Chairman Anson. But how do you revise the
projections based on an assessment which frankly people are
saying is a mess? I mean I have heard many folks around this
table use that term to describe the assessment and you know with
what we’re hearing from those that are on the water, it’s that
the fishery, at least from Panama City to Mobile and further, is
very robust and that’s not what the assessment is saying.

**DR. PONWITH:** First of all, if a council member were at the
review and witnessed the review and their determination is that
the assessment is a mess, I am willing to hear, but your
scientific body was there and they participated in that
deliberation and the deliberation was robust and there was a lot
of discussion, but that scientific body approved the stock
assessment for determining the status of that stock, which is
that it is overfished.

That is your advisory panel on this. In terms of what’s being
seen on the water, if anecdotal information and early
information from the fishery-independent data collections
corroborate one another and say things have improved, I will be
the first to pop the cork on the champagne bottle, but I don’t necessarily view that at odds with the stock assessment, because the stock assessment has a terminal year, right?

That terminal year has to be set to be able to get all the data we need into the assessment process, peer reviewed, and analyzed in time to run the stock assessment. So if things are happening on the water post-terminal year of this that are different than what we were seeing in the trends, then you know it’s certainly worthy of paying attention to and incorporating in our plans for how we deal with this going forward, but we would be -- We don’t want to be chasing our tails on stock assessments here without thinking through the repercussions.

The council is contemplating putting another stock assessment for this stock into the mix for the SEDAR schedule and it is the council’s prerogative to set priorities for the SEDAR schedule.

The catch is for everything you put in, you need to remove something and I am reasonably confident the council will not want to entertain red snapper being the thing that’s removed and so it’s a matter of maybe revisiting the SEDAR schedule and saying where would you want something in there, to be able to test that hypothesis, you know based on some of the early data we’re seeing in our own fishery-independent, which doesn’t disagree with some of the observations that people are seeing.

The other thing that concerns me a little bit is one of the issues in the assessment is the recruitment issue and that we’re seeing not as much recruitment in the stock assessment as one would hope, given the management measures that have been put in place. Now the anecdotal information is we’re seeing some of these pre-recruits to the fishery, these smaller fish that aren’t keepers, but will be soon. I think that’s promising.

**DR. DANA:** Thank you, Bonnie, but you just remarked that our advisory body, and I am assuming you’re talking about our SSC, approved scientifically the findings of the assessment, but what I heard the other day at the committee was that was not necessarily a unanimous case and that there was quite a close vote between those that approved it and those who did not, or not approved it, but those who thought it was worthy of forwarding versus those not.

I am not comfortable, to tell you the truth, based on what I am hearing and what the assessment says -- I don’t know, because I am not a scientist, but I don’t know how you go about making sure that an assessment, a solid assessment, is in place so that
you can do valid projections.

CHAIRMAN ANSON: To that point, Dr. Ponwith, and then Greg.

DR. PONWITH: Just to that point, I applaud your concern, because making decisions on sound science is a practice we should all embrace and all I can tell you is we carried out the stock assessment according to the best practices and according to the protocols that exist in SEDAR.

We peer reviewed that product according to the peer review protocols that we have set up under SEDAR that we have blessed and that comport with National Standard 2. Based on those methodologies, that stock assessment was approved by the SSC. The vote was twelve to eight, which means it’s not unanimous, but that it passed.

At this stage, if you want to go on process, I guess the question is how much bigger of a yes than a majority vote do we need or do we need to revisit, from a SEDAR process standpoint, the methods we’re using for arriving at decisions, but in terms of the assessment, when I look at the process that was followed and the outcomes, in my mind that’s an approved stock assessment.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I too agree with Pam that it concerns me some, Bonnie, and I suppose a vote is a vote and maybe even Doug can shed some light if -- There was some earlier discussion that, for example, had they heard the full discussion at the end that it wouldn’t have been a twelve-to-eight vote and, for me, it seems like it should be revisited it a little bit, but, Doug, maybe a question for you.

This was the first meeting, I guess, since we restructured the SSC, right, and so you had these new guys coming in which weren’t the standard stock assessment guys that were used to doing this and just having been on that committee and who knows the reason people voted, but you don’t want to vote that it’s not the best science, because it is the best science. That’s what you’ve got, but then we have this whole confounding thing of but not used for management advice.

It just seems like a very confusing deal and then last night we hear that very opposite report of what’s going on on the water and so I don’t know. There’s just a lot of moving parts, which makes me a little skeptical about where we’re going with this.
CHAIRMAN ANSON: Doug Gregory, to that point.

EXECUTIVE DIRECTOR GREGORY: We will clearly look at all this and triggerfish will be on the SSC agenda in January for sure and we will work with the Chair and Vice Chair and the Center and try to clarify what needs to be done.

I think it’s a series of things and it wasn’t just that it was a new committee. It was also that some of the people we assigned to the panel to work with the stock assessment scientists didn’t all show up and so the expertise might not have been there upfront. It could be that the SSC was kind of blindsided by all this. It’s the projections that were bothersome.

I am going to work with the SSC and I don’t think it’s appropriate to say things like it’s not good enough for management. What they should say is this is the best available data, but it’s not a good assessment or this is the best available data and it’s a good assessment, but we don’t think the projections are right and keep them confined to the data and the science, but we will work it all out.

We have clearly heard what the concerns are and maybe the projection, the rebuilding timeframe, was incorrect based on an older assessment. We had a 2006 benchmark and a 2010 update and the update information wasn’t implemented in the management measures until 2013 and so it was only two years ago and so fishing mortality is low. The stock is continuing to rebuild, but not at the original trajectory and so we’ll look into all that and come back to you in January with a more complete summary.

CHAIRMAN ANSON: To that point, Dr. Ponwith.

DR. PONWITH: To that point, this is an SSC that’s comprised under the new model that was established and a blending of the different areas of expertise and one of the things we spoke about at length in trying to make these APs, and the SSC included, more cost-effective and more efficient is managing the expertise contribution and the size of them and I’m a big fan of that, because you know I’m constrained the same way. You only have as much as you have to work with and you need to make sure you are configured properly.

I would like to, just as an upshot of this conversation, raise concern. I know the agreement when this was done was that no fewer than four of the SSC members would be stock assessment
competent and I am wondering if we need to keep a really close
eye on that and consider raising that number. Again, nothing --
It’s just something to keep on our radar going into the future.

EXECUTIVE DIRECTOR GREGORY: If I may, the thing was no more
than seven. The problem we’re having is the problem the SSC has
always had. We do not have a good cadre, or a large cadre I
should say, of stock assessment scientists in the southeastern
United States.

If we want more high power, we’ve got to go to New England or
the North Pacific and we’ve got to bring people in. We just
don’t have the schools and that’s why some of us went to the
University of Washington to get our degrees, because we don’t
have fishery schools of that caliber in the Southeast and so
it’s not the new system. We have always had this problem with
the old system. I think part of it might be that some of the
people that have been doing the work day in and day out just
weren’t involved in this one.

I mean we’ll look at the dynamics. There is some dynamics here
that is a bit unusual, but we will look at all that, but it’s
not the new structure, because we have always had a problem with
a shortage of stock assessment people and with Greg and I gone,
it’s even worse.

CHAIRMAN ANSON: I had Dr. Lucas on my list, but I want to close
it out and we’ll have Dr. Dana too, but Dr. Lucas.

DR. LUCAS: I think both Greg and Doug said the part about the
management thing, about not using it for management, which I
guess is what makes all of us shaky, but I mean I also
specifically asked Luiz, in light of the information they found
out during the process, if he thought that information could
improve the assessment and he did say yes, that he thought that
could improve the assessment.

I feel like they know there is information out there that they
could utilize to improve this assessment and I don’t think we
can discount that.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Just briefly, I think Dr. Crabtree brought up a good
point the other day with the committee that in other SSCs they
don’t -- They arrive to a consensus rather than a vote and the
stakes become very high, especially when you have a close vote,
twelve to eight. That’s pretty significant when almost -- When
a significant number of your scientific team doesn’t agree with
an assessment. Maybe we look at consensus, like other SSCs,
versus votes.

CHAIRMAN ANSON: All right and so just to recap for everybody,
it sounds like that the SSC Chair and Vice Chair will work with
the Science Center assessments and kind of come up with those
projections, with some intermediate range or terms in there, and
they will be presenting that to the January SSC and then we’ll
see it at the January council. Let’s go ahead and take a break,
fifteen minutes, and if you need to check out, go ahead and do
so. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN ANSON: All right. We’ll go ahead and start Reef Fish
back up again. Mr. Greene.

MR. GREENE: Thank you, Chairman Anson.

Final Action, Framework Action to set Gag Recreational Season
and Gag and Black Grouper Minimum Size Limits, staff reviewed
the draft framework action Reef Fish AP recommendations, Tab B,
Number 11, and written comments received.

The council had previously adopted preferred alternatives for
Action 1, the gag recreational minimum size limit, and Action 2,
the black grouper minimum size limit, to set a twenty-four-inch
recreational minimum size limit, and a preferred alternative in
Action 3 to eliminate the December 3 through 31 recreational
fixed closed season. This would result in a recreational gag
season of July 1 through December 31, or until the ACL was
projected to be reached.

Other alternatives in Action 3 could extend the season, but
committee members felt that a precautionary approach was
warranted until a new stock assessment is conducted. Mara Levy
reviewed the codified regulations, Tab B, Number 5(b), and noted
that they reflected the current preferred alternatives.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: Thank you, Mr. Chairman. Before we get to the
motion in the committee report, I would like to offer a motion
based on some of the public testimony we heard yesterday. That
motion would be in Action 3 to add a new preferred alternative
that would remove the June 1 through 30 portion of the fixed
closed season and begin the season on June 1 and close when the
recreational ACL is projected to be met.

CHAIRMAN ANSON: Is that your motion?

MS. BADEMAN: Yes, that’s it.

CHAIRMAN ANSON: All right. So we have a motion on the board and do we have a second? It’s seconded by Mr. Fischer. Any discussion on the motion? Martha.

MS. BADEMAN: I’ve talked to a lot of people about gag since we I guess got the analysis with the twenty-four-inch size limit that showed that we could potentially open the season earlier. There were two general themes, I would say. One, something is up with the stock. We’ve been hearing that for quite some time. Two, if we do a longer season, December is very, very important, particularly for southwest Florida.

I want to be sensitive to southwest Florida. They’ve been -- The current season that we have now has not been so favorable to them. I know the AP ended up with a season that would have opened in the year, starting in January and closing February and March and then opening again in the spring until the end of the year.

I want to support that and I hope it would be a good compromise. I think maybe if gag was in better shape, but my worry with that is that if we open in January and open in the spring that we end up in situation like we are with red grouper now, where we have an early closure and it backfires on them and they cannot be open in December.

A lot of the comments yesterday addressed that if we open in June that that maybe could alleviate some of the discards that are going on during red snapper season in June and so I just want to throw this out there as a possible compromise between what the AP is looking for and our current preferred alternative.

CHAIRMAN ANSON: I have Steven, followed by Johnny Greene.

MR. ATRAN: According to the decision model spreadsheet, if we were to have a June 1 through December 31 open season, we would be under both the ACL and the ACT. We would be about 13 percent below the ACT.

CHAIRMAN ANSON: Mr. Greene.
MR. GREENE: Well, I have a little concern. I mean I understand the discards June would have, because I do fish almost every day, except for the council meeting that I will attend, and I certainly understand that, but you know red snapper is a big draw to our area during the month of June and we can -- We can do with or without gag.

I know there are some people who may not understand where I’m coming from on this, but I think that that -- I just want to make absolute sure that those guys down along the coast of Florida that really depend on gag in December get that season. I think that’s more important to them than some discard issues in the northern Gulf with gag during the month of June.

CHAIRMAN ANSON: Myron.

MR. FISCHER: I would support this motion. I just enjoy the ecosystem approach of it of having some of your reef fish open simultaneously to alleviate the discard problem.

CHAIRMAN ANSON: All right. Mr. Williams.

MR. WILLIAMS: Steve Atran, did you say that fishing June through the end of December we would still be 13 percent below the ACT? Is that what I heard?

MR. ATRAN: That is correct, with the caveat that there is no attempt to try to predict any changes in fishermen behavior.

CHAIRMAN ANSON: All right. Any further discussion on the motion? Is there any opposition to the motion? We have one opposed and seeing that, the motion carries. Mara.

MS. LEVY: I guess, just to make sure that we’re correct for staff about this, this would essentially add a new Alternative 5 to that action that would then also then be the preferred alternative and that if you’re going to go to the next motion that’s going to submit to the Secretary, to just be aware that staff is going to have to analyze this and edit the document, as well as the codified text you reviewed earlier, because that’s not in there right now.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I think, and, Mara, correct me if I’m wrong, it’s within the range of what’s already in the document and has been analyzed and it certainly came out of public comment yesterday, because I heard a number of fishermen ask for this and so I
think it’s fine, from a NEPA perspective.

CHAIRMAN ANSON: All right. Thank you.

MR. GREENE: Without opposition, the committee recommends and I so move --

CHAIRMAN ANSON: Hold on, Johnny, one -- Dale.

MR. DIAZ: I am sorry, Mr. Chairman, but I was kind of hoping we would have some discussion about -- Several of the commercial fishermen yesterday said that they thought that the commercial size limit should be raised to twenty-four inches and I was wanting to ask either David or Leann if they had got some feedback from some commercial fishermen in some other areas and what type of feedback they had gotten.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: Yes, they supported the twenty-four-inch. It would make it better for enforcement and I think most of the commercial industry is for better enforcement and twenty-four inches would be consistent with the recreational. You know if it helps extend the season and prevents some discards -- I haven’t seen many fish that are under twenty-four and I think we heard testimony on that as well.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: Dale, I haven’t heard any feedback out of our guys in Mississippi and over that way.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: I was just going to say I was listening to the webinar when the AP met and when they talked about raising the size limit to twenty-four and one of the comments that was made was -- It’s consistent with what David just said, that they’re bringing in fish that are bigger than twenty-four anyway and so they were supportive of that.

MR. DIAZ: With that, Mr. Chairman, I would like to make a motion that we change the minimum size limit on the commercial sector to twenty-four inches. That’s based on public comments.

CHAIRMAN ANSON: We have a motion to change the commercial size limit to twenty-four inches and it’s been seconded by Mr. Walker. Dr. Crabtree.
DR. CRABTREE: There is no action currently in the amendment that addresses the commercial size limit and so you would have to add an action to the document and then we would have to take action on this at our next meeting, because staff would have to add that and analyze it and bring it back to us. You can do that if you want to, but understand that means we can’t finalize the document today.

MR. DIAZ: What does that mean for overall timing of this thing then, Dr. Crabtree? I mean when would implementation take place if we decided to take that step?

DR. CRABTREE: Well, our next meeting is in late January and so probably June implementation. I think it would be iffy as to whether we could get it done in time to open June. I wouldn’t rule it out, but it would be close.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: Dale, if you’re willing, I mean I think I would prefer to -- I am with you, but I think I would prefer to do it in a separate action, so that we’ve got enough time and we know we can get our changes done for the season in time.

MR. DIAZ: Based on comments around the table, if the seconder agrees, I would like to withdraw my motion.

MR. WALKER: I agree.

CHAIRMAN ANSON: All right. Mr. Walker agrees and so the motion is withdrawn. Mr. Greene.

MR. GREENE: Without opposition, the committee recommends, and I so move, that the council approve the Final Framework Action for Gag and Black Grouper and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

CHAIRMAN ANSON: It’s a committee motion. Is there any discussion on the motion? Martha.

MS. BADEMAN: Just, Mara, this meets what we need to have in there for staff to make the necessary changes, based on what we just did?
MS. LEVY: Yes, I think that’s fine and we will send the Council Chair the new codified text that reflects what you just added.

CHAIRMAN ANSON: All right. Is there any further discussion? Is there any opposition to the motion? This is a roll call, that’s right. Mr. Gregory.

EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: Yes.
EXECUTIVE DIRECTOR GREGORY: Captain Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR GREGORY: Chairman Anson.

CHAIRMAN ANSON: Yes.

EXECUTIVE DIRECTOR GREGORY: It’s unanimous.

CHAIRMAN ANSON: Mr. Greene.

CHAIRMAN GREENE: Options Paper, Amendment to Define Gulf of Mexico Hogfish Stock and set ACL and Status Determination Criteria, Tab B, Number 7, council staff reviewed the options paper for hogfish.

There are three actions: 1) define the geographic boundary between the Gulf and East Florida/Florida Keys hogfish stocks; 2) establish status determination criteria of MFMT, MSST, and MSY proxy; and 3) set ACL and, optionally, ACT for the Gulf hogfish stock.

Staff noted that Action 2 to define status determination criteria could be moved into the MSST amendment that is being developed concurrently. Also, Action 3 is not yet complete, because the constant catch ABC needed for one of the alternatives is not yet available.
Council staff reviewed the Reef Fish AP’s recommendations, which included a motion to increase the minimum size limit to fourteen inches fork length. Without opposition, the committee recommends, and I so move, to add an action to look at increases to the minimum size limit for hogfish.

CHAIRMAN ANSON: We have a committee motion and it is on the board. Is there any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Hold on one second, Johnny. Steven.

MR. ATRAN: Before you get off of hogfish, Action 2, which is setting the status determination criteria, we’ve got another options paper, a minimum stock size threshold, which would also take care of that same item and so I would suggest we simply remove that from the hogfish document and take care of status determination criteria in the MSST amendment.

EXECUTIVE DIRECTOR GREGORY: Steven, which document do you think we could get through quicker and does that even make a difference, in your opinion?

MR. ATRAN: I don’t think it makes any difference, unless we’re expecting to get a new hogfish assessment very quickly, but both of those documents are on about the same timeline.

CHAIRMAN ANSON: Mara.

MS. LEVY: Well, we’re redefining what the hogfish fishery management unit is and we need the status determination criteria to go with that new stock and so we can’t really separate them, because when we define it, we need to establish what the status determination criteria are and so we can’t just throw it in another amendment when it hasn’t been defined yet and we don’t want to define it without the status determination criteria.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: So I appreciate Steve’s suggestion and I hear where you’re coming from, Steve, but just as a matter of law and how this stuff works, I think we need to leave it in the hogfish amendment.

CHAIRMAN ANSON: All right. Thank you though, Steven. Martha.

MS. BADEMAN: I just have something on gag that I just forgot and it’s based on what Dale and I were just talking about. When
we’re ready to back up to that and I don’t know if it’s right now, but --

CHAIRMAN ANSON: Why don’t we talk about it right now, since it’s relatively fresh.

