

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

AD HOC CHARTER-FOR-HIRE DATA COLLECTION ADVISORY PANEL

Gulf Council Office

Tampa, Florida

JANUARY 10-11, 2024

AP MEMBERS

- 10 Joshua Ellender.....Houma, LA
- 11 Richard Fischer.....LA
- 12 Jim Green.....Destin, FL
- 13 Michael Jennings.....Freeport, TX
- 14 Bo Johnson.....
- 15 Steve Papen.....Madeira Beach, FL
- 16 Clarence Seymour.....Biloxi, MS
- 17 Clay Shidler.....Crystal River, FL
- 18 Thad Stewart.....Orange Beach, AL
- 19 Josh Swinford.....Biloxi, MS
- 20 Abby Webster.....Freeport, TX

STAFF

- 23 Assane Diagne.....Economist
- 24 John Froeschke.....Deputy Director
- 25 Lisa Hollensead.....Fishery Biologist
- 26 Emily Muehlstein.....Public Information Officer
- 27 Bernadine Roy.....Office Manager
- 28 Charlotte Schiaffo.....Administrative & Human Resources Assistant
- 29 Carrie Simmons.....Executive Director

OTHER PARTICIPANTS

- 32 Reese Alvis.....FWC
- 33 Karyl Brewster-Geisz.....NMFS
- 34 Michael Colby.....FL
- 35 Troy Frady.....AL
- 36 Dylan Hubbard.....FL
- 37 Brian Lewis.....FL
- 38 Andrew Peterson.....Bluefin Data, LA
- 39 Brett Pierce.....
- 40 Rich Malinowski.....NMFS
- 41 Michelle Masi.....NMFS
- 42 Jessica Stephen.....NMFS
- 43 Andy Strelcheck.....NMFS
- 44 Ed Walker.....GMFMC

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[PAGE 108](#): Motion to adopt the following objectives for a new charter-for-hire data collection program: increasing the timeliness of catch estimates for in-season monitoring; increasing the temporal (and/or spatial) precision of catch estimates for monitoring; reducing biases associated with collection of catch and effort; and increasing stakeholder trust and buy-in associated with data collection. [The motion carried on page 109.](#)

[PAGE 111](#): Motion that the council not require twenty-four-hour tracking. [The motion carried on page 114.](#)

[PAGE 114](#): Motion to recommend the council explore less-burdensome options than VMS for trip validation to achieve the objectives of the program. [The motion was withdrawn on page 117.](#)

[PAGE 118](#): Motion to recommend to the council that trip declarations include the following components: vessel registration number, captain's name, departure date and time, estimated return date and time, location, and trip type. [The motion carried on page 124.](#)

[PAGE 126](#): Motion to recommend to the council that trip declarations are only required for for-hire fishing trips before departure. [The motion carried on page 130.](#)

[PAGE 130](#): Motion to recommend to the council that one mechanism be used to report all fishing activity across sectors and regions. [The motion carried on page 133.](#)

[PAGE 136](#): Motion to recommend to the council that a trip report include the following components: vessel registration number, captain's name, departure date and time, actual return date and time, location, trip type, angler count, passenger count, crew count, average depth fished, general area fished (GPS format), individual species data kept and discarded, fishing occurred (yes/no), primary gear used, and primary target species. [The motion carried on page 143.](#)

[PAGE 162](#): Motion to recommend the council add an optional depredation data section to the data reporting to include a selection list of predatory species and marine mammals. [The motion carried on page 164.](#)

[PAGE 164](#): Motion to recommend the council remove the economic

1 information data from the daily reporting requirements and explore
2 other methods for collecting economic data in the for-hire
3 industry. [The motion carried on page 172.](#)
4

5 [PAGE 172](#): Motion to recommend the council move towards weekly
6 reporting instead of daily reporting. [The motion was withdrawn on](#)
7 [page 176.](#)
8

9 [PAGE 176](#): Motion to ask NOAA Fisheries and the council to explore
10 some options to address permit renewal issues that maintains the
11 integrity of the for-hire data collection program and provides
12 some flexibility for program participants. [The motion carried on](#)
13 [page 185.](#)
14

15 [PAGE 189](#): Motion to recommend the council use industry outreach
16 and be part of the development and implementation plan such as the
17 port ambassador program. [The motion carried on page 193.](#)
18

19 [PAGE 193](#): Motion to recommend the council maintain the component
20 of the SEFHIER program that allowed safe dockage before submitting
21 report and offloading fish. [The motion carried on page 196.](#)
22

23 [PAGE 197](#): Motion to recommend to the council that we explore the
24 following validation efforts to ensure our data can be used to
25 reduce scientific uncertainty and management uncertainty and be
26 used in a stock assessment passing peer review with the following
27 tools: 1)hail out (trip declaration); 2)logbook; 3)dockside
28 intercepts; 4)explore trip validation options such as effort
29 validation button, which would capture GPS coordinates of the
30 device (phone) and this would be required to be hit by captain
31 after declaration, before trip report, while seaward of
32 demarcation line or geofences options; 5)no fish reports required,
33 only weekly like currently required in SRHS - meaning if you do
34 not fish at all in a week you'd have to do a no fish report... if
35 you fish one day during that week you wouldn't be required a no-
36 fish report. [The motion carried on page 221.](#)
37

38 [PAGE 222](#): Motion to recommend the council move forward with
39 reimplementing the SEFHIER program as soon as possible with current
40 available options excluding vessel tracking and economic data
41 requirements while continuing to explore AP recommendations to
42 improve data integrity and usability. [The motion carried on page](#)
43 [223.](#)
44

45 [PAGE 223](#): Motion to recommend the council not move forward with
46 a for-hire IFQ program. [The motion carried on page 227.](#)

1 The Ad Hoc Charter-For-Hire Data Collection Advisory Panel of the
2 Gulf of Mexico Fishery Management Council convened at the Gulf
3 Council Office in Tampa, Florida on Wednesday morning, January 10,
4 2024, and was called to order by Dr. Lisa Hollensead.

5
6 **INTRODUCTIONS AND ADVISORY PANEL MEETING PROCESS OVERVIEW**

7
8 **DR. LISA HOLLENSEAD:** Okay. It looks like we've got everybody
9 settled here, and we'll get ready to kick-off this meeting. For
10 those of you that don't know me, I'm Lisa Hollensead. I'm a
11 fishery biologist here, and I'll be your staff representative on
12 this meeting, which means that I also am going to read this welcome
13 statement to you all.

14
15 Good morning. My name is Lisa Hollensead, and I welcome you all
16 to the Gulf of Mexico Fishery Management Council's Ad Hoc Charter-
17 for-Hire Data Collection Advisory Panel. We appreciate your
18 attendance and input at this meeting. Representing the council is
19 Captain Ed Walker, right here to my left. Council staff in
20 attendance, in addition to myself, are Carrie Simmons, John
21 Froeschke, Emily Muehlstein, and Bernie Roy.

22
23 Notice of this meeting was provided to the Federal Register and
24 send via email to subscribers of the council's press release email
25 list and posted on the council's website. This meeting will focus
26 on providing Gulf-wide stakeholder insight on the development of
27 a new electronic data collection program for the charter-for-hire
28 and headboat fishing industry. There will be time for the public
29 to provide comment at the end of each day, and we ask that members
30 in attendance wait until that time to address the advisory panel.

31
32 This meeting is open to the public and is being streamed live and
33 recorded. The meeting agenda and background materials may be found
34 on the council's website. A summary and verbatim minutes of the
35 meeting will be produced and made available to the public via the
36 council's website, and so what that means is somebody is actually
37 going to listen to the recording of this meeting and then type up
38 those verbatim minutes, and so, if you can imagine somebody with
39 just headphones typing in things, that's what they're going to
40 have to do, and so if you could help us, and, before you speak, if
41 your name isn't called on, say, my name is, so that that individual
42 knows who to attribute that to, and so if you just don't mind
43 keeping that in mind while we do that.

44
45 For the purpose of voice identification, please identify yourself
46 by stating your full name when your name is called for attendance,
47 and, also, for meeting transcription purposes, please remember to
48 identify yourself each time before speaking, and so just as I

1 mentioned, and so Bernie is going to take attendance, and so she's
2 going to listen, and we're going to go through the room.

3
4 Since this is the first meeting of this group, we'll try to do a
5 little get-to-know-each-other sort of thing, and we're going to
6 have a little bit more prolonged introduction, just since this is
7 the first meeting, so everybody can kind of get to know each other.
8 What we're going to do is I'm going to ask you to say your name
9 and where you're from, what part of the Gulf you're from, and
10 that's the first thing. The second thing I'm going to ask you is
11 what is your experience with the charter-for-hire industry, how
12 long have you been involved, what type of boat do you run, those
13 sorts of things. Then, third, I'm going to ask you what's your
14 experience with SEFHIER, and so just a real brief description of,
15 you know, how you've interacted with SEFHIER and that, so everybody
16 can get an idea of where everybody is coming from. Abby, I'm going
17 to start with you, please.

18
19 **MS. ABBY WEBSTER:** My name is Abby Webster, from Freeport, Texas,
20 and I own and operate a charter boat. Next question?

21
22 **DR. HOLLENSEAD:** So your experience with SEFHIER.

23
24 **MS. WEBSTER:** Just, in general, dealings with the council for the
25 last almost ten years.

26
27 **MR. JIM GREEN:** My name is Captain Jim Green, from Destin, Florida,
28 and I run the American Spirit. It's a ninety-two-foot headboat,
29 and I also am the President of the Destin Charter Boat Association,
30 for the last four years, Vice President for eight or nine years
31 before that, and I'm the President of the Charter Fishermen's
32 Association.

33
34 **DR. HOLLENSEAD:** And your experience with SEFHIER?

35
36 **MR. GREEN:** I was a port ambassador, which was a program that CFA
37 started, with ten ambassadors from around the Gulf. We worked
38 with the agency, and our stakeholders, and our fellow industry,
39 and we tried to bridge that gap. We tried to bridge that gap
40 between the needs of the industry and the needs of the agency to
41 try and make a smooth implementation. We trained -- Each one of
42 us trained, and help train, people that needed help with the
43 technology and making sure that things were installed properly.
44 Thank you.

45
46 **MR. THAD STEWART:** My name is Thad Stewart. I operate a boat out
47 of Orange Beach, Alabama, called Predator. It's a forty-six-foot
48 Marine Management. I've been operating that boat for three years.

1 Prior to that, I was a mate for nine years, and my experience with
2 SEFHIER has been just general operating and using it and being
3 part of it, both the good and the bad, and I've seen both.
4

5 **MR. MICHAEL JENNINGS:** I am Michael Jennings, out of Freeport,
6 Texas. I own and operate two federally-permitted charter boats
7 and one commercial reef fish boat out of Freeport, Texas. My
8 experience with SEFHIER is I was also one of the port ambassadors,
9 and I was involved with Bluefin and VESL throughout the pilots and
10 the implementation of it, early on with working through the
11 glitches of the program, et cetera, trying to test them on the
12 water and so forth, and I've been involved since day-one.
13

14 **MR. JOSHUA ELLENDER:** Joshua Ellender, and I'm from Houma,
15 Louisiana, and I operate out of Cocodrie, Louisiana, and I'm the
16 General Manager of Coco Marina, and I manage a fleet of five
17 charter boats for-hire. I've been in the industry for roughly
18 fifteen years, and I did everything from inshore to offshore. My
19 experience with SEFHIER is just the use of it last year, really,
20 of the good and the bad, like the man said over here, but that
21 sums it up.
22

23 **MR. RICHARD FISCHER:** Richard Fischer, and I am the representative
24 and advocate for the seventy or eighty federally-permitted charter
25 guides out of Louisiana. My experience with SEFHIER is really
26 just having a whole lot of conversations with those guys, hearing
27 the good, the bad, the ugly from the program, and reporting it
28 back to groups like this, and I shudder to say that I may be the
29 individual that has commented the most, at public testimony at
30 Gulf Council meetings, regarding logbooks, and I think that might
31 be the case, and so I've had a lot of conversations with our guys,
32 and I'm very ready to get into the details about what has worked,
33 what hasn't worked, and we can either move forward or not. Thank
34 you all very much.
35

36 **MR. CLAY SHIDLER:** My name is Clay Shidler, and I own and operate
37 ten federally-permitted charter boats out of Crystal River,
38 Florida. I also own Shrimp Landing Marina. I've been a full-time
39 charter captain for twelve years, and I'm thirty years old, and,
40 as a company, we do about 1,800 charters a year, and we've gone
41 through -- Well, our experience with SEFHIER is we had gone through
42 some of the headaches, and some of the positives of it, and I think
43 there's a lot of both in the original program, and I definitely
44 look forward to coming up with something that we can all agree
45 with.
46

47 **MR. JOSH SWINFORD:** I'm Josh Swinford, from Biloxi, Mississippi.
48 We run Strike Zone Charters, and it's a thirty-six-foot Yellowfin.

1 I'm a first-year stakeholder, and I have a background in biology,
2 a degree from Mississippi State, and I worked for Gulf Coast
3 Research Lab, and several of the research vessels in the past, and
4 I'm happy to be part of the team. I have limited use of SEFHIER
5 over the last couple of years, but I'm happy to be part of it and
6 put in my words for our guys back home.

7
8 **MR. CLARENCE SEYMOUR:** Clarence Seymour, Biloxi, Mississippi,
9 twenty-six-year federally-permitted six-pack. As far as the
10 SEFHIER program goes, I've been on the beginning of the pilots,
11 all the way through the last -- Through with SEFHIER, and we've
12 helped, you know, get most of the data collection devices up and
13 running, and such as that, and I'm happy to be here.

14
15 **MR. STEVE PAPEN:** Steve Papen, and I run out of Madeira Beach,
16 Florida. I have two federally-permitted charter boats, and twenty-
17 six years, so far, I've been in business, and, as far as SEFHIER
18 goes, we just want it to work, you know, and we've been doing it
19 since it started, and we were doing the pilot program and all that,
20 and, you know, it's got some problems that I think we're supposed
21 to fix, and let's do it.

22
23 **MR. BO JOHNSON:** My name is Bo Johnson, and twenty-six years seems
24 to be a number today, but roughly twenty-six years, and the first
25 job I ever had was on a grouper trapping boat, and I've done
26 everything from commercial to that, and I went into guiding, and
27 I've got two boats permitted for charter, and, also, I have
28 commercial permits on it. I ran that, until I couldn't do it
29 anymore, and now we're going to see what happens with this one.

30
31 **DR. HOLLENSSEAD:** Okay. Thank you, all. Bernie, is Kevin on?

32
33 **MS. BERNADINE ROY:** No, he's not.

34
35 **DR. HOLLENSSEAD:** Okay. All right. Thanks. I appreciate you all's
36 introductions, and I certainly appreciate you all being here,
37 absolutely, and so, again, since this group is meeting for the
38 first time, we've got some folks with varying experience with the
39 council, and some have been involved for a long time, and some
40 folks are new to the process, and so we're going to have sort of
41 a calibration setting, so everybody is on the same wavelength, a
42 presentation to give sort of an introduction of the process. Emily
43 was supposed to give this, but she's under the weather, and so
44 it's me, and so I'm going to do my best Emily impression here, and
45 so, Bernie, if you don't mind pulling up that presentation. Thank
46 you.

47
48 So welcome aboard, and you may have some questions, here initially,

1 of how do advisory panels work in this process. Generally, these
2 panels have a well-rounded understanding of each component of
3 fishery management. The council wants to draw upon your expertise,
4 right, and you guys are really deep into the industry, and so they
5 want to gain from your knowledge, and take your recommendations,
6 and so you may be asking yourself what role does the council play
7 in making fishing regulations, how do these advisory panels
8 function, and what is my responsibility as a member here, and how
9 will my contribution influence fisheries management?

10
11 Who is the council? There are several voting members, the Regional
12 Administrator of NOAA Fisheries, directors of the five Gulf states
13 marine resource management agencies, and so there's state
14 representation on there, as well as eleven members of the public
15 who represent the different interests in the fishery.

16
17 There's also a couple of non-voting members from the Coast Guard,
18 Fish and Wildlife, Department of State, and Gulf States Marine
19 Fisheries. I will note that Captain Ed Walker is here for the
20 meeting, and he is here to observe. He is a council member, and
21 he's here to listen to what you all have to say, and, if there's
22 any clarifying questions at the council meeting, he can help report
23 some of that back, and so that's why he's here today as well.

24
25 What is a fishery management council? Congress created the
26 Magnuson-Stevens Fishery Conservation Act, and so that's what this
27 operates under, which created these regional fishery management
28 bodies, for which we are in the Gulf of Mexico here, and so that's
29 the Gulf of Mexico Management Council. It's this sort of back-
30 and-forth between science and policy of the NOAA groups, and so
31 that includes the Regional Office, which we have some
32 representation of folks, staff, here from that today, as well as
33 the Science Centers, and so sort of this partnership to come up
34 with fishing regulations, essentially, and so that's how the
35 process sort of works.

36
37 Within that larger umbrella is the advisory panels, and so they
38 can provide recommendations to the councils, and, you know, it
39 goes up to the council committee. This committee report will be
40 forwarded-out to the Data Collection Committee for the council,
41 and they will listen to that, as well as, you know, taking some
42 public comment here, and that's one of your jobs to do, and so
43 it's just to, you know, support the council in what it does.

44
45 Advisory panels, like I said, there's a lot of industry folks, and
46 there's also what we call the SSC, the Scientific and Statistical
47 Committee, and so those are folks that are really engrained in
48 sort of the science portion, but recognizing that it's this nice

1 synthesis of science and knowledge from fishermen, and that's where
2 the advisory panel comes in.

3
4 Now, you guys are a special advisory panel, and it's known as an
5 ad hoc, and so a lot of advisory panels are sort of more general
6 in their scope, right, and they're just reef fish, or coastal
7 migratory pelagic, issues, or even data collection, but you guys
8 have been given a very specific directive, which I will talk a
9 little bit after this, and so this is to talk about the data
10 collection for the for-hire, and so you're a little different
11 flavor of advisory panel.

12
13 One of the things that is appropriate to do is, you know, we'll
14 make a summary report for this to go to the council to see, and
15 we'll include any motions that you may have, any recommendations
16 and that sort of thing, and it gets reported right back to the
17 council. Once given recommendations, it's up to the committee, or
18 the council, to decide whether or not they want to take action,
19 and the committee recommendations are then handled by the Full
20 Council, and so it's sort of this moving-up process at the council
21 level.

22
23 So what is your role, as an AP member? So you're expected to
24 contribute to a dialogue, okay, and so feel free to speak up, and
25 this is your time to do so, using your personal knowledge, and
26 perspective, to guide the AP and, consequently, the council,
27 towards the big-picture understanding of the issues at-hand, and
28 so they definitely want to hear from you, because the council
29 benefits from your advice on potential solutions and better
30 understanding of the pros and cons of proposed management changes.

31
32 How does it function? As an AP member, you're expected to make
33 some recommendations to the council, and that's ideal, to be able
34 to do that. Again, we write-up these summary reports, but
35 certainly, if you would like to tell the council that, hey, this
36 is a recommendation that this body has decided to put forth towards
37 the council, motions are a great way to do that, and they follow
38 the Roberts Rules of Order, and so somebody could pose a motion
39 that, hey, this is something that I would like to say, like
40 chocolate chip cookies are the best, and you will get a second
41 from somebody that says, yeah, I'm really into chocolate chip
42 cookies, and then, you know, you can vote for consensus, and there
43 might be somebody that says, hey, no, actually, peanut butter
44 cookies are the best way to go, and so, just so you know, I'm not
45 going to vote for this motion, and I can't support it, and I don't
46 like chocolate, whatever the case is, right, and so then you would
47 then vote, and that consensus statement would go up to the council
48 as a recommendation, that we recommend that chocolate chip cookies

1 be served at our next meeting, something like that.
2
3 When doing that, make sure that you listen to the other side,
4 right, and there's going to be people that may not necessarily
5 have the same approach as you, and that's fine. Just make sure
6 you listen to the other side, and certainly focus on the issues,
7 and not the personalities, right, and so a position that somebody
8 might take -- Do you want to go ahead and then, you know, give
9 your counter to that position, and not necessarily, you know, the
10 person giving it.
11
12 Avoid questioning motives, and always just be polite. Like I said,
13 somebody may be coming from something different, and their
14 approach, or experience, might be a little different. Go ahead
15 and listen, and then always be sure to voice what you were thinking
16 as well, and so that allows that person to understand where you're
17 coming from, and so then we can start to discuss and potentially
18 come up with consensus, or a motion, depending on what the group
19 wants to do.
20
21 Recommendations that the panel can agree on are more meaningful
22 than split votes, and so, again, if it's unanimous for chocolate
23 chip cookies, that sends a strong signal to the council that, hey,
24 everyone was in agreement that there is chocolate chip cookies,
25 but there are times when there is a little bit of division, right,
26 and so, if you say, hey, you know, I'm not necessarily for this
27 motion, and this is the reason that I might vote against it, or
28 this sort of thing, you know, that comes up at the council, and
29 they will see it, and they will be like, hey, there was three
30 people that voted against chocolate chip cookies, and are they
31 really into oatmeal raisin, and then the answer would be that, no,
32 actually, and oatmeal raisin never came up, and nobody wants that
33 cookie, or whatever, and it was more peanut butter, and so then
34 they can take that into consideration.
35
36 Even if you think that something may not get passed, go ahead and
37 say that, and we capture it in the summary, but sometimes it's
38 also reflected in the verbiage of the motion, and so just keep
39 that in mind. If there's a division in the group, providing the
40 council with your rationale of your pros and cons helps give them
41 context for that motion.
42
43 Your responsibility, as an AP member, is to review some of the
44 background materials in advance of the meeting, but if, at any
45 point, you would like us to print something out or anything, that
46 you need some material, let us know, and we'll get that for you,
47 even during the meeting, and so, even if the meeting has started,
48 and you would feel like you would like something, go ahead and ask

1 us, and we'll make sure we get that to you.

2
3 Actively participate in each meeting. Don't think, well, nobody
4 wants to hear that, or maybe that question is -- I promise you
5 that somebody else probably has your same question, and so, if you
6 go to raise your hand and ask that question, you know, you may
7 actually be helping somebody out, and so feel free to forcefully
8 speak, but maintain civility, and we strive to work towards clear
9 recommendations and feedback to the council. If the majority can't
10 agree, that's okay, but, you know, make sure that we have your
11 rationale.

12
13 One of the things that you're going to do here at your first
14 meeting is you are going to select a chair, okay, and so, just
15 like you as an AP member, a regular AP member, have
16 responsibilities to your fellow AP members, you have
17 responsibilities to your AP chair, and your AP chair also has
18 responsibilities to the larger group, okay, and so they're going
19 to move the AP through the meeting agenda. If it gets hung around
20 the axle or something, and it seems like we're kind of talking in
21 circles, the chair might say, okay, I'm going to take one more
22 comment, but then we have to move on to the next thing, or
23 something, and so that's at his or her discretion, and so just
24 keep that in mind.

25
26 They also want to ensure the sufficient consideration of each
27 issue, and so it's not that somebody is going to raise their hand
28 to want to speak and then they're never called on, right, and so
29 the chair is to make sure that they go through, see that anybody's
30 hand is raised, that everybody is acknowledged and has an
31 opportunity to speak. Allow each member equal opportunity to
32 contribute and prevents anyone from dominating the conversation,
33 right, and so that's the chair's responsibility to the group.

34
35 Ensure that members have a clear understanding of issues and topics
36 before voting, right, and so, if a motion comes onboard, you know,
37 somebody asks them, you know, that person, hey, what's a little
38 bit of your rationale for that, so everybody can understand where
39 that person is coming from, and then it's the chair's job to be
40 like, is everybody clear on what we're about to vote on, right, so
41 there's no misunderstanding of, hey, I actually didn't want to do
42 that, and I didn't realize that. Before they go to vote, if you
43 have a question on something, feel free to -- You know, when the
44 chair prompts that, you know, to raise your hand and ask your
45 question.

46
47 Ensure that members have a clear understanding of the issues and
48 topics before voting, if votes are necessary, and so I kind of

1 mentioned that. Promote clear and useful feedback and
2 recommendations to the council, and so, you know, the council works
3 best when you can give something that's very directive. If it's
4 a little -- You know, if there's a motion, or a recommendation,
5 that's a little fuzzy, you know, that leaves them to have to do
6 some interpretation, and so, the more direct you can be, the
7 better.

8
9 Review agendas and meeting summaries and represent the AP at the
10 council, and so largely the chair will then attend the meeting,
11 report out, and answer any follow-up questions that the council
12 might have, and so that's the AP chair's function. Typically, the
13 AP chair does not vote on a motion, unless there's a tie, and so
14 just keep that in mind as well.