MS. BADEMAN: I wanted to make a motion to direct staff to begin a framework amendment that would increase the minimum size limit for commercial harvest of gag and black groupers to twenty-four inches total length.

CHAIRMAN ANSON: All right. The motion is on the board. Is there a second to the motion? It’s seconded by Mr. Diaz. Is there any other discussion on the motion? Carrie.

DR. SIMMONS: Mr. Chairman, I believe black grouper is already twenty-four inches total length for the commercial sector.

MS. BADEMAN: If it’s already twenty-four, then we’re good to go. I just want it to be the same, that’s all.

DR. SIMMONS: Just not for the recreational.

MS. BADEMAN: Right.

CHAIRMAN ANSON: Steven.

MR. ATRAN: Carrie said what I was going to say.

MS. BADEMAN: So I guess just take black out of there.

CHAIRMAN ANSON: Dale, you concur?

MR. DIAZ: Yes, sir.

CHAIRMAN ANSON: All right. Is there any opposition to the motion to direct staff to begin a framework amendment that would increase the minimum size limit for commercial harvest of gag grouper to twenty-four inches total length? Any opposition? Seeing none, the motion carries. Martha, do you have one more? No? Okay, Mr. Greene.

MR. GREENE: Revised Public Hearing Draft Amendment 39, Regional Management of Recreational Red Snapper, Tab B, Number 6, staff reviewed the actions and alternatives in Regional Management of Recreational Red Snapper and the Reef Fish AP’s recommendations for each action, Tab B, Number 11.
In Action 1, the committee discussed the proposed timeline and required analyses for delegation and conservation equivalency plans. A committee member noted that the three-year sunset provision adopted by the council for sector separation was not a long time to evaluate the new management structure and the committee passed the following motion.

By a voice vote of four to three, the committee recommends, and I so move, in Action 1 to add Alternative 5, Option b as a preferred alternative. Alternative 5 is to establish a provision to sunset regional management after Option b, five calendar years of the program.

CHAIRMAN ANSON: We have a committee motion. Is there any discussion on the motion? Is there any opposition to the motion? That’s what I thought. All those in favor of the motion please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Ten people.

CHAIRMAN ANSON: All those opposed please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Seven. Ten to seven.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: In Action 2, staff reviewed the new tables and figures that provide the regional allocations and estimated season lengths for the alternatives, based on the council’s current preferred alternatives for allocating the recreational sector ACL in Action 6.

After an initial motion to make Alternative 2 the preferred, the committee passed the following substitute motion. By a voice vote of five to three, the committee recommends, and I so move, in Action 2 to make Alternative 4 the preferred alternative. Alternative 4 is to 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 the 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. Is there any discussion on the motion? Dr. Dana.

DR. DANA: I would like to offer a substitute motion, if I can
get a second. I would like to make the motion that in Action 2 that Alternative 2 be the preferred alternative, which is to extend the separate management of federal for-hire and private angling components of the recreational sector. This amendment would apply to the private angling component only. The private angling component would be managed by each region under the ACLs, based on the allocation selected in Action 6.

MR. SANCHEZ: Second.

CHAIRMAN ANSON: We have a motion and it’s been seconded by Mr. Sanchez. I will give staff a little bit of time to cut and paste. Does anyone want to start discussion on that? Dr. Dana.

DR. DANA: Thank you. First of all, in extending the separate management of the federal for-hire component, that -- Obviously we had a three-year program put into place to sunset after three years and it’s working well. The industry appreciates the program and to allow it to continue, in my mind, and in many others, is worthy.

Secondly, from -- Obviously from what we heard from the industry, both in this room and outside, the -- For the most part, they are in favor of a regional management plan going forward that responds to the needs of the private recreational sector. The for-hire opts to remain under the management of the federal.

CHAIRMAN ANSON: Mr. Williams.

MR. WILLIAMS: I was going to say that I agree with Dr. Dana on this. The charter and headboat fisheries are very happy, from what I’ve heard, with what we did in Amendment 40. The only objection that I’ve heard is they wished it went on for a longer period of time, rather than just the three-year sunset that we gave them. I would speak in favor of this motion.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: Yes, I have a question for Mara, if she doesn’t mind. Is she here? She is busy right now and I will ask in just a second, but I don’t want to go away without asking her the question.

Mara, we heard extensive public testimony over the months about how Magnuson provides some cover -- That is my word and not their word, but it provides assurances that the charter-for-hire industry can continue to exist and the implication is, and the
statements have been, that under state management that would not
be the same and they are very worried about continued business
operations if the state is managing.

My question to you is if Amendment 39, Option 4 was selected,
would that negate Magnuson or would it in any way nullify the
parts of Magnuson that offer this, quote, unquote, protection
that the charter-for-hire thinks they have?

MS. LEVY: It’s a little bit hard to answer that, just because
that’s a very ambiguous idea of protection. I mean, to me, this
amendment provides the states with the authority to choose very
specific management measures for red snapper and it to apply to
everybody that lands in their state, so long as they have an
approved conservation equivalency plan.

The Alternative 4 just says to me that the private and the
charter headboat components of the recreational sector are going
to be under the same rules, the same season, the same bag limit,
that the states set. To me, it’s pretty limited, the very vague
notion of somehow having protections for the charter industry
and all of that. It’s hard to answer exactly what their
concerns are. Obviously the states can’t nullify their permits,
right? They have federal permits and did that answer your
question at all?

MR. BOYD: Well, it helps it. I don’t know that it answers it,
because I don’t see, and I am not an attorney, but I don’t see
that Magnuson is nullified in any way and that Magnuson goes
away if the states are managing the bag limits and the seasons.
I have a hard time understanding their testimony as to a lack of
protection or a lack of continued business operations and I
think you just said that.

MS. LEVY: Right. I mean it’s still being managed under the
Magnuson Act, because it’s a council plan that’s putting this
into place and anything that happens has to be consistent with
the Magnuson Act and so I will agree with you there.

MR. BOYD: All right. My second part of this question is would
the council’s ability to manage go away or be nullified in any
way if Action 2, Number 4 is selected?

MS. LEVY: I mean to the extent that the council is basically
saying that the states can submit these plans and be in charge
of these particular elements, yes, it does sort of give that
authority, in a sense, to the state, but in the sense that the
council has no mechanism to take that back, no, because the
council always has the prerogative to amend the plan again and
say we’re not going to do these CEP things anymore and we’re
going to decide on bag limits and seasons for everybody or
whoever is applicable.

MR. BOYD: Thank you.

CHAIRMAN ANSON: I have several people. I have Roy Williams,
John Sanchez, and Dr. Crabtree.

MR. WILLIAMS: Doug, I would like to try to answer your
question. I think Buddy Guindon answered it yesterday. He said
approval of Option 4 is really the death knell for the charter
industry and the reason it’s going to be the death knell is that
the recreational fishery will continue to expand and it will
expand and it will just slowly squeeze the charter fishery out.

I think his characterization is correct. I think it will begin
-- Approval of Option 4 will begin the slow decline of the
charter boat fishery and the headboat fishery as we know it.
They will simply not have much allocation. They will not have
enough to survive.

CHAIRMAN ANSON: John Sanchez.

MR. SANCHEZ: I think we’ve heard -- Again, I sound like a
broken record. We have heard from everybody for years. I mean
this is their fishery. They chose this with a myriad of options
available to them and in some instances, their landings comprise
the majority of the landings from different respective states.

If this is what they want, I don’t know why we’re hell bent on
not giving it to them already. They perceive this as the state
controls something they don’t want to do and they have this
existing management and they’ve come up with a plan and let them
do it. We should be fostering it and not trying to fight it at
every meeting. I’m just at a loss.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I mean I guess the way I look at this, Doug, is
what’s the compelling reason that the charter boats need to be
included in this? I haven’t heard one. They clearly don’t want
to be and it appears that the private folks would like to do
this.

I just haven’t heard a compelling reason why -- We got to a lot
of time and expense to collect public comment and it’s been
really overwhelming from the charter boats, I think, and they seem very united on this at this point and it’s not clear to me why we would put them into this state management if it’s not what they want.

I think some of it has to do with looking at the councils versus the state commissions. I think they look at this council and it has a representation on the council that’s more reflective of the mix of fisheries in the country and this council has actual charter boat operators that sit on the council.

We have always had at least a couple or one or two charter boat operators sitting on this council. Mr. Fischer was on this council originally as a charter boat operator and so I think that -- I can’t say for certain if it’s true or not, but I don’t think all of the state commissions have charter boat members on them and so I think they see the council as having more representation that they’re able to go to with it and they are comfortable right now with the management from the council and I just can’t come up with a compelling reason as to why we would ignore their comments and put them into the regional management plan if that’s not what they want to do.

CHAIRMAN ANSON: I have Mr. Matens, Dr. Lucas, Robin, and John Sanchez.

MR. MATENS: Thank you, Mr. Chairman. One of the things that I’ve thought about this situation and spoken with some of the people in my state -- Mara, you made a statement that I inferred to mean that the charter guys and the pure recreational guys would have the exact same seasons and the exact same bag limits and I don’t think we see it that way.

I think we see it that we can give our charter fleet the days that they want and we could give our pure recreational fleet the days that they want. If the pure recreational guys want a Thanksgiving season and the charter guys don’t want that, we would do that. Now, I know --

DR. CRABTREE: That’s simply not correct. Under Action 2, Alternative 4, you cannot do that. You have to manage them together.

MR. MATENS: Well, I guess it’s a question of what manage them together means.

DR. CRABTREE: It means that they’re fishing under the same bag limit and the same season.
MR. MATENS: I disagree with that.

DR. CRABTREE: I think we ought to have General Counsel clarify that and staff, because this is an important point and I don’t want folks voting based on a misunderstanding of how this works.

MS. LEVY: The way that alternative reads, it’s that the two components would be managed as a single unit by each region. It would not give you the flexibility to manage them separately. That’s what Alternative 3 does. It gives you the option to manage them separately under the current allocation formula that we’ve talked about in Amendment 40. This would not do that and if you submitted a conservation equivalency plan under this alternative that did it separately, I think that NMFS would have to say we can’t accept your plan, because it’s not consistent with the FMP at that point.

I see what you’re saying, but the way that it’s described in the document and the language is clear that they have to be managed as a single unit. If you don’t want to do that, don’t choose this Preferred Alternative 4.

MR. MATENS: I don’t want to do that.


CHAIRMAN ANSON: I have Dr. Lucas and Robin Riechers and John Sanchez.

DR. LUCAS: This is kind of to two Roy’s points. To Dr. Crabtree, our state commission does have charter-for-hire represented on it, just to let you know, but also to Roy Williams, I had our people do some calculations and I think in Mississippi that our charter-for-hire has the ability to grow, in terms of capacity of taking people out, just as much as the private recreational anglers do.

During the forty-five-day season, we have forty-one federally-licensed boats and there were 600 people that were taken out by charter-for-hire in Mississippi and that’s including the state boats. Now, it doesn’t include the headboats, but there is forty-one permits there and there was 600 passengers and certainly there is a capacity there to grow that and we are working with that in terms of helping promote ecotourism and that, in Mississippi, includes charter-for-hire and all that.
I think they have the ability to grow just as well as the private recreational sector has the ability to grow and so part of managing them -- Part of managing them together is giving them that ability to take out more passengers.

CHAIRMAN ANSON: To that point?

MR. WILLIAMS: But you are going to end up with a 180-day season, whereas the Florida season is going to be like two weeks.

DR. LUCAS: We may or may not. If you notice the caveats at the end of that table, it pretty much says this is highly uncertain for Mississippi. Now, we put in that mandatory reporting system because we’re trying to get away from having that 80 percent error bar around our numbers. We are trying to narrow that down so we have a better estimate. Do I think we’re going to have a lot of days to fish? I do think we are, but is it necessarily that?

I am not sure and I’m not sure that’s the case for every state. I think Alabama may be seeing that, as they use their census data, that they may not -- That effort may not be there and they may be able to give their fishermen more days to fish as well.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: I am going to go back to one of Roy’s points and Roy and Myron may be the ones around the table, including Mr. Gregory and Dr. Crabtree, that remembers when we were projecting that charter fishing effort was going through the roof and we put a moratorium in place. As it turns out, that leveled off and plateaued and certainly we understand that with recreational fishing interest there is only a certain amount of recreational fishing interest, just because of socioeconomic factors that go into who can get offshore and utilize those resources, in some respects.

Certainly I will say that the private recreational folks on the back of those boats will not allow them to go out of business, everyone’s business, whether it’s a tackle shop or whether it’s a hotel here on the coast or whether it’s a bait shop, as well as whether it’s a charter fisherman somewhere along the Gulf Coast.

What has hurt everybody’s business is these shrunken seasons that has caused us to go into discussions about sector separation and to go into discussions about regional management
and to go into discussions about how do we find some way to extend these seasons and how do we manage better locally, as opposed to one-size-fits-all.

We are all struggling at it and I am certainly glad to hear Roy wants to take into account public comment regarding this document, because certainly in some of the documents in the past public comment hasn’t made a lot of difference, but I just can’t -- When we say it’s going through the roof and it’s going to squeeze them out, it’s not. Everybody is being hurt by these shrunken seasons. There will still be private recreational anglers who want to get on the back of their boats and go fishing.

**CHAIRMAN ANSON:** John Sanchez.

**MR. SANCHEZ:** That’s a good segue into what I wanted to say. I guess the reason why they’ve come here in overwhelming numbers is they got tired of the prior approach to this, which was shrunken seasons. I mean it was getting ridiculous. Nine days and seven days and what are we going to do, have a half-day season?

They opted out and they came up with their own thing that represented their needs and it seems to be working and so now you have the commercial sector that’s controlled and accountable and constrained within what they should catch and shouldn’t catch.

The charter-for-hire sector is well on the way to that too and the only remaining sector that hasn’t done anything to be accountable and constrain themselves and avoid this shrunken season scenario is the recreational sector. Yet, you would advocate pulling them back into that. They fought like hell to get out of it and I don’t know why we’re not listening.

**CHAIRMAN ANSON:** Mr. Walker.

**MR. WALKER:** I was just going to mention we hear about shrinking the seasons and it’s not the -- 30B and the charter industry, I mean they’re not the causation of this shrinking. You know it’s 365-day seasons in some states. There’s a lot of state non-compliance and they didn’t seem too concerned about the charter industry when they left their seasons opened up longer than the federal season and that it continues to deplete them.

They’ve been capped and the quota is -- They are fishing under the more restrictive and, of course, they’ve been separated from
that and they’ve got their forty-four days this year, but the
quota is being wildly consumed by this non-compliance or non-
consistent or whatever you want to call it, but it’s the biggest
causation of this issue, is the non-consistent and the
regulations.

The states don’t seem too concerned about the charter industry
when they have seasons that are different and that seems to be a
problem for the charter industry and I understand. I mean I
listened to the testimony yesterday and I have discussions all
the time and I get emails and I get texts and I get phone calls,
but the charter industry does not want to be a part of it. The
Alabama charter industry does not want to be a part of it. I
don’t think I’ve heard one testimony from one charter boat in
Alabama that wants to be a part of this.

It’s just not fair and equitable for them. Now, there’s a lot
of recreational fishermen that don’t have their own boats and
they’re not private anglers that can afford their own access,
but they can afford to go on a charter boat and maybe it’s a
little bit safer for them too, you know? I mean you’ve got a
licensed captain and crew a Coast-Guard-certified vessel to give
them access.

You know there’s a lot of fishermen who like to go on charter
boats and they don’t want to be a part of it. If the private
recreational wants to be a part of it, I think everybody
supports that and I don’t have an issue with that, but don’t
take them. They want to go on their own and they’ve been happy
with the federal system and they would like to do something a
little bit different for their industry and they don’t support
it and I don’t either.

CHAIRMAN ANSON: Johnny Greene.

MR. GREENE: Thank you, Mr. Chairman. I think the majority of
you know where I feel about this and there is a lot of
differences between charter boats and private recreational
operating vessels, simply from the standpoint of just the
regulations that have been passed on us.

As you saw yesterday in the presentation by NOAA about
observers, there are observers that have to go on charter boats.
Now, I don’t know about private rec on that, but we also have to
carry turtle devices to release turtles and I don’t think the
private rec has to handle that. We have a lot of regulations
that come down through the Coast Guard and other entities that
are applied specifically to us that are not -- We are not
allowed to keep a captain and crew limit in a lot of fisheries.

You know ever since the effort was capped within the industry, we have been constrained and held at a particular level. Sometimes we have been used as the deciding tool between whether a state opens their state waters or whether they don’t.

Now, a lot of the hesitation that you’re running into is that when we set up to do Amendment 41 and 42, that process was initiated by scoping and then it goes out to an advisory panel and it comes back before the council and we weigh in and we deliberate and we talk about it amongst ourselves and we have very healthy conversations of that.

The process is open to the public for comment and it’s transparent to everyone and a lot of the issues that I frankly have with it are the unknown of what a CEP is going to look like. What is the process and how does that work out?

I think that without knowing what’s in something that it’s kind of hard to pass it and those are issues that I have problems with. I have really tried to be very neutral in looking at this and set my own personal thoughts aside and look at it from an industry-wide perspective.

I have looked at Action 2 pretty hard, as you know, and I’ve looked at Action 3 extremely hard and I have sat down with my state-appointed people on several occasions and had very vibrant conversations with them and I personally believe that my state would do what they’ve said and take care of it.

The problem that you run into is that you have an issue where the charter boats kind of need the states and the states need the charter boats, but yet it’s an awkward situation, because it’s driven on landings. Alabama has a high representation of charter boat landings for a state and obviously they don’t want to see that leave.

I think there are other states that way, but one of the questions that was asked to me that I really struggled to answer is in another alternative you could get twenty or twenty-five more days than what you’re going to get under Alternative 2, but I think that, being that we have been constrained as an industry and we have been withheld as an industry to a certain degree, looking at state water non-compliance, that I have a hard time separating myself from a state business as compared to an industry.
I think that at this time, for the for-hire industry and everybody that I’ve talked to, that it is best for us to stay with Alternative 2.

CHAIRMAN ANSON: I have several people, Doug Boyd, Leann, Camp, and Dr. Lucas. Doug Boyd.

MR. BOYD: Pass.

CHAIRMAN ANSON: You will pass. So I have Leann.

MS. BOSARGE: I think that we -- You know we passed 40 and we passed it for a reason, because -- And we deliberated on it a long time and we saw that in order to give the recreational sector the flexibility that it needed to access this red snapper fishery that they really needed more than one management plan.

There is recreational anglers that don’t own their own boat or even choose to go fishing on charter boats even if they do own their own boat and they needed one plan to give them the flexibility and the access that they needed. They had different goals.

Then we needed a plan to fit the goals and needs of the private angler. We deliberated on that and we passed that and since then, we have developed 41 and 42 and we’re working on that, to further the management plan that the for-hire sector needs to give the flexibility to its recreational anglers that they would like to see.

Hopefully we will either use this or some other document to give some flexibility to the private anglers that possibly the states can do better and that they can provide a management plan for those private anglers that better fits their needs, but we have heard overwhelmingly from the for-hire sector that they’re happy with 41 and 42 and maybe something else that comes on the table.

They have a path forward at the federal level that they’ve put a lot of time and effort in and that they want to see through. I don’t think it necessarily is a reflection on states or their state management departments. I don’t think that they’re meaning that as an insult. In fact, from what I heard at the podium, especially towards Alabama, they have the utmost respect for the state management systems that are upheld there.

It’s simply that they have put their time and their effort in to get their management plans in place here and it fits their needs. It’s going to be successful, in their eyes.
They want to follow that through and they don’t want to go down into what we have right here, where we put everybody back together again and there is no flexibility to manage them separately and that’s it. Whatever fits private anglers has to fit them or whatever fits them has to fit private anglers and we’ve already done that and we see it doesn’t work and so I don’t know why we would go down this path again.

CHAIRMAN ANSON: Mr. Matens.

MR. MATENS: Thank you, Mr. Chairman. David, you brought up 30B and some of you were at this table a couple of years ago when we voted to eliminate the restriction that 30B had on the charter guys. I voted to eliminate it. I am all for that.

Subsequently, in the afternoon, we voted to un-eliminate it. If that vote was on this table today, I would vote to eliminate 30B and sometimes I think that had we eliminated 30B that we wouldn’t be at this table right now having this discussion. Everybody would be happier. I think we just -- If there was ever a motion again to eliminate 30B, I would vote for it. Thank you.

CHAIRMAN ANSON: To that point, yes, sir.

MR. GREENE: Mr. Matens, you’re wrong and I am going to tell you why you’re wrong. I could have benefited immensely from taking 30B off the table. The reason you’re wrong is if you turn 1,200 of the very best fishermen loose in state waters, there wouldn’t have been anything for anybody to catch. There would have been no recreational federal season at all for anybody.

It’s a very hard decision to make. If some of you guys had to set aside personal gain in your own private business to do the right thing and would you do the same thing I did? That’s where it comes from, because I am telling you there is some really good fishermen and there wouldn’t have been a federal recreational season at all.

MR. MATENS: To that point. Mr. Greene, with all possible respect, I think I disagree with you. I understand where you’re coming from and you and I have become friends and maybe I am just looking at it from my state’s perspective and you’re looking at it from your state’s perspective, but we have bag limits and we have season limits and that’s how we control these fish. Thank you.
CHAIRMAN ANSON: All right. I have Dr. Lucas, followed by Mr. Walker, Dr. Stunz, and Mr. Boyd.

DR. LUCAS: To begin with, this takes us back just a second. I do want to speak to something John Sanchez said regarding recreational fishermen not being accountable. They are being accountable to our management measures. You tell them to go catch two fish, they go catch two fish. If you tell them they can only fish for this many days, they try to do that.

To some degree, I would argue it’s not them missing the mark. It’s us missing the mark. We are not able to get the appropriate management measures so that they can stay constrained. That’s to some degree and that led them in Mississippi to agree to count every fish. You know it’s something that is not even really needed. It’s never been used really and it’s not used in the recreational sector, but they agreed to do it because they are sick of being told they’re not accountable. They’re accountable to whatever we put in place. They are not out there fishing illegal and stuff like that. They are trying to stay within the bounds. To some degree, it’s us and not necessarily them.

MR. SANCHEZ: I agree.

DR. LUCAS: To Johnny Greene’s point, the equivalency plan, we planned, in the State of Mississippi, and I think every other state probably would too, but it’s going to be a very public process. I mean we want to hear from everybody and we want to tailor it to everybody and you’re right that Mississippi needs charter-for-hire.

I am out there promoting to people to stay an extra day and to get on a boat and go fishing or to get on a kayak and I need them to be there to take people out and so I want to work with them to make it the most beneficial to them as possible.

I can’t -- We have some ideas of what we think a good equivalency plan would look like, but until we kind of straighten out some of this, I can’t really just lay it all out on the table, but we plan, and I think every state plans, to work with their constituents to make it the most feasible as possible. Thanks.

CHAIRMAN ANSON: Mr. Walker.

MR. WALKER: I was just going to correct for the minutes that I support the Action 2. When I said I didn’t support it, I meant

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: I just wanted to add a few points about state management and you know the way I’m looking at it, a lot of times you look at -- We keep hearing from the charter guys that it’s not going to be good under state management, but if you look at all our indicators of what’s going on, especially the state that I’m familiar with in terms of Texas, but I really think all along the Gulf Coast the states have done a great job.

We’re talking about pretty much open access fisheries for some of the key species and, as far as I know, there is a great relationship between the charter guys, the for-hire sectors, that they currently manage and with liberal bag limits at that. I don’t see -- I mean they’ve got a proven track record to show that it can be done.

My second point with this would be sort of a follow-up on John’s comment. We still have the sunset provisions -- Not still, but they are built into these alternatives or they’re not built into -- They were removed and I do agree that it’s better, John. I mean there’s more days. I mean that’s a good thing. I don’t think anyone is going to argue with that.

In terms of real success, we hear about how it’s going to be a lot more accountable and there’s going to be all of this data collection and those sorts of things and we haven’t seen any of that yet. I mean we haven’t had the Data Collection Committee meeting yet, but, as you know, that’s moving at a snail’s pace.

Yes, we’ve got more days, but I don’t know that it’s any better than it was before in terms of the days that the charter guys got were at the expense of the recreational side and so I don’t know that I am willing to say that it’s totally been a success yet and if you bring my point back around that the states have been very successful at what they do and so I don’t see where the argument can be made that they can’t manage this for-hire fishery as well.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: A couple of points. In Texas, we have about a thousand charter-for-hire state-managed captains who work every day taking recreational fishermen out within the state waters. We have 214 federally-permitted charter-for-hire captains or permits.
I talked to a lot of captains who work in the state and I have yet to have one of them tell me that they are as afraid as the federal charter-for-hire guys of the state. They seem to have a very good relationship and they seem to be very happy with what they’re doing and they seem to be happy with how the state manages them. I have a hard time understanding why the federal charter-for-hire guys have such an aversion to state management.

The other thing is that, as we saw yesterday, we have a large group here who is very vocal in the charter-for-hire industry, but we are also only hearing from about 50 percent of the federally-permitted charter-for-hire captains and permit holders in this type of testimony.

There is a lot of others out there and we’re not hearing from them, except for a very small few who represent them and the other thing that I would like to say is that we’re hearing about the wants -- This is to John Sanchez’s point. We hear a lot about the wants of the charter-for-hire industry and we hear very little about have they considered the ramifications of what they want on the true fishermen, the fisherman that’s on the back of their boat.

The answer I got yesterday when I asked that question was, well, whatever is good for us is good for them. I don’t agree with that logic. There have been a lot of times I’ve seen things that are good for one group that end up being a disaster for another and I think there’s going to be some unintended consequences out of that. Thank you.

CHAIRMAN ANSON: All right. I have Myron and John Sanchez and Dr. Dana.

MR. FISCHER: Thank you, Mr. Chair. Doug took some of what I was going to state away. He beat me to it, but in our state, we manage our state and we are presently taking part in managing the federally-permitted boats, to some degree.

The federally-permitted boats make up about 20 percent of our charter fleet and so 80 percent of our boats are being managed state-wide by the state government very successfully, just similar to we manage a lot of our commercial fisheries, our shrimp and oyster and crab fisheries, and we do those real successfully.

You know the states have a track record of doing this and it’s not like they’re just going to get into the management game.
The present system, we didn’t have the data meeting yet and
that’s coming up, but we are working under what’s on the table
today. The present system of the forty-four days, our Louisiana
charter fleet did not get to harvest the percent that have been
discussed in the documents, where Louisiana gets approximately
14.5 percent of the fish and our charter fleet is on the lower
end of what’s caught in other states.

If you project that out, I think they were around 32 percent
under. It was some substantial, around a quarter to a third,
under what they should have harvested and the way the present
system is going, some of the states are slowly being squeezed
out, because the federal system ends before their historic
landings would be made. We feel that if we had the charter
boats within our state control, with our data management system
and our reporting system, we could have extended these vessels a
few more days and they could have reaped the benefits of more
trips.

Then comes the fundamental and philosophical question that we
brought up somewhat during the debates about 40 and that is a
recreational angler gets out of his car and walks down the dock
and why is he treated differently if he takes a right to the
charter boats or takes a left to the private boats? He is still
that recreational angler and he is being treated differently and
that’s one of the things that this council has never really
answered.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: Thank you, Mr. Chairman. I guess what I was
trying to do, to clarify, since I’ve been mentioned a couple of
times, is when I was saying that this is succeeding, sure it’s
premature. We don’t know fully, quantitatively, whether it’s
succeeding.

What I meant was you have a group that now has the ability to
stay constrained within their allotment. You have the
commercial guys under their system that they created for
themselves with a lot of work that is doing that and this
fishery is overfished. We are on a rebuilding program.

Now you’ve got two segments of it that have done something that
will keep them from overrunning their slice of the pie. The
other section is not and you are probably right that it’s not
the fishermen themselves individually. It’s management that
allows this to continue and so why, if we have groups that have
come with a plan, something of substance that will prevent that
from happening, are we arguing against it and trying to pull them back into something where the only loser is going to be the red snapper? If we all lump them together again and turn them loose, I promise you the loser is going to be the red snapper.

CHAIRMAN ANSON: To that point, Dr. Stunz.

DR. STUNZ: To that point, John, and I am certainly not trying to be argumentative, but on the accountability side, we’re still not any further along than we were before we passed 40 in terms of accountability of the for-hire side.

You know we’re starting to hear things about double trips and multiple trips per day and a whole bunch of other things, which could exceed that allocation. Now, of course, we’re waiting on numbers and that kind of thing to come in and, believe me, I am for getting as accountable as we can in any fishery, but you know before we’re saying how great this is working out and really going along, I think we need to wait a little while before we really see how much of a success it is.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. Greg, we can talk about waiting a little while, but if this -- If Amendment 39 went through and Alternative 2 did not pass and let’s say we went with 4, then we couldn’t really wait a while to see if it worked, because the programs for the for-hire would be done away with and the sunset.

Essentially, where we’re coming from as an industry, the for-hire federally-permitted, is the program is working and people have -- The people in the industry have seen that this program lends to certainty, so that they can plan a -- Even if it’s a finite number of days, you know there’s forty-four days for the federal fishermen to be able to fish, and let’s say Florida has sixty days for everyone else, we have a reduced amount.

However, we have the certainty to plan. With a regional management program for the federal for-hire, the certainty is lost. Now, maybe a state is magnanimous and does a terrific job, but we’re uncertain and it’s a scary thing. That industry could be absorbed entirely and lost in the fray.

Someone mentioned on the microphone yesterday about politics changing. In Florida, we have a great relationship with our FWC, but people get elected and they change commissioners and that could totally change and then that could really damage a
relationship between our industry and how we’re treated under a management plan.

What I’ve heard, at least those who have been vocal from Texas and from Florida, my area that’s huge with the charter stuff, and with Alabama and with Mississippi, it’s that they support being treated separately under the federal system and not under the regional management.

I’m totally supportive of regional management going forward to best serve the private angler, but that’s essentially why I’ve put Alternative 2 on the table.

CHAIRMAN ANSON: David Walker.

MR. WALKER: What Doug has said about the state charter fleet, you know I would imagine they would be happy. They can have a 365-day season and when he mentioned it was around 50 percent, I think it’s about 100 percent of apportionment giving testimony in support of staying with the federal management.

I mean, listen. The charter guys don’t have a problem with the private angler going with this Amendment 39, but there are people who are less fortunate who don’t have their own fishing vessel to go catch and they want a safe opportunity to take their family and you know the charter boat works better for them and the charter boat industry doesn’t want to be managed by the states.

I mean you hear the testimony about the 365-day season and you also have heard a lot of testimony and people calling me and it’s a problem over here and it’s a problem in several areas, but you know over here a lot, because I guess because of the season, the 365 days. People are fishing and going out to federal waters and catching these snapper and they run back in and we see the hands raised up and how big the fish and they just don’t catch those fish in that depth of water up inside the nine miles.

You know, in testimony, I may have heard two or three people that supported that and one of the charter and some of them were the tackle industry. They still sell tackle. It’s open 365 days a year.

I mean it’s just over and over the testimony from the charter industry and they want support of staying with 41 and 42. That’s what I kept hearing yesterday, 41 and 42. I support the Action 2.
CHAIRMAN ANSON: Leann.

MR. WALKER: Alternative 2.

MS. BOSARGE: I have heard a lot about state charter fleets and has the for-hire sector, federal for-hire sector, thought about how their actions affect the private angler, but maybe we need to take a step back and I guess it’s all in your perspective, but has the private angler thought about what the for-hire fleet did in what was it, 2004 or 2008? When did you put your permit moratorium into place?

If that was still open access federally and we could have as many federal for-hire boats as we wanted out there and this train had been allowed to -- You know this party had been rocking on ever since being open access on both sides, for-hire and private angler, do you know what that season would look like for the private anglers? It probably would be zero.

They took the first step to accountability and that’s a big bullet to bite for a permit moratorium. That is a big deal. As Johnny said, these people are professional fishermen and we limited how many professional fishermen we would let take private anglers out there so they could get catch fish. Had we not done that at some point as a council, we would be in a much worse position with red snapper right now than what we are.

Yes, their actions affect the private angler and that was to the benefit of the private angler, in my mind, and so I think we need to look at this from both perspectives and make sure that we understand that everybody is making sacrifices and some of the sacrifices that have been made by the for-hire sector have actually benefitted the private angling sector.

CHAIRMAN ANSON: To that point, yes, sir.

MR. BOYD: I see it a little bit differently, Leann. I don’t think every seat is full on every charter trip today, either charter-for-hire or headboat, and I don’t think every seat would have been full if we had an open access fishery.

I think there is a limited number of people who come to every state and fish and not every boat is going to be full every day and so I think that logic is a little bit flawed, in that if we had an open access fishery that the fishery would be inundated.

CHAIRMAN ANSON: All right. I have two folks on my list and
then after the second person, and it’s Robin and Roy, I think we need to go ahead and make a vote. Mr. Riechers.

**MR. RIECHERS:** These points have been hit, but I am going to hit a couple or three points that I want to just -- Other folks have hit them, but I want to hit them again just a little bit. When we talk about accountability, and I have used the example before, the guy who leaves Dallas on a Friday afternoon or a Saturday morning or take your pick, San Antonio or even Houston, the cities north of here, and comes down to either his vessel or that charter boat and goes fishing and follows the rules and is completely legal and comes in and we happen to go over the quota that year, it had nothing to do with him and it’s exactly the system, just as you said, Kelly.

When we talk about the system working, what’s working right now is a 20 percent buffer. Nothing we did and nothing we’re doing with either one of these systems has changed anything. What has made it work was a 20 percent buffer.

As far as business certainty, business certainty you did have -- Unfortunately, we had the same business certainty. You were projected nine days two years ago and you could book your trips for nine days and you knew you couldn’t book them outside of that. This year, you were given forty-four days and you couldn’t book them out of that. What could change occasionally was when we found we didn’t catch the quota and we would have a fall season open up.

The last thing that really hasn’t been talked about is really what’s kind of behind this and this is the 41 and 42 that we heard a lot of testimony about. If it goes away, those documents have been talked about and I’m not certain they are going to go that way, but basically it would be setting up an IFQ type of system on those charter-for-hire vessels.

Basically, privatization of a public resource in the neighborhood of 75 percent of the available resource. You know we can certainly talk about IFQs and further discussion about that, but at some point we’re going to have to grapple with if we’re ever going to consider these again or if we’re going to consider them or if this council chooses to consider them and is that really the way we want to manage our public resources, because that’s a bigger discussion.

Larry Abele will be proud that I’m at least bringing it up here for a moment, because that was certainly one of this things he always liked to discuss, is how are we going to move forward.
Let’s have a bigger discussion about that.

CHAIRMAN ANSON: All right. Since I gave a warning, I will allow two more folks to talk. It was Myron and Ed. You raised your hands, but, Roy Williams, you are first.

MR. WILLIAMS: I just want to say that the charter boats and private boats have different needs. Charter boats benefit — Charter boats and their customers, the people that they serve, benefit from having a fishery that slows down. When we manage red snapper the way we have to manage it on the private boats, it creates a derby and everybody runs out to catch as many fish as fast as they can and the charter boats are trapped into doing that. They have to participate in it just the same way that the -- When we used to manage the commercial fishery with trip limits, they were trapped too and they had to run out there and get their share while they could and that’s the trap that we have created for charter boats if we go forward with Amendment Number 4.

Skipper Thierry talked about yesterday how on his headboat -- He is part of the Headboat Cooperative and he has lowered the bag limit on his to one red snapper, in order to try to slow that fishery down and be able to carry more people out and make a longer season for himself, for himself and for his customers.

I think we have to give these charter boats and for-hire fleet some incentives to slow down their fishery and try to manage their businesses optimally and I don’t think we -- I know we cannot do that if we continue to manage them as part of a derby and anything but Alternative 2 is going to be a derby for them.

That’s it.

CHAIRMAN ANSON: Myron and then Ed.

MR. FISCHER: I just wanted to either bring some history back and maybe correct something. The permit moratorium, this was not a means that the charter industry took graciously and to become accountable. This was a bill of goods sold at that time -- Roy Williams is probably the only person on the council today that was there, but it was because it was a six-month season and said that if they go with a moratorium that it could go back to a twelve-month season and that was the bill of goods dangling to get the charter boat people across the coast to get together and say that yes, they wanted the moratorium.

Yes, things went south since then. Also, I just wanted to touch -- We hear often the 365-day state season and there is only one
state with a 365-day season and I don’t know all of what it does to its charter boats, but the historical catch -- Those charter boats from that state are about three-to-one over the private boats and so even with that, their charter boats are going to come out pretty good.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: Thank you, Mr. Chairman, for giving me a little chance. I sat here trying to listen to all of the discussion and the pluses and minuses of this whole thing and I am still in the conclusion that I think it’s a cop-out on behalf of the council to go to regional management to start with, except that perhaps it is the way to identify regions that you have particular problems with in the catch allocations that’s being done and in trying to control it.