15
16 Okay. What happens to an AP recommendation? Okay, and so we've
17 all decided that chocolate chip cookies are the way to go, right,
18 and so a summary report of each meeting will be drafted, by staff,
19 and presented to the council by staff, with the chair's input, and
20 so I'm going to write up a summary of this meeting, and I will
21 double-check with the council chair, to go through all of this,
22 and then that will be presented to the council.

23
24 The council committee will then make recommendations to the Full
25 Council, of, hey, this is what the AP said, and, you know, we
26 agreed with this recommendation, or whatever the case might be,
27 that chocolate chip cookies are the way to go, and it's coming out
28 of committee to the Full Council, and then the council will decide
29 what action to take after that, considering that recommendation.

30
31 Certainly there is all sorts of ways to engage in the process. We
32 have press releases, that you can sign-up with your email, so you
33 always stay in the know of what's going on, and we have a Facebook
34 and Instagram presence, if that's more your jam cakes, and you
35 like to follow that through social media, we are there, and we
36 also put out YouTube videos for most of our documents that we are
37 going to get final on, so people can get an idea of what's actually
38 going on in the document, and it's sort of a condensed video
39 format, and certainly there is the amendment page, under the --
40 Excuse me. You can visit the Amendments Under Development webpage,
41 and so that's where you can read the whole kit-and-kaboodle, if
42 you really want to dive into the details, and we also make that
43 available to everyone.

44
45 Does anybody have any questions on how the process sort of works,
46 and what the role of the AP chair is, and your role in all of this?
47 Does anybody have any questions? Okay. Great. Okay.

1 The next thing we're going to do is we're going to have our
2 elections for chair and vice chair, and so we're going to do the
3 chair first, and so what will happen is somebody will raise their
4 hand, and they will call out a nomination, get a second for that
5 nomination, and so somebody will say, you know, Captain X, and
6 then it gets a second, and then they'll be put on the board, and
7 somebody could nominate somebody else. For example, let's say we
8 have two, and we'll then do a vote, but if, you know, just one
9 person has been recommended, and there's no other nominations,
10 then that person would become the chair. Yes, sir.

11

12

ELECTION OF CHAIR AND VICE CHAIR

13

14 **MR. JENNINGS:** I nominate Captain Jim Green as chair of the
15 council.

16

17 **DR. HOLLENSEAD:** Is there a second for that nomination?

18

19 **MR. SEYMOUR:** Second.

20

21 **DR. HOLLENSEAD:** Thank you, sir. Any other nominations? Okay.
22 Then we'll close the floor to nominations, and so congratulations,
23 Captain Green as the AP chair. Have a seat up here. Okay. The
24 next order of business will be the vice chair. Is there any
25 nominations for the vice chair?

26

27 **MR. SEYMOUR:** I nominate Captain Mike Jennings for vice chair.

28

29 **DR. HOLLENSEAD:** Okay. Clarence has nominated Mike Jennings for
30 vice chair. Is there a second? Abby seconds that. Yes, sir, go
31 ahead.

32

33 **MR. FISCHER:** Thank you. I would like to make an additional
34 nomination for Josh Ellender for vice chair.

35

36 **DR. HOLLENSEAD:** Is there a second? Okay. It's seconded by Bo.
37 This is going to be like your high school class president, where
38 you're going to put a name, and it's either for Mike or Josh for
39 vice chair, and so if you wouldn't mind writing that down, and
40 then we'll collect those and tally them up. Okay. After the
41 tally, Mike is our vice chair, and so thank you for that, and so,
42 with that, Mr. Chair, we're going to have the Adoption of the
43 Agenda.

44

45

ADOPTION OF AGENDA

46

47 **CHAIRMAN GREEN:** All right. Moving on to the Adoption of the
48 Agenda, do we have a motion to adopt the agenda as written?

1
2 **MR. ELLENDER:** Motion to adopt the agenda as written.

3
4 **CHAIRMAN GREEN:** We have by Mr. Ellender. Do we have a second?

5
6 **MR. JENNINGS:** Second.

7
8 **CHAIRMAN GREEN:** All right. We have a second. Any opposition to
9 that motion? Seeing none, the agenda is adopted. We'll move on
10 to Item IV, the Charge of the Advisory Panel and Overview of the
11 Meeting Scope. Lisa.

12
13 **CHARGE OF THE ADVISORY PANEL AND OVERVIEW OF MEETING SCOPE**

14
15 **DR. HOLLENSSEAD:** Bernie, if you wouldn't mind pulling up the charge
16 for me, please. As was mentioned before in the introductory
17 presentation, this advisory panel is a little different, in that
18 you've been given sort of a directive by the council to follow,
19 and it's up here on the board. We certainly have it in the meeting
20 materials. If you would like a printout of it, just so you have
21 it for your notes, as we go throughout the meeting, let me know,
22 and we'll make sure we get to you.

23
24 The Ad Hoc Charter-for-Hire Data Collection AP is tasked with
25 providing Gulf-wide stakeholder insight on the development of a
26 new electronic data collection program for the charter-for-hire
27 and headboat fishing industry, and so here's the directive. The
28 AP should consider lessons learned from the SEFHIER program and
29 work collaboratively to discuss strategies that would enhance the
30 timeliness, accuracy, and quality of data for the federal for-hire
31 fleet, and here's the next part. The AP should consider balancing
32 the anticipated reporting and economic burdens associated with
33 their recommended program requirements. Does anybody have any
34 questions about the directive? No? Okay. All right. Then, Mr.
35 Chair, after reviewing the charge, we have a presentation on the
36 past discussion for the charter-for-hire, if that's all right.

37
38 **CHAIRMAN GREEN:** Yes.

39
40 **REVIEW OF PAST DISCUSSIONS ON CHARTER-FOR-HIRE DATA COLLECTION**

41
42 **DR. HOLLENSSEAD:** Okay. Bernie, if you wouldn't mind pulling up
43 that presentation for me. Thank you. This is just a real quick
44 overview of some of the highlights since, you know, 2010, right,
45 and so we've been talking about this program for a long time, and
46 many of you were aware of that, and, when we did the introductions,
47 you said, hey, I've sort of been here from the beginning and
48 talking through some of this, and so this will be a review for

1 some of those folks, and some other folks are maybe like, hey, I'm
2 just getting a little introducing to this program, and so the point
3 of this presentation is to give you a little background, so that
4 everybody is sort of on a similar wavelength here.

5
6 If we go way back, into September of 2010, there was a pilot study,
7 and, again, some people, in their introductions, mentioned
8 participating in that, and so the pilot study was collected from
9 September of 2010 through August of 2011, and it had 322
10 participating vessels from Florida and thirty-six vessels from
11 Texas.

12
13 Some of the general findings from that pilot program was that it
14 could not achieve a census-level of compliance for catch and
15 effort. Basically, what that means is, hey, every time I went
16 out, I reported, and some people just forgot, and it's nothing
17 like that, and it's just more, hey, I just forgot to put it in, or
18 I was a little late, this sort of thing, and it's kind of really
19 difficult to get somebody, you know, to remember, every single
20 time, to do some of this, because things just happen, and so that
21 was just one of the things that came out of the pilot study, that
22 sometimes logbooks would be forgotten or done a little bit later.

23
24 They had a little difficulty verifying catch from dock intercepts,
25 and so the pilot study is -- Sometimes people weren't sure when
26 people were coming into a dock, or they went to a dock that the
27 interceptor was not at, and so having some overlap of, hey, not
28 only have you got your logbook, but I can also sort of intercept
29 and check the catch, and that was sort of difficult to do.

30
31 There was no way to verify if a trip occurred or not, and they had
32 mentioned that perhaps at-sea observers would help, you know, cover
33 some of this, but, even if there was some ideal world, where every
34 captain is totally fine with an at-sea observer, which is a big
35 if, right, it's going to be costly to implement, and so the idea
36 of perhaps not having at-sea observers to do all of this -- It was
37 not the general way to go, right, and so there's going to be some
38 of this self-reporting by folks participating in the program.

39
40 Prior to implementation of any new logbook reporting program, a
41 well-thought-out plan to reinforce the reporting requirement after
42 the start date to be in place, so that it could be executed quickly,
43 and so that was some of the things, the findings, that came out of
44 that initial pilot program, from just the small subset, and so,
45 again, this is just Florida and Texas, and so this wasn't really
46 a Gulf-wide comprehensive pilot program, and it was just sort of
47 this preliminary investigation into how this might go.

48

1 Then we moved through to December of 2014, for some council action,
2 and there was discussion of this Amendment 40, which defined,
3 within it, the recreational sector distinct private angling and
4 federal for-hire components of the recreational red snapper
5 fishery, and, specifically, this was talking about red snapper.
6 There were some similar actions, and some AP recommendations, and
7 so Amendment 41 was this federally-permitted for-hire that do not
8 participate in the headboat survey, and so that's the Southeast
9 Regional Headboat Survey, when you see that acronym, and, thus,
10 did not have recorded landing histories and are referred to here
11 as charter vessels, and so Amendment 41 was going to evaluate
12 allocation-based management approaches for charter vessels. Both
13 of those have been put on hold.

14
15 There was an Ad Hoc Red Snapper For-Hire AP, and so, again, they
16 were kind of given a charge, a directive, a specific directive
17 like you all have been, that recommended the council develop a
18 data collection program for the Gulf charter-for-hire industry, or
19 reef fish permit holders, excuse me, and that was in May of 2015.

20
21 There was also a meeting of technical folks, and so these are folks
22 -- This was in May of 2014, and so these are folks that do sort of
23 fisheries experimental designs, and what would a program look like,
24 these sorts of things, and so they got together, and they had a
25 meeting, and they said, what would we envision, you know, of sort
26 of this program, and how would it look for scientists, leading to
27 the data that they would need, and they provided some
28 recommendations, and this technical meeting is part of your
29 background materials, and so, again, if you want to reference that,
30 it's on the website. If you want a printout or anything of that,
31 let me know, and we'll make sure we get that to you.

32
33 One of the things that they recommended was mandatory
34 participation, and so, instead of voluntarily declaring your trip,
35 or your logbook, it would be mandatory, to get more people onboard
36 and get, you know, more information. They recommended a census
37 design approach, recognizing that, even out of the pilot study, it
38 can be difficult to achieve, some of the things that I had
39 mentioned.

40
41 They recommended a trip-level reporting, and so that says that,
42 every time you come back from a trip, you report what you caught,
43 versus, you know, going out on several trips a week and then
44 declaring, you know, what you had on the week, and it's just a
45 little bit easier for your memory to retain things, right, when
46 you've just done something, and so that was sort of the rationale
47 for that.

48

1 They recommended the use of several different reporting platforms,
2 and so to give the folks participating in the program a little bit
3 of the ability to decide which program software they would like to
4 use and they felt most comfortable with, right, and, if you feel
5 more comfortable using something, the greater likelihood that
6 you're actually going to use it.

7
8 Dockside validation of logbook trips reports, to make sure that
9 what's coming out of the logbook is also what, you know, folks
10 were seeing when they hit the dock. Validation of vessel activity,
11 calibrating with existing surveys for no less than three years,
12 with the idea that, you know, you're not having to report a logbook
13 to two different programs for an extended period of time, and
14 that's going to burn people out, and they also provided an
15 estimated budget of what this would cost, and so, anytime you build
16 up a program, there also has to be that consideration, of how much
17 it's going to cost me, and do I have the money to implement it,
18 those sorts of things.

19
20 Then there was the council action, and so this was the Generic
21 Amendment: Modifications to Charter Vessel and Headboat Reporting
22 Requirements, and so this was the policy document that the council
23 passed that was sort of -- You know, the foundation was for what
24 SEFHIER became, and it required electronic reporting of logbooks
25 for charter vessels having reef fish and/or coastal migratory
26 pelagic permits.

27
28 It required a hail-out and hail-in when departing for any trip,
29 and it required vessel operators to submit fishing records, via
30 NMFS-approved hardware and software with GPS capabilities that, at
31 a minimum, archive vessel position data to NMFS. The GPS portion
32 of the hardware is to be permanently affixed to the vessel, and so
33 that's generally what came out of that amendment, and certainly
34 there's a lot of other things in there, and it's probably a good
35 starting point when thinking about, you know, a new for-hire data
36 collection program, and this is also in your background material,
37 but, again, if you need a copy of anything with that, let us know,
38 and we'll make sure that you've got it.

39
40 You will notice there was quite a bit of a gap between the council
41 going final and then the implementation of the program, just to
42 give you an idea of how complicated some of this can be, and so
43 there was actually two phases of the program, and so we're coming
44 into a little bit more contemporary history here, and so the
45 rollout happened in two phases. Phase one was implemented January
46 5, 2021, and that was the required hail-in and hail-out and
47 electronic logbook submission. That was the first thing that you
48 had to do, was call in and say, hey, I'm going out on a fishing

1 trip, and this what I caught, when you're coming back in.
2
3 Phase two was a little delayed, but that came online and was
4 implemented on December 13, 2021, and that required vessel
5 monitoring systems with a VMS to be operational, right, and so you
6 had to have that affixed and pinging away and that sort of thing,
7 and so that was staggered a little bit.
8
9 Then, after the program had been implemented, there was a flurry
10 of council activity, based on reports that we were hearing from
11 folks in the public, and stakeholders, about, hey, what was sort
12 of working with the program, and what wasn't, and these things
13 need to be addressed, and so there was a framework action,
14 Modification to Locational Reporting Requirements for For-Hire
15 Vessels, and so this established an exemption to the VMS
16 requirement due to unforeseen failures in a VMS unit.
17
18 If your VMS goes out, but you've got customers waiting at the dock,
19 you want to be able to go, and so the council put together a
20 framework action that allowed for an exemption for that, and it
21 says that the VMS may not be working, but you let the agency know,
22 and you can still go out on your trip.
23
24 The next one that was passed by the council was Modification of
25 For-Hire Vessel Trip Declaration Requirements, and so this
26 required federally-permitted for-hire vessel owners and/or
27 operators to submit a trip declaration for trips that began
28 engaging in any type of fishing or charter activity, and so, if
29 you recall, there was a hail-out, you know, for every trip, but
30 then it started to get, you know, a little muddied, in terms of,
31 well, you know, every time you leave the dock, it's considered a
32 trip, and so people were concerned of, hey, I'm just going to go
33 get some bait and ice, and I've got to declare that, and, you know,
34 that seems like a little burdensome, and it should just be when
35 I'm on a fishing trip, and so the council heard that, and addressed
36 that with that framework, and so those were things that were
37 getting ready to be implemented, to try to address some of the
38 issues that people had initially brought up with the program.
39
40 In February of 2023, it didn't really matter, because a court
41 decision came down where an appellate court ruled to set aside the
42 program in its entirety, and so that's why we're here today, and
43 that was just sort of like a really quick breeze-through, and there
44 was a lot of things that happened in between 2010 and today. If
45 I had given you all of that background material, that's what you
46 have spent, you know, the entire doing, is reading through those,
47 and so I didn't want to do that, but those materials are available.
48 If there's something that you remember, like, oh, hey, I would

1 like to see the results of that pilot study, or that sort of thing,
2 we actually have that, and we can give that to you, and so if, at
3 any point, you say, hey, I want to look back through some of these
4 materials, and dig deeper, we'll make sure that you get that, but
5 here's sort of a quick-and-dirty of how we ended up where we are,
6 and so I'm happy to take any questions that you have about sort of
7 the history of the program.

8
9 We've got Dr. Froeschke here, and he was there through most of
10 that, and so he can answer any of your detailed questions, but
11 then I think I would like to stop talking at you and then allow
12 you all to speak, you know, and get your thoughts on the program,
13 sort of what maybe worked and didn't for you, that sort of thing,
14 and allow those discussions to happen, and then we'll have folks
15 from the Regional Office come and speak to you, Mr. Chair, but I
16 wanted to give the opportunity for the panel to speak.

17
18 **CHAIRMAN GREEN:** All right, and so who wants to start us off? This
19 is your time to be able to speak to what you liked, what you
20 didn't, what you think needs to be changed. Clay, would you like
21 to go first?

22
23 **MR. SHIDLER:** I don't know if maybe this is the best, or the worst,
24 time to ask this question, but something I've been kind of thinking
25 about, in the past few days, in this is would most of the panel
26 agree, I guess, that we're here to rebuild a program to be
27 minimally intrusive into our lives, yet maintain accountability
28 for our sector, and that's kind of, I guess, my question. You
29 know, we're looking for something that's minimally intrusive,
30 that's going to require, maybe, the simplest idea, and concepts,
31 while maintaining accountability and, you know, providing quality
32 data for, you know, the powers that be that are making the rules,
33 both the council and beyond.

34
35 **CHAIRMAN GREEN:** Thank you, and I believe that you're correct, and
36 like my intent of coming here today is to fix the problems that
37 the decision decided were problems in the program and, the things
38 that we did like, to enhance, or make it better, in some way, and
39 I hope that everybody is onboard. While someone is speaking, if
40 you want to speak, raise your hand, and I'm going to keep a list,
41 so we keep it in order and all that stuff, and so, Clay, thanks
42 for your input. Sebo.

43
44 **MR. SEYMOUR:** Through the whole system, since 2010, we've had a
45 lot of discussions about this, and one of the main things in my
46 fleet in Mississippi, which is very small, is it got down to the
47 cost of VMS, and, like I said, I was in the program also, and then
48 I got -- I had a costly explain that don't forget about the nine-

1 day snapper season, back when we almost went under, before sector
2 separation, and the data collection -- Eventually, we'll maintain
3 stability in our businesses, which my -- I've seen it all, like I
4 said.

5
6 We started off with a shebang, and we had the wild-wild-west
7 approach in the fishery, from April to October, which that
8 collapsed on us after the rebuild, and so now my suggestions on
9 this is basically what I've seen in the fleet is the cost, and the
10 folks didn't like the economic data part of it, for the reason of
11 it just was time consuming, and I don't know if everybody was even
12 truthful about that, and the other one is they want simplification
13 of a data collection system, because, if I'm not mistaken, just
14 about all five states in the region have some type of state data
15 collection that we're already doing.

16
17 I think we're doing a Tails 'n Scales hail-in and hail-out, and
18 they added cobia and mangroves to our list, and so, you know, if
19 we're catching -- That was added this year, but it's just mostly
20 discards, how many people, and hail-in and hail-out, and then,
21 when we came onboard with the SEFHIER program, we had VESL that we
22 had to contend with, and they wanted a thirty-minute window, for
23 LE or, you know, boots-on-the-ground, boots-on-the-pier, the bunch
24 that they came pretty regular.

25
26 Well, with the seas, I drive up top, on a thirty-one Bertram, and
27 I hardly ever go downstairs, and I just turn my hat backwards and
28 take it in the face, and normally, when I pull back and make my
29 VESL entry, it was like fifteen minutes prior to offloading, and
30 so, of course, we were bucking it right there, and we never really
31 got in no trouble for it, but that was a serious issue, because
32 most of the guys in Mississippi are running either -- Nobody has
33 got enclosed flybridges, and they're open tops, and we're trying
34 to catch a signal at the islands, and so that's one of the main
35 concerns that I've had that I can explain to you guys about it,
36 and so that's all I have. Thank you.

37
38 **CHAIRMAN GREEN:** Thank you, Sebo. Mike Jennings and then Richard.

39
40 **MR. JENNINGS:** As far as the program goes, I agree with Clay 100
41 percent. I think -- Personally, I didn't have a lot of problem
42 with the economic information, but that's just one pig's opinion
43 on it, but I think the main thing that we're going to struggle
44 with here is, when we worked through the original SEFHIER, and
45 back and forth and back and forth and trying to finish that thing
46 up, we got a big push, and I will make this as simple as I can,
47 but we got a big push to keep some things in there, and it was not
48 the user group, but NMFS, this agency here, to continue it and

1 leave some things in there, to use it more as an enforcement tool
2 than a data collection tool, and that's why we ended up with what
3 we got, and we got such a big pushback, and I think we have to
4 push back on that, this time around, and focus on the data
5 collection, regardless of who wants to use it as an enforcement
6 tool.

7
8 I think our biggest hurdle here is -- The economic data, we can
9 take it or leave it, and we get to make that recommendation with
10 it, is to stay in there or to come out, and I'm personally fine
11 with it either way.

12
13 I think the biggest thing we've got to do here is to focus on --
14 We need to have a method to validate this, and we can't just say,
15 well, everybody -- We've had some conversation off-the-table this
16 morning about, you know, truthfulness, and things along those
17 lines, and we have to figure out some way, as minimally invasive
18 as we can, to actually come up with a system that can be validated,
19 where it can be used for management purposes, because, if we don't
20 do that, we're just spinning our wheels, and wasting our time, and
21 none of us want to spend thirty seconds putting anything into an
22 app if it's just absolutely worthless, and so that's my two-cents
23 on it.

24
25 **CHAIRMAN GREEN:** Thank you, Mike. Richard.

26
27 **MR. FISCHER:** Thank you, Mr. Chair. I think Clay hit it, and
28 "simple" is the key word, you know, and I will lead by saying that
29 we've put out polling for the federally-permitted guides in
30 Louisiana, and the overwhelming majority of those guys would not
31 like to see this program move forward.

32
33 However, I understand there's a charge here to this AP, and I
34 understand that there's probably going to be a push, from this AP,
35 to continue the program, as well as the powers that be with the
36 Gulf Council and NOAA Fisheries, and so pounding the table here
37 and saying we don't want it is probably not going to be super
38 helpful, and so, you know, we're here to make it as swallowable as
39 possible for our guys, and at least that's the way that I'm looking
40 at it, and I really think it comes down to the simplicity.

41
42 The original program that came out was really not all that simple,
43 for a lot of guys, you know, and having to have the device fixed
44 to your vessel, which made it more expensive, and then the
45 reimbursement program went away at a retroactive date, and it
46 wasn't like, hey, hurry up and get your paperwork in, and you can
47 get some money, and that wasn't the case.

48

1 It's been very frustrating, to our guys, that it's been daily
2 reporting, instead of weekly reporting. If weekly is good enough
3 for the South Atlantic, why isn't weekly good enough for the Gulf?
4

5 What really has struck me as an unexpected situation with the
6 logbook program has been that it's really become a permitting
7 issue, where we've had multiple captains that I've talked to that
8 have an issue where, because they were not 100 percent in
9 compliance with the logbook program, they weren't able to renew
10 their permit, and that's a big, big deal. That's your livelihood,
11 and that's tens of thousands of dollars, and that never should
12 have been, or could have been, the intention of the program.
13

14 I would really like to see us consider possibly an app, instead of
15 the vessel, the device fixed to the vessel. Now, I know the genie
16 is probably out of the bottle on that, because just about everybody
17 has already gotten their device fixed to their vessel, and so it's
18 probably too late to have that conversation, but I really think
19 simplicity is the way to go here, and one more point that I would
20 like to make is that we've heard a lot of people state, over the
21 years, that the Gulf charter fleet has wanted this program, and
22 they've been asking for it, and it's something that a majority of
23 the Gulf captains want.
24

25 While I've heard that quite a bit, there's really no evidence to
26 back that up, and so I would ask if there has been any thought, or
27 if there would be any thought, to possibly doing a referendum.
28 Let's ask Gulf charter captains, and do you guys want this,
29 because, from the conversations I've been having, from not only
30 Louisiana captains, but also captains from across the Gulf, it is
31 certainly not overwhelmingly in favor of this program, and it might
32 even be past the 50 percent mark, to where it's not necessarily a
33 popular program.
34

35 With the court ruling that just came out, and the possibility, as
36 it was stated, that this could potentially be a 4th Amendment
37 violation, if the people don't want it, unnecessary search and
38 seizure into people's personal business, I think finding out
39 whether our fleet actually wants this is a very important step
40 that we need to take.
41

42 **CHAIRMAN GREEN:** I appreciate it. Thank you, Richard. Mr. Bo.
43

44 **MR. JOHNSON:** I'm going to go right along with what he said, and,
45 like I said, from the commercial end of it, and the charter end of
46 it, and I think there's a simpler way of doing it, and I think, at
47 the end of the day -- I mean, there's nobody sitting in here that
48 doesn't care about our fishery. I want my kid to fish, and you

1 all want your kids, and I've grandkids younger than my youngest
2 kid, kind of, and this could be real simple, in my mind, which is
3 what you caught, what you released, how long you fished, how many
4 people were on the boat, period.

5
6 Honestly, the economic thing, if we come down to something like
7 the BP or something like that -- Hey, look, man, we've all got
8 accountants, and you submit that, but, you know, on your vessel,
9 tracking you -- If I want to take my wife and kid to the beach,
10 it's none of your business, and, you know, it should be -- I mean,
11 I don't know why -- You know, we can break it up into quadrants,
12 Key West to Marco, Marco and up, so on and so forth, all the way
13 around, and it's easy. Bo Johnson fished in Quadrant 3. You
14 shouldn't need the tracking, in my opinion.