I am looking here right now in 2.1, the tables in 2.2, and saying to myself, what’s the big deal? You know my real concern, as I have mentioned before, is the east of the Mississippi level of fish abundance doesn’t seem to be matching up with what everyone wants, whereas the west seems to be recovered and still recovering well and needs to be fished more or has the ability to be more productive fish-wise.

But as I look at these, as you’ve got it laid out here in this table, in 2.2.2, why doesn’t the council just accept this and let’s go? Why are you having to do this regional management-wise and put this on the back of the states to go out there and manage this for you? Why doesn’t the council just do this?

You know you’ve got it laid out here for you and perhaps this is the way to do it. I am not real pleased with the amount that Florida has in the total allocation, because I think you’re going to continue to hurt the resource, but you’re still going to do that under any of these proposals that you’ve got and so, Mr. Chairman, I don’t know how to vote on this thing. I truly don’t, but I will honestly tell you I am not real pleased with anything that I am seeing today. Thank you.

CHAIRMAN ANSON: Thank you. I will add just a few comments before we go to vote and kind of highlight some of the things that have been discussed here and bring in some of the public testimony here recently, but you know this document was formed out of the notion of flexibility.

It was brought to the council by Louisiana and they approached it on a state basis, at least, and then it was borne out of that
request and so, as with any of the amendments that we deal with here and trying to move forward with a plan of attack for a way to manage, is we’re in a situation of compromise.

You have one side of the spectrum that wants this and the other side of the spectrum wants this and so generally, when we come up with an amendment, we hit somewhere in between. If you are doing your job right, maybe you hit it right in the middle.

So more access, more days, was mentioned and the Amendment 40 brought more days and the charter boat guys like more days and certainly I can understand that. The table you just mentioned, Mr. Swindell, has an alternative in there that provides charter boat captains more days across the board. It provides them more days under one of the alternatives and you know that alternative offers lots of flexibility, potentially, to the private rec and the charter boats within each of the states.

There is an opportunity, I think, there in the document that we might be able to find some compromise and be able to satisfy as many people as possible, with the notion that there is protection and there is federal control and there is federal oversight.

I am concerned that there are some potential goals that one side of the spectrum might be placing and this is just part of the process and they are trying to get to that end goal, yet the rest of the folks within that side may not necessarily agree to that end game or goal. We are going to go ahead and vote on this. It is a substitute motion in Action --

MR. WALKER: I would like a roll call vote.

CHAIRMAN ANSON: A roll call vote has been requested. I will read it, just to make sure everyone is on the same page, but it’s a substitute motion in Action 2, Regional Management and Sector Separation, to make Alternative 2 the preferred alternative. Alternative 2 is to extend the separate management of federal for-hire and private angling components of the recreational sector. This amendment would apply to the private angling component only. The private angling component would be managed by each region under regional ACLs, based on the allocation selected in Action 6.

EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.

MR. SANCHEZ: Yes.
EXECUTIVE DIRECTOR GREGORY: Mr. Williams.

MR. WILLIAMS: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.

MR. FISCHER: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.

DR. LUCAS: No.

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: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Matens.

MR. MATENS: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Greene.

MR. GREENE: Yes.

EXECUTIVE DIRECTOR GREGORY: Mr. Walker.

MR. WALKER: Yes.

EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.

MS. BADEMAN: No.
EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR GREGORY: Dr. Dana.

DR. DANA: Yes.

EXECUTIVE DIRECTOR GREGORY: Chairman Anson.

CHAIRMAN ANSON: No.

EXECUTIVE DIRECTOR GREGORY: The motion fails eight to nine.

CHAIRMAN ANSON: We are fifteen minutes past our scheduled break. The break was generous, giving us an hour-and-forty-five minutes. I think there is potentially some more discussion on this to come and so I think it might be a good time to take the lunch hour now and what do you all feel? Doug and I think that we can get through on time with the rest, but to guarantee that, if people have flights to make, do we want to shorten an hour-and-a-half to an hour-and-fifteen minutes? Do you want to shoot for that? All right. We will reconvene then at 1:15. Thank you.

(Whereupon, the meeting recessed at 12:15 p.m., October 8, 2015.)

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October 8, 2015

THURSDAY AFTERNOON SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Hilton Galveston Island Resort, Galveston, Texas, Thursday afternoon, October 8, 2015, and was called to order at 1:15 p.m. by Chairman Kevin Anson.

CHAIRMAN ANSON: Welcome back, everyone. I may have made a boo-boo. We had a motion that was up for vote and we voted on the substitute motion, but there was a motion that came out of
committee and that is still up to be tended to. We had quite
lengthy discussions, but if there is any further discussion or
somebody wants to propose -- Dr. Lucas.

DR. LUCAS: I don’t know if I can even propose this, but I would
like to make a substitute motion to make, in Action 2,
Alternative 3 the preferred alternative. If I get a second, I
will provide information.

CHAIRMAN ANSON: All right. We have a second substitute motion.
It’s been seconded by Mr. Diaz. Staff is going to get that up
on the board. In the meantime, Dr. Lucas, if you want to
provide some rationale.

DR. LUCAS: Well, Chairman Anson, before we took the vote, you
provided a lot of useful things in trying to see if there wasn’t
a way for us to reach some kind of compromise and so I am
throwing this out there as an opportunity to see if there is
some way that the two different groups can meet somewhere in the
middle and if this is an option.

I don’t want to have to rehash a lot of the things we just
rehashed, but if somebody has additional information relating to
this motion and to their ability to support this motion, I would
like to hear it.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: Thank you, Mr. Chairman. I am thinking at this
point we’ve kicked this can around so many times that not a
whole lot is going to change probably in terms of nominally the
composition of the votes. Why don’t we just in Action 2 go
forward without a preferred and take all of this to hearing. I
think the hearings are coming up shortly and just get the
benefit of hearing what the public wants?

CHAIRMAN ANSON: Well, I would have to defer to the maker of the
second substitute motion as to whether or not they would like to
proceed with a vote or not. Would you like to still vote on it?
Okay. We would still like to vote on that. Yes, Dr. Crabtree.

DR. CRABTREE: Because even if Kelly withdrew this motion, we
still would have a committee motion that we would have to vote
down, unless someone made another substitute, I guess.

CHAIRMAN ANSON: All right and so the maker of the motion would
still like to have a vote on this. Any other folks want to add
anything that may not have been brought up earlier? Mr.
MR. WILLIAMS: On this motion, we divide the recreational ACL into regional ACLs and then who partitions the regional, the state-by-state, ACLs into private and charter components? Do the states do that or is that done automatically?

CHAIRMAN ANSON: As I understand it, and someone can correct me if I’m wrong, but as I understand it, that would be done — The region would get its regional quota and then the formula that was applied or used in Amendment 40 to apply to the Gulf-wide split, that’s the same formula that would be used for each individual state.

As I recall, it was the long time series, 50 percent, and then the truncated time series, 50 percent, minus 2006 and 2010 or just 2010?

DR. AVA LASSETER: The regional management is both years and the sector separation was only one of the years.

CHAIRMAN ANSON: All right and so it would exclude 2006 and 2010, which people thought were pretty volatile as far as the landings were concerned, and so that would be the split. The calculations and the days are provided in Table 2.2 for that alternative and that would give everybody a good idea as to where each sector, not only the sector, but the sector within each state, would kind of land in regards to private as well as for-hire days. Leann.

MS. BOSARGE: I think Mara wants to say something.

CHAIRMAN ANSON: Mara, did you have a comment?

MS. LEVY: I think you mentioned it, but just that it’s already in the document. Table 2.2.2 has what that split would be and the associated ACLs and ACTs that would go with each one of those.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: My question would be under this alternative, if a state submits a plan that doesn’t meet inspection via NMFS, you know as far as its conservation equivalency, then what happens to the for-hire — I know the for-hire sector obviously is going to have to operate under the — It falls back into a federal season of some sort, but what about 30B? What happens then?
MS. LEVY: Well, if either the state doesn’t submit a plan that
meets the CEP or doesn’t want to or doesn’t even choose to
manage the for-hire sector under this alternative, then the
default regulations would apply and so there would be a federal
season based on the allocation for that federal for-hire
component, whatever it includes, whichever states go into it.

If there’s just no CEP plan at all, then there would be a
private season and a for-hire season, just like there is under
Amendment 40, but it would be tailored to whatever the
allocation is here and whatever their ACT is, depending on which
states are in and which states are out, but you look confused
and so I probably didn’t explain that well.

CHAIRMAN ANSON: To that point, Dr. Crabtree? I have someone
else who would like to --

DR. CRABTREE: Yes and so this is my understanding of how this
works. If a state decides not to participate, for whatever
reason, the default regulations kick in and Amendment 30B
applies.

Now, as I understand it, if we went with Alternative 4 and that
scenario occurred, sector separation is still gone and so we
would put a season in place off of that state to constrain their
catches and 30B would apply and the charter boats could only
fish when the EEZ is open.

If that state opened up their state waters in that scenario, the
federal season could get extremely short and the charter boats
would lose days. The private sector boats would continue to be
allowed to fish in state waters.

I think that’s partly the protection that people were talking
about earlier that comes from Amendment 40, where they have
their own allocation. Now, as I understand it under Alternative
3 though, sector separation, Amendment 40, still applies and so
if a state decided not to participate, a portion of their quota
that’s allocated under Amendment 40 to the charter boats, they
would get to fish that season off of that state, regardless of
what went on in state waters.

They would, in that sense, have what they refer to as the
protection that Amendment 40 gives them. Now, the complication
in all of this is if a state decides they’re not going to
participate and opens up their state waters and we determine
they are going to catch in excess of their allocation, then it’s
going to come out of all the other states allocations too or we
potentially end up shutting down everybody in the EEZ because of 407(d).

It’s really complicated, but that, in that sense, if you think about protection, Amendment 40 and the sector separation allocation does give the for-hire sector some degree of assurance that they’re going to catch their allocated amount of fish even if the state opens up.

Now, because of 407(d), it’s not absolute, but that’s the thought of it and, if you think about it, that’s what led us to sector separation to begin with. The federal season was shrinking and the charter boats couldn’t fish in state waters and so then they were having a diminishing share of the catch and so that’s where the allocation came from. I think that’s correct, right?

CHAIRMAN ANSON: Johnny.

MR. GREENE: I think Roy pretty much covered what I had to say. I just wanted to talk about the 30B type of a situation and we would be basically going back to where we were before we started, but I think he pretty much covered the majority of my point.

CHAIRMAN ANSON: We would be going back, if I interpret it correctly, going back for those states that didn’t comply and use the default, potentially. Is there anyone else? All right. Let’s go ahead and vote on this. All those in favor of the second substitute motion please indicate so by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Four.

CHAIRMAN ANSON: All those opposed like sign.

EXECUTIVE DIRECTOR GREGORY: Twelve. It’s four to twelve.

CHAIRMAN ANSON: The motion failed four to twelve. That will take us to the committee motion and the committee motion is in Action 2 to make Alternative 4 the preferred alternative. Mr. Sanchez.

MR. SANCHEZ: Would now be appropriate to offer a motion that we just proceed with no preferred for Action 2 and move forward?

DR. CRABTREE: I think if that’s what you want to do that you need to vote this down.
MR. SANCHEZ: Okay.

CHAIRMAN ANSON: All right. Again, we had lots of discussion on this and so let’s go ahead and all of those in favor of the motion to make Alternative 4 the preferred alternative please indicate so by raising your hand.

EXECUTIVE DIRECTOR GREGORY: Seven.

CHAIRMAN ANSON: All those opposed like sign.

EXECUTIVE DIRECTOR GREGORY: Ten. It’s seven to ten.

CHAIRMAN ANSON: All right. The motion fails seven to ten and so no preferred. You got your wish, John. Mr. Greene, are you ready to proceed?

MR. GREENE: In Action 5, committee members discussed the pros and cons of allowing regions to close portions of federal waters adjacent to the regions. National Marine Fisheries Service staff explained the additional rulemaking that would be required to close areas of federal waters. Lieutenant Commander Brand raised the issue of the Coast Guard’s role, as enforcement would primarily occur dockside.

In Action 6, staff noted the addition of Table 2.6.8, which compares estimated season lengths for all alternatives. Dr. Crabtree stated that rationale was needed for why the current preferred alternatives were fair and equitable, given that quota would shift to the western Gulf compared with status quo.

Committee members noted that the preferred alternatives incorporate both the longest time series of landings and more recent landings. The recent short seasons in federal waters for red snapper occur during times of low effort in the western Gulf and high effort in the eastern Gulf.

By giving weight to the longest time series of historical landings, the council’s preferred alternative accounts for the increased proportion of landings in the eastern Gulf in more recent years.

CHAIRMAN ANSON: Mr. Greene, hold on one second. Martha.

MS. BADEMAN: Thank you, Mr. Chairman. Before we leave Action 6, I want to put a motion out there. That motion would be to I guess replace Preferred Alternative 5 with Alternative 8 and so
make Alternative 8 the preferred. That would apportion the
recreational sector ACL or component ACLs among the regions
selected in Action 3, such that each region’s allocation
provides an equivalent number of fishing days.

CHAIRMAN ANSON: Martha read what her motion would do. It’s in
the document and staff is working on cutting it out of the
document and pasting it in the motion. Do you have any further
discussion on this, Martha?

MS. BADEMAN: Did I get a second?

CHAIRMAN ANSON: That’s right. Is there a second?

DR. CRABTREE: I will second for discussion.

CHAIRMAN ANSON: It’s seconded by Dr. Crabtree. Martha.

MS. BADEMAN: Yes and so we’ve had a lot of discussion about why
5 may or may not be fair and equitable. I think Alternative 8
does provide an equitable option that we should be looking at.
I know it’s different from what we’ve traditionally used to set
allocations and this is not a history-based way of looking at it
and it’s just kind of starting with a clean slate and everybody
is starting on a level playing field and you can do the same
thing that you would do with any of these other options. You
take the allocation that you have and use it how you see fit to
stretch out the days that you have in state waters or put them
at an optimal time for your anglers.

CHAIRMAN ANSON: Yes, Dr. Lucas.

DR. LUCAS: This is just a question. If all states had
consistent seasons, would this same number of fishing days
apply?

CHAIRMAN ANSON: I don’t know. Dr. Crabtree, do you know or,
Andy, do you know how the analysis was conducted?

DR. CRABTREE: My understanding is that, based on past catch
patterns, this is saying if all states opened up on June 1 with
the existing bag limit that they calculate each state would get
the same number of days.

Now, that’s data through 2013 and if you threw 2014 into it, I
am sure it would change it a little bit, but that’s my
understanding of what this means and I think Ava is nodding.
DR. LASSETER: Yes, I can speak to that. The landings only go through 2013, but it does include any landings that were caught through inconsistent seasons up to that time. I believe once we had 2014 that we had -- Then this year is the two years that we’ve had more state inconsistent seasons, but up until 2013, yes, it does include all landings by each state, whether they were in state waters seasons or the federal seasons.

CHAIRMAN ANSON: Any other discussion? Robin.

MR. RIECHERS: Martha, I don’t think I’m capable of supporting the motion at this point, but I will say you’ve been looking for a way to talk about and you added this at the last meeting and it basically is a way to start everyone off with the same footing and kind of ignores whatever shifting dynamics have been going on behind in that time series and so I applaud the motion coming forward to add it. Again, I may not be ready to support it yet, but it is, from a fairness perspective, in some respects, a way to get everyone starting equally.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Well, surprisingly enough, following up with what Robin said, I have had concerns about how do we make an argument that the current preferred is fair and equitable, because it produces this large disparities in the seasons of it. I will say, despite the discussion yesterday, I haven’t heard a very compelling argument for it.

This one, whether you agree with it or not, and I agree there are historical patterns that this doesn’t take into account, but on the surface of it, you could at least make a pretty simple argument that everybody gets the same number of days. That, on the face of it, seems kind of fair and equitable. This one, I think, is a lot easier to make the argument for how it makes sense than the current preferred.

CHAIRMAN ANSON: All right. If no one else wishes to speak, we will go ahead and vote. All those in favor of the motion to replace Preferred Alternative 5 with Alternative 8 in Action 6. Alternative 8 would apportion the recreational sector ACL or component ACLs among the regions selected in Action 3, such that each region’s allocation provides an equivalent number of fishing days. All those in favor of the motion please signify your approval by raising your hand.

EXECUTIVE DIRECTOR GREGORY: I’ve got seven.
CHAIRMAN ANSON: All those opposed to the motion please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Eight. The motion fails seven to eight.

CHAIRMAN ANSON: The motion fails. Is there anything else in Action 6? All right, Mr. Greene, if you want to continue.

MR. GREENE: In Action 7, staff provided suggested revisions to the alternatives that simplify the language and are more consistent with other actions and alternatives in the document.

With no opposition, the committee recommends, and I so move, that in Action 7, remove Alternatives 3 and 4 and add Options a and b, as proposed by staff. Option a is if a region has both a private angling ACL and a federal for-hire ACL, the reduction will be applied to the component that exceeded the applicable ACL. Option b is if a region has both a private angling ACL and a federal for-hire ACL, the reduction will be applied equally to both components.

CHAIRMAN ANSON: We have a committee motion. The motion is on the board. Is there any discussion on the motion? All those in favor of the motion please raise your hand.

EXECUTIVE DIRECTOR GREGORY: Fifteen.

CHAIRMAN ANSON: Sorry. I got used to there being some contention and so -- Mr. Greene. Wait. Mr. Diaz.

MR. DIAZ: I believe we’re at the point where we’re leaving Amendment 39 and I hope this is the right place to bring this up. I just wanted to have a short discussion about the news release that we have out right now and I am bringing this up and I really don’t know -- There is no way to do what I want to do, but I think we can do something a little bit better.

Our current news release is kind of broad and people reading this news release and hearing about these public hearings coming up for 39 and 41 and 42 -- If they’re not familiar with the issue, they’re not going to know exactly what is coming up at these public hearings.

I guess what I would ask is if there is way to maybe include a paragraph maybe about each one that does the very best job that we can describing what we’re trying to do at these public hearings and what these entail, because right now it’s so short
and it’s so broad that I don’t think anybody is going to know.

Like for 41 and 42, we say we’re looking at flexible management alternatives. I mean I don’t know that a member of the public would have any idea what that was or if they wanted to come out and comment one way or the other and Amendment 39 is kind of similar.

I do understand that this is going to be problematic though, because, like in Mississippi, all the public hearings are taking place at one time at one place and so if you try to write a three or four-paragraph news release, I know that’s going to be difficult to get people to pick that up and in some other states they’re on different days and at different times and so it might be a little bit easier.