15
16 Then, honestly, and I'm going to throw this out there, and a lot
17 of people are probably going to look at it weird, but, if we're
18 doing the data collection, which I think something needs to happen,
19 because the numbers are seriously flawed right now, and not to
20 throw something else in the mix, and I've got eleven months that
21 I've been out of work, between the red grouper closures, in two
22 years.

23
24 That's eleven months of pay, and, quite honestly, it's kind of --
25 That's hard to swallow, and so getting numbers correct -- I think
26 we need to do something, and, if this will help, I will be behind
27 it, but they need to use those numbers, and, you know, the other
28 thing is, you know, hey, it would be kind of cool to get a little
29 check or something.

30
31 If we're going to be doing the research, the true research, we
32 should have zero costs, and one of the gentlemen down there was
33 talking about the extra costs in it, and we should have zero costs
34 in running it, and then, if we're actually doing the research, I
35 mean, throw us a bone. I don't care if it's fifty-dollars a month,
36 but something, when you have to sit down there and type it in, and
37 you should be able to figure out a way to do it on an app. We all
38 take pictures of our fish at the end of the day, most of us. With
39 ninety-two people on a boat, that's probably a big dang picture,
40 but, with six people on a boat, we've all got dockside pictures,
41 and so there's your proof of what you caught each day, and that's
42 what I've got.

43
44 **CHAIRMAN GREEN:** Thank you, Bo. Clay.

45
46 **MR. SHIDLER:** I am just going to kind of say something back to
47 what you said, and I will agree that -- I'm one of the younger
48 guys in the fleet, as a whole, and I will 100 percent say that my

1 opinion is going to be slightly different, because of my age and
2 all of the social information that goes with that. I won't say
3 that I officially represent anybody more than my company, but I am
4 very close friends with thirty-seven permit holders in the Citrus
5 County and north area, the Citrus and Hernando County area, and
6 dealing with a lot of guys that are a lot older than me, twice my
7 age, and I'm thirty years old, and so sixty-year-old guys.

8
9 They don't want a program, like you said, and, in general, they
10 just don't want a program, because it's change. It's change from
11 the way they've done it. I mean, you talk to guys -- Steve Papen
12 has been guiding almost as long as I've been alive, but I think
13 that something -- I think something to consider, and I've had to
14 talk to some of these older guys, and younger guys, that don't
15 want a program, and the reality is that we really need a program,
16 and, whether you want it or not, you have to be in the understanding
17 that, with modern fisheries management, us being accountable as a
18 sector is something that's really going to play into the future of
19 our fishery and our wallets.

20
21 I will never sit here and say that all I care about is money, by
22 any means, because that's not it, although I've been very blessed
23 to get to do this, and I'm honored to be here, but, at the same
24 time, we need to understand that, even if 80 percent of the
25 industry said that we don't want this, we're going to have to get
26 it, because I would say that, if you go back to the commercial
27 sector, when they went in this direction, it would have been 80
28 percent that said they didn't want it, and that's just kind of --
29 Again, it's all an opinion, but we have to be smarter than to say
30 that we don't want change, because, if we stay the way we were,
31 we're going to see everything shrink, and, again, it's all opinion.
32 Thank you, Mr. Chair.

33
34 **CHAIRMAN GREEN:** Go ahead, Richard.

35
36 **MR. FISCHER:** Thank you, Mr. Chair, and I appreciate that, Clay,
37 and I think my response to that would be that everything comes at
38 a cost, right, and, yes, more accountability is better, and, yes,
39 more data is better, and those things are always better, but at
40 what cost, and what we've seen from the program, so far, is it's
41 at the cost of money, time, frustration, tons of headaches, and,
42 you know, lots of problems.

43
44 When we look at what we really would be getting, let's really break
45 that down, and so we have sector separation on red snapper, and
46 so, in a perfect world, in theory, logbooks would provide us the
47 opportunity to have greater catch limits on red snapper,
48 specifically for the charter sector, through the logbook program.

1
2 Other species, we don't have sector separation, and we are a small
3 pie of a much greater recreational fishing pie, a very tiny slice,
4 and so we're not going to be getting more amberjack, and we're not
5 going to be getting more cobia, and we're not going to be getting
6 more grouper through this program, because we are a small piece of
7 a much bigger pie that we are on those things, and so, while it
8 will help from an accountability standpoint, and really bring our
9 sector into a better place from a data collection, and I completely
10 agree with that, is it worth the cost of all the problems that
11 we've laid out so far, and will continue to lay out?

12
13 Some of those problems, while we can come up with ways to alleviate
14 some of them, we can't get rid of all of them, and so I think we
15 need to ask ourselves, and is that greater accountability really
16 worth it, just for a few more red snapper, really, as things
17 currently sit?

18
19 **CHAIRMAN GREEN:** Were you done, Richard?

20
21 **MR. FISCHER:** Yes. Thank you, Mr. Chair.

22
23 **CHAIRMAN GREEN:** Sorry, and your mic was on, and I was just making
24 sure, and I didn't want to cut you off. Hold on one second, and
25 I wanted to kind of chime-in for a second, because, as the
26 chairman, I might not get to vote, but I get to speak, and so I
27 wanted to kind of address some of this stuff too, you know, and I
28 think -- When I step in here, and I start thinking about this, I
29 represent ninety boats, seventy federal permit holders, from my
30 hometown.

31
32 Clay, I get a lot of the same stuff that you do, and we call it
33 the graying of the fleet, to be nice, in Destin, but a lot of these
34 gentlemen that I either decked for, or worked with, or grew up
35 with their kids, and now I'm supposed to be leading them, and so
36 we appreciate your input, you know, even if you're not speaking
37 directly for them, and those regions, and having the pulse in that
38 area, is really good. That's what you're here for, and we
39 appreciate that.

40
41 When it comes to data collection, and what we get out of this, so
42 I am fortunate, and I'm kind of in the middle. I'm middle-aged,
43 and so I grew up with the older ones, that don't necessarily want
44 it, or want change, and I also grew up with the younger ones, that
45 collecting data, and turning in reports and stuff like that, are
46 just kind of -- You know, with apps and stuff, it's really easy
47 for them, and our younger generation is more apt to do that stuff
48 more easily than the older folks, that want a change, but my

1 biggest thing is that we're stewards.
2
3 Whether you like it or not, you are in a privilege program. It's
4 a limited-access privilege program, and, to be able to go out and
5 have the awesome job we have, and be able to create income, and
6 commerce, and provide for our families, we have a -- To me, there's
7 a level of stewardship, more so than just a private recreational
8 guy. We make money off the water, and we make money off this
9 resource, and, to me, it's really important that we become good
10 stewards.
11
12 I am not ever measuring, and no offense, Richard, and me and you
13 differ, and I am going to be respectful, but I have never thought
14 about what I'm going to get out of this. To me, it's about the
15 fishery, and it's about my kids being able to do the same thing
16 that -- I'm a third-generation fisherman, and my son is sixteen
17 and working on the boat, and I want there to be fish.
18
19 When I was sixteen, a twelve-inch red snapper was a damn good red
20 snapper in the Panhandle of Florida. It was, because they had
21 beat to submission, because there was no data collection program
22 that could put the brakes on it, or show us trends or anything,
23 and, to me, it's a stewardship issue. It's all about we're taking
24 from this resource, and we're allowed the privilege of operating
25 in the EEZ.
26
27 Therefore, we should have a higher level of accountability. We
28 should have a higher level of stewardship, and, to me, that's what
29 the most important thing is, is that we remove the money and the
30 thought, and the, oh, it might take me three minutes to turn this
31 in, and, you know, as far as the tracking goes, I know that is a
32 very deeply personal thing, and I'm sure we're going to get into
33 that later, but, to me, turning in those reports, that's my duty.
34 It's like I've got a permit, and I can make money, and I don't
35 have to sit in a frickin' cubicle, and I'm going to turn in my
36 report, and I'm going to provide the people that are making these
37 decisions the right information, because, I will tell you that,
38 for years, I heard people say that I don't trust the government,
39 and they're going to screw us with the numbers. Well, guess what?
40 They screwed you without the numbers, and that's the problem.
41
42 To me, it's like, if you want to be a part of this fishery, and
43 I'm more -- I will tell you right now that, full disclosure, me
44 and Richard are on opposite sides of the fence. I like Richard,
45 and we'll have a drink, and we'll talk, blah, blah, blah, but,
46 fisheries, we're a different direction. We're a different animal,
47 and I feel that, when you're a part of this, and you're able to
48 prosecute this fishery, and provide a trade to younger generations,

1 and learn a trade from older generations, and continue the heritage
2 of this industry, it's going to take us providing stewardship.

3
4 I just think, at this point, compared to the 1980s and 1990s --
5 There's too many lumberjacks and not enough trees, and that's the
6 problem we're running into, is that we have too many people, and
7 all they're worried about is what piece of the pie they get, when,
8 really, the piece of the pie they get may be good, and you just
9 have to manage it differently.

10
11 Amendment 40, at that time, the historical participation, and the
12 catch rate, and charter boats were at 62 percent. The council is
13 like that's a bit much, to take 60 percent of the recreational
14 fish and give it to the charter boats. The charter boats took a
15 one-third haircut, and we took two-thirds. We got 42 percent,
16 something like that, of the red snapper, and we went from a nine-
17 day season to a forty-four-day season, and then it's eighty-five
18 now, and why is that?

19
20 That is because we removed scientific uncertainty, and they knew
21 exactly how many people could prosecute the fishery, and, just by
22 removing the uncertainty of how many people are actually accessing
23 the fishery, we gained like 400 percent days and quota, and, now,
24 that's not going to work with every species, but that should show
25 you what better science is going to bring you, and so, no, one or
26 two days, maybe, and that's what made me a believer, is we went
27 from nine to forty-five days, by having better data, or forty-two,
28 and I can't remember what it was, but, anyway, to me, that's what
29 this is about. It's about the fishery, and it's about the
30 industry, and it's about leaving this Gulf in better shape than we
31 found it, and that's what I've got from me. Thad, you were next.

32
33 **MR. STEWART:** A couple of things. One is I am, right now, in the
34 process of signing on the loan to buy the boat that I operate, and
35 I know that, if the fishery that I'm out of, Orange Beach, Alabama,
36 continues in the direction that it's going, with the red snapper
37 specifically, and half of our boats are fishing for beeliners come
38 like July 15, give or take, and, I mean, I know it's different
39 everywhere, okay, and it's different in Louisiana than it is where
40 I'm at, but I need this fishery to work, so that I can survive.
41 Anything we can do, as far as giving data that will be used, I'm
42 for it.

43
44 The second thing, and I want to follow-up on something that
45 Clarence said, and I was reporting in, coming through the pass, at
46 one point in time, and I lost my cellphone overboard. I hit a
47 wave, and so I wasn't able to report that day, and I got fined for
48 that, and the other thing is the safety of it.

1
2 I was operating a boat that's part of a fleet, that I am part of,
3 and it was another captain that set up the VMS, and he set it up,
4 and apparently it either went dead, or he didn't activate it, and
5 the VMS unit was actually on top of a Hatteras with a hard top and
6 no tower, and I about faced a \$10,000 fine for going ten days
7 without it working, which is understandable, but I was told that
8 I was supposed to climb on top of that hardtop every morning and
9 make sure that it was working.

10
11 There was no safe way to do that, at all, and so I think safety
12 needs to be considered, and, also, looking down at your phone,
13 while you're operating a forty-six-foot boat in traffic, isn't
14 exactly the safest thing you can do.

15
16 **CHAIRMAN GREEN:** Yes, and I don't know if you all knew it, but
17 they made it to where you could turn in your report once you landed
18 at the dock, as long as you have not unloaded the fish.

19
20 **MR. STEWART:** As long as your fish didn't come off the boat,
21 correct. Yes, and that was a great change.

22
23 **CHAIRMAN GREEN:** I'm in agreeance, and I agree that safety is --
24 I think, also, it needs to be simple. Like we rolled out the red
25 carpet, and we got SEFHIER, and there was unintended consequences
26 with that, with the hail-outs and some other issues we had, but,
27 you know, now we're in a world where there's a ruling, and we've
28 got to take what the ruling gave us and try to make lemonade out
29 of it, and so I think that we're in here for the long haul, and we
30 -- You know, don't try and rush this through, but we want to make
31 sure it's right, and, if that takes time for development of things,
32 then definitely --

33
34 **MR. STEWART:** Can I say one more thing?

35
36 **CHAIRMAN GREEN:** Yes. Go right ahead, Thad.

37
38 **MR. STEWART:** I think this was expected. I mean, the first one
39 through the wall, no matter what wall it is, gets bloody, and so,
40 I mean, this was the first of its kind, and we're here to be the
41 second through.

42
43 **CHAIRMAN GREEN:** I think, you know, also, every one of these
44 programs are going to have reviews, you know, and even the IFQ
45 system has a five-year review, and so it's not like whatever gets
46 passed is it. Once we start working this through, and the council
47 has shown a willingness, with the broken equipment and the
48 declaration modification, and they're willing to make it better,

1 and so we don't want to get hung up on what's perfect, and let's
2 try and make it as simple as possible and just know that perfection
3 is not part of this. It's going to continue to evolve, and we
4 hope that it does. We don't want it to sit stagnant, and we want
5 it to be better every time we make adjustments to it, and so, you
6 know, don't get hung up on that part, too. Sebo, you hand your
7 hand up?
8

9 **MR. SEYMOUR:** I would like to touch on one more thing. I was
10 listening to Mr. Fischer over there, and none of us have a crystal
11 ball. We don't know what we're going to get out of it, but all I
12 know is what we've got to get out of it, and the young stakeholders
13 have to understand that it's worth the change, referendum or not,
14 and we can vote on it, do whatever you want, but we've got -- They
15 have to listen to us old-timers, which I am, and I don't have much
16 longer to go, and my son is in, a new stakeholder, and he's two
17 years in, and he gives it the beans. He gives it all he's got to
18 get his fish, and that's how he makes a really good living that I
19 wasn't able to make on a nine-day season.
20

21 Without the crystal ball, the new stakeholders of Mississippi,
22 Louisiana, and Texas, that want this industry to work, have to
23 think with an open mind, and definitely that, if data collection
24 is what is going to save the industry again -- Dude, they do not
25 want to go down the road that we went down in the 1990s. They
26 don't want it, and that's all I've got, and that's just one thing
27 that I missed.
28

29 **CHAIRMAN GREEN:** Thank you. Mr. Ellender.
30

31 **MR. ELLENDER:** Lisa, do we have anything that says exactly why it
32 was struck down from the courts, and like I would just like a brief
33 summary.
34

35 **DR. HOLLENSHAD:** So I'm not a lawyer, but this is my interpretation
36 of what happened, and Richard had mentioned there were some
37 thoughts that the twenty-four-seven VMS, that there's the
38 potential for a violation of civil search and seizure, that sort
39 of thing, and a violation of that. It didn't actually come right
40 out and say it, and it said, hey, that seems like we're treading
41 on that territory, and so our judgement is that, you know, you
42 shouldn't do that kind of thing, and so a twenty-four, you know,
43 seven VMS is probably not going to fly, and it's just not
44 defensible.
45

46 There was also some talk of a violation of the Administrative
47 Procedures Act, I believe is what it's called, and so that
48 basically says, hey, you didn't give enough proper notice for the

1 economic questions, and that's not to say that they were found in
2 violation, or it couldn't happen, but, if you do this, you would
3 have to go through this more, procedural-wise, and then check these
4 boxes, and then you could have that, and so that's why they
5 dismissed the program.

6
7 It's my understanding that just about anything is still potentially
8 in the toolkit for use for this program, except for the twenty-
9 four-seven VMS, and that's my understanding.

10
11 **CHAIRMAN GREEN:** The word was "possible". It was a possible
12 violation of the 4th Amendment, and they didn't come out and say
13 it violates your 4th Amendment, but they just leaned that way, and,
14 like she said, the data questions were -- It was kind of semantics,
15 and like they didn't label it right, or something like that, and
16 then, because they didn't -- If they labeled it this way, they
17 would have had to check these boxes, and so it's really just the
18 economic data not being noticed properly and twenty-four-seven
19 tracking was a possible violation, and that's what the ruling
20 recommended. Does anyone else want to speak to this?

21
22 **MR. PAPAN:** So I don't -- I am going to listen to everybody, and,
23 I mean, everybody is kind of on the same page, I feel, and, you
24 know, the tracking thing seems to be the biggest problem, and,
25 honestly, you've got to validate the trip, right, and that's the
26 one way that this works, and so can you hail-in and hail-out on an
27 app? Can you do that, and that validates a trip?

28
29 I mean, I know it doesn't track you going into federal waters,
30 but, I mean, if somebody uses the app, and, you know, hails out at
31 six o'clock in the morning, and then they hail back in at three
32 o'clock, I mean, you would have to go through a lot. I mean,
33 somebody would really have to go through a lot in order to lie.
34 You know, they've got to remember while they're golfing, because
35 they're lying on the app, to, oh, you know, I've got to hail back
36 in at three o'clock.

37
38 You know, I think the VMS is the biggest issue that we're facing
39 in this whole thing, and I think most of the people have no problem
40 -- All of us have no problem reporting our catch, and it's like
41 it's not a big deal. We're not trying to hide anything, and we
42 never have been, and we do it out in the open. Most of us do it
43 at public docks, where there's people all over the place, and, you
44 know, any officer can walk down and just stand there and look at
45 what you caught.

46
47 Nobody is trying to hide anything, and so I don't think that the
48 reporting thing is a problem. I think everybody is kind of onboard

1 with that, but it's all the tracking and all the other data that
2 -- You know, me, personally, I don't feel that anybody making
3 fisheries laws needs that information to do their job, which is
4 managing a fish, which is managing our fish, and they don't need
5 to know, you know, how much we spend on ice, or paid our deckhands
6 or whatever, and that -- That gives a little bit of other
7 information for something completely different, but we're trying
8 to manage the fish, so we can all fish, and our kids can all fish,
9 and our kids' kids can all fish, and so we want the fishery to be
10 better, and so we've got to do our part, in order to make that
11 happen.

12
13 You know, things like these panels -- You know, over my career, I
14 have watched all of them, and I have heard the promises, and I've
15 heard all the -- You know, a lot of broken promises, of, you know,
16 if you do this you will get this, and this will be a longer season,
17 or, if we do that, it will make this fish better, you know, and
18 this and that and the other, and a lot of that stuff hasn't
19 happened, and so, you know, I've always said, you know, the job of
20 all these groups is going to be managing the fish.

21
22 I know, thus far, I feel like they've just been managing the
23 fishermen, but they need to look at the species, and learn more
24 about the species, and where they move, and how they move, and
25 spawning, and this and that and the other, and there's a lot of
26 other demographics involved in this, other than just managing that,
27 hey, you can go from this date to this date, you know, because our
28 numbers say that we can only fish this many days. You know, we've
29 got to look at the fish themselves, and us being able to give our
30 catch, along with the commercial catch, you know, and, I mean,
31 obviously, it leaves the biggest elephant in the room, which is
32 the recreational side, and how do you -- Nobody knows how to get
33 that number, and I don't know if we ever will. I mean, we could
34 help, and there's 1,200 boats, and that doesn't seem like a big
35 deal.

36
37 **CHAIRMAN GREEN:** I agree with you, and I wanted to kind of touch
38 on the economics, because, you know, a lot of it gets thrown around
39 about disaster relief and stuff like that, and there's more to it
40 than that. Like in Magnuson, under National Standard 8, the
41 agency, or the council, has to look at -- I believe it's 8 that
42 talks about you have to look at the impact on the coastal
43 communities, and, of course, economic is one of those.

44
45 The economic data got kind of pushed in there, during the
46 development process of SEFHIER, because it was a need of the
47 agency. The agency has to figure out the impact. They have to
48 contribute that, when they're making a decision on the impacts,

1 and they have to collect that data somewhere, and so, when they
2 provided us the reporting system, they put that in there, because
3 that was a need of the agency, and it's not just for disaster
4 relief, but it's also a way for them to -- If you look at all those
5 fishery management plans, the third section, you know, and I think
6 it's the third usually, is the economic impact.

7
8 We kind of breeze over that, and we stay in the second section,
9 where the deliverables, you know, the stuff that's going to affect
10 us, but, in that third section, it analyzes the economics of
11 balancing that, to where somebody is not getting pushed out of the
12 fishery, and that's very important, and so that's -- I just wanted
13 to make sure -- That's more information, and like we asked for a
14 data program, some of us, and some of us didn't, and, when they
15 went to create that, they were like, okay, we need this, and that's
16 why that information was added, and so I think, also, another way
17 to do it would be to, you know -- Like, to me, an annual survey,
18 where did you make \$300,000, did you make over \$350,000, you know,
19 a real generalization, where you're not giving numbers, but it
20 provides the -- It satisfies the need of what the agency needs to
21 do that analysis, but it doesn't sit there and hold you to the
22 fire that I made this much money, and I hired that many people,
23 you know.

24
25 **MR. PAPEN:** That's true. I mean, all that is absolutely accurate,
26 but, I mean, if they're going to use numbers and guesstimate the
27 fish, and they're going to guesstimate size, and they're going to
28 guesstimate seasons, they can take the data that we're giving them,
29 that I ran 187 trips, or 247 trips, and why can't they just use
30 that data, and they can generalize the average trip price, and
31 they can make their own deal, and we don't have to report it, you
32 know, and, I mean, I don't understand that we need to report our
33 dollar amounts, what we spent, and this and that and the other,
34 and they can just -- They can do their guesstimation, just like
35 they do it on the fish, and say, okay, this boat ran, you know,
36 217 trips, or this boat ran eighty-six trips, or whatever, and the
37 average is eight-hundred-bucks a trip, and bing-bang-boom, and
38 there's your numbers. You know, they can do it that way, as
39 opposed to making people sit there and report it every single day.

40
41 **CHAIRMAN GREEN:** Gotcha, and that's what we're here to hash that
42 out. Assane, did you have something? You're going to be next,
43 Bo, but, Assane, did you want to add something to this discussion,
44 real quick, being the --

45
46 **DR. ASSANE DIAGNE:** Yes, Mr. Chair. Thank you, with your
47 permission, because, sitting in the back here, I'm hearing a lot
48 of, quote, unquote, pushback about the economic data, and the gist

1 of it, of what I hear, is we don't need this. At the end of the
2 day, I mean, you cannot talk about anything, any market, if you
3 don't know the price of the commodity that you are dealing with.
4

5 Imagine if you wanted to be in real estate, and I ask you what is
6 the average price of a home in south Tampa, and you say I don't
7 know, because you don't know the price, and that's the situation
8 that we have, when it comes to looking at the economic value from
9 the charter-for-hire sector. As you guys move forward in
10 developing a program, keep that in mind.

11
12 The economic questions, all of those questions, except for the
13 trip fee, are routinely answered by the people who will out the
14 headboat survey, and so, on this, I guess, iteration, what was
15 added is the trip fee. As the Chair mentioned, when you read an
16 amendment, you see the economic consequences. For example, how is
17 the for-hire sector benefiting, or being affected, by a particular
18 measure? To do that, we need to be able to estimate, essentially,
19 some type of net revenue, or producer surplus, that comes your
20 way.

21
22 Throughout, I guess, the council's discussion in recent years,
23 some folks have been talking about potential expansion to sector
24 separation, looking at other species. When the time comes, when
25 you are looking at the allocation between the for-hire sector and
26 the private recreational anglers, there is going to be a need to
27 compare the value of a fish between the sectors. If we don't have,
28 I mean, an accurate value for the for-hire sector, well, we will
29 see how that will go, and, down the line, the allocation for red
30 snapper, between the charter and private angler, will have to be
31 reviewed, and, after that review, the allocation could be changed,
32 and, at that moment, again, the value of a fish on the for-hire
33 sector would be important.

34
35 The bottom line is that maybe there is a better way of going about
36 this, for example, having a random sample at regular intervals
37 during the year, as opposed to asking you guys to do it for every
38 trip, but, at the end of the day, you cannot talk about anything
39 if you don't know how much it costs. Thank you.

40
41 **CHAIRMAN GREEN:** Thank you, and Assane is our economist. If you
42 have questions about it, he's a wealth of knowledge, but the idea
43 is that it's mandated, by federal law, that they review the
44 economic impact of this, and so that's why I'm saying, to me, it
45 shouldn't be the person operating the boat while they're operating
46 the boat, and it should be the boat owner, and, you know, to me,
47 I know that you've had issues, Richard, down in Louisiana, but, to
48 me, it should be part of the permit process.