Some of the states might want to consider doing their own news release about these public hearings and see if they can get them picked up or put them on their websites or anything we can do to get the word out and if anybody else has any comments or concerns or things that might improve this, this would be a good time to help. Thanks.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: Dale, I think your comments are on point. In Florida, we are -- We did grab the main material out of here for the 39 hearings and we kind of jazzed up and explained kind of what this is a little bit more and this is a big deal and it could mean some major changes.

I don’t know that we’re going to do it in the form of a press release, but we’re going to put stuff on our website and blast some emails and try to reach out to our contacts and make sure that people are attending these meetings and are informed and they also know that our commission is going to be discussing this at their next meeting in November and so I definitely appreciate your comments.

CHAIRMAN ANSON: Doug Gregory.

EXECUTIVE DIRECTOR GREGORY: Typically a news release is like a one-page document and it goes to the newspapers, to get their attention. Our news release also goes to our own mailing list and in it we have a link encouraging people to come back to our website to get more detail, but we can do a couple of different things in addition to what we’ve already sent out. We could send another one out with the paragraphs and have a two-page
news release. That would be easy enough to do.

MR. DIAZ: Thank you, Mr. Gregory, and this is no way reflecting bad on our folks. I think they do a great job and I just think this is such a complex issue. I mean we’ve been talking about this 39 for going on four years now and so I mean it’s just such a complex issue and just to try to capture it is going to be a challenge in itself, but I think that would be great, Mr. Gregory, and thank you.

EXECUTIVE DIRECTOR GREGORY: The other thing we’ll consider is doing a separate news release for 39 and a separate one for 41 and 42 also, in addition to what we’ve already sent out. We’re going to look at both of those two options.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I have another issue related to 39 before we leave it, if you’re ready.

CHAIRMAN ANSON: Yes, go ahead.

DR. CRABTREE: All right and so I know we have a number of pilot studies that states are exploring to find alternative ways to estimate the red snapper catch and I think we need to more specifically address how we’re going to deal with those through the conservation equivalency portion of this.

What I suggest that we add into the discussion of that process is that, one, before a state adopts a new catch accounting program in their conservation equivalency program that it has to be certified by MRIP.

Second, there has to be some sort of calibration factor figured to recalibrate the historical time series for that state and then when they submit that proposal to us and we have the calibrated time series, if we approve their proposal, we would then go back through and automatically adjust the state-by-state allocations based on the calibrated time series and when we publish the notice in the Federal Register saying, okay, these are the conservation equivalency programs and what has happened, we would also say and, based on this catch accounting and these calibrations and the new adjusted recreational time series, here is the revised state-by-state allocations.

I think this is the only way this is workable in the time scheme we have. Otherwise, before a state can adopt a new catch accounting system, it’s going to have to come back to the
council and the council is going to have to review the recalibrated time series and the council is going to have to go back in and do a plan amendment to adjust the state-by-state allocations. That will take Lord knows how long in the way things are.

It seems, to me, if the states want to be able to adopt new catch accounting that we’re going to have to put something like this in there. Otherwise, I suspect it will be a very long process before you’re going to be able to use the new catch accounting system in your thing.

The reason I think we have to do this is because if a state -- We have some of the catch accounting systems right now that show some pretty large differences, Alabama private being the most notable one, where the state catches are much lower than the MRIP catches are.

If we don’t make the adjustments to the state-by-state allocations based on that, we could have allocations that are way out of whack with the revised historical time series and so I think we need to talk about this, because if we don’t get some explicit language in here of how we’re going to deal with this, I think it could literally take years before we could approve a conservation program using a new catch accounting program for a state, even after it becomes certified by MRIP.

CHAIRMAN ANSON: My comment to that would be that certainly I could see the utility in having a program certified and approved for use for science and management, but I am a little concerned that going back and hindcasting, I guess, the individual state’s landings and then recalculating, because the states are going to come on at their own independent timelines.

Let’s just assume this gets passed and it gets implemented for 2017. You know the MRIP process, as I understand it, needs a couple of years, at minimum, of side-by-side testing, or at least of use of that program to look at what the numbers do and to then be able to compare within the time series for that particular program and look at differences and everything.

If states are on their individual timelines for doing their projects, I mean we could be doing that every year and one state brings their program online and you readjust and the next state brings their and the next year brings their and it just seems very cumbersome.

DR. CRABTREE: All right. If I could though, but the problem if
we don’t do it this way -- If a state comes up with a catch system that says their catches are much lower than previously thought and that state is going to double the length of their season -- If we don’t factor that into the allocations, one, it’s going to have impacts and upset the equity of all of this and, two, we’re going to have to go back in and rerun the assessment with all of these numbers and re-estimate the TAC, but if the states all come in with much lower catch estimates and we just adopt it on face value without adjusting things, I think it could lead to overfishing, because we haven’t factored it all in.

I don’t see how we can just adopt a state’s catch accounting system without factoring in how the implications to that on the state-by-state allocations -- Actually, I think we’re going to end up having to rerun the assessment to adjust the TAC for that and then we’re going to have to come in and adjust the overall commercial/recreational allocation, because if, as some of these pilot studies, particularly Alabama, suggests that catches are actually lower, we would come back in and do the reverse of what 28 did, looking at how much of the shift is due to the recalibration and make a change there, but I don’t see how we can do this without going through those steps and unless it’s laid out in this amendment, a process to do it that doesn’t involve coming back to the council and amending the plan, we’re going to be talking a multiyear process on top of all the length of MRIP and everything else.

Now, you’re right that it might be most desirable to have years of surveys run together, but most of these pilot studies are being run alongside of MRIP now and before they are certified, we’re going to have some side-by-side and so I think we would be able to develop the calibration factors, but I don’t see that, as complicated as it may seem, I don’t see how we have a choice, other than to factor all of this in.

CHAIRMAN ANSON: All right. I have Robin and then Dr. Lucas.

MR. RIECHERS: Well, first, I will say this seems a little bit almost last minute here, as we’ve been discussing this for two years and certainly each of us have had different landings programs that we have been working through for two years, every state having a secondary landings program they’ve been trying to work with for two years.

The one thing I will say is I certainly understand the notion of having to probably go through some period of certification. I think what we would want to do, even more so than have it in the
document though, is have some real schedule as to which you could get a template as to what would create certification, because I know we've even been having trouble getting answers about validation and percentage of validation and those kinds of things that might be needed in such a system.

I guess I will go back to Kevin’s point on my last point, which is even though I believe there probably should be something in there from a calibration perspective and some way to have that accepted, I would think, if we start at a point in time and then your landings either were higher or lower going into the future, when you put them side-by-side, then that means you have to adjust your state plan to account for that.

I agree with Kevin that I don’t know that you have to go backwards and readjust. Once we make the commitment to go in at this level, that’s where we are and then you could adjust.

Now, I see we can have an option that could do either, but it would be, in my mind then, that we go into that at that level and if our landings end up being higher, then we’ve got to reduce our days. If our landings end up being lower, then we could lengthen our seasons, in those respects.

DR. CRABTREE: To that point?

CHAIRMAN ANSON: To that point.

DR. CRABTREE: Well, the problem with that though is we have an FMP that sets up the allocation based on the landings to a certain set of years and if we change the basis of those landings and we change the historical landings of that based on the years, if we don’t go in and readjust the allocations, then we are inconsistent with the FMP and that’s a real problem.

As for this being last minute, I will remind you that I brought this up at the last council meeting and I believe I brought it up at the council meeting before that and so -- But I don’t see how we’re going to have the Science Center -- If we adopt a new catch accounting, then we’re going to have to do calibrations and it’s going to go through the stock assessment process. That’s how we are doing things now and we can’t have a situation where our allocations state-by-state is based on landings during these years, only they don’t match up to the best available landings.

CHAIRMAN ANSON: To that point, Robin?
MR. RIECHERS: Well, Roy, you said it’s going to be out of kilter with the FMP. What if the FMP states then from this point on that if a certification occurs that the state would then just take that certification of their landings and then adjust their days accordingly? I mean it doesn’t have to be out of whack with the FMP. We just have to explain how we’re going to move from this point forward.

DR. CRABTREE: On the face of that, that seems too vague, because I don’t know what “adjust accordingly” means. For example, if Texas finds out that the private sector landings in Texas are actually higher than previously thought, and we’ve heard testimony to that effect and I don’t know if it’s the case or not, what does that mean? Texas is then going to sort of do their own on-the-face-of-it calibration and then make the adjustment themselves?

CHAIRMAN ANSON: Robin.

MR. RIECHERS: Well, it wasn’t vague. You just missed maybe the comment I made before. Yes, we would come forward with the next year’s conservation equivalency and adjust our days downward if that were the case. You’re starting at a point and then from that point on, you have to make your adjustments.

DR. CRABTREE: Well, that may be a way of getting to the same place, but it still leaves you then out of kilter with the allocation that we’ve set. If we can come up with a way to write that down and explain it, but it seems to me it’s essentially getting you to the same point.

I am not dismissing what you’re suggesting, but I am saying we need to write down some process of how we’re going to do this and the most straightforward way to do it and the way we’re doing it now is to calibrate and then refigure things.

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: I think I am just seeking clarification on something you said, Roy. So I guess I am going to use Louisiana, because theirs is probably the closest to being certified, from what I gather from the conversation, that their program is about to be certified.

Are you saying that Myron comes in and it’s not certified yet and the plan is it’s about to be certified, but you’re not going to use LA Creel, because of the certification was -- You now have to do more or something? Is that what you’re saying?
DR. CRABTREE: Well, if it is certified and if the catches are substantially different -- Now, in the case of LA Creel, their catch estimates are about the same as MRIP and so there isn’t much difference, but in some case where the catches are very different, it’s going to have a big impact on the number of days that that state may be able to fish.

So if you don’t come in and make adjustments accordingly to the allocations and all, we’re going to get -- It seems to me that we’re going to distort the allocation pattern that was set up in the amendment and if it carried to an extreme, it could lead to overfishing and some other things.

CHAIRMAN ANSON: To that point?

DR. LUCAS: Yes and to that point with a question. So if some state chose not to carry forward with a new certification plan, you would just move forward with MRIP and so it would seem to me that every state’s plan would need to be certified before you could then go through and redo all the allocations.

DR. CRABTREE: Well, I don’t think it would all have to be done at once. I think you could, as a new program is certified and then you apply that calibration factor, you could do it. It would probably be easier and more convenient if they all got certified at once and we could do it all in one big effort, but I suspect it’s not going to, just timing-wise, work out that conveniently for us.

CHAIRMAN ANSON: Martha.

MS. BADEMAN: Okay. I am going to make sure I have this straight. So let’s say we start regional management in 2017 and nobody is MRIP certified or nobody’s programs. More or less, each state would be basing their season projections and closing their fishery based on MRIP numbers, like basically the federal process we have now, for the first couple of years, until people start getting set up and certified.

The second question is what exactly do we need to do here with this document? Do we need to add an action or are we just adding discussion to this? How does that impact our timeline here, because I think this was to be final in January.

DR. CRABTREE: I don’t think it affects the timeline and I am suggesting this be added as discussion in the section of the document that goes through the process of getting through the
conservation equivalency.

For us to be able to accept a new program and approve a state’s plan that uses it in the timeline that’s laid out in here, we’re going to have to have the rules of the road as to how we’re going to use a new state program and what standards it has to meet laid out.

Otherwise, we’re going to have this big open question and it’s going to throw us way off on the timeline and I’m afraid that I will end up coming back to the council and saying you’re going to have to do a plan amendment before we can use this and you know how long that takes.

CHAIRMAN ANSON: So going back to your question, Martha, I suspect this will add more time to getting the document to a point where it’s ready for final vote and so it may not be available or ready in January for a final vote.

Not to say that this would be the reason why, but it does require a more complete document that NOAA legal counsel would be more happy with and that seems to be a big point and whether or not that gets input in time, I don’t know. Dr. Crabtree.

DR. CRABTREE: I mean another example of how this is going to get complicated and so we know that all of the states have different mixes between for-hire catches and private catches. Texas is predominantly for-hire and other states -- Louisiana is predominantly private.

We know that we have the new effort estimation methodology that MRIP is piloting now and you’ve all been briefed on that and there is a transition plan with calibration. The pilot studies of that effort survey indicate it produces much higher effort estimates and so it’s likely to produce much higher catch estimates.

It only affects the private sector and if that’s adopted, it’s going to have very different impacts, depending on what state you’re in, because it’s only going to change the private sector catches and it’s going to shift them up.

If you don’t then go in and make these adjustments to the Amendment 40 allocation, you’re going to end up really hitting the recreational private sector very hard, in ways that I don’t think are fair and equitable, and it’s going to affect all the states differently.
There is a lot of these things besides these pilot programs. There is the whole overall scheme of this that is likely to come in and affect all of these allocations and, effectively, that’s what we ended up doing in Amendment 28 and we also know how difficult that was and how contentious it was and how long it takes and if we don’t get this spelled out in here as to how we’re going to handle all of these things, I suspect we’re going to go through these prolonged, agonizing arguments about all of it and get hung up on it and so there’s a whole lot of things going in here and we’re happy to work with Ava to come up with some discussion language on it and I’m confident we can come up with some language in time for the next meeting and I do think it can just be done as discussion.

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: I think, as some of the discussion in Amendment 28 went, when it came down to the last two alternatives, it got down to the fact that it wasn’t an allocation and it was an adjustment, that better data had become available and we needed to act on that data.

Why couldn’t we just readjust, by some mechanism, once the data is available, and just call it a readjustment and then reset it and it sets it in all of these amendments, whether it’s Amendment 40 or whether it’s Amendment 39 or whatever, whatever is there. Whatever has been based off that, it then gets readjusted.

DR. CRABTREE: I think that’s effectively what I’m suggesting we do here, but we need to write it in the document and write down how we’re going to adjust it. Now, in this case, it’s only talking about red snapper, because that’s what this amendment is, but I do think there would be some utility in us at some point coming to an overall agreement of how we’re going to make all of these calibration adjustments and doing a plan amendment that lays that in place that saves us going through all of those arguments at a time, but that’s probably a broader scope and would take more time than we want to take with just this amendment.

CHAIRMAN ANSON: All right. Ava, thank you and thank you, Roy, for your staff and trying to get some of that language in the next version that we see in January. Mr. Greene, can you continue, please?

MR. GREENE: Options Paper, South Florida Management Issues, Tab B, Number 8(a), staff briefly reviewed the updated actions in
the Draft Options Paper on South Florida Management Issues, stating that there were some South Atlantic Council motions regarding yellowtail snapper.

Dr. Larkin was asked to provide an update on yellowtail snapper landings in 2014 for both the Gulf and South Atlantic Councils, since they had now been finalized. At the September South Atlantic Council meeting, the final 2014 commercial landings were lower than previously estimated. In 2014, the commercial sector in the South Atlantic jurisdiction landed 1.2 million pounds, approximately 76 percent of their ACL, and the Gulf jurisdiction landed 760,395 pounds, or 84 percent of the stock ACL.

The South Atlantic Council was informed by National Marine Fisheries Service that the commercial yellowtail snapper landings are projected to reach their ACL before the end of 2015.

The South Atlantic Council is therefore requesting that the Gulf Council consider establishing sector ACLs and managing the yellowtail snapper sector ACLs and accountability measures jointly.

Without opposition, the committee recommends, and I so move, to begin a separate amendment with the South Atlantic that would address management issues with the yellowtail snapper. The amendment would address consolidating the ABC/ACL and yellowtail snapper AMs and remove these from the South Florida amendment, as well as the commercial fishing year start date and recreational/commercial allocations in both Gulf and South Atlantic jurisdictions.

CHAIRMAN ANSON: We have a committee motion. The motion is on the board. Martha.

MS. BADEMAN: Just to clarify that this was my motion and I think what we had discussed, and it’s not reflected very well in the wording here, was this being a Gulf amendment, but the South Atlantic is working on a parallel amendment and so I just wanted to clarify that. It’s not a joint amendment.

CHAIRMAN ANSON: So I guess just remove “with the South Atlantic”, potentially?

MS. BADEMAN: Yes, I think that’s okay.

CHAIRMAN ANSON: All right and so we have the motion on the
board with the striking of “with the South Atlantic”, to make sure that it is known that it’s just a Gulf amendment that we’re proceeding with. Any discussion on the motion? Any opposition to the motion? Seeing none, the motion carries. Martha.

MS. BADEMAN: Just real quick, another yellowtail thing, more just housekeeping, but a question I guess to Ryan. The yellowtail circle hook amendment, you know we had talked about changing the line in hogfish and do you need a motion to add that different line for the yellowtail circle hook?

MR. RINDONE: (The comment is not audible on the recording.)

MS. BADEMAN: Okay. Let me write one and then I will -- Well, I will send one to staff. I think that will be easier than me trying to adlib it.

CHAIRMAN ANSON: Thank you. Mr. Greene.

MR. GREENE: Remaining Gulf committee motions regarding the South Florida Document are from the June 2015 Committee Report. Staff reminded the committee that were outstanding motions on the South Florida Options Paper that the council did not have time to address during the joint June 2015 council meeting with the South Atlantic Council.

Action 7, Partial Delegation of Recreational Management of Black Grouper to the State of Florida in Federal Waters Adjacent to the State of Florida, the Gulf Reef Fish Committee recommends, and I so move, to have Action 7 apply to the waters adjacent to the State of Florida.

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

MR. GREENE: The Gulf Reef Fish Committee recommends, and I so move, in Action 7 that Alternative 2d be moved to considered but rejected. Option 2d is minor modifications to existing allowable gear.

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

MR. GREENE: The Gulf Reef Fish Committee recommends, and I so move, to remove Actions 10 and 11 in the options paper and replace them with Actions 6, 7 and 8 in the restructured
document.

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

MR. GREENE: The following actions would be removed under the above motion and they are listed in our committee report as Actions 10 and 11 and there are some additional actions that will be added and, Mr. Chairman, I am just going to read the actions, as opposed to the individual alternatives, for the sake of time, if that’s okay with you.

CHAIRMAN ANSON: If it’s okay with Mara, it’s okay with me.

MS. LEVY: That’s fine. You actually already voted on the motion that was going to put these in there and so really I guess it’s in there for your information as to what you were removing and what you were adding when you approved that last motion.

CHAIRMAN ANSON: All right and so we can -- Do we not even need to read them at all?

MS. LEVY: I think you can just say that they are reflected in the committee report.

MR. GREENE: Okay. Thank you. They are reflected -- Both actions and alternatives are reflected in the committee report. That will move us to Options Paper on --

CHAIRMAN ANSON: One second, Johnny. Martha.

MS. BADEMAN: Just really quick, before we leave this, I think there’s a couple of actions in this document still that need to be cleaned up, based on what we did with gag and black grouper this morning. Is it possible we can give direction to staff to do that or do you need direction or do you want a motion or how do you want to handle that, Carrie? Is just direction sufficient?

DR. SIMMONS: Yes, I think that’s fine. Thank you.

CHAIRMAN ANSON: Mr. Greene.

MR. GREENE: Okay. Options Paper for Framework Action to Set Mutton Snapper ACL, Tab B, Number 9, staff reviewed draft actions and alternatives for the Gulf Council proportion of the
mutton snapper ABCs and establishing new ACLs and recreational and commercial management measures.

Ms. Bademan stated that Florida FWC will also be conducting their own series of workshops and meetings regarding mutton snapper. Mr. Williams requested that staff work closely with the South Atlantic Council staff regarding this document, to make sure we are not getting ahead of their efforts on mutton snapper, since they manage 82 percent of the stock. Staff stated they would coordinate closely with the South Atlantic staff regarding work on mutton snapper moving forward.

Options Paper to Adjust Minimum Stock Size Threshold, Tab B, Number 10, staff presented a PowerPoint presentation that discussed MSST with respect to overfished definitions and MSY biomass levels and then reviewed the actions and alternatives in the options paper.

Committee members felt that the options paper was more understandable than an earlier version presented earlier in the year and that the range of actions and alternatives was appropriate.

Dr. Crabtree noted that our perception on natural mortality rates has change over time and other councils have moved away from using the one minus M times BMSY definition of MSST. Staff will develop the options paper into a draft amendment for a future council meeting.

Reef Fish AP Summary Additional Items, staff reviewed AP recommendations for issues other than those covered in the Reef Fish Committee agenda. This included coral habitat areas of particular concern, lionfish issues, and requests for reruns of red snapper projections.

Other Business, Mara Levy informed the committee that the litigation on Amendment 40 was moving forward and that oral arguments would be heard in U.S. District Court in New Orleans on October 28. Discussion of Ad Hoc Private Recreational AP, due to time constraints, this agenda item was deferred to full council.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: Maybe I missed it, because it’s a long report, but did we go over the motion where we were adjusting those buffers? That was a full council motion?
CHAIRMAN ANSON: It was at full council.

MR. DIAZ: We did Other Business yesterday.

CHAIRMAN ANSON: Thank you.

MR. WALKER: We never discussed the ad hoc.

CHAIRMAN ANSON: Well, we have it in here to defer to full council and so if anyone wants to lead some discussion on that, we can talk about it for a little bit. Mr. Williams.

MR. WILLIAMS: Well, I don’t know that I am going to lead the discussion, but I would note, for the record, that I, and I am guessing everybody in here, has begun to receive a lot of letters with people suggesting that we proceed with that.

I know there are people around the table, and I have talked to them, that don’t want it, but I am sure I have received at least a dozen letters of people from Texas to Florida suggesting that we do it and that we even received a petition from someone with fifteen or twenty names on it and so I am more favorably inclined now towards doing this than I have been at previous meetings.

CHAIRMAN ANSON: Dr. Dana.

DR. DANA: Thank you, Chairman Anson. This is just a comment. If we have -- You sparked me thinking this way yesterday, something you said, Dr. Crabtree, but if we have APs for every other sector to look at different fishery issues, but we do not have one for one of our most important sectors, an AP to look at just issues affecting them in whatever, data collection, are we being remiss as a council by not having an AP to represent that industry? I mean couldn’t -- We have all these court challenges and could this not be another, that we sit idly while we don’t even have something to address such a major sector?

CHAIRMAN ANSON: Dr. Lucas.

DR. LUCAS: I was just going to ask -- Do we have a commercial fishing AP? I think several people spoke that we have done recreational APs in the past, or at least Emily presented a lot of information from recreational panels.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Well, we don’t have a specific commercial fishing
AP, but we’ve had IFQ APs and ad hoc APs that focused on commercial issues. I think they have always had some mix of people on them. I guess I would want to hear from the recreational folks on the council, Camp and Doug and maybe Greg, as to what they think about it.

I am supportive of it and I am getting the emails, as you are, but you know you can lead a horse to water, but you can’t make him drink and so until the recreational leaders on the council feel like they can support doing this, I am not sure that it’s a productive endeavor.

CHAIRMAN ANSON: Mr. Boyd.

MR. BOYD: When this first was motioned, when Harlon did it at the meeting before last, my comment was it’s premature and I still believe that. I think that the recreational group, the recreational fishermen, have not come together and tried to talk collectively about how they would like to be managed.

The charter-for-hire guys have done that and it’s taken them an awfully long time to come together on what they wanted and they finally solidified it, with a lot of support from a lot of different organizations, on how they would like to be managed.

The commercial fishermen did the same thing and it’s taken them a long time and I think we’re trying to push through some sort of a management agenda or a scheme or a thought process, whatever you want to call it, on the recreational fishermen and we need to give them time to come together and understand what they want to do.

I would note that there was a -- The Congressional Sportsmen’s Foundation held a meeting several meetings ago and I was invited, but I was unable to attend. I believe all of the state directors were invited and a diverse group of recreational fishermen and recreational fishing interests were invited.

I did not go and I don’t know the total outcome, but I understand that it was very productive after everybody shook hands the first day and that that is going to be scheduled again with the -- The Congressional Sportsmen’s Foundation is kind of the lead participant there and that meeting took place, I think, in Mississippi, at Kelly’s offices.

Kelly, I think, was there and I don’t know who the other state representatives were that were there, but I think I would like to see us give that group time to talk about their issues and to
talk about what they would like to see and then bring that back. I am not totally opposed to a Gulf Council AP. I just think it’s premature. Thank you.

CHAIRMAN ANSON: All right. I have David, Dr. Stunz, Camp, and John Sanchez.

MR. WALKER: I disagree. I don’t think it’s premature. I think we hear a lot of congressional congressmen and senators commenting about the council or NOAA and it’s not doing anything for the private angler and I think this is just slowing it and kicking the can down and I think the private anglers, we’ve seen from emails -- I have had a lot of discussion with private anglers, whether they were members of the CCA or not a member of the CCA, and they want something different.

They don’t want to continue with what they have. It’s not working and to just keep continuing delaying it is not going to help. I have had discussions with my own commissioner in Alabama, Chris Blankenship, and our commissioner told the industry leaders that he would like to see Chris Blankenship take a leadership role in this and he didn’t have an issue with forming this AP.

You know just a lot of people and I don’t know how many people I hear -- I guess we have to have a roll call to see really where they stand, but I don’t want to continue kicking the can down the road. I am ready for the private angler to have something.

You know they get angry at the commercial industry and they get angry at the charter industry and they get angry at the council, but if we don’t give them an AP to let them sit down and hash out their own solutions, we are never going to get them where they want to be and kicking the can is not going to do that and it’s causing issues.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: A little bit to David’s point, I mean part of one of the letters that Roy I guess was talking about was from this group. If you guys read it, they have actually had quite a bit of activity and you know it wasn’t just -- It was recreational guys and charter guys and just regular private recreational anglers and the state folks that I think they still have a lot of confidence in.

Quite frankly, I think that those groups have a lot of distrust and frustration with the council process and I don’t blame them
and the last couple of meetings, I have been talking about we

can force this from the top down or we can let it sort of grow

organically from this bottom-up approach, where these guys are

going together and they are doing that.

They’ve got plans for other meetings and you know NOAA has

formed the Office for Recreational Fisheries that they’re

working with and there is several vision documents that have

come out that are sort of structuring their talks and framework.

I think we need to give that just a little bit more time to
develop, because if we force this down and sort of derail the

process that they’ve got going and are comfortable with, I think

we are not doing ourselves a service here.

I am the first one to say I would love to have an ad hoc private

panel that we can go to, just like our others, and give us

advice, but I think it’s just a little bit premature and I

think, to be quite frank, I think the groups feel that it might

get stacked a little bit from our council and they may not get

to fully explore some of the opportunities that they see might

fit and they are trying to gather that information right now.

So, given that, I don’t support forming it at this time, but I

will be the first one to be for this once they sort of get a

little bit more organized.

CHAIRMAN ANSON: Camp.

MR. MATENS: Thank you, Mr. Chairman. I was a part of that

meeting and I thought it was quite productive and one of the

things that I took away from it was that, by and large, the

private recreational community understands that there is some

value in what the commercial community has done.

The charter-for-hire, maybe there is some people that think one

way or the other, but the private community, and we’ve heard

that time and time again here in this meeting this week, wants

to be under the supervision of their state managers.

Accordingly, and Chris Blankenship was there, but, accordingly,
is this a time that we can make a motion? I see a bunch of

blank stares and there is no reason not to, right?

CHAIRMAN ANSON: Any time is --

MR. MATENS: Accordingly, and forgive me, ladies, for not having

this and so I will speak slowly and try to not have my Louisiana
accent. A motion would be that the council direct the five fisheries managers on the council to convene and obtain a consensus as to how the private recreational community wishes to be managed. If there is a second, I will talk a little bit about it.

CHAIRMAN ANSON: We have a motion and is there a second to the motion? Dr. Stunz seconds the motion. Doug, do you have a question?

EXECUTIVE DIRECTOR GREGORY: Yes and we provide advice to the council. We can write a letter requesting the state directors to do something, but we can’t direct them.

MR. MATENS: Word it however you will.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Let’s direct them to solve hunger and world peace while we’re at it. I mean come on. Is this really realistic?

MR. MATENS: It would probably be easier, Roy. Well, I think that each of the five states -- Really, I think that they’re a little bit diverse in what their recreational community wants. The person that knows the best as to what they want, in my mind, are the fisheries managers and I would like to see Dr. Lucas and Myron is going to delegate this to Randy, but get together and talk and see if there is some thing that somehow can be brought to this council that they feel like meets the needs of the recreational community and remembering all the time that the recreational community is pretty clear that we want to be managed by our state managers.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Maybe so, Camp, but the United States Congress has decided that federal waters are managed by the council and I would remind all of you that the council is made up basically of the states. Everybody except me on this council is a state representative and so they are managed by the states, in that sense.

Now, one thing that seems a little schizophrenic to me with this is all five state directors and, Camp, you as well have taken the position that the federally-permitted charter boats have to be managed under the same management scheme as the private recreational sector and so this doesn’t seem quite right to me, because I think the view of the states right now is they ought
to be managed together and so it’s not just the private recreational sector and it’s all the for-hire vessels as well.

Otherwise, if you come up with a plan that’s just right for the private recreational guys, are you then just going to force the for-hire operators to live with it too or how do they get involved here?

CHAIRMAN ANSON: Mara.

MS. LEVY: I don’t know how this is envisioned working, but it raises some concerns that we’re asking for a private committee meeting of the state representatives on the council to then make decisions and come back with recommendations to the council and if that’s what is envisioned, then I don’t think that’s appropriate under the way that this council operates.

The state directors or representatives are here and if you want to have a committee made up of state directors and they want to have a committee meeting and provide advice, that’s fine, but it needs to be open to the public notice and everything else and so I just am a little concerned that the way this is worded is to have some sort of private committee meeting, which would not be consistent with the Magnuson Act requirements.

CHAIRMAN ANSON: Certainly.

MR. MATENS: To those points, Roy, I certainly don’t envision that this effort would involve whatever the charter-for-hire does or does not do. We wanted to convene an AP for the private recreational community and this is an alternative to that. It had nothing to do with the charter-for-hire guys and, Mara, to your point, I am not certain that it’s inappropriate for the fisheries directors to meet on their own. Are you saying that it is?

MS. LEVY: I am not saying it’s inappropriate for them to meet on their own, but if the council is going to direct them to meet as a body to provide advice back to the council, that’s a committee and that needs to be done throughout the council process. If the state directors want to meet on their own and discuss things, that’s fine, but this is being proposed as a council action to direct some other action to provide advice.

MR. MATENS: Again, Mara, to that point, so do I infer, from your discussion, that if the five state directors met on their own and through the council process came to the process with a recommendation, came to this council with a recommendation, that
would be appropriate?

MS. LEVY: Anybody on this council can come to the council with a motion or recommendation.

MR. MATENS: Then I think that, to some degree, makes my point. If I can go out and convince the five state directors that they should talk about this and see if they can come to some consensus and present that at a later date to this council, that would be appropriate or not?

MS. LEVY: I am not going to advocate for any council recommendation that recommends that people meet in private outside of the Magnuson Act process to give advice to this council. What the state directors decide to do on their own is their own decision.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: I guess, from my point, Camp, I mean the state directors are all sitting here and if they want to go out and try to work with their private recreational anglers and get a vision of how to manage and all that, that’s great and we certainly welcome the state directors to come in with their vision of how we ought to manage this fishery, but I don’t know that we need to pass a motion asking them to do that. I think they all understand the problems very well.

CHAIRMAN ANSON: I am glad we’ve got your support on that, Roy, because they attempted to do something previously and got kind of chastised for it. Yes, you have heard some of the -- Would you still like to vote on this, have a vote, or do you want to withdraw or --

DR. CRABTREE: To that point too, I am not encouraging you guys to go out and draft legislation. Let me be clear about that.

MR. MATENS: Although, Roy, sometimes it’s tempting, isn’t it?

CHAIRMAN ANSON: David.

MR. WALKER: There was an article that it read where the five state directors came together and locked the doors behind them and I don’t know if there was any public input or anything with it or if there needs to be some communication. This council, we’ve got the state directors here and this is going on and people are going to Congress and complaining that it’s not working and this is not working and this is your opportunity.
Make something work.

Develop an AP and let these guys work together. You know the commercial fishermen developed their plan and the charter boat fishermen developed their plan and the private angler can develop his plan. What’s wrong with that? I just don’t get it.

You know let them -- Let them come back to this council and then we can decide, but let them work on their plan. Guys, let’s just don’t keep kicking this can. You know it affects the commercial industry and we’ve got a problem and let’s take some fish away from the commercial industry. Well, that doesn’t solve your problem and it’s not going to solve your problem.

You know I mentioned, if we get back to that, Alabama was claiming that they were catching less fish. I had this discussion with my commissioner and then the MRIP numbers were showing that they were higher and Alabama is claiming that they were lower, but it was based on MRIP.

You know let the fishermen get together and let the private anglers get together. They come to me and they talk to me and they get frustrated when nothing gets done. Meeting to meeting, it continues on down the road and I think we’ve got an opportunity to do something and don’t move this off and quit stalling and let’s do something. Let’s do something for the recreational industry, the private angler. They need something.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: Well, I would point out that I don’t think it’s stalling at all right now. In fact, it’s happening in this informal group that we’ve been talking about and I guess my question to Camp is that group that’s meeting, what’s different about this motion than what’s happening in that group? The state directors are involved with that, on an informal basis, and is it doing the same thing?

I guess my point is I would like to see us delay this discussion some, until our next meeting, or preferably even the next one, to let this other group develop, which is going along pretty strongly without our heavy hand.

CHAIRMAN ANSON: I have Roy Williams.

MR. WILLIAMS: I just want to say the proximal cause of this discussion is the very short seasons in red snapper and from my first meeting back on the council, I have maintained that the
recreational fishery is overcapitalized. Now, Russell Nelson
denied that and Ken Haddad denied and Dr. Brad Gentner denied
that there any such thing as overcapitalization in the
recreational fishery and they may well be right when it comes to
red drum or when it comes to snook or when it comes to tarpon
and maybe when it comes to black bass, largemouth bass, and
crappie. Those are all very releasable species and so you can
keep stacking people in and crowding them up and everybody can
have a little bit of fish.

In the case of gag grouper, they are not so releasable and in
the case of red snapper they are not particularly releasable.
The deeper we get out here, the less releasable these fish
become and when I first came, it seemed like my impression was
that a lot of people felt that they could simply reallocate
their way out of this fishery, that they could reallocate their
way out of this problem, that they could simply take some from
the charter boat fishery and take a lot from the commercial
fishery and that there would then be enough for the recreational
fishery of red snapper fishermen, but it became apparent that if
we gave them everything, if we gave them all the red snapper,
well, their season is still only going to be a month long.

Face-to-face with the problem, you’ve got these glossy fishing
magazines telling everybody how great it is and you’ve got the
people who sell outboard motors advertising in them and telling
them how great it’s going to be. You’ve got all this promotion
of recreational fishing and the fact is we don’t have a lot more
to give them. That’s just the reality of it.

We can continue to increase the yields on red snapper a little
bit, but there is not a lot more red snapper to give out there.
There’s not a lot more gag grouper to give out there and so I
think the recreational fishery has to get together and begin to
figure out how they’re going to divvy this up.

The fishery simply cannot stand more and more and more pressure.
It cannot. I believe that on the whole it’s already fully
capitalized and doesn’t need any more and I don’t think we can
reallocate ourselves out of any of these problems, despite some
people’s belief that we can.

I think at some point we have to tell the fishery to come up
with some fair and effective ways to solve the derby problem in
red snapper and perhaps gag grouper and triggerfish and come up
with ways. How do they want to limit themselves, because there
is only so many fish to go around out there and they’ve got to
be partitioned among all these people that want them and we
simply don’t have enough for them.

CHAIRMAN ANSON: I’ve got Kelly and Mr. Swindell and Mr. Sanchez and we are an hour-and-a-half yet to our scheduled time of departure, just letting people know. Kelly.

DR. LUCAS: I think mine is more of a question. Here is the deal. This says Ad Hoc Private Recreational AP and when we named this original AP, I distinctly remember it being Ad Hoc Recreational AP, because you asked us as state directors to go out and talk to people about whether they would be willing to sit on a recreational AP.

Then there was a whole lot of discussion of what recreation imparts and that there was only one species of which there was sector separation that occurred in and we were really trying to encompass a larger thing, like all the species, and yet I still hear people -- Like Dr. Crabtree, he says “this fishery” and somebody says red snapper, red snapper.

I mean if that’s what you’re changing it to, then it needs to be changed, because when you asked me in the beginning to go discuss this, we discussed it from recreational AP. That’s what the original title was.

So when I went out and talked to people, and to Roy Williams’s point, some of the new people I talked to that have never been involved in the council process were kind of excited to contribute. Some of the people who have contributed to the council process said why? I’ve given you a thousand suggestions and I’ve sat on all these panels and I’ve told you different ways of doing it and you have never once taken the suggestion.

Some of them even sent me a list of all the suggestions they had previously provided, but if we don’t even know what it is, what the panel is, I don’t really see how we can move forward and maybe this group that is sitting out there discussing recreational problems might provide some insight on how to move forward.

CHAIRMAN ANSON: Mr. Swindell.