1
2 If you renew your permit in March of 2024, then you take the
3 economic survey, and you turn it in with the permit renewal for
4 2023, and make it very vague and general, to where you don't feel
5 like you're being trapped in -- Some people trapped with the
6 numbers, but provide the information, but also limit the heartache,
7 and the burden, on the person providing it, and I think that's
8 what we're going to be doing here for every solution that we're
9 going to have to find, is finding that balance and not violating
10 rights and being able to provide good economic data. Bo was next,
11 and then Mike, and then you, Richard.

12
13 **MR. JOHNSON:** I mean, it's kind of coming back to the same thing,
14 and somebody said that, if they took a number of just whatever,
15 eleven-hundred-and-some-odd permits out there, and 850 are
16 actually fishing, and maybe my number is off, but somewhere like
17 that, and I would say it wouldn't be 50/50, and most people don't
18 want this. I know that everybody I've spoke to, and I made a lot
19 of calls before I came up here, and how I ended up here I have no
20 idea, but the -- I would say 95 percent of the -- Well, let me
21 just say that I have nobody that I have spoke to, other than once
22 I got here, that are even interested in hearing about this.

23
24 I do agree that we need to do something with the catch, and there's
25 got to be a simplified way of doing it, and then, as far as the
26 economic end of it, you know, that's going to have to be hashed
27 out, but, I mean, obviously, it's like, okay, did you make
28 \$100,000, or did you make \$150,000, and, you know, to renew your
29 permits, did you make more than \$14 million, and no. Then don't
30 go further.

31
32 You know, it should be really easy, again, and everybody has got
33 an app. If we're going to have to do this, and we all know that
34 we're probably going to have to do this, and I don't think anybody
35 is walking in here thinking that, hey, we're not going to have to
36 do this, you know, and let's get the numbers right, and, like I
37 said, photo verification, and, like I said, most of the people in
38 Louisiana -- These guys are -- Like I said, I was talking to a
39 gentleman earlier, and he said that they've got the best fish count
40 ever, but there's, you know, three marinas, and they can do it
41 right there.

42
43 You know, take my area, and there's three offshore guys out of my
44 area, and a couple out of Boca Grande, and a couple out of down
45 south, and they're scattered out. I mean, you know, there's a way
46 to verify it, and to come up correct, and then, like I said,
47 without the tracking -- I mean, you know, pictures don't lie, and
48 it's just got to be a simpler way, and you can call it the old

1 guys and the young guys and everything else, and there's a way of
2 doing it that's simpler.

3
4 **CHAIRMAN GREEN:** Agreed, but the government is involved, and of
5 course there's an easier way of doing it. Next, we've got Mike,
6 and then it's going to be Richard, and then we're going to take a
7 little break, so everybody can use the bathroom and whatnot. Go
8 ahead, Mike.

9
10 **MR. JENNINGS:** We've all heard the promises, Steve, and, when you
11 said that, it made me think about we were all convinced to go along
12 with reducing the size limits on AJs, and we were promised that it
13 was going to be a panacea and be open the entire year, and that
14 backfired on us really quick, but you've also got to understand
15 that that was all based on data that we did absolutely nothing to
16 help, nothing. We sat back and did nothing, and complained that
17 the data was wrong, and this is our opportunity to do something,
18 regardless of what it is.

19
20 Assane hit on part of what I was going to on, and I will try to
21 make this quick, but on the value of the fish, and the value of
22 the fishery, and one of the things that really struck me of why
23 I'm not against -- I will explain to you why I'm not against it,
24 and it was one single incident.

25
26 When it comes to Amendment 40, I can track my involvement all the
27 way back to something that some people may not even know of, an
28 organization that we called SOS, Save Our Sector, when this first
29 started, and there was about a half-a-dozen of us that started
30 that thing, and we started pushing Amendment 40, and it was ugly
31 in those days, and this was quite some time ago.

32
33 There is a conservation organization that spent -- There was a lot
34 of money thrown at stopping that thing, a lot, and they threw a
35 bunch of money at an EIS, and we walked into that council, and one
36 of the things, when we were talking over -- Jim talked, a while
37 ago, about we started understanding that we weren't going to get
38 the 62 percent that we historically caught, and it just wasn't
39 going to happen. It wasn't going to get through the council, and
40 so what was the compromise?

41
42 It almost came to, when we had that nine-day season, is give us
43 something, and let's draw a line somewhere, because we know that
44 we can do better with it, regardless of what it is, and we came up
45 with about -- I think it was about 41, or 42, percent, as he said,
46 but, in that argument over allocation came along an EIS study that
47 was a hurdle, and it was difficult for us to get around it, and it
48 was basically an EIS study, for all rights and purposes, that

1 showed that the private recreational sector was contributing
2 billions of dollars to the economy, and the charter boat sector
3 was contributing almost zilch to the economy.

4
5 We all, sitting around this table, we know that we don't -- That
6 we contribute a lot more to our local economies than zilch, but
7 that's what that EIS study was showing, and we had to get around
8 that to justify why we needed 5 percent of the allocation. It was
9 indefensible on our side, because we had zero ability to show,
10 verifiably show, what our value was to our local ports and our
11 local communities, and that's where that economic information
12 comes in, and that always has stuck in my head, from day-one, when
13 we were talking about contributing to this economic information.

14
15 It doesn't have to be intrusive, but there is a value to it, and
16 especially when we move forward in whatever the future brings, to
17 continue this industry and show our worth, and our viability, et
18 cetera, and so there's a -- To sit back and argue against that EIS
19 was really difficult, because we had absolutely nothing to defend
20 it, and there was a lot of money being thrown at it to show the
21 opposite, but that's all I've got to add on that. Thank you.

22
23 **CHAIRMAN GREEN:** Thank you, Mike. Richard, and then we'll take a
24 break.

25
26 **MR. FISCHER:** Thank you, Mr. Chair. On the economic reporting, I
27 think the word that gives everyone the most heartburn is
28 "mandatory", and, looking at precedents that have been set, I think
29 we might need to ask ourselves what precedence there is for a
30 federal agency, other than the IRS, to require, in a mandatory
31 sense, economic data from law-abiding citizens. That, to a lot of
32 people, comes across as a bit of government overreach.

33
34 I do know that there is a strong -- A strong track record, and
35 precedent, of non-mandatory economic studies, from a voluntary
36 sense, and having a whole lot of success. We're about to do one
37 for the Louisiana Charter Boat Association, and we are not going
38 to make it mandatory, and require our captains to participate, and
39 we're going to feel really good about the results that we're going
40 to get, and so I think "mandatory" is really the word that gives
41 people heartburn.

42
43 If you want to force people to count fish, I think a lot of people
44 can live with that. If you want to force people to turn over their
45 books to a federal agency that's not the IRS, maybe not so much,
46 and so one potential compromise, that I would like to throw out
47 there, and Assane might be the best to speak to whether this is an
48 acceptable, and a possible, compromise, is let's talk about maybe

1 making the fish counting mandatory, but potentially the -- Whether
2 it's as a part of the logbooks, an economic reporting portion, or
3 whether it's a separate survey, but maybe let's make that not
4 mandatory, and feel like we can still potentially get some really
5 good data out of that, and I would like to hear some thoughts on
6 that. Thank you.

7
8 **CHAIRMAN GREEN:** All right. Well, we'll go ahead and take a break
9 for about ten minutes, let everybody use the bathroom and get a
10 drink, but IFQ and HMS require that reporting. There's a lot of
11 fisheries in this nation that require economic reporting, but I
12 think we can do it in a way that is less intrusive, and not so --
13 You know, I like your idea of what you said, and, you know, my
14 idea is to, and I like what you said, is having it completely
15 separate from this, but have a different survey, and then, you
16 know, again, if we say, hey, we want to separate it, and we want
17 to just strictly do this for the fish, and then we can do this
18 over -- You better write the recommendation of what survey looks
19 like, that economic survey, or you're not going to like the results
20 out of that either.

21
22 You know, that's why I was talking about more of a range of numbers,
23 and, that way, we can get the information without feeling like
24 we're, you know, signing up for it, you know, to screw ourselves
25 in some -- I've heard it, and it's like tracking, and economics is
26 a very personal thing. It's right there with religion and
27 politics, and so let's take a little break, and then we'll be back
28 in about ten minutes.

29
30 (Whereupon, a brief recess was taken.)

31
32 **AP DISCUSSION OF NEW CHARTER-FOR-HIRE DATA COLLECTION PROGRAM**
33 **GOALS AND OBJECTIVES**

34
35 **CHAIRMAN GREEN:** All right, everybody. We're good? Okay. Welcome
36 back, and so we're going to move to Item Number VI on the agenda,
37 which is the AP Discussion for Goals and Objectives, and what we're
38 going to do is we'll go around and have everybody state what they
39 want for goals and objectives and what data you want to provide
40 and how you want to see that data used.

41
42 Now, if somebody states something, and then you agree with them,
43 and you want to add something, that would be good, but we don't
44 have to be repetitive, you know, and, hey, I agree with what Mike
45 said, plus this, or minus this, and I think what we'll do is we'll
46 go around the table, and then, once we get those, we can kind of
47 compile a list, and then we can, together, vote on the goals and
48 objectives. Go ahead, Lisa.

1
2 **DR. HOLLENSEAD:** Mr. Chair, I think Bernie is indicating that we
3 do have the ability to just -- We don't have everybody's name, but
4 we can type those up as we go, so we can kind of keep track, and
5 everybody can see the same thing.
6
7 **CHAIRMAN GREEN:** That would be great.
8
9 **DR. HOLLENSEAD:** Okay. Great. Thanks. Thank you, Bernie.
10
11 **CHAIRMAN GREEN:** Mike, do you want to start us off on this?
12
13 **MR. JENNINGS:** Throw me under the bus unprepared. My goal would
14 be to see this SEFHIER program continue as it was, minus the VMS.
15 I mean, I think our main objective, to me, is going to be how to
16 -- Since we know that tracking device is out, is how to validate
17 -- The minimally-intrusive, if that's the correct way to say that,
18 method of reaching our validation goals. That's got to be a big
19 hurdle that we've got to work on here. Like I said, the economic
20 data, I can take it or leave it. I don't know how you type that
21 up on that screen, and I'm kind of just rambling.
22
23 **CHAIRMAN GREEN:** Well, do you mean VMS tracking, or do you just
24 mean twenty-four-seven tracking, just to be clear on what you --
25
26 **MR. JENNINGS:** I think we struggle to get any kind of consensus on
27 the VMS tracking at all, and so what other validation methods do
28 we have at our disposal? You know, what's going to be required to
29 meet that minimum threshold?
30
31 **CHAIRMAN GREEN:** Of validation.
32
33 **MR. JENNINGS:** Of validation, correct.
34
35 **CHAIRMAN GREEN:** Gotcha. All right. Thad.
36
37 **MR. STEWART:** Validation, I think, is definitely at the top of the
38 list, and figuring out the means, whether it's having somebody at
39 the port to randomly check, or whether it's some type of thing in
40 an app, where it's -- I mean, you can turn your location on in
41 just about any app, whatever it is, but some type of validation
42 seems like it's at the top of everybody's list to make this work.
43
44 **CHAIRMAN GREEN:** Gotcha. Abby, did you have something?
45
46 **MS. WEBSTER:** Basically, what they've said so far, and just
47 minimally-intrusive, and to continue without the constant
48 tracking, with the validation.

1
2 **CHAIRMAN GREEN:** Gotcha. Bo.
3
4 **MR. JOHNSON:** Definitely the validation. I mean, I think we all
5 agree on the catch, and I'm voting for no tracking at all, and I
6 still have a problem with the economic end of it. I think there's
7 a way to get around that and get the numbers they need and still
8 do what we need to do, which is protect the fishery.
9
10 **CHAIRMAN GREEN:** So, just to add to that, Bo, and see if you agree
11 with this, I think the economics should be a separate report, no
12 matter what, whether we do it or not, and do you agree that the
13 economics should be out of the fishery report, and just focus on
14 the fish? I'm not trying to put words in your mouth.
15
16 **MR. JOHNSON:** No, you're good. You're good.
17
18 **CHAIRMAN GREEN:** I'm trying to make sure it's clear.
19
20 **MR. JOHNSON:** I mean, you know, obviously, if you took a vote of
21 the guys here, it's probably a lot closer, half and half, roughly,
22 compared to if you took a vote from 100 percent of everybody that
23 owns a permit, and I would say, you know, for the guys that want
24 to do the economic, do it, and, you know, so, I mean, maybe have
25 it a voluntary thing. If you want to put it in and do it, do it.
26 If not, don't.
27
28 **CHAIRMAN GREEN:** All right. Thank you. Mr. Steve.
29
30 **MR. PAPEN:** I'm kind of with everybody here, and the VMS thing
31 seems like, you know, a big part of it that's a problem, and a lot
32 of people don't like it, and the problem is that everybody already
33 has one now, you know, and so there will be a lot of cheap ones
34 for sale, I guess, and I'm dual-permitted, and so I've got to do
35 it anyway, and it doesn't really bother me one way or another,
36 because I have to have mine on anyway, but I think that's -- You
37 know, that's a big hiccup, and the thing that nobody wants to be
38 tracked, and I get it, you know, and I don't want it either, but
39 I think that's something that we have to look into, maybe an app,
40 or something like that, like you said, you know, and that might be
41 a good idea.
42
43 **CHAIRMAN GREEN:** Yes, or, you know, another thing, and we haven't
44 really gotten into that discussion yet, but, also, a couple of --
45 You know, a suite of options, and you're dual-permitted, and you
46 shouldn't have to do anything else, and you already have -- Like,
47 if you want to use your VMS that you're dual-permitted with, you
48 should be able to use that satisfy any SEFHIER or data --

1
2 **MR. PAPEN:** Yes, and that was a given. I thought that like that
3 was going to be there no matter what, for dual-permitted boats,
4 because there's quite a few in my area, for sure, and I'm sure
5 everybody has some, but, you know, yes, and if I could definitely
6 not have to add -- You know, like we're doing right now, because
7 I've got South Atlantic permits, and now I have to do my reporting
8 on my boat, plus the no-fish reporting or whatever on my commercial
9 side, and then plus the VESL stuff for the South Atlantic, and I'm
10 like reporting constantly, like in different fisheries all over
11 the place, and, if you could streamline the thing, and have one
12 single app, unit, whatever, to satisfy all of the reporting that
13 you're responsible for, no matter what fisheries you're involved
14 in, that would be huge. That would be super helpful to a lot of
15 people, in every situation, no matter what they are.

16
17 **CHAIRMAN GREEN:** Gotcha. Cool. Thank you. Sebo.

18
19 **MR. SEYMOUR:** Definitely hail-out and hail-in, and next would be
20 on a phone app, which we've already got, and minimalize, which
21 we've already got, and regional species, which is one of the
22 problems we had with the last reporting. The areas in the Gulf,
23 and I'm going to just use our area, and we do a lot of shark
24 fishing, and we catch red drum in state waters, and we use the EEZ
25 basically, possibly, three months out of the year, and so, when
26 SEFHIER was first done, and that is one of the regional species,
27 is what I'm getting at, and we had a hard time, with the VESL
28 program, defining what we had onboard before we offloaded.

29
30 The simplicity is one thing, because we're going to have to hit on
31 that species, and discards for sure, and so I guess we need to add
32 discards also, and then to reduce the cost to the shareholder and
33 the business owner, no matter if it's the owner or the shareholder
34 of the permit, and that's pretty well -- That will get us somewhere
35 in my area.

36
37 **CHAIRMAN GREEN:** All right.

38
39 **MR. SWINFORD:** A lot of points I would bring up have already been
40 put up there, and I won't mention those again, but I would say an
41 annual economic survey, to be done at the time of permit renewal,
42 and I think, if that was voluntary, you may get more realistic,
43 and more accurate, numbers on the financial report, and an inside-
44 the-app location, and so if you're traveling into this section, or
45 this region, for your fishing, rather than being tracked full-
46 time.

47
48 **CHAIRMAN GREEN:** Gotcha. Clay.

1
2 **MR. SHIDLER:** I would really like to, and maybe this is my fault,
3 but get a better understanding of what our options are to meet the
4 minimum threshold for tracking, whether it be done on an app, you
5 know, and, I mean, there's a lot of great ideas, but what is
6 actually going to qualify this sector to be considered accountable,
7 from a tracking standpoint? That's really what I would like to
8 know, you know, and is there a way to go below a VMS in the misery
9 scale, I guess, for lack of better words?

10
11 **CHAIRMAN GREEN:** That's one way of putting it, and, also, just so
12 you know, so you all kind of understand, we're going through these
13 goals and objectives, and that kind of gives an input to Michelle
14 and Jessica, who are going to be doing presentations next, and,
15 that way, they can look at this and be like, well, you know, we
16 want to do this, and, well, you know, you've got to do it this
17 way, or this is what has got to be met, and so you're going to get
18 some of that information next. As soon as we get done with this,
19 they're going to come up and do presentations, and they will
20 definitely be the ones to ask. Richard.

21
22 **MR. FISCHER:** Thank you, Mr. Chair. I've got a few. I think the
23 most important thing is that the rollout of the next logbook
24 program is done right and in a way that will hold up, if it needs
25 to go to court again, and I really think that doing a referendum
26 is going to be important, to show people that it is something that
27 the fleet actually wants, but the most important thing, really, is
28 just going to be communicating it flawlessly, and rolling it out
29 flawlessly, and hitting all those checkmarks that the appellate
30 court pointed out were not hit the first time.

31
32 The reimbursement program is going to be big, to refund that
33 program, so that those that missed out the first time, whenever
34 that retroactive cutoff date happened, which no one was expecting,
35 to make sure that they get made whole for paying for their logbook.
36 I will bring up the possibility for weekly reporting again, and I
37 would really like this group to have that conversation, because
38 the Science Center is on record saying that they cannot assess
39 data any faster if it comes to them daily or if it's weekly, and
40 so, if weekly reporting is good enough for the South Atlantic, why
41 is it not good enough for the Gulf? I have asked that repeatedly,
42 and I don't know that I have ever gotten an answer to that.

43
44 Tracking needs to be completely off the table. That assures that
45 you're going to pass the 4th Amendment sniff test there, and so I
46 think -- I think we're kind of all in agreement on that.

47
48 Having a reliable backup to report, in case your logbook breaks,

1 or your app is not working, is very, very important, because this
2 isn't commercial fishing, where you can just go catch your quota
3 later. You've got to go when your customers want to go. I do
4 applaud the council for coming up with workarounds there, but,
5 from what I've heard, it takes considerably longer than a week or
6 two to get your device fixed, and so just giving you a window of
7 a couple of weeks to be able to not be in compliance, but still
8 making an attempt to comply, I think that needs to be longer, and
9 I would like for us, for this group, to have a conversation about
10 that as well.

11
12 My last bullet point is I really think we need to divorce well-
13 intentioned logbook violations from the ability to renew your
14 permit. We should not have an issue like we had where a federally-
15 permitted captain off of Louisiana lost his vessel in Hurricane
16 Ida, and therefore basically needed to find a vessel to put his
17 logbook on before being able to renew his permit the following
18 spring.

19
20 I know permits have to be assigned to vessels, but, in the past,
21 you could just throw your permit on a pirogue and say this is what
22 I've got in the meantime, until I move it over, and you're not
23 exactly putting the logbook on a pirogue, and so we can't have
24 that issue.

25
26 We can't have an issue where a captain did not do his power-down
27 exemption correctly during the winter, or he didn't have good
28 enough cell service in his boat house during the winter, and,
29 therefore, when the spring comes around, he gets a letter in the
30 mail saying that we're not going to let you address your permit,
31 or renew your permit, until you address this, and so I think those
32 are -- Look, if somebody is just straight up not complying, and
33 they want to be difficult, don't let them get a permit, and fine,
34 but, if they are actually trying, and mistakes are being made, I
35 think there needs to be a way to kind of work with those people,
36 so that they are not at risk of losing that permit, and that's all
37 that I've got. Thank you, Mr. Chair.

38
39 **CHAIRMAN GREEN:** Joshua.

40
41 **MR. ELLENDER:** Just for clarification, Richard, you seemed like
42 you were interchanging logbooks with VMS units, and is that
43 correct? That's what you were stating in your statements?

44
45 **MR. FISCHER:** So what I'm referring to is the original VMS program
46 that we had, where VMS was required. If we were to come to a less-
47 intrusive, just a logbook and not a VMS, some of those problems
48 would persist, but some of them might not persist, and I think it

1 comes down to this group kind of having the conversation on the
2 frontend, to kind of get ahead of some of those unintended
3 consequences that we had the first time, and so all of my comments
4 had to do with the original phase one and phase two of the VMS
5 program, and, if we were to go with a less-intrusive logbook
6 program, that is not VMS, some of those problems go away, but not
7 all of those problems.
8
9 **MR. ELLENDER:** Thanks. I think everybody hit everything that I
10 was going to talk about, and so I'm just against VMS all the way,
11 the tracking, and just us finding a better way to validate our
12 catch, to make sure that -- The validation seems to be key, and
13 that we just need to find a more efficient way without government
14 overreach.
15
16 **CHAIRMAN GREEN:** All right. Cool.
17
18 **MR. SEYMOUR:** Should we speak about latent permits in this
19 discussion, or no? We spoke, just before the original SEFHIER --
20
21 **CHAIRMAN GREEN:** We haven't spoke about it, but if you want to --
22 If you're talking about identifying --
23
24 **MR. SEYMOUR:** Does anybody think that would be a decent --
25
26 **CHAIRMAN GREEN:** I think that's a byproduct of it, no matter what,
27 but it's up to you. If you want to add it, we can. We're going
28 to have to condense these down.
29
30 **MR. SEYMOUR:** Okay. That's fine. We can just keep that in mind,
31 and we'll hit it later then.
32
33 **CHAIRMAN GREEN:** Mike, did you have something to add?
34
35 **MR. JENNINGS:** I wanted to add -- As the crowd was talking, I
36 thought of one more, and I would just like to add more goal, and
37 that would be -- For me, it would be to see the SEFHIER program
38 continued as quickly as possible, without the VMS or anything that
39 court struck down, and just get the thing moving, so we've got
40 some information coming.
41
42 **CHAIRMAN GREEN:** Okay. Sebo.
43
44 **MR. SEYMOUR:** We did miss one, safety.
45
46 **CHAIRMAN GREEN:** Safety-at-sea.
47
48 **MR. SEYMOUR:** Safety-at-sea.

1
2 **CHAIRMAN GREEN:** Okay. Thad.

3
4 **MR. STEWART:** I have a question about terminology. Would you
5 consider the previous VESL app a form of a logbook?
6

7 **CHAIRMAN GREEN:** Yes. Yes, that's an electronic logbook, VESL and
8 eTRIPS. Those were both logbooks. All right, and so we've got a
9 list here, and we kind of need to condense it down, and we're
10 basically seeing a couple of trends here. You know, SEFHIER
11 without tracking, and so maybe we can -- The SEFHIER without VMS
12 tracking, and I think you can take the no tracking off, down at
13 the bottom there. I'm trying to just -- Just so you all know, I'm
14 trying to wordsmith this to where we have a couple of goals and
15 objectives that cover everything, and so I'm not discrediting
16 anybody, or we're not taking anything out, but we're going to try
17 and get this into a manageable list. I think -- The phone app,
18 the hail-in and hail-out, and I don't know just yet.
19

20 **DR. JOHN FROESCHKE:** If you want, we can kind of go through and
21 try to identify the duplicates, at lunch or something, for you.
22

23 **CHAIRMAN GREEN:** Okay. If we can do that, then we can move into
24 the presentations, and we won't burn a lot of time doing that.
25

26 **DR. FROESCHKE:** I was thinking, after you see the presentations,
27 then you might want to go back and kind of take a look at this
28 list and see if you want to make changes to it.
29

30 **CHAIRMAN GREEN:** All right. Let's see if we can bring it down and
31 keep the list there, so we have a reference of it, if you don't
32 mind, and we'll come back to it. All right, and so that will move
33 us on to Agenda Item VII, Summary of SEFHIER Program Data, with
34 Dr. Masi.
35

36 **PRESENTATION: SUMMARY OF SEFHIER PROGRAM DATA**
37

38 **DR. MICHELLE MASI:** Hello, everyone. I'm actually not in
39 attendance today. Sorry for not being there in-person. I have a
40 sick kid, and so I apologize. I'm hoping to get there tomorrow,
41 to shake some hands and meet you all. With that, I just want to
42 let you all know that this presentation, about the first ten
43 slides, is just a refresher of what was presented at the last
44 council meeting, and then I will walk, actually, through some newer
45 analyses, and these are ones that were requested at that last
46 council meeting, and so that will start on about slide 11, and so,
47 for those that saw the information at the council meeting, it's
48 just going to be a refresher for you.

1
2 All right, and so just a quick reminder here that, before 2021, we
3 had no SEFHIER data which we can use to help understand, in space
4 and time, how the for-hire industry is operating. Then here you're
5 looking at 2022 data, and this is what we got from our Gulf SEFHIER-
6 permitted vessels in 2022, and that middle donut there is showing
7 you that we received over 100,000 trip reports in 2022, and that's
8 broken out into the number of declarations and logbooks that we
9 received from our Gulf-permitted SEFHIER vessels.

10
11 You can see there that there were more declarations than logbooks,
12 which makes sense, since the declarations were required for every
13 time the vessel moved on water, whereas the logbook is representing
14 the number of fishing trips. Then, if you're looking at the figure
15 on the left there, that donut is showing you the number of Gulf-
16 permitted vessels that either declared at least one time in 2022
17 or never declared, and that number in the middle there is the
18 number of Gulf for-hire permitted vessels in total, and it's
19 important to note that, here, that total is representing -- Those
20 are Gulf-only for-hire-permitted vessels as well as our Gulf and
21 dual South Atlantic SEFHIER-permitted vessels, because remember,
22 in 2022, our dual Gulf and South Atlantic SEFHIER-permitted vessels
23 were required to meet the Gulf program requirements, and so I have
24 lumped them into the compliance metric analysis for the Gulf
25 program in these next few slides.

26
27 Now, the figure on the right there is looking at the number of
28 SEFHIER vessels, Gulf program SEFHIER vessels, that either
29 submitted or never submitted a logbook in 2022, and so, considering
30 the slide on the left and the right there, you can see that we had
31 a little over 500 vessels, in total, that never submitted either
32 a declaration or a logbook in 2022, and so, you know, that's where,
33 if we don't have VMS, we really need some sort of comprehensive
34 trip validation program in place, in order to understand if those
35 vessels were in fact not fishing, or not active, in all of 2022 or
36 if they were just not reporting.

37
38 All right, and so, on this slide, you're looking at the percentage
39 of compliant versus non-compliant vessels, with regard to the
40 reporting requirements in 2022, and so you can see, with that
41 light-blue bar there, we have about 78 percent of the total Gulf-
42 for-hire-permitted vessels that were compliant in 2022, and
43 there's a couple of things to think about when trying to interpret
44 this slide, and so the first is that the compliance here is in
45 relation to when we pulled the data from our database, and so you
46 can see, at the bottom of the slide, that we actually pulled this
47 data in late May of 2023, and that just means that vessels had up
48 until that point to come into compliance, to submit those

1 outstanding reports, and then they get lumped into that compliant
2 bar that you see in this figure.

3
4 The other thing to think about, in terms of this compliance metric,
5 is that this is a look at 2022 as a whole, and so, here, we're --
6 You know, considering we're looking at it as a whole, we might
7 have a vessel that's just missing one report, for just one week of
8 2022, and then they get lumped into that dark-blue bar there, as
9 non-compliant, and so we wanted to look at this in terms of a
10 shorter time horizon too, to see what compliance looks like in a
11 smaller timescale, and so I will show you that in the next slide.

12
13 The other thing to think about too is that this is -- It's based
14 on whether or not they submitted a declaration to us that said,
15 hey, I'm going to go out fishing, and then, if they didn't submit
16 the logbook, they get marked as non-compliant in our system, and
17 it goes in reverse, too. If they submitted a logbook, but not a
18 declaration, they get marked non-compliant, but what it's not
19 accounting for here is any non-reporting, and so that's again,
20 where we would need VMS, or some sort of comprehensive trip
21 validation program in place, in order to capture that.

22
23 This figure here, and, again, I mentioned that we wanted to show
24 this at a shorter time horizon, and so, here, we're looking at our
25 non-compliant vessels, the percentage of them by month in 2022,
26 and so you can see the trend there, over all of the months in 2022,
27 is showing that we had fewer than 9 percent, in any given month,
28 of our vessels that were non-compliant, in any given month, and
29 so, again, that's getting at -- You know, it seems like, when we
30 look at in a shorter time horizon, that -- It seems like vessels
31 are doing it right most of them, and, when we looked at it at a
32 week-to-week scale, we saw even fewer vessels were non-compliant,
33 and so that's definitely good news.

34
35 All right, and so another thing we wanted to do with compliance is
36 understand more in terms of real-time reporting, and so, here, we
37 do that through an analysis of late reporting, and we can do this
38 using the transmission date and time fields that actually get
39 submitted to us along with every trip report that we receive, and
40 we require application reporting vendors to send us that
41 information.

42
43 Then so the figure on the left there is looking at the percentage
44 of on-time versus late declarations in 2022, and it's using the
45 logic that, if the transmission date and time is after the trip
46 start time that was submitted in the declaration, then that
47 declaration is considered late, and remember the requirement for
48 the declaration was that it was required to be submitted before

1 the vessel moved on water, and so, considering that logic, you can
2 see we had about 30 percent of the declarations that were submitted
3 to us in 2022 that were submitted late, and so that's definitely
4 a compliance issue that we would want to try to tackle if we
5 included declarations in the SEFHIER program, because, obviously,
6 those declarations were intended to serve to alert the Office of
7 Law Enforcement in advance of a trip, to know when and where to
8 meet a vessel at the dock, if they needed to do a dock visit.

9
10 Now, the figure on the right side there, that's looking at the
11 percent of on-time versus late logbooks, and so, in that one there,
12 there's not really a robust way to determine when our captains are
13 actually getting -- Whether or not they're meeting the requirement
14 of the logbook, which was that they needed to submit those logbooks
15 within thirty minutes of returning to the dock, or prior to
16 offloading, and the only way we could do this is by incorporating
17 vessel monitoring system positional data into this analysis, which
18 sort of complicates the analysis, or we would need more boots on
19 the ground, to really get a sense for like an average time that
20 these logbooks are being submitted after the vessel returns.

21
22 To avoid that, here, we just applied a buffer of twenty-four hours
23 and said, if the logbook was submitted to us more than twenty-four
24 hours after the trip ended, based on the end time that was
25 submitted in the logbook, then that logbook is considered late,
26 for this analysis, and so you can see, based on that logic, that
27 we had more than 83 percent of our logbooks that were submitted to
28 us within twenty-four hours, and so that's definitely good news.

29
30 All right, and so, here, in terms of late reporting, we also wanted
31 to look at this in regard to data usability, and so, here, we're
32 looking at recall bias, noting that other reporting programs don't
33 actually make use of trip reports that submitted to them more than
34 thirty days of the trip ending, and, again, that's due to that
35 recall bias and trying to ensure that we have the most accurate
36 estimates of our catch and effort from the industry, and so,
37 assuming that, we apply that same logic, using the transmission
38 date and time fields, and, here, you can see that we had more than
39 95 percent of our trip reports that were submitted to us within
40 thirty days of the trip ending, and so, in terms of data usability,
41 that's definitely good news.

42
43 All right, and so, in this figure here, what we wanted to do was
44 just compare our Gulf SEFHIER program compliance with the South
45 Atlantic SEFHIER program compliance, and now remember the Gulf
46 program is the stricter program, and it has the -- Well, it had
47 the VMS component, in 2022, and it also had the validation survey
48 component, which is very equivalent to what MRIP is doing, where

1 we have our state surveyors who are going out at the dock, and
2 they're intercepting the for-hire captains that are returning from
3 their trip, and they're collecting that trip information, so that
4 we can then compare it to what was submitted in the logbook, and
5 that allows us to capture that uncertainty in any misreporting, or
6 non-reporting, that's going on, and so that component, as well as
7 declaration is being required before the vessel moved on water,
8 and then, with the Gulf program, it was more real-time reporting,
9 where we required the logbook essentially within thirty minutes of
10 the vessel returning, if they didn't catch anything, or, as I
11 mentioned already, before they offloaded that catch.

12
13 You can see that, in the South Atlantic program, which is, again,
14 that more relaxed program, in terms of requirements, and we had
15 much lower compliance in that program, at 46 percent, and, with
16 that program, and it has been mentioned today, they do have a
17 weekly reporting requirement, but, most importantly, this program
18 actually lacks a validation component, and so, with that, of
19 course, when we set this program up, it was already determined, by
20 the Science Center, that that data would not be usable for
21 management purposes, and so definitely the validation component
22 there is a big problem, but also looking at the poor compliance in
23 that program, and it's really an issue, in terms of data usability.

24
25 Another thing that I just wanted to mention here is that, at the
26 December council meeting for the South Atlantic, they did put forth
27 an amendment, which is going to evaluate the program, and that
28 will likely lead to some changes in the program requirements, so
29 that they can see an increase in that compliance in that program.

30
31 In this slide here, this is also a review of the slide that I
32 presented at the council meeting, and so is the next one, but,
33 here, we're talking more in terms of data utility. In this
34 analysis here, we're looking at the validation survey data, and
35 remember that's that dockside sort of intercept component, and we
36 called it a validation survey to make it distinct from the MRIP
37 survey, so that folks didn't get confused out there, but it's about
38 the same thing, and it's equivalent, and so what you're looking at
39 is the dark-blue bars are the total logbooks that were received
40 from our captains, or Gulf-permitted vessels, in 2022, and those
41 light-blue bars are representing the number of completed
42 interviews, or dockside intercepts, that occurred in the
43 validation survey, by month.

44
45 If you take the ratio of those two numbers, the completed
46 interviews out of the total logbooks, you get what's called an
47 interception rate, and so that's that vertical-dashed line that's
48 running along this figure, and so you can see, month-to-month,

1 that value is ranging from 2 to 8, meaning that about 2 to 8
2 percent of the total logbooks we received were being intercepted
3 at the dock.

4
5 If you take the average from the year, you see we get an annual
6 interception rate of about 5.2 percent for the SEFHIER validation
7 survey, and, comparing that to other programs, it's pretty close,
8 and so we did a pretty good job with our validation survey in 2022.

9
10 All right, and so, on this slide here, we're looking at a frequency
11 analysis, and this is in terms of our two economic fields here,
12 and that's the fuel used on the left and the trip fee on the right,
13 and so, along the Y-axis, you're looking at the frequency, or the
14 number of times, essentially, a value gets reported, and, along
15 the X-axis, it's the range of the values that were reported in
16 2022, and then we can take the average, or the mean, value of all
17 those, and so what you're seeing, at the top of the figure there,
18 is, on average, we saw about seventy-five gallons of fuel was used
19 from our Gulf-SEFHIER-permitted vessels in 2022, and, on average,
20 we saw a trip fee of about \$1,300.

21
22 You know, I want to mention, and emphasize, that, really, this
23 analysis here is just kind of scratching the surface, in terms of
24 showing you all the total utility of how the Center -- Of how SERO
25 can make use of this economic information, and I think it's been
26 mentioned already, and so I'm not really going to talk too much
27 more about it, but you know, part of the intention, of course, is
28 that we can use this to better inform the value of the fleet, and
29 that is quite useful when there is something like a natural
30 disaster, if there's an oil spill, that puts our captains out of
31 work, and so providing reimbursement based on the value of the
32 fleet, and so it's definitely useful information.

33
34 All right, and so I mentioned that the last ten slides were a
35 review of the information that I presented at the last council
36 meeting, and so now we're going to get into the new analyses, but,
37 before I do that, I want to just emphasize some of these data
38 caveats, so that nobody is trying to interpret this information
39 the wrong way, and so, first of all, the analyses that we're going
40 to be looking at in the next few slides are using raw SEFHIER data,
41 and so, here, we haven't done any accounting of any missed or non-
42 reported trips. Second, the SEFHIER data has not been calibrated
43 to or validated against MRIP.

44
45 Third, the SEFHIER data only includes federal data, and the MRIP
46 data, remember, is also including the state-only-permitted charter
47 trips. Finally, the SEFHIER effort data that I'm going to show
48 you is based on vessel trips, because we're looking at logbooks,

1 whereas MRIP effort is given in units of angler trips, because
2 they are interviewing the anglers themselves, and so these analyses
3 that I'm going to show are not directly comparable to MRIP, and,
4 now, that's not to say that we can't get estimates that are
5 comparable to MRIP, but we just haven't gotten there yet.

6
7 At the last council meeting, there was a question, and it was kind
8 of along the lines of -- I don't remember it specifically, but it
9 was something about can you give us some information about the
10 number of vessels that are participating in each fishery, and so
11 we tackled that question in a series of analyses, which hopefully
12 will provide some additional information to address that question.

13
14 Here, you can think of this analysis as answering the question of,
15 of the total number of trips that are targeting a species, or a
16 fishery, did they actually catch that species, and so the vertical
17 black lines that you see on this figure are showing the total
18 number of logbooks that said they were going to go out and target
19 the species shown on the Y-axis there, and the bar is representing
20 the number of logbooks that actually caught the species, and so,
21 here, caught is representing both retained and discarded, because
22 we didn't want to, you know, bias this with any captains that are
23 out there and not necessarily retaining catch, due to
24 sustainability reasons, or, you know, a customer didn't want them,
25 or whatever, and so we're trying to answer that question of if
26 they wanted to go out there and catch them, and did they actually
27 catch them, and so you can think of this as giving sort of a
28 qualitative understanding of whether or not there's any sort of
29 depletion issue out there.

30
31 It's really just an approximation of relative effort, and so don't
32 take any final estimates from this, but, along the X-axis, you see
33 we're looking at the number of logbooks, and you can equate a
34 logbook to a trip, and so, for red grouper, for example, the way
35 you would interpret this is, when you take the ratio of the number
36 of logbooks that caught a species, the total number of logbooks
37 that said they wanted to target that species, essentially, what
38 it's saying for red grouper is, if you take 0.91, and you times it
39 by a hundred, about 91 percent of the trips that said they wanted
40 to target red grouper actually caught red grouper. There's a
41 number of other species listed on the figure here, but I just
42 wanted to explain how you would interpret this information, and,
43 if anybody has any questions, feel free to come back to this slide
44 at the end.

45
46 All right, and it's important to note that, for red snapper, which
47 probably you all would expect, there's a lot more logbooks, and
48 data, and so we pulled out red snapper into its own figure, for

1 the next few analyses, just so that you could see the dynamics of
2 those other species shown in the previous figure, in the next few
3 figures, and you can see the magnitude of the number of logbooks
4 is approaching about 15,000 in this figure, but it's -- This figure
5 here is representing the same information as the previous slide,
6 where, here, we're looking specifically at red snapper, and it's
7 saying about 95 percent of the trips that said they wanted to go
8 out and catch red snapper actually caught it.

9
10 Here, we're looking at now, along the X-axis, the number of
11 targeted trips, and so along the Y-axis are the species, again,
12 and, here, what we did too is we split this data out by quarters,
13 so you could get a sense of some of the seasonality in the data,
14 and so the first bar chart that's at the top of this slide here is
15 representing the first quarter in 2022, and so that's January,
16 February, and March, and then the second quarter is April, May,
17 and June, and so on throughout the rest of the quarters, and so
18 the way you would interpret this then is, for red grouper in that
19 first quarter, the top graph there, we see we had 759 trips that
20 said they were going to go out and target red grouper, and so you
21 can see, for red grouper in the second quarter, that increases to
22 about 1,200 trips in that second quarter, and so, again, lots of
23 different species, and data, on this slide, and so take your time
24 to ingest it, and we can talk about it more at the end.

25
26 Again, red snapper is pulled out on its own, and you can see that,
27 in that first and fourth quarter there, the fishery is actually
28 closed, and so that's why you don't see a lot of targeted trips,
29 and then, as we get into that second and third quarter, the number
30 of targeted trips picks up, and it's about 6,800 in the second
31 quarter and about 7,500 in that fourth quarter.

32
33 All right, and then, here, along the X-axis now, you have the
34 number of vessels that are going out to target these species, and
35 so that top figure there, again that first quarter, is looking at
36 all the different species, the same species as the last figure,
37 and so you can compare among the figures now, when interpreting
38 this data, and so, here, we had, for red grouper, 116 vessels,
39 and, if you remember from the previous slide, that were going out
40 to target, in those 759 trips, the red grouper in that first
41 quarter. Again, it's changing throughout the different quarters,
42 so that you can see that seasonality.

43
44 Here, again, red snapper is pulled out on its own, and so you can
45 see, in that second and third quarter, we have about 500 vessels
46 that are participating in that fishery.

47
48 All right, and so this data is presented a little bit different.

1 Now we're looking at the trend in retained catch, and remember, in
2 SEFHIER logbooks, we collected catch information in numbers, and
3 that is shown across months. The months are on the X-axis now,
4 and the number of retained are shown along the Y-axis, and it is
5 distinctly different for each of the species, in the figure shown
6 here, but, essentially, what you're looking at is the month is a
7 bar, and so, in each individual species figure, each bar is
8 representing a different month in 2022, and so, for
9 interpretability reasons, I'm going to just explain that first
10 black grouper here, so that you can make sense of this.

11
12 I've included the gray shading bars, and that's the months where
13 the fishery was closed, and I got that information from Dr.
14 Hollensead, and so thank you for that, and so you can see, for
15 black grouper, for example, that fishery is closed in that first
16 part of 2022, and then, when it opens, in May of 2022, you see the
17 retained catch picking up a little bit, with the peak retained
18 catch occurring in June of 2022, and, again, lots of different
19 species, lots of information here, and so take time to digest it
20 and then let me know if you have any questions.

21
22 All right, and, again, red snapper is pulled off on its own, and
23 so you can see the fishery was closed in the first part of 2022,
24 and also at the end of 2022, and we see the retained catch picking
25 up there in June, up to about 80,000 retained red snapper in the
26 month of June, based on the information that we collected from our
27 Gulf-SEFHIER-permitted vessels.

28
29 All right, and there was another question, at the council meeting,
30 that had to do with -- I think it was kind of like can you tell us
31 any areas, or pockets, in the Gulf that are higher, in terms of
32 non-compliance, so that we can do some targeted outreach in those
33 areas, and so the way we did this analysis is, using the permit
34 information and the homeport that was listed in the permit, we
35 assigned a state, for compliance purposes, to each vessel.

36
37 The way you interpret this then is each label is showing, you know,
38 obviously, the state abbreviation, and then the numbers there --
39 That's the number of non-compliant vessels out of the total number
40 of vessels that are permitted, based on the homeport state from
41 the permit information, and so, when you take that number, divided
42 by the other number, you get a ratio, or a portion, and you times
43 it by a hundred, and you get the percentage of vessels that are
44 non-compliant in that state.

45
46 Also, to note the color-coding, and so the darker color is
47 representing states that have less non-compliant vessels, and the
48 lighter color is the state with the most non-compliant vessels,

1 and so, for example, for Alabama, there were thirty-eight vessels,
2 in all of 2022, that were non-compliant, and so they're missing at
3 least one report, and so 26 percent of all the total permitted
4 vessels in Alabama were non-compliant in 2022.

5
6 Now, if we compare that to Louisiana and Florida though, you can
7 see it's about the same, around 20 percent, and Texas and
8 Mississippi are actually the states with the least non-compliant
9 vessels.

10
11 All right, and then the final question that we got at the last
12 council meeting had to do with vessel movement patterns, and I
13 think the question was sort of centered around can you tell us if
14 vessels are moving from state to state, or if they're fishing in
15 different regions, and so we answered that through a series of
16 questions, and there's a probably a plethora of ways to answer
17 these questions, or get at this answer that they were looking for,
18 and so I'm going to go through what we did, and then, of course,
19 if there's further things that folks would like to see, we can do
20 that for the next meeting.

21
22 Some data caveats first though, and homeport here is being used to
23 determine the vessel movement, and it's based on the permit
24 information. Now, we actually pulled this permit information very
25 recently, whereas these logbooks were submitted in 2022, and that's
26 just based on the timing of the request, and so there's probably
27 some discrepancies there, and potentially, you know, a vessel
28 transferred, or the permit holder moved, and so there might be a
29 little bit of bias, in terms of that, in these analyses.

30
31 Also, not all of the homeports are within a coastal county, and so
32 we had to do some assumptions, where, for example, in Florida, was
33 the county closer to the Gulf side, and, if so, it got lumped as
34 a Gulf region, essentially, homeport, and, if it was closer to the
35 South Atlantic, then it would be South Atlantic.

36
37 Then the question was centered around the vessel. You know, they
38 wanted to know how many vessels were doing this, and so we didn't
39 look at this by trip. Here, we're counting a vessel if it had at
40 least one trip that occurred outside of the homeport region, and
41 so that first question then is how many vessels have a different
42 homeport county than an end-port county, and the homeport county
43 is what's in the permit, and the end-port county is what gets
44 reported to us in the logbook, and so we broke those numbers out
45 by quarters, so that you could get an idea of some of the
46 seasonality.

47
48 Twenty-five vessels, in the first quarter, had a different homeport

1 county than end-port county, 109 in the second quarter, 102 in the
2 third quarter, and fifty in the fourth quarter, noting that the
3 higher values, in that second and third quarter, are likely due to
4 the increase in the participation in those different fisheries
5 that we saw in those figures during the tourist season, or it could
6 be that there's vessels moving, or relocating, to tourist hotspots
7 during those times.

8
9 The second question is how many vessels have a different homeport
10 state than an end-port state, and so, again, breaking those numbers
11 out by quarter, you can see that it's three in the first quarter,
12 thirty-one in the second quarter, twenty-seven in the third
13 quarter, and ten in the fourth quarter that were doing this.

14
15 Now, in general, we did see that most of the differences were
16 occurring between adjacent states, and so like Florida to Alabama
17 movements, though we did have some larger geographical
18 differences, and like Texas to Florida, or Florida to Texas, for
19 example, and I think there was roughly five of those, in the second
20 and third quarter, and so not very many, but, again, it could be
21 due to the fact that permit information had changed since the time
22 the logbook was submitted to the time that we pulled the permit
23 information.

24
25 Then the third question is how many vessels have a different
26 homeport region, using the county to assign whether or not it's a
27 Gulf region, than an end-port region, and, again, our end-ports
28 come in as state, county, and address, and so we used the county
29 to assign whether or not that's in the South Atlantic region, and
30 so we had three vessels total in 2022 that did this, and I want to
31 emphasize that, here, we've excluded Monroe County, because,
32 obviously, we can't really determine if they're, you know,
33 submitting in Monroe County, how to split that up between each
34 region.

35
36 Then the final thing we wanted to get at, with this question, is
37 are vessels fishing in both the Gulf and South Atlantic, throughout
38 2022, and so, here, we're using the area fished field that gets
39 reported in our logbook information, and remember that's a latitude
40 and longitude coordinate, and so we can use that to determine
41 whether or not a trip falls -- Remember that we only get one area
42 fished for logbooks, and so we can use the area fished to determine
43 if the logbook falls within the Gulf Council's jurisdiction or the
44 South Atlantic Council's jurisdiction, and so, the way that we're
45 counting it, if vessels are doing this, is, if a vessel made at
46 least one trip in the Gulf Council's jurisdiction, did they have
47 another trip, within 2022, that was in the South Atlantic Council's
48 jurisdiction.

1
2 Considering that, we split the number by quarter, and you can see
3 that, on average, among all the quarters, we have about fourteen
4 vessels that are doing this among the quarters, and, when we looked
5 at this data spatially, and so we mapped out, you know, where those
6 trips are occurring, which I can't show you all, because it's a
7 privacy violation, but you can see that they're all off the coast
8 of Florida, with the bulk of them occurring around the Florida
9 Keys, and so it obviously makes a lot of sense that, especially
10 with the number if our dual-Gulf-and-South-Atlantic-permitted
11 vessels in 2022, that vessels would be moving from trip to trip
12 between the regions.

13
14 This is, again, a repeat of what was presented at the council
15 meeting, but, just to recap what I went over in those compliance
16 analysis slides, overall, we did see pretty good compliance with
17 our Gulf SEFHIER program. In 2022, we had over 100,000 trip
18 reports received, and more than 91 percent of the vessels were
19 compliant each month, and 83 percent of the logbooks were submitted
20 within twenty-four hours of the trip ending, and less than 5
21 percent of the logbooks were submitted more than thirty days of
22 the trip ending, which, again, has to do with data usability, and
23 so all of those are being used.

24
25 I didn't really talk much about it, but we did see that, by the
26 end of 2022, about 84 percent of the vessels were fully compliant
27 with the VMS requirement as well.

28
29 Then the second bullet here is looking, again, at that South
30 Atlantic SEFHIER program, where we saw there were a much higher
31 number of non-compliant vessels, at 54 percent, in 2022, and then,
32 finally, without VMS, we would really need some sort of
33 comprehensive trip validation program, in order to determine any
34 non or misreporting vessels.