MR. SWINDELL: Camp, one of the things I don’t like about your motion is the word “manage”. You know we’re not trying to manage the recreational fishermen. We are trying to manage the fishery and they have to some way or another work within that, but to have some group get together and come back to tell us how they want to be managed is not what I think we should be doing.
The advisory panels don’t give us that information and, Mr. Boyd, I just don’t -- I don’t want the -- The committee, the group of people that you’re talking about that Camp was also with, are they -- Are you expecting them to come back to us with a full list of people to be on an advisory panel? I don’t want that either.

I want these council members to sit around and discuss who should be on this advisory panel. I don’t want it just to be coming from a group to tell us who should be on it. That’s not what I’m after. I am after a full varied experience of a group of people that we have the opportunity to decide, name-by-name, what the experience of this person is and whether they should be on the advisory panel, as we normally do. I assume the council still picks the advisory panel members and they approve who is on there. Thank you, Mr. Chairman.

CHAIRMAN ANSON: To that point, Mr. Boyd.

MR. BOYD: Ed, I don’t think I ever said that that group would come back and tell us how to populate a panel. What I said was that they would -- My understanding and, again, I wasn’t there, but my understanding is, and I’ve read the letter that came from the Congressional Sportsmen’s Foundation, that they wanted that group to come together and see what the common interests are and how they would like to be managed.

I would respectfully say to you that the charter-for-hire industry has sat here month after month, year after year, and told us, quote, unquote, how we want to be managed and so that’s not a new concept.

CHAIRMAN ANSON: All right. Mr. Sanchez.

MR. SANCHEZ: Thank you. As we all know, this is a very painfully slow process and so coming up and the idea of having an AP -- Call it what you want and compose it of whomever you want, but the idea is to get some meaningful input to help steer us along in doing something.

The fact remains if you took the entire commercial IFQ allotment and all of the recently allotted charter boat ability to catch and gave it to the recreational sector entirely, you end up with a few more days and that’s obviously not proper fisheries management.

Getting to what Roy was saying, it’s overcapitalized and we need
to address this and find that middle group or some meaningful solution and to just keep kicking and no, we don’t want to talk about an AP, yet people are asking for it, I mean what are we waiting for? Are we waiting for Amendment 40 to sunset and then it will be a good time to have an AP? What are we doing here?

It’s very almost transparent. Let’s do something and this is just to put together a group. We can help comprise it or not, but to get some meaningful input to find some real solutions to these real problems.

At the end of the day, the group, they can tell us to pound dirt and they can tell us anything they want. It’s up to them, but let’s give them a forum, like we do in every other fishery, to be able to give us input. Then if they choose to or not to, in my mind, at least you gave them the same opportunities that we’ve given every other fishery that we encounter.

**CHAIRMAN ANSON:** Leann.

**MS. BOSARGE:** You know, from some of the comments, it sounds like maybe certain members of the public and the private angler sector -- Maybe they have become jaded with the council process and they have given up on us, but we should never use that as an excuse to give up on them.

I have heard people say that they’re distrustful of the federal system and that’s exactly why we should form this Ad Hoc Private Recreational AP. That’s exactly why we have to reach out and keep the lines of communication open.

If we do nothing and we stand back and we sit on our hands and we don’t reach out to them and say we want your input and we still want your input and we’re still trying, then the only thing that they have before them as a plan is one that doesn’t seem to involve the federal council process at all and it’s what is going through Congress that we refuse to talk about around this table, but this still is our management system at the federal level right now and I believe we even had somebody in public testimony say don’t let somebody else tell you how to run your federal system. You still are the federal managers.

We still have to reach out to these people and engage them. That is our responsibility. If we need to make sure that we get this Congressional Sportsmen’s Association on that Ad Hoc Private Recreational AP so that we do not miss their obviously significant input, I mean we can definitely do that. I don’t think that’s a problem, but I don’t think saying that we have a
group over here to the side that’s trying to work this out on
the side -- That doesn’t mean we can’t work in tandem and we
can’t do anything here at the federal level because there is
something going on over here in the private sector.

No, we can’t sit on our hands and wait. We can engage that
particular group from the private sector, but we have to push
forward with this. We cannot sit here and not reach out to
these people. They deserve the right to come and communicate
with us directly and not through five state directors, but this
federal council that manages their federal fish, and tell us
what they want.

CHAIRMAN ANSON: All right. I have Pam, David, and Myron.

DR. DANA: Thank you, Chairman Anson. I have no problem with
creating a recreational AP, in the very least to have a sounding
board for when we as a council need to vet issues impacting the
recreational sector, just like we do when we bring to our
Mackerel AP and let them weigh in on issues that we’re
forwarding as a council.

I also appreciate the recreational representatives’ viewpoint on
this and them articulating some of the fears, perhaps, of the
recreational sector of setting this up at this time.

I don’t know that it’s a good use of our time to continue to
spin around on this, given that we are going to lose several of
our council members and we have two more committees that have a
lot to cover. I would have no problem, even though I am,
frankly, supportive of an AP to be created, whether it’s now or
later, but I would have no problem shifting this until January,
to bring it up again.

CHAIRMAN ANSON: David.

MR. WALKER: Just there was some concern about the name of the
Private Recreational AP and I was just going to mention that we
did -- Did we not consolidate the Reef Fish and the Red Snapper
APs? Just the name of it is fine and I just would like to see
us move forward.

CHAIRMAN ANSON: Myron.

MR. FISCHER: Thank you, Mr. Chair. I think this is a subject
we could discuss for eternity. I think the motion doesn’t
necessarily reflect that this is the Private Recreational AP. I
think the state directors should meet on a very regular basis,
and they do, to discuss a whole array of items, from shrimp and crabs to their fishery.

It’s not new and so to ask them while they’re meeting to discuss the private recreational fishery is definitely within the scope of what they, more than likely, talk about on a normal basis. I am in favor of this, but I would like to move on, because we’re not creating a recreational AP today and I think we have two other important items on the agenda, as Pam mentioned, and so I call the question.

CHAIRMAN ANSON: All right. We have called the question or the question has been called and we have been requested for a roll call. Mr. Gregory.

MR. RIECHERS: I am trying to figure out where we are in this motion as opposed to the last motion that was passed a couple of meetings ago and I am a little bit like Pam here and maybe wish she would have made hers as a motion, because I think we could move on, but I mean if we pass this, does that motion go away, because it’s not a substitute. I thought there was a motion --

CHAIRMAN ANSON: I don’t see the other motion having any impact on this motion. This motion is a new path, I guess, and so the other motion is still in play, as far as I recollect.

MR. BOYD: If you would recognize me, I would just suggest something. I think we had a request to call the question and we have not voted on that yet. I would make a motion or Dr. Stunz would like to make a motion if the call for the vote does not pass.

CHAIRMAN ANSON: Okay. We have a call the question and so do you want this as a roll call vote, to call the question? No. So we are going to vote to -- I am trying to get this straight.

MR. FISCHER: I will withdraw it if we have no more discussion.

DR. STUNZ: Just a motion is all I’ve got, a substitute motion.

CHAIRMAN ANSON: Yes, a substitute motion.

DR. STUNZ: Are you withdrawing it, Myron?

MR. FISCHER: Yes.

DR. STUNZ: Okay. I would like to make a substitute motion then, Mr. Chair, to postpone the discussion on the formation of
an Ad Hoc Private Recreational AP until the January council meeting.

CHAIRMAN ANSON: It’s a substitute motion and is there a second to the substitute motion?

DR. DANA: Second.

CHAIRMAN ANSON: It’s seconded by Dr. Dana. Dr. Crabtree.

DR. CRABTREE: If we just -- I mean do we really need motions to stop discussing and move on to the next thing? This is getting to the point of absurdity and then we have to have roll call votes on motions to do --

DR. STUNZ: At this point, I would like to retain the motion.

EXECUTIVE DIRECTOR GREGORY: What did you just say, Greg?

DR. STUNZ: I was responding to Roy. I would like to continue with the substitute motion.

CHAIRMAN ANSON: All right. We have a substitute motion and we’ve had lots of discussion and we do need to move on. All those in favor of the substitute motion please signify your approval by saying yes; all those opposed say no.

UNIDENTIFIED MALE: Was there a second, Mr. Chair?

CHAIRMAN ANSON: It was seconded by Pam. The substitute motion carried. Thank you. We still need one other item before we go on to the other committee reports, really quickly. We did not address it in the Mackerel Committee Report, but that is locations for the public hearing for the mackerel public hearing documents. They should be up on the board. Ryan.

MR. RINDONE: Thank you, Mr. Chairman. It would just be document and it’s just Amendment 26.

CHAIRMAN ANSON: All right. Amendment 26. We have some meeting locations that staff have suggested and they’re up on the board and so if each of the state directors can take look at their respective states. Myron.

MR. FISCHER: I think I would like to give license to Ryan to say the Houma region. There is no pure mackerel fishermen in the town of Houma and we’ll just find a location suitable, but all we need is one hearing in Louisiana.
CHAIRMAN ANSON: Kelly.

DR. LUCAS: I think most of our fishermen reside in the Pascagoula area for mackerel and so if we could put that in Pascagoula, that would be great.

CHAIRMAN ANSON: Robin.

MR. RIECHERS: Yes and staff has been -- We’ve done this several times now. We’re trying to bring people up out of the island here and go to the other side, the south side of Houston somewhere, the Texas City and that part of the world.

CHAIRMAN ANSON: All right, Martha, do you have any input on the locations?

MS. BADEMAN: I think what I saw on the list looked okay. I think it was Destin, Sarasota, and Key West.

CHAIRMAN ANSON: Orange Beach is fine for Alabama. Myron.

MR. FISCHER: Discussing with staff, we feel Kenner would be the appropriate location for Louisiana.

CHAIRMAN ANSON: All right and so are the state directors okay with these? We’re good? Robin.

MR. RIECHERS: Just a clarification. Corpus stayed on and that was just replacing Galveston.

CHAIRMAN ANSON: Can you repeat that, please?

MR. RIECHERS: The Corpus area is still in the mix. This is not a replacement for both meetings, but this was just a replacement for the Galveston meeting or to move it up off the island.

CHAIRMAN ANSON: Okay and so you still have two locations though and that’s fine? Okay. All right. If we’re good with that, staff will make arrangements to have the public hearings in those respective cities in those respective states. Now, that concludes -- Mr. Greene, it doesn’t conclude?

MR. GREENE: We have about three more pages. I am just kidding. Martha has a motion.

MS. BADEMAN: I just need to sneak in that motion that I was going to bring up on yellowtail that staff should be able to
queue up now, when they’re ready.

CHAIRMAN ANSON: Okay.

MS. BADEMAN: My motion would be to add a new Alternative 5 to Action 1 of the yellowtail snapper framework action and that would read something of the likes of remove the requirement to use circle hooks when commercial fishing with natural bait for yellowtail snapper south of 23 degrees, 9 minutes North latitude on the west coast of Monroe County, Florida, and south to the Gulf Council jurisdictional boundary.

CHAIRMAN ANSON: We have got the motion on the board and it’s to add a new Alternative 5 to Action 1 of the yellowtail snapper framework action. It’s been seconded by Mr. Sanchez. Is there any other discussion you need to make, Martha?

MS. BADEMAN: Yes, just in case you’re lost and not following along, which you probably are not, this is the line that we were talking about I think when we were discussing hogfish. This is an alternative to the Shark Point jurisdictional boundary line. I see Ryan has his hand up.

CHAIRMAN ANSON: Ryan.

MR. RINDONE: Thank you, Mr. Chair, and just a little background from the AP. When the Reef Fish AP talked about this, they had said generally that they thought that this action was best constrained to the South Florida/Florida Keys area, since that’s where the epicenter of the commercial yellowtail fishery in the Gulf is, and so we had talked to them about the possibility of this alternative being added at this council meeting and they said that they would support this as well.

CHAIRMAN ANSON: Any other discussion or questions? Dave.

MR. DONALDSON: Martha, did you say 23 degrees or 25, because I thought you said 23 and it says 25 in the --

MS. BADEMAN: I think it’s 25. I probably just misspoke. Sorry. It’s late in the day.

MR. DONALDSON: I just wanted to make sure we got the right location.

CHAIRMAN ANSON: Any other discussion? Any opposition to the motion? Seeing no opposition to the motion, the motion carries. Mr. Greene, we’re done with your report, the Reef Fish Report,
DR. BRANSTETTER: I don’t know when you would like to do this, Mr. Chairman, but you and I discussed that we wanted to update the council on the issue of decals for the charter vessels. Is this the appropriate time?

CHAIRMAN ANSON: Let’s see if we can wait until Other Business.

DR. BRANSTETTER: This will take like thirty seconds. I’ve got two sentences.

CHAIRMAN ANSON: Go ahead.

DR. BRANSTETTER: Okay. If you remember approximately a year ago, there was discussions of whether or not to keep the decals on the charter boat associated with the charter boat permits. The decision was made to keep it and so this is just to let you know what our Permits Office has done.

They are going to start issuing individual permits, one for reef fish and one for mackerel. Currently, they are combined and sometimes that causes confusion. They are also going to be increasing the size of the decals, at the request of the industry. Unfortunately for that, that will require a cost recovery fee of ten-dollars per decal and so that’s where they’re at and they are working to get their new equipment and the new decals and then we will start issuing those, I guess.

CHAIRMAN ANSON: All right. Thank you for the update. All right, Mr. Greene, are you ready for Data Collection?

DATA COLLECTION COMMITTEE REPORT

MR. GREENE: The Data Collection Committee, Draft Public Hearing, Joint Electronic Charter Vessel Reporting Amendment, the committee reviewed the draft Joint Electronic Charter Vessel Reporting Amendment.

Dr. Froeschke noted that the South Atlantic Council and the Reef Fish AP passed motions to separate the Gulf and South Atlantic reporting requirements into separate documents. The committee recommends, and I so move, to agree with the South Atlantic Council and split the Joint Modifications to Charter Vessel and Headboat Reporting Requirements Amendment into two separate amendments.

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

MR. GREENE: The Committee also discussed the membership of the technical subcommittee that has previously provided guidance about the structure and function of the proposed electronic reporting program. The committee recommends, and I so move, to remove the South Atlantic members from the technical subcommittee membership list. 3.1 Membership is Mike Cahall, Mike Errigo, Eric Hiltz, and Doug Mumford.

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. Myron.

MR. FISCHER: Thank you, Mr. Chairman. Are we going to create a mechanism to maybe repopulate this? I think the discussion included adding some Gulf scientists and, if so, would that be a council action or straight through -- I don’t recall how they were originally populated.

CHAIRMAN ANSON: Dr. Froeschke.

DR. JOHN FROESCHKE: The way it was done originally, I think we developed a list of appropriate entities and a request was sent to the entity requesting that they appoint someone and so, for example, the state.

MR. FISCHER: So whether we need a motion, I would request each of the five Gulf states come up with a name, a fishery biologist, or if they choose not to submit a name, that’s fine. I don’t know if we need that as a motion then, but just looking for submittal of qualified individuals.

EXECUTIVE DIRECTOR GREGORY: It would be nice to have a timeframe for that.

MR. FISCHER: It wasn’t a motion, but I guess by timeframe, as soon as possible. They are not going to hire anyone in the meantime and so it would be someone on staff and so within weeks. I would just let your office coordinate it with the five states and universities and whoever they think.

DR. FROESCHKE: I think that’s what we did the last time and so I guess we could just resend that out, but some states, like Florida, I think they did appoint someone and so I’m assuming we would just keep the membership the same for that.
CHAIRMAN ANSON: Leann.

MS. BOSARGE: I just want to make sure we don’t slow this down by doing this. If this is going to prevent these people from meeting again, then I mean -- If we did send it out and it wasn’t a priority at that point, I guess maybe something has changed for the people that we sent it to that didn’t appoint anybody, that didn’t want to be on it, but I don’t want to slow this down. Will this slow it down? Because if it will, then I might have an issue with it. I mean a long time ago when we asked for names.

CHAIRMAN ANSON: Mr. Gregory is telling me that they will put a date on when the states need to provide their names.

EXECUTIVE DIRECTOR GREGORY: We will give them a deadline.

CHAIRMAN ANSON: Yes, give them a deadline. All right, Mr. Greene.

MR. GREENE: Dr. Ponwith noted that implementation of electronic reporting in the for-hire fleet requires coordination of three components: 1)a regulatory component; 2)technical aspects; and 3)funding requirements. The Electronic For-Hire Amendment addresses the regulatory component.

The committee also discussed other components of the proposed program, including administrative responsibility, funding requirements, and transition planning from the current sampling programs. The committee noted that these elements will require additional consideration before implementation of the program. Mr. Chairman, this concludes my report.

CHAIRMAN ANSON: Thank you, Mr. Greene. That will take us to Shrimp. Dr. Froeschke.

DR. FROESCHKE: Sorry. During committee, we talked about a number of different scenarios and things and I think since that time we’ve thought about it some more and one thing I wanted to throw by you is aside from the technical aspects, of which there are many, just the regulatory components, which we seem to be focused on here, that part of the document I guess is basically done.

So if those other technical details are going to be worked out later, I think it’s possible that we could bring you back a document that you could consider for final action and then this technical committee and things could make recommendations
subsequent to that about how to develop and implement the final
details, if you wanted to do that.

CHAIRMAN ANSON: Anybody have any heartburn with that? Martha.

MS. BADEMAN: Well, I have a question. Have we had public
hearing on this?

DR. FROESCHKE: We have not and what we have talked about, and
would certainly solicit your input, is developing an electronic
public hearing direct mailing and an informational booklet that
we could distribute to the federally-permitted guys and do a
direct outreach, instead of doing public hearings.

CHAIRMAN ANSON: Dr. Stunz.

DR. STUNZ: Dr. Froeschke, that plan seems fine with me and I
just want to make sure that you and your group have what you
need to proceed further, but I wasn’t quite clear on the
technical aspects that you were talking about. Do you have that
information as well? I know there is the white paper that was
done a couple of years ago which pretty much lays things out,
but is that good enough at this point or do you need something
from us as a council to proceed on some of the technical aspects
as well?

DR. FROESCHKE: At this point in the document, the actions that
we have in there really I guess are just focused on the
regulatory aspects of it and with the acknowledgement that those
details will have to be worked out before the program could be
implemented at some point, but as far as completing the
document, I do think, based on the discussions we’ve had at this
meeting, we have enough information to complete the document.

DR. STUNZ: That’s good.

CHAIRMAN ANSON: Leann.

MS. BOSARGE: I was just going to say that sounds great. That
sounds like it will streamline the process and we can pick a
little here and little there off the tree and finally finish
this out. If that’s the low-hanging fruit and if you can bring
us that back, we can move forward with that and let the public
see it and get some feedback and then we can work out the rest
of it as we go as well.