35
36 All right, and so, just real quick, I want to say a special thanks
37 to the folks that helped me produce the analyses for this
38 presentation, and then also our IPT members, because they provided
39 input, and ideas, into what to present to you all today, and
40 especially Lisa Hollensead, who helped review some of the analyses
41 before I showed them, and so thanks for that, and then, of course,
42 there's a lot of folks in the room today, and I'm really thankful
43 for all the effort that you put into providing this data in 2022,
44 because, obviously, without your hard work, we wouldn't have any
45 data to help understand how the for-hire industry is operating in
46 space and time, and so thank you for that, and I will now open the
47 floor to any questions.

48

1 **CHAIRMAN GREEN:** All right. Mike, do you want to start us off?
2 Again, if you all have a question while someone is talking, just
3 raise your hand, and make eye contact with me, and I will put you
4 on the list. Go ahead, Mike.

5
6 **MR. JENNINGS:** I think I was kind of waiting for this part of the
7 meeting to ask the question, and Captain Clay hit on it a little
8 bit earlier, and I've got a question I think that this AP is going
9 to need, just to move forward, and it might be the time to ask it,
10 and that's going to be what would be the minimum requirement, or
11 I believe he used the minimum threshold, for validation?

12
13 To be more specific, I'm not talking about, you know, what we know
14 it needs to be, as far as compliance levels and dockside intercepts
15 and things along those lines, and those are law enforcement issues,
16 but I need to know more of, to understand from our aspect, is as
17 far as the vessel movement itself. Does it have to -- Do you have
18 to just know that it went fishing and came back? Is it that
19 simple, or is the spatial data also required for validation, and,
20 if it is, why, but it's mainly -- My question focuses around that
21 vessel and what would be the minimum threshold to say, okay, we
22 can validate this information from that angle.

23
24 **CHAIRMAN GREEN:** Before you answer that, Michelle, Jessica has
25 walked up to the podium, and so I'm going to let Jessica take the
26 floor on it.

27
28 **MR. JENNINGS:** Thank you.

29
30 **DR. JESSICA STEPHEN:** I do have a presentation, after Michelle's,
31 that will get a little bit more into the validation, and so, just
32 to briefly answer some of those questions, it depends on what
33 questions you're asking and what different types of validations
34 you want out there.

35
36 One set of validations is looking at people who are not reporting,
37 and how do you estimate that, so you have a better estimate of
38 what your removals are, and there is also issues of misreporting,
39 and we saw that when we did Amendment 40. Prior to Amendment 40,
40 when we did the headboat catch share program, where we looked at
41 the comparisons, and there were just some honest mistakes that are
42 out there, and those are actually really easy then, using different
43 validation components, to correct and move forward with it.

44
45 There is a different level of validation when you're thinking of
46 people who are not complying with the regulations at all, and
47 that's where some more of the built-in measures into the old
48 SEFHIER program came into place, such as the VMS or the tracking.

1 That said, there are other ways that we could potentially get to
2 it, and it might require more reporting, in a different format
3 from people, to get us there, but I will go over some of those --
4 I think I have a slide particularly about validation in the next
5 presentation, and so we can dig into more depth into it then.
6

7 **MR. JENNINGS:** Okay. You covered a couple of things that I made
8 a comment, and they're more law enforcement issues, and something
9 that with compliance and things along those lines, and I think my
10 question was specifically what's the minimum requirement of the
11 boat itself, the vessel itself, moving, for you to be able to say
12 that, yes, it went fishing today and it was out there for eight
13 hours.
14

15 **DR. STEPHEN:** Obviously, VMS tracking can tell you that boat went
16 fishing. In the South Atlantic, we didn't have VMS, and so we
17 actually used did-not-fish reports, and so you had to either give
18 us a logbook or a did-not-fish report for every day. That way,
19 you had some report to give you information, and you can have boots
20 on the ground to validate that, at times, if there was any concern
21 that the compliance wasn't there, and so that's another way to go
22 of recognizing when a trip occurred.
23

24 **MR. JENNINGS:** So the minimum requirement is just reporting, and
25 we don't have to know that the vessel ever moved?
26

27 **DR. STEPHEN:** Reporting with some indication of the vessel
28 movement, and does that make sense? So the minimum requirement
29 would be you would need to know that that vessel went on a trip,
30 whether that's through some automated procedure, such as a VMS, or
31 from some manual procedure that the fisherman says I did go on a
32 trip, or I did not go on a trip, and so you need the positive and
33 negative, if you're not automating it.
34

35 **CHAIRMAN GREEN:** I think it's a really good discussion, and we
36 should continue it, and Jessica -- Maybe some of her stuff will
37 trigger some other things, and I'm not trying to cut you off, Mike,
38 but maybe we can ask -- We can get Michelle done. Richard, if you
39 would like to go next.
40

41 **MR. FISCHER:** Thank you, Mr. Chair. My question has to do with
42 the non-compliance rate in the South Atlantic compared to the Gulf
43 and if there's been any questions, and answers, about maybe why
44 that is the case, and is there less of a buy-in on the South
45 Atlantic, or are there not as stiff penalties, or is it just that,
46 if it's weekly reporting, you forget to do it, instead of just
47 kind of being required to do it when you get to the dock every
48 day, and do we have any thoughts on that, maybe, from talking to

1 our friends out east?

2

3 **DR. MASI:** I don't know if Jessica is still there, but I can tackle
4 this, and then she can add on, if she wants, and so I think,
5 Richard, it's probably -- The answer is yes to all of your
6 questions, and so, talking to folks on the phone, and I mentioned
7 this at the South Atlantic Council meeting, and I hear from a lot
8 of constituents in the South Atlantic that it's like the wild west
9 out there, where there's not really anybody doing any kind of
10 enforcement, and so, you know, they get really frustrated, and
11 it's like, well, why am I doing it, if nobody else is, that kind
12 of thing, and then they're seeing all the people doing that weekly,
13 and so there's a lot of that going on.

14

15 The other issue that we have is that, you know, of course, the
16 South Atlantic program has the open-access permits, whereas, in
17 the Gulf, they are limited access, and the council also, in
18 December, did vote to move towards limited-access permits, and so
19 that would, obviously, help improve it.

20

21 I think, with the weekly reporting, that you're kind of spot-on.
22 You know, we don't know, and we can't really kind of accurately
23 answer that, but there is the potential, and we have seen this as
24 South-Atlantic-permitted vessels especially come up at permit
25 renewal, and they haven't reported for the entire year, and so, of
26 course, that really impacts data usability, but, you know, the
27 issue then too is, when they're reporting, we don't have any way
28 to validate that did they actually not fish for the entire year,
29 and did they really only go on one fishing trip.

30

31 You know, it gets a lot easier when nobody is catching you, and
32 then to just turn in a full year's worth of did-not-fish reports,
33 or, you know, potentially, just, at the weekly level, and, if
34 nobody caught you for the whole week, then submitting a did-not-
35 fish report may take a lot less time than working through a
36 logbook, or multiple logbooks, but, again, we can't say that for
37 sure, but there is that possibility that's out there, and, without
38 validation, or the VMS tracking, there's really just not any way
39 to know.

40

41 **CHAIRMAN GREEN:** All right. Is that everything, Richard? Did she
42 answer your question? Okay. Next we have Sebo.

43

44 **MR. SEYMOUR:** My question was, on one of the charts, out of the
45 1,300 out of the Gulf of Mexico reef fish permit holders, was there
46 a -- How many actually participated in the SEFHIER program that
47 opted-out and not -- How did that work, where, if you -- The ones
48 that reported, we show the reports. The ones that didn't report,

1 that was permit holders, how many was that, approximately that
2 number, out of the 1,300, and is that number available?

3
4 **CHAIRMAN GREEN:** Are you asking about latent permits?

5
6 **MR. SEYMOUR:** Yes, pretty much, or the folks that just opted out
7 totally of the whole fleet. Was that number on the graphs?

8
9 **DR. MASI:** Yes, and that's where we can use the VMS positional
10 data to get at whether or not a vessel was actually out there
11 moving on the water or not, or just not reporting, and, again, we
12 can also use a validation component of our survey to get at that
13 answer, and we haven't done that analysis yet, just because the
14 VMS data, or a portion of that program, was just so new, and so we
15 haven't developed a process on how to link, you know, when the
16 vessel is moving to this report yet, and, if that's something the
17 council, and the AP, is interested in, we could focus our time on
18 that, but, so far, it sounded like VMS really isn't something that
19 folks are wanting, and so we haven't spent a lot of time analyzing
20 that.

21
22 **MR. SEYMOUR:** Well, Ed said somewhere around -- Did you say
23 somewhere around 30 percent, Ed, is what you came up with before?

24
25 **MR. WALKER:** Well, just on the presentation here, it showed just
26 a did not ever report at 30 percent or so, but I guess you can't
27 technically classify those as latent. I mean, I know of people
28 that kept -- That were actually fishing that weren't doing any
29 reporting, that just said I'm never putting this thing on my boat,
30 and I will do it until they catch me.

31
32 Also, to Richard's question, the South Atlantic permits are not on
33 a moratorium, and I think that's the main difference. They can't
34 threaten you with taking your permit away, and you can just get
35 another one the next year, and so you can not comply, and there is
36 no penalty for that.

37
38 **MR. SEYMOUR:** So, on the latent side, we still don't really have
39 numbers, because we've hashed this over and over before, because,
40 the ones that are actually participating, and I don't know if
41 they're on kayaks still, or pirogues, like Richard said, and I
42 think that number needs to be somewhat -- Come to a consensus on
43 where we're at on latent, when it comes to reporting. Thank you,
44 Jim.

45
46 **CHAIRMAN GREEN:** Yes, and I would say that that number at least
47 shows you how many are active and compliant, and so you know that
48 the -- The anecdotal information we know, of some people saying

1 they're not going to do it, and so it's expected to be higher than
2 what's on that chart, because that one is just showing the ones
3 that are, and so we have some kind of an idea, but we don't have
4 a hard number.

5
6 **MR. SEYMOUR:** Remember when we started SEFHIER, and all the
7 observers in our first programs, and that was one of the main
8 issues, is who all are we going to be able to get onboard that's
9 going to actually participate in the fishery, and so I just wanted
10 to make sure that was clear.

11
12 **CHAIRMAN GREEN:** Gotcha.

13
14 **MR. SEYMOUR:** Thank you.

15
16 **MR. WALKER:** I will follow-up on that further, because you're right
17 that it's not -- It kind of looks like that's what they're showing
18 on that, but without the VMS on top of it, and you can't tell for
19 sure, but you're right, and I've been on those APs with you guys
20 for years, while we were trying to guess how many latent permits
21 there are, and there was never any way to figure it out, and so I
22 will continue to follow-up on it.

23
24 **CHAIRMAN GREEN:** Thank you, sir. Is there any more questions for
25 Michelle?

26
27 **DR. MASI:** Actually, I have a follow-up, real quick, if I could,
28 Mr. Chair.

29
30 **CHAIRMAN GREEN:** Yes, ma'am.

31
32 **DR. MASI:** I just wanted to mention too that it's true that we can
33 get a sense of how many vessels never submitted a declaration, or
34 a logbook, from those figures, but what that's not telling us is,
35 if a vessel did report just one time, and they did it right, or
36 did it wrong, regardless, you know, but they didn't report for the
37 rest of the year, and so, again, we're missing that non-reporting
38 component, and we really can't get a sense, from that metric, if
39 they're doing it right or not all the time.

40
41 **CHAIRMAN GREEN:** Gotcha. Thad.

42
43 **MR. STEWART:** In this, was there any research done on maybe private
44 boat owners that own permits as investments?

45
46 **CHAIRMAN GREEN:** That is speaking to latency, and, you know, it
47 could be -- You know, they might not be latent, and like I know
48 private boats that bought permits, and they put a VMS on their

1 private boat, because, at that time, it was offering a longer
2 season, and so they put it on their boat, and so, technically, you
3 would want to call that a latent, because it's not in the industry,
4 but, technically, the permit was active, and so there is some gray
5 area in there, and I think it would take some more metrics, and
6 more years of getting reports, to be able to iron-out like --
7 Because, I mean, there's a big difference too, and there's people
8 that have a side job as charter fishing, and those permits only
9 run on the weekend, and they've got a regular job, you know, and
10 is that permit running thirty or forty trips a year, or is it
11 running 200, you know, and like I think there's a lot more to it.

12
13 I think we're going to have dial-back, or dial-in, what a latent
14 permit is, because, to me, a boat that only runs twenty trips a
15 year, or a yacht boat that has an owner that comes down and takes
16 his family fishing a couple of times during the summer, I don't
17 consider that an active permit, you know, in the idea of the
18 industry, but, to the agency, it would be active, because they
19 reported once, you know, and so I think it takes a little bit more
20 definition to find that information. Is there any more questions
21 for Michelle, for Dr. Masi? Seeing none, I think you're off the
22 hook. Thank you, Dr. Masi.

23
24 **DR. MASI:** Thank you, Mr. Chair.

25
26 **CHAIRMAN GREEN:** All right. We'll move to the next one, since we
27 already kind of started into it, and so Considerations for a Data
28 Collection Program. Lunch? Golly, you all do work in an office,
29 don't you? I mean, I thought we were doing a working lunch. All
30 right.

31
32 **DR. HOLLENSHAD:** Lunch would also give staff an opportunity to
33 sort of consolidate your list, too.

34
35 **CHAIRMAN GREEN:** How long? All right. We're going to take a
36 break, and then we'll come back at 1:00 Eastern Time. Thank you.

37
38 (Whereupon, the meeting recessed for lunch on January 10, 2024.)

39
40 - - -

41
42 January 10, 2024

43
44 WEDNESDAY AFTERNOON SESSION

45
46 - - -

47
48 The Ad Hoc Charter-For-Hire Data Collection Advisory Panel of the

1 Gulf of Mexico Fishery Management Council reconvened at the Gulf
2 Council Office in Tampa, Florida on Wednesday afternoon, January
3 10, 2024, and was called to order by Chairman Jim Green.
4

5 **CHAIRMAN GREEN:** All right. We're going to have everybody getting
6 back to their seats, real quick, and we'll get started again. All
7 right, everybody. We'll call back to order. We will move on to
8 Presentation: Considerations for a Data Collection Program by Dr.
9 Stephen.

10
11 **PRESENTATION: CONSIDERATIONS FOR A DATA COLLECTION PROGRAM**
12

13 **DR. STEPHEN:** All right, and so this is a similar presentation to
14 what was done at the Gulf Council, but I did have some additional
15 slides that I think were more relevant for this discussion moving
16 forward.
17

18 First of all, I just want to kind of go over some general data
19 collection needs and how it's used within fisheries management.
20 When you think about why we're collecting fisheries data, we are
21 collecting it to provide information to help inform stock
22 assessments, also to inform management advice, and to monitor our
23 different catches.
24

25 Typically, fisheries data falls into catch data and effort data,
26 and so catch data is often collected from the anglers during
27 fishing trips, and there's also times where you have supplemental
28 information, from field samplers or intercept surveys, that supply
29 additional information on catch data.
30

31 When we're looking at effort data, this is collected through
32 sometimes in-person interviews, phone calls, mail, or even
33 electronic reporting, and so, if you think of MRIP, we do a lot of
34 phone calls and in-person interview, and, of course, the SEFHIER
35 program was doing electronic reporting.
36

37 Keep in mind, for each one of these, each survey does have its own
38 method of data collection, and different types of questions can be
39 relating to effort, such as how long you fished, what species you
40 are targeting, and the number of trips you are taking.
41

42 When we're looking at recreational fisheries data use in
43 management, we want to have high-quality data that has catch and
44 effort statistics, so we can help determine what the different
45 effects are of fishery management policy and make sure that any
46 changes are sound management strategies moving forward.
47

48 Often, this is continuous monitoring of catch and effort data, and

1 what that helps you do is analyze different trends that are
2 occurring over time, and it can also help you evaluate the
3 different management impacts that are occurring or project
4 different management scenario outcomes, and this is often done
5 within the amendment process, where we're looking at what the
6 potential impact will be from different management regulations
7 that is based on the data that we're collecting.

8
9 When that comes into play, the quality of that data that you're
10 collecting really depends on your sampling design, and so the
11 sampling design is composed of a sample framework, the data
12 collection methods, and then a data estimation process.

13
14 What are the different types of sampling methodology? As you
15 probably heard earlier, we talked a little bit about a census, and
16 that's where you're collecting all the information from all the
17 members of your targeted population. As mentioned earlier, while
18 this is a lofty goal, we often don't fully achieve a full
19 consensus, which leaves you with two other types of sampling
20 methodologies, what's called a non-probability and then a
21 probability.

22
23 In the non-probability sampling, this is where the probability of
24 a member being targeted is really unknown, and so that means you
25 don't necessarily know your biases. Typical examples of non-
26 probability is what we call opt-in, or volunteer, reporting, and
27 it's also something called snowball reporting, and so I contact
28 one fisherman, and he gives me the name of someone else, who gives
29 me the name of someone else, and that's what is considered a
30 snowball sampling. Sometimes it's just what we call convenience
31 sampling, who is around when you're at the dock to intercept them.

32
33 When you're looking at probability sampling, this is much more
34 applications to management, and so you're still using a random
35 selection method, but you have a known probability of encounter
36 with the different members of the population. By knowing that
37 probability, you can apply information to it, to ensure that your
38 estimates are representative of what's occurring. Some examples
39 of this is the MRIP-AP AIS survey. How we put people at the docks
40 for the AP AIS is done in a very strategic manner that has a
41 probability associated with each location.

42
43 One thing I want to get clear is we often have a lot of confusion
44 of the difference between data collection versus the sampling
45 methodology, and so an electronic logbook is a data collection.
46 It is, in and of itself, not a sampling methodology. What you do
47 is then apply an appropriate survey design to then get accurate
48 estimates for that fishing effort and catch, and that helps you

1 facilitate more timely, or better quality, data, by having a data
2 collection method that is standardized.

3
4 When we're looking at sampling methodology, we're really looking
5 at probability sampling, and it does require some well-designed
6 sampling frames. It allows you to get to a final estimate that
7 would account for non-reported, or misreported, data, and it also
8 handles the idea of incomplete coverage.

9
10 What are the elements to a good survey design? There was a workshop
11 done, in 2019, and it was a for-hire data collection and validation
12 methods workshop, and a national group got together and talked
13 about how for-hire data collection works in different regions, and
14 some of the outputs of this are that the quality of the survey
15 design depended on not only your data collection methodology, but
16 how you estimate, and validate, the information collected.

17
18 Their sort of gold standard was to have two or more data
19 collections that allows for validation of self-reported data, and
20 so keep in mind that a logbook is considered self-reported data,
21 and so an example, on the commercial side, is that we have vessel
22 trip reports that are logbooks, but you also had information coming
23 from a dealer, or an observer, or a port sampler who was
24 intercepting them, and that's two different data collection
25 methods to allow for the validation.

26
27 When we were looking at going forward, a dockside survey is
28 typically based on probability sampling, and it's a critical
29 component when we're looking at for-hire methodology, and so the
30 logbook, plus a dockside survey, would get you towards validation
31 of self-reported data.

32
33 When we were looking at the quality of the data coming in, it was
34 also critical in moving forward, and so not just having a good
35 design, but looking at the quality. One of the benefits of an
36 electronic logbook is that you can build in some quality control
37 measures, and so you can make sure that you have a number, instead
38 of letters, when you're asking for a numeric field, and you can
39 have criteria that ensures that your end date is not before your
40 start date for the trip, and it's kind of surprising how much time,
41 on paper logbooks, is taken up fixing data corrections like that,
42 and that's really a strong benefit to have more timely data, by
43 having those built in in advance within the logbook program.

44
45 The timeliness with reporting is also fairly critical, especially
46 for when you're thinking about management, such as in-season
47 monitoring, and then how enforceable is this? Enforceability is
48 really the ability to make sure that you're having high compliance

1 within the system, and, as you saw from Michelle's presentation,
2 the South Atlantic side had low compliance, and that affected the
3 quality of the data, and the usefulness of it moving forward,
4 compared to the high level of compliance we had within the Gulf's
5 program.

6
7 Finally, the other mention, within the workshop, was the idea of
8 a particular type of validation survey, which they call a capture-
9 recapture method, and so this is similar to how biologists have
10 looked at tagging fish, but they're applying it instead to a trip
11 level, and the capture is the logbook that's being self-reported
12 from the fishermen, and the recapture is the component where we
13 intercept them dockside.

14
15 The critical part of this type of statistical design is that the
16 recapture must be independent of the capture and be probability-
17 based, and so, if you're wondering why the SEFHIER program had the
18 reporting prior to offload, it was to get to this measure and have
19 the independence between these two different structures.

20
21 What are some of the challenges though, when we're thinking about
22 a capture-recapture methodology? It does require that you register
23 every trip, and so you need to know what the capture is for every
24 trip. It requires that those vessel trip reports are submitted
25 prior to the intercept, and that allows for that independence, and
26 you also need sufficient enforcement, or compliance monitoring, to
27 make sure that you're reducing the number of unreported trips.
28 Keep in mind that you will never probably eliminate unreported
29 trips. This validation method is a way to estimate those and
30 include those in your final estimate.

31
32 Another mechanism, within capture-recapture, is observers onboard
33 would also increase the accuracy of released catch, because that's
34 the portion of your catch that can't really be validated at
35 dockside intercept.

36
37 Let's dig into the original SEFHIER program, and so, just to remind
38 you, the original purpose was to improve the accuracy, and the
39 timeliness, of landings, discards, efforts, and social and
40 economic data for the federally-permitted for-hire portion in the
41 Gulf area, and that included both Gulf reef fish and coastal
42 migratory pelagic species. The need was to improve management and
43 monitoring for the Gulf of Mexico fisheries.

44
45 In our initial design, we included a variety of data and
46 accountability reporting standards, and some of those were just
47 built automatically into the logbook, and we also basically
48 mimicked the sampling protocols that we used within the commercial

1 fisheries, and so this is how we have the hail-outs, which are
2 often used for trip auditing, and we also mimicked the VMS
3 positioning, to assist with validation and compliance, and then
4 the mandatory vessel trip reports, or logbooks.

5
6 We used an independent validation survey to help account for those
7 unreported trips, and the accuracy of the self-reported trips, and
8 we did use what I had mentioned before, that capture-recapture
9 statistical methodology. Compliance measures we looked at were
10 really -- The main compliance measure built into the program was
11 that the logbook submission had to occur before permit renewal,
12 and I've heard a lot of people talking about that, and that's one
13 way to ensure that we're getting the timely data and that the
14 permit is going to someone who is going to be reporting and
15 complying with the regulations.

16
17 Overall, we did identify a couple of gaps within the original
18 SEFHIER program. There was no sampling, or enforcement, at private
19 landing locations, when they were selected, because of the nature
20 of being private. We did not collect the discard disposition, and
21 so, in the original program, we had kept and discarded, but we did
22 not have any type of discard, and was it discarded in a good
23 condition or a bad condition, and the SEFHIER program also only
24 collected numbers of fish, and not weight or length data. While
25 we had built into the program dockside intercepts, to get length
26 and weight data, it came down to a resource issue. We need enough
27 funds to have people on the docks to collect that, and the program
28 was fairly underfunded for most of its existence.

29
30 All right, and so I'm going to go now into a little bit broader
31 concept, and how would you design a data collection for fisheries
32 that would be useful to management, and so we're going to talk
33 about some different design needs, components, and options, and
34 so, first, I want to kind of point out some of the differences.
35 As I mentioned before, data is used for stock assessments, and
36 it's also used for management.

37
38 When we're thinking in a stock assessment, we're typically
39 examining what happens within a fishery over the past and then the
40 current status of the stock, and so you're looking at an annual
41 timeframe. You're summing information up at least to an annual
42 timeframe.

43
44 When you're looking at the type of data, stock assessments use a
45 variety of data to assess the stock. They use fishery-dependent,
46 and that's what data collection from fishermen is, and then we
47 have fishery-independent, and those are research-type cruises.
48 We're typically looking for catch information, relative abundance,

1 and different types of biological data to understand how the fish
2 stock is reproducing, and, as I mentioned before, annual trends is
3 really the level that you're looking at in a stock assessment.

4
5 Let's flip over to the other side. What are we doing for management
6 purposes? Management has a very different purpose. It's able to
7 predict any potential changes in management regulations and the
8 effect on that fishery, and it's also looking at, when we've done
9 the changes, is the anticipated change what is actually occurring,
10 and so we're looking at things like annualizing changing a trip or
11 a bag limit, and we're changing a size limit, or we're closing off
12 an area, or a season, and what are those effects, and how does it
13 work within the fishery?

14
15 When we're looking at those needs, we're looking solely at fishery-
16 dependent data, because that's the measure that we are changing,
17 and this really requires a fine level of temporal data, and so we
18 might need to know what a daily catch rate is, or a weekly catch
19 rate, and we might want to look at how things change over seasons,
20 or different spatial areas. The information you get could be at
21 a trip level, or it could be even at a finer level, such as a set,
22 and you're also looking at the catch per unit effort and what's
23 occurring with discards.

24
25 Target information is another critical component when we're
26 looking towards this, and that is also required as we're looking
27 at the different economic measures, and that is, again, the
28 economics that are used within the amendments to show that we're
29 complying with the different regulations when we're changing
30 fisheries management.

31
32 What are the different kinds of components that could be within a
33 survey design? Here, I've kind of highlighted a few different
34 components, and you have things that could be pre-trip, things
35 you're doing prior to leaving for the trip, and there are
36 components that occur during the trip, there's compliance and
37 validation, there's quality control, there's enforcement
38 components, and then there's a customer service component.

39
40 When we're looking through all of these, I kind of highlighted
41 some information in each one of these that goes towards how we're
42 building a program, and so, in the pre-trip components, there is
43 different things, such as looking at declarations, or hail-outs,
44 and maybe landing locations. In a trip component, you have the
45 logbook, which is the primary trip component, and you could also
46 have something like a pre-landing notification, or submission, and
47 those are often referred to as hail-ins, and then how often are
48 those logbooks being submitted?

1
2 Under compliance and validation, you're looking for things such as
3 late reporting, for compliance, and you're maybe monitoring the
4 fleet overall, to see where they're fishing, such things as did-
5 not-fish reports, and even cameras have been used, and that's
6 electronic monitoring in different fisheries, and then you have
7 validation surveys, the very generic kind of website data mining,
8 observers, and dockside intercepts.

9
10 When you're looking at quality control, you're really using a lot
11 of the tools of electronic reporting, and so logbook validations
12 for different fields, comparing and validating the data, such as
13 a declaration matching to a logbook, and, in enforcement, some of
14 the tools we use there are things such as summary settlements, or
15 a permit renewal that's based on compliance, as well as different
16 auditing, to ensure that things are occurring as expected.

17
18 Then, on the customer service side, which a lot of people don't
19 feel is important, but, from the Regional Office, we feel this is
20 one of the strong components, and making sure that we have phone
21 lines and emails and webpages that are going to give the
22 information. If you have a question, you can call and contact us,
23 and we're going to assist, as much as possible, with the technical
24 specifications when you come to electronic reporting programs.

25
26 I will say that, oftentimes, a lot of the information that comes
27 at council meetings may be questions that were asked on our
28 customer service line that we bring forward to the council to have
29 that also heard by a greater audience.

30
31 I'm going to dig into just those first top-three, the pre-trip,
32 the trip, and the compliance validation in this presentation, and
33 so what's the benefit of a declaration? Declarations are often
34 declaring that you're going to go out on a certain type of fishing
35 trip, and it's frequently done before you leave for the trip.

36
37 If you use it with some type of real-time distribution of that
38 information, it could allow law enforcement officers, or even
39 dockside samplers, who are going to get biological information, to
40 kind of plan where the workday is and know where the vessels are
41 coming in. Particularly for getting biological samples, the
42 declaration is really helpful, so you know where to send people to
43 have a chance of intercepting them and getting some samples.

44
45 Managers also use the declaration data to help improve your data
46 quality, to look for different things such as trip accounting, and
47 to make sure that compliance is working.

48

1 Declarations, as I mentioned, are typically submitted prior to
2 departure for a trip, and, generally, the closer to the actual
3 departure, the more beneficial they are, and so keep in mind that,
4 if you report today that you're going to go out fishing next week,
5 maybe there are things that change between when you declare and
6 when you actually go, versus, if you declare today to go out
7 fishing within a couple of hours, most likely that information is
8 not going to change, and so those are different factors we need to
9 think about when looking at trip declarations.

10
11 They are normally very light on what information is included. They
12 give you information about the vessel, sometimes the permit, the
13 sector, and so recreational in this case, and, if there is a
14 different fishery, you could declare what type of fishery, maybe
15 even the gear you're using, and, typically, the departure data and
16 time.

17
18 Typically, the fishing trips will require the declaration prior to
19 leaving, but some fisheries, throughout the United States, have
20 declarations that are allowed to be changed when at-sea, and so,
21 in the Gulf, they're typically only declarations prior to leaving,
22 and no changes at-sea.

23
24 Another component within that pre-trip component is the landing
25 location, knowing that you're going to come back to somewhere that
26 you can be intercepted, again not only for compliance, but also
27 for gathering the biological information, and so the landing
28 location is where either the fish, or the passengers, are
29 offloaded. Where a vessel is stored is not considered a landing
30 location. There was a lot of confusion, early on in the SEFHIER
31 program, about that, and so I wanted to make sure that was very
32 clear. The landing location is where you're offloading.

33
34 While sometimes it can be somewhat general, such as a city or a
35 port, the more specific information, such as an actual street
36 address or marina, does help with meeting the vessel and getting
37 the information from them. Oftentimes, the landing locations are
38 used with either declarations, pre-landing notifications, or
39 logbooks.

40
41 What they can do is they can assist with the compliance and the
42 enforcement measures, and so, as I mentioned before, they provide
43 a location where you can intercept that vessel and get biological
44 sampling and information that will help relate to auditing and
45 making sure that people are reporting. Another strong measure is
46 it really helps with that sampling frame for validation surveys.
47 I mentioned before that's probability-based, and you need to know
48 where vessels are landing, in order to assign an appropriate weight

1 to that, so that you are sampling appropriately the different
2 regions, and areas, coming through.

3
4 We actually used the SEFHIER landing locations to modify where we
5 were having the dockside intercepts partway through the program,
6 and that resulted in a higher number of intercepts, once we did
7 that, that were more applicable to the fishery.

8
9 It also does provide a measure of spatial distribution for
10 management actions, and so, when you're looking about the social,
11 or the community, level, and the impacts of that with different
12 changing management regulations, having those landing locations
13 does show areas that have higher degrees of participation, versus
14 other areas, and, typically, with landing locations, there is some
15 need to have a preapproval of it.

16
17 Within the SEFHIER program, our preapproval was we actually had to
18 find it on a map, and make sure that it existed, and so it had to
19 be a real location. If any of you participate in the IFQ program,
20 the standards for preapproval there are a lot more stringent, and
21 it must be accessible to law enforcement, no dogs, no chains, and
22 the safety of the officers was considered in moving forward with
23 that.

24
25 When we're thinking about the different types of trip components,
26 we also have what's called a pre-landing notification. What this
27 is, it's that you're submitting something in advance of landing,
28 and in advance of landing typically meant a satellite methodology,
29 and you're providing that so that the vessels can either be
30 monitored for compliance or intercepted at landing.

31
32 Managers use this type of information to improve your data quality,
33 to look at post-trip accounting and auditing, and that's after the
34 trip has occurred, making sure that we're matching it up, and
35 measuring overall program compliance.

36
37 Prelanding notifications are very similar in the data that they
38 submit as the declarations, in the sense that they typically have
39 something about the vessel, and they might also have information
40 about a landing location, the dealer, if it was on the commercial
41 side, and, on the commercial side, you have estimated landings
42 within that as well.

43
44 One thing that I want to point out is that, when we designed the
45 original SEFHIER program, we took the traditional declaration, and
46 the traditional prelanding notification, and merged them together
47 into one type of combined declaration, and so, in the SEFHIER
48 program, you not only declared that you were leaving, but you also

1 said when you were expected back at what location, and those last
2 two components are really components of a pre-landing
3 notification, and we opted to do this based on the headboat pilot
4 program that had occurred prior to that, and the information we
5 gained from that is that it could be combined together for this
6 recreational side of the fleet, versus how we do things within the
7 commercial fleet.

8
9 When we're looking at logbooks, logbooks provide vessel-level
10 information about different types of fishing activity. It also
11 provides what species were caught, the different quantities of
12 catch, and so both landed and discarded, fishing effort, and the
13 fishery value.

14
15 Logbooks can really serve several purposes. We can use them for
16 resource management as a whole, looking at regulatory compliance,
17 and really critical is informing our decision-making moving
18 forward. The data from logbooks can be used to help predict the
19 different biological, social, and economic impacts of different
20 changes. We can help monitor regulatory compliance and catch
21 accountability, and we can depict spatial distributions or fishing
22 activity hotspots, and that's very useful when looking to where -
23 - Say if there was consideration of windfarms, and we wouldn't
24 want to put a windfarm in an area that's a hotspot for recreational
25 fishing. That information that we could obtain from logbooks could
26 be critical to those decisions moving forward.

27
28 Then it also provides in-season management decisions, when they're
29 submitted in a timely fashion, and so one of the hopes, with the
30 original SEFHIER program, is that we would be getting that data in
31 in a timely manner and be able to predict better if a season was
32 going to be exceeded with the quota or if they were staying within
33 the quota.

34
35 Another thing that I want to go over is just, in general, there
36 are different types of ways to collect data from logbooks. They
37 can be either at what's the trip level, the gear level, or set
38 level, and these have different considerations with what you want
39 to use the data for in management, and so trip-level data does
40 provide you with cumulative catch and effort information, but it
41 lacks some kind of relative spatial data, and so, if you've gone
42 to multiple spots, we have all the species you caught, but we can't
43 tell which were cooccurring together at one fishing spot, versus
44 another spot. We have one average depth, and we can't tell if you
45 were fishing over different depths.

46
47 When you're looking at gear-level data, that's providing
48 information each time you switch different types of gears, and

1 that provides a little bit more information, and so you still have
2 catch and effort, but now you have it by gear, and so, if you were
3 trolling out there, and then you were using a bandit reel somewhere
4 else, we would be able to distinguish the catch that came from
5 each one of those, and that's not only helpful in stock
6 assessments, but it's really helpful in management, particularly
7 in management that might look at differences between gears.

8
9 Then the most refined level of a logbook reporting is what we call
10 set-level reporting, and it's what is really considered the
11 fundamental unit of fishing activity. That is, every time you set
12 gear off the boat, that would be considered a set. We want to
13 keep in mind that, for a lot of guys who are using the hook-and-
14 line gear, it would be all the hook and lines at one location,
15 even if you were kind of drifting along the way, but, when you
16 motor to a new location, that would be a new set. Set-level gets
17 a little confusing, with the different gear types, about how people
18 think about it.

19
20 What you get, at set-level data, is more granularity of
21 information. Now we know exactly what species were at what depth
22 that were co-caught together and how the discards affected it from
23 that particular depth, because you have all that information at
24 the set-level. That said, in going through all of these, I would
25 want this group to stop and consider where you think that
26 information you want to supply is used in management and at what
27 level we need. There are definitely pros and cons to each one of
28 these in data collection, both in the burden and the usefulness of
29 data, and I think, at this point in time, we're not set with
30 anything in particular, and so please think about this carefully
31 as you think about how to rebuild the program.

32
33 Then, finally, another component, and Michelle talked about this
34 briefly, is logbook submission. When data is being submitted to
35 the agency does matter in how we can use it, and so submission
36 after each trip is really ideal, not only for that validation
37 measure, but it would get us information that has less reporting
38 bias, and it gives us an increased ability to manage stocks within
39 season, and it might help kind of reduce some estimation
40 methodologies that are going forward. The more often you report,
41 the better it is for us.

42
43 When it comes to late submission, there are times when we cannot
44 use data, that it's too late to be useful, and, with the for-hire
45 fishery, we have to really think about what that means. As you
46 saw from Michelle's presentation though, there were very few that
47 were over thirty days late, which is the typical standard where
48 you think recall bias is affecting what's occurring, and so that's

1 a good note in our design that we had previously.
2
3 These next set of slides go over the different types of kind of
4 compliance and validation components, and, typically, we use these
5 words together, and both validation and compliance are used to
6 help ensure the data accuracy, and so remember think that garbage
7 in for data means garbage out for data, and so, the more accurate
8 data we have coming in, the more accurate the analysis will be of
9 what's actually occurring within the fishery.
10
11 Oftentimes, we use different types of tools, and they can apply to
12 different types of surveys and how you want to go through, and so
13 what I've listed here is just a kind of handful of different types
14 of validation, or compliance, tools, which are the rows going down,
15 and the columns across help show you what they can, or cannot,
16 help with when you're looking towards things.
17
18 Let's take the validation survey, and so that could be useful in
19 the catch and effort estimation. It's definitely useful in
20 figuring out what the fishing activity level is, and it has an
21 independent validation, which is something we're looking for when
22 we have self-reported data, and it can be used indirectly to look
23 at where compliance is, and so a validation survey could kind of
24 help deter non-compliance, because you know you're going to be met
25 at the dock, and then it does provide additional biological
26 samples. While biological samples aren't really a compliance or
27 validation tool, it is an additional benefit that's really critical
28 when we're looking at stock assessments.
29
30 The different types of compliance validations listed here, and
31 some were such as fleet monitoring, and that's looking at what the
32 fleet is, and so typically think something like a tracking
33 component to it, and the declarations, pre-landing notifications,
34 did-not-fish reports, and I know we mentioned this a little bit
35 earlier, and a did-not-fish report would be turned in in lieu of
36 a logbook, saying you did not fish. Having both the presence and
37 absence of something is really helpful in determining what someone
38 is doing.
39
40 This was critical, in the South Atlantic, in determining how
41 people, many people, were not complying with the program at all,
42 and so they did not submit a did-not-fish report, and they did not
43 submit a logbook, and that was full non-compliance, and that was
44 a critical measure that we didn't have actually available within
45 the Gulf, and we would have gotten around to it by doing the VMS
46 tracking, as Michelle said, and, unless we're going to continue
47 with that, we're probably not going to spend time right now trying
48 to track that out.

1
2 Other types of validation is website mining, and so you might have
3 heard this in relation to economic, is that you look on websites
4 and see what the standard trip fee is and then use that to be
5 applied overall, and there are some data caveats when you're doing
6 website mining, and most of it is that a lot of websites are not
7 updated often, and it takes a considerable amount of effort to dig
8 through all of those.

9
10 You also have other compliance and validation measures, such as
11 putting observers onboard, and I think we mentioned, earlier, that
12 it's a very expensive methodology to do. You can substitute that
13 with electronic monitoring, or cameras, and that's probably not
14 really a viable option within our fishery as in some of the larger
15 commercial fleet vessels in other areas, and then there's dockside
16 monitoring and some type of enforcement.

17
18 One thing that I wanted to do is take these, and, you know, when
19 we talk about the burden, I wanted to show what the cost is for
20 each of these to the fishermen, as well as the cost is to the
21 agency, and so these are just really kind of generic, and I will
22 kind of separate them out to costs being either time or a certain
23 amount of money that would have to be put forward to something.

24
25 I am not going to go over all of these, and we can come back to
26 it, if you guys have questions about it, but there are kind of
27 different burdens between the fishermen and the agency overall,
28 and, when you're looking at it, if you want some type of
29 validation, you probably should consider what those burdens are as
30 we move forward.

31
32 All right, and the next slide I'm going to get to is what we
33 actually do with the data, and so not only is there a whole
34 structure to how we design a program, but there's a structure to
35 how the data gets used, and so there is the technical structure of
36 a database, and data management, and how is that collected and
37 transmitted to the right people, and how do we connect one dataset
38 with another dataset?

39
40 When you start a new data collection, there is always the component
41 of data exploration, and so think of Michelle's presentation to
42 you earlier, and we are really in the data exploration point, and
43 we're looking at the data, and we're seeing if it's telling us
44 what we thought it could tell us as we're going through, and these
45 are the kind of different caveats when you're doing it, because
46 you're used to a certain dataset coming through, and, if this
47 dataset is collecting different information, you have to be able
48 to adjust and move towards it.

1
2 After that really comes data integration, and so this is a
3 component that the SEFHIER program hadn't gotten to, and that would
4 be say integrating with the different state survey programs and
5 finding ways where someone might not have to report under two
6 different programs for the same information, or, as was mentioned
7 earlier, the idea of one-stop reporting.

8
9 If I have to report to let's say the Mid-Atlantic region, the South
10 Atlantic, and the Gulf of Mexico, how do I submit one report so
11 that it's integrated across all of those?

12
13 Then comes kind of the statistical analysis, and that's the step
14 past data exploration, where you're looking at the different
15 statistics and how you're going to use them. After that comes the
16 really critical component, and this is calibration and
17 certification. The dataset cannot be used for management until we
18 go through a calibration and certification point.

19
20 Calibration is making sure that we can use the data compared with
21 past data collected, and we have a time series, and certification
22 is actually getting the buy-in from statistical people that your
23 methodology is sound or that you know what your biases are, and
24 you were able to adjust for those biases, and then, finally, the
25 next stage really is the use of the data within management.

26
27 We're down here towards the final slides, and one thing that we
28 really want to consider is balance within these, and so that's the
29 balance of both the fishermen's burden and the ability to monitor
30 compliance with how we're going to use that data going forward to
31 management, and so the original SEFHIER program really tried to
32 attempt some balancing with that.

33
34 One example was the declaration and pre-landing notification
35 combination, and another example was where we were willing to
36 switch for the equipment failure or think about when you had to
37 declare, and so sometimes the balance comes afterward, and so, as
38 you're in the program, you start to learn things that you didn't
39 anticipate, and that does not mean that we cannot adjust the
40 programs to it.

41
42 One of the other areas that SEFHIER tried to balance was, in the
43 reporting aspect, we only asked for landed versus discarded, and,
44 you know, when we look at that, that does mean that this
45 information cannot be used when you're thinking about discard
46 disposition, and so, if you're thinking about what depths do you
47 have higher degrees of discard, the current SEFHIER program that
48 we had could not give us that information. That's where we're

1 either saying that it was discarded and floated at the top, or it
2 swam quickly to the bottom, and those are dispositions that
3 actually can aid management down the road.

4
5 The other thing that we did not include is a did-not-fish report,
6 which is typical in a lot of programs, and we did not include
7 observers, because we were using the VMS as an automated way,
8 instead, to help validate the information, and so that's all I
9 have for kind of the presentation overall, and I'm happy to take
10 questions, or go back to any of the slides, if there's more
11 information that people want to see.

12
13 **CHAIRMAN GREEN:** All right. Before we get started, I had a
14 question, and, Jessica, you said, under the data exploration,
15 that's where you were finding if SEFHIER was going to viable or
16 how the --

17
18 **DR. STEPHEN:** So, really, it's under -- Data exploration helps you
19 understand your data better, so that you can start doing the
20 statistical analysis that then leads to the calibration and
21 certification, and, so, really, the calibration and certification
22 is the key factor of using it. That said, when you're building a
23 program, you want to take into factor things that you know about
24 calibration and certification and build those in advance, so that
25 you're not, you know, kind of stuck afterwards, and so we talked
26 to S&T a lot prior to the original SEFHIER program.

27
28 **CHAIRMAN GREEN:** Well, what I was going to ask is was the past
29 SEFHIER program, when you were doing your data exploration, or you
30 were evaluating that, and were you finding that SEFHIER was going
31 to be highly usable data? I mean, you know, in these talks, the
32 comparison to the non-usable, non-mandatory South Atlantic side,
33 compared to this side, and compliance rates, and then we talk about
34 whether the data is going to be usable, and that's a big thing for
35 everybody.

36
37 **DR. STEPHEN:** So we found, in the data exploration, the compliance
38 rate being high was a really good criteria, and so that was -- I
39 feel that the compliance rate we had, the interception rates that
40 we had, were things that would stand the test of time for being
41 able to be used in management.

42
43 One of the things we had done is, when each program in the South
44 Atlantic and the Gulf went forward, they do get evaluated, by the
45 Science Center, for applicability, really, to management and
46 usefulness, and the Gulf program they said had all the components.
47 At the time, they felt strongly that it would be useful, moving
48 forward, and so it was really strongly-built program. The South

1 Atlantic, they pointed out where some of the areas of concern were,
2 and, again, that's why that validation survey was built with S&T
3 contributing to it, so that we would build a validation survey
4 that would be recognized by them.

5
6 **CHAIRMAN GREEN:** Gotcha. Gotcha. All right, and so do we want to
7 start off -- Does anybody have questions for Jessica on the
8 presentation? Go ahead, Mike.

9
10 **MR. JENNINGS:** I would like to -- I think, earlier, when I was
11 asking you that question, either I just didn't understand, or I
12 may not have made myself clear, and so I confused the both of us,
13 but I want to go back that, real quick, as quickly as I can anyway
14 on that, because I've got one issue here, and I keep thinking
15 further into this meeting, as we try to come to some consensus on
16 our goals, and so I keep going back to this validation issue, and
17 we all know that electronic monitoring, or the VMS, as everybody
18 understands it, is the gold standard for understanding vessel
19 movement and compliance and helping with dockside intercepts, et
20 cetera, but we also what the court decision was, and you're not
21 going to get much discussion around this table, and I'm not
22 speaking for everyone here, but I feel like you're not going to
23 get a whole lot of discussion around this table about continuing
24 with that level of electronic monitoring.

25
26 Aside from the other -- You had up here a while ago -- You had the
27 compliance and validation components, and, in there, and I'm just
28 using independent validation as an example, and electronic
29 monitoring is one of those, but there's three more, or four more,
30 up there that also help with independent monitoring.

31
32 My question is specifically to what we receive by having the
33 electronic monitoring device on the vessel, and not the dockside
34 intercepts or anything else that goes into that, and what's the
35 minimum requirement that we have to face, as an AP, as a panel, so
36 that we can meet -- So that we can gain as much of that information
37 that we would have gained from the VMS and still validate that
38 information to a point that it is usable for management purposes,
39 MRIP and things along those lines, and we just say, okay, we're
40 going do electronic monitoring, and then you come back and say,
41 well, that's all fine and good, but it's useless information,
42 because we can't validate it to a level that we need for management
43 purposes, and I'm thinking that's --

44
45 I'm trying to get around here of what we discuss, as a panel, on
46 that one specific topic, so that we know, when we get done
47 discussing it, that one of you all don't have to tell us that we've
48 wasted an hour-and-a-half, because, without this level of

1 validation -- Is the other three good enough, and I don't know
2 about the observers, but does the dockside intercepts in the survey
3 -- Is that enough, in lieu of that, or is the captain just going
4 on and saying, okay, I'm going fishing, and I'm leaving the dock
5 right now, and I'm going to return at 3:25 p.m., and is that enough
6 to say that we say that, yes, that boat actually left the dock,
7 and it actually went offshore, into the EEZ, and it came back, et
8 cetera?

9
10 **DR. STEPHEN:** I'm probably not going to have a full answer for
11 you.

12
13 **MR. JENNINGS:** Okay.

14
15 **DR. STEPHEN:** But, to a large extent, when we're thinking about
16 this, and so the dockside sampling is one of, I think the more
17 critical components for validation overall. That only works though
18 if they're intercepting enough of the vessels to know where you're
19 going.

20
21 When we were thinking about the VMS tracking, and where we had it
22 at twenty-four-seven, that was helpful, because we could tell when
23 someone didn't report at all, but they were -- It's very likely
24 that they were out fishing, right, and you wouldn't be going out
25 into really deep waters unless probably you were doing fishing
26 activity, and so you could do different modifications, take away
27 the twenty-four-seven, and say, maybe whenever you go on a fishing
28 trip, you need to turn it on.

29
30 You could have where you're declaring each time you're going out,
31 and now just the act of declaring alone doesn't mean that everyone
32 will necessarily and comply and have it accurate, and so you're
33 probably going to have to apply some level of misreporting still
34 even to a declaration component, moving forward.

35
36 For a lot of these, I think there are different ways to get around
37 it, and it might mean that you do two things in place of a VMS, in
38 order to get to that, and that might be more time on the fishermen,
39 but then you're weighing that against the burden of kind of being
40 tracked where your positions are. When we get further along these
41 lines, this is probably where we'll need some more survey design
42 people, and I'm not a survey design statistician, but that's kind
43 of based on the conversations we've had to-date, and I'm not sure
44 if that actually helped you.

45
46 **MR. JENNINGS:** It does, and, just real quickly, and then I will be
47 quiet, but, you know, we've had some discussions aside, and before
48 we got here, and we've all had discussions about thoughts and

1 ideas, and one of them, and I'm going to give a for-instance, is
2 there's been discussions, on our part, about, with app designers
3 and everything else, trying to prepare ourselves for what we think
4 might be coming down the road.

5
6 I am curious if -- You know, everybody is talking about we ought
7 to do this off a phone app, and they can geofence off a phone app,
8 and we know this, and, if that phone app can track us, outbound,
9 up to two miles offshore, before it loses signal, and then it picks
10 up again on the inbound side of things, you know, six hours later,
11 we know that that vessel had to have been offshore for those six
12 hours, because we watched it disappear on its way out, and reappear
13 on its way in, and a simple phone app could do that, and then, once
14 they meet the geofence, it loses the signal, and they turn the
15 darned thing off and throw it in the console, and it doesn't really
16 matter at that point.

17
18 Is that more minimalistic type of approach going to give you an
19 electronic reporting aspect that will work for us, and that's just
20 one for-instance there, just one instance that I threw out there.