CHAIRMAN ANSON: All right. Thank you. I think now we’re ready
to move into Shrimp Committee and Ms. Bosarge.
MS. BOSARGE: Okay. Shrimp Committee Report. After adding a presentation on shrimp effort, the committee moved to adopt the agenda. The committee then approved the minutes of the August 2015 meeting as written.

Dr. Rick Hart presented shrimp effort from ten to thirty-fathoms in Statistical Zones 10 to 21. He indicated that effort increased in 2014. Dr. Crabtree noted that 2014 effort levels were very close to the threshold that would trigger shrimp closures in portions of the Gulf and noted the number of active vessels associated with this effort level.

Shrimp Amendment 17A, Shrimp Permit Moratorium, staff reviewed the amendment, Tab D, Number 4, and noted that the council’s current preferred alternative would extend the moratorium on shrimp permits for ten years.

Committee members discussed the benefits associated with maintaining the royal red endorsement to the federal shrimp vessel permit as well as the possible savings associated with eliminating the royal red endorsement, but did not select a preferred alternative for Action 2 at that time. Committee members noted that landings requirements for the renewal of royal red endorsements were previously discussed and moved to the considered and rejected section.

The committee discussed the timeline for the amendment, indicating that public hearings were scheduled in early 2016 and that the council could take final action during the January 2016 meeting.

Amendment 17B, Yield, Threshold Number of Permits, and Transit Provisions, staff discussed the purpose and need for action in reviewing the amendment, Tab D, Number 5. The committee discussed the importance of bycatch in the shrimp fishery.

In Actions 1 and 2, the committee discussed the need for a working group to determine aggregate MSY and OY and approved the following motion. By a unanimous vote, the committee recommends, and I so move, that the council convene a working group to evaluate aggregate MSY and OY for all shrimp species.

CHAIRMAN ANSON: We have a committee motion. Any discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.
MS. BOSARGE: In Action 3, the committee discussed the minimum threshold number of Gulf shrimp permits. A motion to move Alternative 7 to the considered but rejected section failed.

In Action 5, the committee members discussed the eligibility requirements for the issuance of reserved permits. Mara Levy noted that sufficient rationale would be needed to support the eligibility requirements. The committee discussed getting further feedback from the Shrimp AP during their upcoming meeting, now that additional information on this action item was available.

Finally, the committee discussed transit provisions and the relationship between the strictness of these provisions and the enforceability of those provisions.

In Other Business, finally, Chairwoman Bosarge remarked that she would like to review TED enforcement boarding form in the near future. Mr. Chair, this concludes my report.

CHAIRMAN ANSON: Thank you, Ms. Bosarge. All right. That concludes our committee reports and we have on the agenda the Vote on Exempted Fishing Permit Applications, if any, and we don’t have any and so that takes us to our Other Business and scheduled under Other Business on the agenda is the NOAA RESTORE Act Science Program Funding and Dr. Ponwith.

OTHER BUSINESS (CONTINUED)

NOAA RESTORE ACT SCIENCE PROGRAM FUNDING

DR. PONWITH: Thank you, Mr. Chair. This is just an informational piece and if you take a look in your briefing books, I see it’s up. The RESTORE Act Science Program, as you recall, released a request for proposals and awards have been funded in the first round of this call for proposals.

If you see in this document there were several awards made and included and in the interest of time, I won’t go through and read each of these, but I do urge you to take a look at this. These are projects that I think are going to make a significant contribution to the work that we’re trying to accomplish here with the council and certainly to do a better job of integrating across the Gulf of Mexico the work that we’re doing.

It includes monitoring programs and it includes some large-scale modeling efforts and looking at ways to monitor progress and improving ecosystem health in the system and including looking
at environmental indicators as a tool for measuring that progress.

Again, I would urge you to take a look at each of these awards and we will be, in the program, working toward developing the next request for proposals for this and, of course, depending upon the outcomes of this and certainly getting additional information about the potential funding landscape, that will also inform this next call for proposals for more in-depth work that we’re working on.

The first call for proposals really focused on some of the short-term priorities that we developed. You can refer back to the plan for the RESTORE Act Science Program and see the types of work, after this is accomplished, that we will be focusing on, more of the long-term programs. I guess what I would do is turn this over to see if there are any questions.

CHAIRMAN ANSON: Any questions for Dr. Ponwith? Thank you, Bonnie. I’m sure some of us will go back and try to review those and kind of keep up-to-date with those. Thank you. That takes us to the Other Business item that was added at the Approval of the Agenda and that would be -- We finished the discussion on preliminary red snapper landings and ACL and ACT and so that takes us to discussion of spiny lobster and I think that was Martha.

DISCUSSION OF SPINY LOBSTER

MS. BADEMAN: I think I brought it up, but we got a letter from Roy’s office stating that we went over the ACT again this year and that we need to convene that review panel. I think Doug sent an email about it. Do you want to speak to that, Doug?

EXECUTIVE DIRECTOR GREGORY: Right. I spoke with Kari MacLauchlin at the South Atlantic Council and we both would like to start this next review process with a joint AP meeting and then take their recommendations to the SSCs separately and then to the two councils and see what we can work out.

CHAIRMAN ANSON: Mr. Sanchez.

MR. SANCHEZ: I would be in full support of that. I think that would be a good way, an appropriate way, to start this.

CHAIRMAN ANSON: Dr. Crabtree.

DR. CRABTREE: Martha, I can’t remember, but does the FWC have
like a spiny lobster advisory group or anything like that?

**MS. BADEMAN:** Not now. It’s been a long time since we’ve convened one.

**CHAIRMAN ANSON:** All right and so it sounds like everyone is comfortable with that. That was the last item I had under Other Business at the time of the agenda and there was one thing that came up that I wasn’t aware of that I thought should be brought to the group’s attention and that’s related to the calendar for meetings in 2017 and if everyone could oblige a few minutes, I would like for Doug to go over that. Doug.

### DISCUSSION OF FUTURE MEETING DATES

**EXECUTIVE DIRECTOR GREGORY:** Hopefully not that long, but the calendar is on the website. You can click up and see the whole thing and what we have here is November. For 2017, we had this idea of having a July council meeting instead of a June council meeting. It seemed preferable to have a meeting after council appointments, so that we actually know who is appointed or who is going off the council. In a July meeting, we would know that. All the appointments are done before July, whereas in a June meeting we really don’t know.

We started with July and worked forward and backward and we ended up in November for our last meeting of the year. Now, Florida doesn’t have a commission meeting those two days, because they haven’t scheduled that far ahead. Mississippi does and we can’t always avoid overlap with some states and so it’s inevitable during the year we would get some overlap.

I just wanted to bring it to your attention, since we’ve never gone into November before, that these days, this week before Thanksgiving, is not tremendously burdensome to the group.

**CHAIRMAN ANSON:** Martha.

**MS. BADEMAN:** I will say that it is probably going to be an issue for me. Our commission meets in November and I think it’s typically that week, just because we’re trying to avoid Election Day and Thanksgiving and all that.

I am in a situation where I have to present to them and rulemaking and everybody on my team is at that meeting and presenting and so that would be problematic for me and so I am just going to put that out there. I know that’s not the case maybe with all the other state directors. I don’t think
everyone attends their meetings or presents at them, but it’s an issue for me, more than likely.

EXECUTIVE DIRECTOR GREGORY: Okay. Could you also put up the December calendar? If we go forward, the next available week is December the 11th and that’s two weeks before Christmas.

MR. BOYD: So basically the council schedule of meetings for next year is changing June and October and --

EXECUTIVE DIRECTOR GREGORY: Next year is like we’ve been doing, June and October. This is for 2017, a proposal. I am trying to get ahead of the curve.

MR. DIAZ: Doug, I am just trying to figure out -- Your original rationale was so we would know who the new council members were, but what real bearing does that have, if we know or we don’t know, in that meeting? Because they won’t start in July. They will start in --

EXECUTIVE DIRECTOR GREGORY: We will know who is going off the council.

MR. DIAZ: But does that really have a bearing on anything though?

EXECUTIVE DIRECTOR GREGORY: I know it’s a rule of thumb that if somebody is up for reappointment that they get reappointed, but it kind of concerned me that this year -- What if somebody was up for reappointment and they did not get reappointed and we didn’t have the appropriate protocol for sending them off into the wild blue yonder and as far as council business goes, that’s not high priority, but I thought it was a good gesture. You all are such a tight group of people and that’s the only rationale to move to July, so we know who might be going off the council and we can give them a good sendoff all together, all at once.

CHAIRMAN ANSON: Just to add to that, June for sure is a pretty busy month for council members and a lot of folks that like to come to the meetings and July might not be as busy. Granted, it’s still pretty busy, but it’s a little bit less busy. Dr. Crabtree.

DR. CRABTREE: This creates a lot of problems, because I can tell you that the next week in December is traditionally the Caribbean Council meets that week. Every year we meet and we have the Caribbean and South Atlantic in December and so -- Let me tell you they are not as much fun as you may think, their
council meetings.

**EXECUTIVE DIRECTOR GREGORY:** We have already moved one of our meetings to accommodate you.

**DR. CRABTREE:** That’s because you scheduled it on top of the South Atlantic, which you shouldn’t have done, but, from my perspective, I don’t think moving the council meeting in July because of council sendoffs is enough reason to upset the apple cart and so I think we ought to continue to meet in June.

**CHAIRMAN ANSON:** Myron.

**MR. FISCHER:** If that were the case, we have a Governor’s election at the end of this month and this might have been my sendoff.

**CHAIRMAN ANSON:** All right and so it sounds like Doug and staff will go back and reevaluate and probably end up with a June meeting schedule and in October, more than likely.

**EXECUTIVE DIRECTOR GREGORY:** Please put up the June calendar. Then we’ve got the week of June 5th to work with, basically. Then we will work back and forth from there and I will email something out to everybody next week or to the Chair first and then, once the Chair approves it, to everybody.

**CHAIRMAN ANSON:** Martha.

**MS. BADEMAN:** I was just going to note those are not necessarily the days that our meeting would be. We can work around you in June. My concern with November was there was nowhere for us to move our meeting and we were going to be on top and that’s just going to be inevitable. In June, if you guys are late in the month and we’ll be early in the month or we can work around that.

**EXECUTIVE DIRECTOR GREGORY:** I thought you told me these dates were already fixed.

**MS. BADEMAN:** No, not in 2017, no, but for November, which we talked about, because of the holidays in there, we would end up on the same week and I can see that conflict coming, but for June, we typically work around you guys. If you guys are set before us, then we’re willing to do that.

**CHAIRMAN ANSON:** Okay. That wraps up that last agenda item, the Other Business item that came up. Is there anyone else that
needs anything else or wants to discuss anything under Other Business? With that being said, the meeting is adjourned. Thank you.

(Whereupon, the meeting adjourned at 11:30 a.m., October 7, 2015.)

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# TABLE OF CONTENTS

1 Call to Order, Announcements, and Introductions .................. 3
2 Adoption of Agenda and Approval of Minutes ....................... 5
3 Approval of 2016 Committee Appointments ......................... 6
4 Presentations .................................................................... 12
   Southeast Observer Program ........................................... 12
   Standardized Reporting Bycatch Methods ............................ 21
5 Review of Exempted Fishing Permit Applications .................. 24
6 Committee Reports .......................................................... 24
   Sustainable Fisheries/Ecosystem Committee Report ............... 24
   Admin Policy and Budget Committee Report ....................... 26
   SEDAR Committee Report ............................................. 27
7 Other Business ................................................................... 28
   Update on Red Snapper Landings ...................................... 28
8 Public Comment .................................................................. 36
9 Committee Reports (Continued) ........................................... 109
   Mackerel Management Committee Report ............................ 109
   Reef Fish Management Committee Report ............................ 126
   Data Collection Committee Report .................................... 223
   Shrimp Management Committee Report ................................ 227
10 Other Business (Continued) ................................................ 228
   NOAA RESTORE Act Science Program Funding ................... 228
   Discussion of Spiny Lobster ............................................. 229
   Discussion of Future Meeting Dates ................................. 230
11 Adjournment .................................................................... 233
12 Table of Contents ............................................................ 234
13 Table of Motions ............................................................... 235

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TABLE OF MOTIONS

PAGE 10: Motion to accept the committee assignments as shown in Tab A-6, with the naming changes between Administrative Policy and Budget/Personnel, as described, and with the additions to committees that have been discussed. The motion carried on page 11.

PAGE 26: Motion that the council move the appointment of the Spiny Lobster and Coral APs to 2016. The motion carried on page 26.

PAGE 29: Motion to direct staff to begin a framework action for the recreational red snapper fishery to reduce the buffer between the ACT and the ACL. The motion carried on page 35.

PAGE 110: Motion in Action 1, Adjust the Management Boundary for Gulf of Mexico and Atlantic Migratory Groups of King Mackerel, to make Alternative 3 the preferred alternative. Alternative 3 is to establish a single year-round boundary for separating the Gulf and Atlantic migratory groups of king mackerel at the Miami-Dade/Monroe county line. The Gulf Council would be responsible for management measures in the mixing zone. The motion carried on page 110.

PAGE 110: Motion in Actions 4 and 5 of CMP 26 to accept the South Atlantic Council’s modified language. The motion carried on page 110.

PAGE 111: Motion to amend Alternatives 3 and 4 in Action 4 of Coastal Migratory Pelagic Amendment 26 such that the end of season one is October 31 instead of October 1. The motion carried on page 111.

PAGE 111: Motion in Action 6, Modify the ACL for Gulf Migratory Group King Mackerel, to make Alternative 2 the Preferred Alternative. Alternative 2 is set the Gulf migratory group king mackerel ACL equal to the ABC recommended by the Gulf Scientific and Statistical Committee for 2015 through 2019. ABC values are in millions of pounds, whole weight. The motion carried on page 112.

PAGE 117: Motion to accept the IPT’s recommendations to give staff editorial license to update Action 8, Revise the Recreational and Commercial Allocations for the Gulf Migratory Group King Mackerel, to reflect the council’s intent. The motion carried on page 118.
236

PAGE 118: Motion in Action 8, Alternative 4 to add an option to transfer 15 percent of the stock ACL to the commercial sector. The motion carried on page 119.

PAGE 120: Motion in Action 9, Modify the Recreational Bag Limit for Gulf Migratory Group King Mackerel, to select Alternative 3 as the preferred alternative. Alternative 3 is to increase the bag limit to four fish per person per day. The motion carried on page 125.

PAGE 126: Motion to discontinue work on Coastal Migratory Pelagics Amendment 28. The motion carried on page 126.

PAGE 128: Motion to have the council explore working with a consortium of scientists to begin working with stock assessments. The motion carried on page 131.

PAGE 131: Motion to ask for an analysis of a one-fish bag limit for gray triggerfish. The motion carried on page 133.

PAGE 133: Motion that at the next council meeting to review the status of Amendment 33 and Amendment 36, the contents of these amendments, workload implications, and to have a discussion on how to proceed. The motion carried on page 139.

PAGE 139: Motion to ask for an analysis of both the effect of a fifteen-inch and a sixteen-inch minimum size limit on triggerfish. The motion carried on page 140.

PAGE 151: Motion in Action 3 to add a new preferred alternative that would remove the June 1 through 30 portion of the fixed closed season and begin the season on June 1 and close when the recreational ACL is projected to be met. The motion carried on page 153.

PAGE 155: Motion that the council approve the Final Framework Action for Gag and Black Grouper and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 157.

PAGE 158: Motion to add an action to look at increases to the minimum size limit for hogfish. The motion carried on page 158.
PAGE 159: Motion to direct staff to begin a framework amendment that would increase the minimum size limit for commercial harvest of gag grouper to twenty-four inches total length. The motion carried on page 159.

PAGE 160: Motion in Action 1 to add Alternative 5, Option b as a preferred alternative. Alternative 5 is to establish a provision to sunset regional management after Option b, five calendar years of the program. The motion carried on page 160.

PAGE 160: Motion in Action 2 to make Alternative 4 the preferred alternative. Alternative 4 is to 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 the 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. The motion failed on page 189.

PAGE 189: Motion to replace Preferred Alternative 5 with Alternative 8 in Action 6. Alternative 8 would apportion the recreational sector ACL or component ACLs among the regions selected in Action 3, such that each region’s allocation provides an equivalent number of fishing days. The motion failed on page 192.

PAGE 192: Motion in Action 7 to remove Alternatives 3 and 4 and add Options a and b, as proposed by staff. Option a is if a region has both a private angling ACL and a federal for-hire ACL, the reduction will be applied to the component that exceeded the applicable ACL. Option b is if a region has both a private angling ACL and a federal for-hire ACL, the reduction will be applied equally to both components. The motion carried on page 192.

PAGE 202: Motion to begin a separate amendment that would address management issues with the yellowtail snapper. The amendment would address consolidating the ABC/ACL and yellowtail snapper AMs and remove these from the South Florida amendment, as well as the commercial fishing year start date and recreational/commercial allocations in both Gulf and South Atlantic jurisdictions. The motion carried on page 203.

PAGE 203: Motion in Action 7, Partial Delegation of Recreational Management of Black Grouper to the State of Florida in Federal Waters Adjacent to the State of Florida, to have Action 7 apply to the waters adjacent to the State of Florida. The motion carried on page 203.
PAGE 203: Motion in Action 7 that Alternative 2d be moved to considered but rejected. Option 2d is minor modifications to existing allowable gear. The motion carried on page 203.

PAGE 203: Motion to remove Actions 10 and 11 in the options paper and replace them with Actions 6, 7 and 8 in the restructured document. The motion carried on page 204.

PAGE 210: Motion to postpone the discussion on the formation of an Ad Hoc Private Recreational AP until the January council meeting. The motion carried on page 220.

PAGE 222: Motion to add a new Alternative 5 to Action 1 of the yellowtail snapper framework action and that would read something of the likes of remove the requirement to use circle hooks when commercial fishing with natural bait for yellowtail snapper south of 25 degrees, 9 minutes North latitude on the west coast of Monroe County, Florida, and south to the Gulf Council jurisdictional boundary. The motion carried on page 222.

PAGE 223: Motion to agree with the South Atlantic Council and split the Joint Modifications to Charter Vessel and Headboat Reporting Requirements Amendment into two separate amendments. The motion carried on page 224.

PAGE 224: Motion to remove the South Atlantic members from the technical subcommittee membership list. 3.1 Membership is Mike Cahall, Mike Errigo, Eric Hiltz, and Doug Mumford. The motion carried on page 224.

PAGE 227: Motion that the council convene a working group to evaluate aggregate MSY and OY for all shrimp species. The motion carried on page 227.

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