21
22 **DR. STEPHEN:** I like the kind of out-of-the-box thinking with that,
23 and going in different directions, and so I don't have a hard-and-
24 fast answer on that, and app development is definitely not my
25 field, right, and we would need to talk with software developers,
26 and there would need to be a way that -- You know, automatically,
27 if you're using this app, then this location stuff is turned on,
28 because, you know, on your phones, you can turn it on and off,
29 right, and there would have to be some mechanism to take that off
30 of your phone and transmit that with the logbook.

31
32 If that is technologically possible, which I'm sure it is, then
33 the next component comes of how much does it cost the agency to
34 build that, or the app designers to build it, to move in, but, to
35 me, that could be a viable path that could go forward, and I would
36 definitely say keep on the table any ideas you have, and make sure
37 you're putting them out there.

38
39 As we get to the council, the agency then can try and consult with
40 the experts in these fields and get better information on is it
41 doable, what is the cost, and how would we transmit it.

42
43 **CHAIRMAN GREEN:** So, before we go further, are you saying that
44 like geofencing, pinging twice going through, and I understand the
45 backend of the app, and the software thing, but as -- In your
46 position, that's going to be a viable way of collecting effort
47 data?

48

1 **DR. STEPHEN:** I would say that it may be viable, and I don't see
2 -- I would have to dig into it more, to see if there's something
3 that's not viable, and, again, every time you come down in kind of
4 your level of quality, so to speak, and so you're going from hourly
5 pings to a geofence, and you're going to lose something that you're
6 going to have to try and estimate towards, but I would say that it
7 would be something that could be in consideration, or you could
8 also do a geofence with a VMS unit that's not pinging every hour,
9 but maybe it pings when it goes across the geofence, and I'm not
10 actually sure how that would work.

11
12 **CHAIRMAN GREEN:** Or pings every two hours, and, you know, it's a
13 big difference between a GPS that's in a phone, and you don't turn
14 on precise data, and it's a GPS without a differential, you know,
15 and the Air Force uses a GPS with a differential when it's flying
16 a missile through a window, but it doesn't necessarily need it to
17 find a boat on a map, and so being able to do that, and maybe like
18 a grid, and being able to -- The boat went out here, and it might
19 do a track line, but it doesn't give you precise coordinates, but,
20 like in the beginning, when VESL became what we used in the data
21 collection for headboats, we had a grid across the U.S., or across
22 the Gulf of Mexico, and you touched the grid, as to where you were
23 fishing, in the original -- In the original VESL app, that's how
24 you put your location in.

25
26 Maybe if it was something that no GPS numbers transmitted to the
27 agency, but grid locations, or a geofencing crossing, to where we
28 don't have the aspect of intrusion into people's privacy and stuff,
29 and being able to turn that on per trip, when you're actually
30 utilizing the resource and when you're not taking your kids up the
31 river, or whatever you're doing, and, you know, trying to get the
32 buy-in on that, and so I think that's really what we're trying to
33 hone-down.

34
35 I think we all understand we've got to find balance, or we wouldn't
36 be here, but being able to get a high-quality thing, and thinking
37 outside the box, like Mike is doing, to achieve that, without --
38 With gaining buy-in, and without feeling like people are in too
39 much of a burdensome situation, and I think that's the premise of
40 the question, and, to be honest with you, I think that's the
41 premise of why we're here.

42
43 I think everybody is onboard with turning in the fish data, but,
44 you know, how we validate it has really become the sticking point,
45 and there's something else, and like you didn't touch on it, but
46 like, on the headboat data, when we turn in discards, and I don't
47 have to, and it's an optional, but I can put whether I vented them
48 or descended them on the discards, and so, you know, like there's

1 things that you can add, that can add that in, that aren't that
2 much, and, you know, that can be optional, and, you know, it's not
3 that hard to do, but I think that's the balance we're trying to
4 find, and I think that's where we're going to hit a brick wall, in
5 hearing all the different ideas, was the validation, and so --
6

7 **DR. STEPHEN:** To the point of the discarding and the venting, a
8 lot of that conversation didn't occur during the amendment that
9 set SEFHIER in place, and a lot of it started occurring afterwards.
10 One thing I want this group to understand, and so, when we have an
11 amendment that goes final, we then have to do what's called a
12 Paperwork Reduction Act, and we have to justify the time burden
13 for every field and what we're going to use it for.
14

15 To add new fields requires us going through that entire process
16 again, and so, if there are certain fields like that, right,
17 because we did have Return 'Em Right come to us, and we're like,
18 well, we'll have to go through the PRA process, in order to add
19 it, if we felt that it was good, and knowing that early is better.
20

21 If this group wants more information on discards, like did I vent
22 them, and how did they discard down, make sure you include that in
23 your recommendation, because then we can build it in from the
24 beginning.
25

26 **CHAIRMAN GREEN:** Does anybody else have questions for Jessica?
27 All right. Go ahead, Steve.
28

29 **MR. PAPEN:** So can you try and touch on the three levels of
30 reporting again, the set-level reporting and the other ones that
31 were up there? It seems like having to do some sort of paperwork,
32 or button-pushing, for every time we drop a bait seems a little
33 much.
34

35 **DR. STEPHEN:** So there are different levels, right, and, when we
36 built SEFHIER, we built it at the trip level, and I think, really,
37 the point here is that the trip level -- You're not getting at
38 some of that finer-level information that might be really necessary
39 to look at how say discard mortality, as an example, is affecting
40 things, or what species are cooccurring together, because we're
41 getting everywhere you fished as one dataset from that trip, versus
42 individualized amounts to it.
43

44 This is often -- You know, the reason that trip-level is chosen,
45 over sort of let's say the set-level, is typically because of the
46 burden to the fishermen at the point in time, and so that's a
47 balance point that we need to go for. My point here was to
48 understand what you don't get by doing set-level, and what you do

1 get, and is it worth it to you guys to report set-level, to get
2 more information for different aspects of management? If you
3 decide yes, then you might want to recommend that. If you think
4 that, no, that we're good with the data that we get in general,
5 then maybe the trip-level data is more appropriate.

6
7 The gear-level is sometimes a little bit more balanced on the
8 commercial side, sometimes, than recreational, where they're
9 switching gears, or different types of gear, and their gears have
10 drastically different impacts. When you think of gear, each gear
11 has a different catchability level, and that's used a little bit
12 more in stock assessments, but it can be used in management, if
13 we're setting certain conditions that you only can use this gear
14 at this time of the year.

15
16 There are other ways that sometimes we gather gear information,
17 and so, if you think of like circle hooks versus j-hooks, and we
18 didn't get that from logbooks, right, and there were other studies
19 that were done, and information, research done, that helped make
20 determinations about things like that, and so there's not
21 necessarily a one thing is the best, right, and, obviously, set-
22 level is going to give you the most data, but does that then
23 balance against all the burden that's going on, because that's a
24 lot more time, and that's probably more recording at-sea, versus
25 counting it all and reporting prior to offload, and so those are
26 where some of the different balance points come in.

27
28 That's what some of this is, is to look at these balance points,
29 figure out what is the appropriate balance point that we're getting
30 information that we need from management, while reducing the burden
31 as much as possible.

32
33 **CHAIRMAN GREEN:** Steve.

34
35 **MR. PAPAN:** I've got one more. The do-not-fish reports, so you
36 want to know when we go, and you want to know when we don't go,
37 and so how about like -- Is there a level like where we can just
38 be trusted? Like, hey, I didn't fill out a report today, and that
39 means that I didn't go?

40
41 **CHAIRMAN GREEN:** Well, I will tell you that --

42
43 **MR. PAPAN:** It's filling out one every day you're not going.

44
45 **CHAIRMAN GREEN:** Yes, that's a bit excessive. Like, in the
46 headboat survey, our do-not-fish reports are weekly, and so, if
47 you run one trip that week, you don't fill that out, but I think
48 it helps, whenever they're quantifying the --

1
2 **MR. PAPEN:** But, if you do run one trip that one week --
3
4 **CHAIRMAN GREEN:** Then you need to put that in.
5
6 **MR. PAPEN:** Then you have to fill out six days that you didn't.
7
8 **CHAIRMAN GREEN:** No, and I'm just telling you how the -- The
9 headboat is set up to where you fill out a no-trip report if you
10 didn't fish that week, period, and you don't do one every day, and
11 let's there's only -- Like in one year --
12
13 **MR. PAPEN:** Right, and so, this time of year, when we're all
14 fishing one day a week, if we're lucky --
15
16 **CHAIRMAN GREEN:** You would still -- You wouldn't have to do it
17 every day.
18
19 **MR. PAPEN:** We would fill out, you know, six days of I didn't fish
20 and then one day of --
21
22 **DR. STEPHEN:** So we could build it where you wouldn't have to do
23 that, and so, in commercial, I think they have monthly did-not-
24 fish reports, and they didn't report for that month, and so we
25 could refine it. The South Atlantic is using weekly, and either
26 I turn in logbooks or I turn in one that I did not fish at all
27 that week, and those are considerations that we would take into
28 place.
29
30 **MR. PAPEN:** I just feel like -- I mean, to get industry support
31 behind this, that's something that you need to consider, to make
32 it less burdensome. If I've got to wake up, and I'm taking my
33 kids to Disney World, and I've got to do a declaration before I go
34 in the morning, that's something that is very burdensome, and it
35 doesn't make any sense. If I didn't fill it out, I didn't go.
36
37 **CHAIRMAN GREEN:** Well, and you could fill out your did-not-fish
38 reports in advance too, and so these are kind of the mechanisms
39 that we use. The point of the did-not-fish reports is really for
40 the people who aren't being compliant, and I know it's horrible to
41 say that sometimes we have to manage to the level of non-
42 compliance, but, if someone is not reporting at all, then how do
43 you know that they just didn't turn in a report, or did they
44 actually not fish, and so it kind of also goes to the question
45 that we had about latency, and how do you know what they're
46 actually doing.
47
48 If we would use a did-not-fish report, we would probably start at

1 the base level, where the South Atlantic is. In this week, I
2 didn't fish at all, and I'm going to submit that report instead,
3 and maybe I know that I'm not fishing for the next three weeks,
4 and I can submit those all well in advance, so you can go on
5 vacation, or you can go do whatever else you're doing, and so those
6 are components that we would use, if we're doing it.

7
8 What you submit, and versus how we use it as data -- For data, we
9 take your week of not submitting, and we say that's did not fish
10 each one of those days, so that we could use it for analysis
11 purposes, but, for you, you could actually even say for a longer
12 period of time.

13
14 **CHAIRMAN GREEN:** It's mainly to quantify the data.

15
16 **MR. PAPEN:** No, and I understand from the data aspect, but trying
17 to get industry support for all this stuff, and people -- You want
18 everybody to get behind it, and say, yes, this is what we want for
19 our industry.

20
21 **CHAIRMAN GREEN:** Well, we don't want that. That wasn't in SEFHIER.
22 The did-not-fish report daily was not in SEFHIER, but like we have
23 one weekly in the headboat survey, and that seems more like --
24 Like, on October 31, or November 1, I did three non-fishing reports
25 for the next three weeks, because we were shut down, and all of us
26 stayed intown, and I think that that's way more palatable than
27 daily, and that's ridiculous, and I agree with you. You know I'm
28 agreeing with you, right?

29
30 **MR. PAPEN:** I do, but I just -- In a way. I feel like it shouldn't
31 be in there, to be honest with you.

32
33 **CHAIRMAN GREEN:** But so that's the tradeoff. If we don't want to
34 do any of it, and I'm not saying that --

35
36 **MR. PAPEN:** No, and the reports are fine. The no-fishing reports
37 is what I'm talking about.

38
39 **CHAIRMAN GREEN:** You know what else did that in SEFHIER before?
40 The VMS, and so we're having to trade off to not have that burden,
41 that twenty-four-seven burden, and so these are the things that we
42 do to build a data collection system that doesn't have holes that
43 can poke through, and the data is actually usable. The more input
44 you put into it, the more you're going to get out of it kind of
45 thing, and that's the theory in it, and, if we're not going to use
46 electronic monitoring, then we're going to have to do no-fish
47 reports, and stuff like that, to quantify the data, so that we
48 don't have -- So we bring down the uncertainty, and we get more

1 out of it, is basically --

2

3 **DR. STEPHEN:** Another thing to consider, and so, often, when you
4 start a new program, you've got a three to five-year burn-in period
5 until people are mostly complying, right, and then you're not
6 taking as many measures as you were before to get compliance within
7 it. It could be something where you build it in for five years
8 and then reevaluate it and then work towards that. Remember that
9 anything that you build-in doesn't have to be set in stone for the
10 entire time of the program. That's just another way to think about
11 it.

12

13 **CHAIRMAN GREEN:** Did you have anything else, Mr. Steve? Joshua.

14

15 **MR. ELLENDER:** Talking about the trip component of set-level, how
16 accurate would that be if it was voluntary and not mandatory?

17

18 **DR. STEPHEN:** So the accuracy would probably be pretty good. The
19 usability in management is probably where you would have some
20 issues, and so, if you have some people giving set-level, and some
21 giving trip-level, it probably couldn't be used comprehensively,
22 and that would be where kind of that tradeoff is. I think,
23 currently, in eTRIPS, you can report at a set-level, if you so
24 desire. For us, for purposes of analyzing it, it would be wrapped
25 up to trip level, because we would have to analyze the program as
26 a whole.

27

28 **MR. ELLENDER:** Then another thing that another gentleman and I
29 were talking about was maybe another way to validate our catches
30 is actually using pictures. When we would hail-in, maybe get to
31 the dock, and you head to the dock, and you start reporting your
32 catch, that you submit a picture with that catch, because now every
33 phone out there -- When you take a picture, it has a time stamp
34 and a date on it, to where that could show proof that you went
35 fishing that day, and, if you were hailing-in, it would just help,
36 I guess, validate the whole process, and would that be something
37 that could potentially be used for validation?

38

39 **DR. STEPHEN:** I'm going to answer with a general yes, but, thinking
40 about it, you were probably -- We don't want to have someone
41 manually going through all the pictures of every fisherman for
42 every trip they're doing. We don't have enough staff for that,
43 and so it would probably require some artificial intelligence,
44 some machine learning applications. There are some of those out
45 there, and they're really in the infancy, when you're thinking
46 about fisheries data, but that's also, you know, something that I
47 think could be a consideration down the road. Currently, I'm not
48 sure if that would be something that we could readily use

1 immediately, in order to validate the program.

2
3 **CHAIRMAN GREEN:** Can I add to that, real quick, Joshua? The other
4 thing is that it might validate the harvest, but it does nothing
5 for the effort too, and like, if you use a picture and AI, that
6 still doesn't tell you whether the boat was out there for four
7 hours or twenty-four hours, and like you don't know how much effort
8 to apply to the fishery. You know, catch per unit effort is how
9 many anglers, how many hours, how many fish, but, you know, like
10 you don't scientifically prove how long the boat was gone for with
11 a picture, is what I'm getting at, and it would just strictly be
12 harvest.

13
14 **MR. ELLENDER:** Right, but, at the same time, you're validating the
15 trip itself, and that was the big thing that we were talking about.
16 At some point, it gets -- I feel like we are getting to a point
17 where we don't trust any fisherman out there, and we're considering
18 everybody a criminal, you know, and that's the whole VMS thing,
19 and that's why people feel the intrusion from the government, and
20 it's just government overreach.

21
22 The point is that when are we going to start trusting the
23 fishermen? Are they all honest? No, absolutely not, but the
24 majority of them are, and we've got to give them a chance to prove
25 us wrong, I guess, in a way, and I don't know, and I just -- It
26 seems like, if we don't go full-throttle ahead, then we're not
27 doing enough, you know, and we need to find, like you said, a
28 middle ground of backing off a little bit and allow something to
29 actually work, or see if it will work first, and then go from
30 there, and I don't know, and it just -- I understand what you're
31 saying though, the way you summed it up.

32
33 **CHAIRMAN GREEN:** Well, I just wanted you to know that like, by
34 taking a picture, you're not satisfying all of the requirements of
35 validation, is what I was getting -- I wasn't telling you that
36 you're wrong, and I was just saying that that's just one of the
37 two things that we have to validate, is what I was getting at.

38
39 **DR. STEPHEN:** I guess I will also add that like, if you're thinking
40 about minimum trip validation, did a trip occur, probably a
41 declaration, and a dockside intercept, are enough to maybe get
42 started, and then you evaluate the data and see if there is any
43 gaps, or holes, within it.

44
45 You know, obviously, as was mentioned before, the VMS tracking is
46 sort of the gold standard, because you can't evade it, but taking
47 away from that, you know, what are the other options that you can
48 do outside of VMS to do it, and I would probably start at least

1 with the declaration component, as well as a dockside intercept.
2
3 Will that capture everyone? No, but will it capture the majority?
4 If we build the dockside intercept correctly, most likely it will
5 capture enough to have trust and confidence in the data, and that's
6 what we're looking for, how much validation do we get that we feel
7 that that number that comes out at the end for the annual
8 information is representative of what's really occurring.
9
10 **MR. ELLENDER:** One more thing to add, or question to add, is, for
11 the most part, we have dockside intercepts, correct, and so we
12 have our biological --
13
14 **CHAIRMAN GREEN:** Florida and Louisiana do. Florida and Louisiana
15 are the heaviest dockside intercept states.
16
17 **MR. ELLENDER:** Mississippi as well, right?
18
19 **CHAIRMAN GREEN:** I just said they're the heaviest, and they're the
20 ones with the most coverage. Florida and LA Creel are the two
21 states that do the most intercepting, and, I mean, they all do,
22 but, at that level, Florida and Louisiana are the highest levels.
23
24 **DR. STEPHEN:** I will also add to that, and so, when we did the
25 original SEFHIER, we created a separate dockside intercept,
26 outside of MRIP, because of the structural design, right, looking
27 at anglers versus trips, and MRIP was covering federal and state
28 charter boats, which wasn't necessarily a sampling design for us,
29 and there were some places where federal boats didn't go, and it
30 would be kind of a waste of money to put an observer there, or an
31 intercept person there.
32
33 That said, we've had a lot of conversations, with S&T, about,
34 moving forward, if we were to redesign it, is there a way that we
35 can modify MRIP, or use the same samplers, so that we're not
36 creating two surveys to go forward, and so there's a lot of ongoing
37 discussion, and there's definitely the potential that we go through
38 there, and we would have to kind of look at the statistical design,
39 and see how it works, but that would be an avenue to at least
40 reduce costs on the agency for the dockside intercept, and actually
41 supply more people, maybe both for MRIP and for the SEFHIER program
42 validation, and so we're exploring that, and we definitely hope to
43 have more answers to that before this amendment gets anywhere close
44 to the final stage.
45
46 **CHAIRMAN GREEN:** Thank you. Have we got anybody else that has
47 questions for Jessica? Bo.
48

1 **MR. JOHNSON:** It's the same thing with what we're talking about
2 with the honesty, you know, and they shut down nets, and that
3 didn't stop the guy that is striking snook and selling them for
4 grouper, and you're not going to stop that, and so some type of
5 honesty, and, with the dockside, you know, I don't know about a
6 lot of you all's areas, but, in mine, we've got, realistically,
7 two ports, and that's it.

8
9 There's got to be a way, and there's some old guy that loves
10 fishing, that would love to volunteer to come down, and, I mean,
11 I see game wardens every single day at my marina. When I pull in,
12 here's there, every day, and, I mean, so, like I said, like he
13 said, with a picture, and I went fishing today, and the dockside,
14 and that should be plenty, I would think.

15
16 **DR. STEPHEN:** The one thing that I would kind of remind people of
17 is sometimes, when you see people at the docks, they're not
18 necessarily sharing data with the agency, and so a game warden
19 might be only state, and so, if we were to try and use those
20 avenues, we would want to build in, definitely, ways to collect
21 our data, or that information, from those groups.

22
23 **MR. JOHNSON:** You're also talking about guys that are running
24 legally, having permits, you know, and, when they come up to me -
25 - I mean, you know you need to talk to and who you don't, and, I
26 mean, you're not talking to just John Smith that's coming off of
27 a boat, that drank a twelve-pack, and he doesn't want to see
28 anybody, and he's got illegal catch. You know, there would be
29 zero reason not to, and eliminate the other, because we're going
30 to run into the same thing, and we keep seeing it, and the VMS,
31 and the other, is not going -- I'm not going to vote for it, but,
32 you know, there's got to be something else that we can do that
33 will be acceptable and that you will consider us as honest.

34
35 **DR. STEPHEN:** Some of the other validation techniques considered,
36 and apologies for not putting it in the presentation, and it's
37 been so long that I forgot we considered them, but there's also a
38 validation technique where you just sit someone at a marina and
39 count how many vessels leave and how many come back, right, and so
40 the headboat survey I think uses that, to some extent.

41
42 The reason that didn't get a little bit further is the amount of
43 boots on the ground that you would need to do that, and then an
44 alternative option that was talked about was to put cameras at
45 marinas. Okay. That sounds great, except for a lot of marinas
46 are private, and then there are privacy concerns going on there,
47 but I would also say, if there's other ideas like that, that anyone
48 in the group might want to come up with, throw them out there, and

1 let's see if they're viable, or not viable, to move forward.

2
3 **MR. JOHNSON:** The reality is, when you talk about the marinas and
4 their cameras, if you go online, and I don't know about Louisiana
5 and Mississippi, but you can go online just about at any marina,
6 or any boat ramp, and I can pull up the guy that just backed his
7 truck in, you know, and so, I mean, it's all live-streamed.

8
9 **CHAIRMAN GREEN:** Thank you. Ed, you wanted to speak?

10
11 **MR. WALKER:** I just had a question. Can a validator be a non-
12 enforcement person?

13
14 **DR. STEPHEN:** Most validators are not enforcement, and so we like
15 to separate --

16
17 **MR. WALKER:** So there doesn't have to be a penalty if you are --

18
19 **DR. STEPHEN:** Correct, and so let me explain that a little bit
20 more. Typically, what we do is we have our dockside intercepts
21 are biologists, or someone within the field, and not law
22 enforcement, because we do like to separate out the enforcement
23 component from gathering the scientific data.

24
25 Typically, we like to even keep them separate enough, unless
26 there's someone who is being an egregious offender, that is
27 constantly not doing something, and what we want to do is what we
28 call compliance assistance. If I see you doing something that
29 doesn't quite match the regulations, I want to first reach out to
30 you, and, hey, do you know that you're doing that, and do you know
31 what the regulation is, and maybe you misunderstood it.

32
33 In the original SEFHIER program, we gave a lot of passes, early
34 on, and, to me, they weren't even passes, but it was trying to get
35 everyone to understand what the program was, and so we wanted to
36 go out there and do assistance. We actually used enforcement even
37 for compliance assistance, where they talked to people, but they
38 did not write tickets. It was only towards the very end of the
39 program that we started writing the tickets and having more of the
40 enforcement moving forward, and so, yes, they're typically
41 separate.

42
43 We like to keep them independent and separate from each other, in
44 order to go forward, and that's why sometimes, when a game warden
45 is there, that's not information that we're going to get, because
46 we want it to come maybe from a biologist, where there's not the
47 fear that, hey, maybe I caught something that I shouldn't have,
48 and now they're going to intercept me, and now they're going to

1 write a ticket for it. Our biologists do not do that, and there
2 is kind of an independence between the two.

3
4 **MR. WALKER:** So you've had for-hire validation by biologists? I
5 didn't know that that was a thing.

6
7 **DR. STEPHEN:** Yes, and so we did -- For the dockside validation
8 survey, we went through Gulf States Commission, and GulfFIN, and
9 so then GulfFIN contracted to each of the states, and the states
10 hired, whether they're biologists or up-and-coming biologists, but
11 people who do the dockside intercepts, and sometimes they actually
12 come from a different career path, but they're, in essence, doing
13 biological work.

14
15 Those dockside intercept people are typically trained in, to some
16 level, species identification, and you will get a varying degree,
17 depending on how good a training program is. Early on, I think,
18 with MRIP, it was not great species identification, and then they
19 got kind of in track and started to get really strong validation,
20 and you have books where you can help identify species.

21
22 They're trained in removing parts of fish, and so, if we're looking
23 for otoliths, or for gonads, for, you know, sex and maturity and
24 age of fish, and they can be trained in that, and then as well as
25 getting the lengths, the weights, and maybe sometimes scale samples
26 for DNA, and so that's typically what the dockside intercept person
27 does, and they have a variety of components that are from sort of
28 data collection, helping to audit and collecting biological
29 samples.

30
31 **CHAIRMAN GREEN:** We see it in Destin a lot, and the State of
32 Florida actually pays observers, and they will come and pay me for
33 a ticket to ride on the headboat, and I will have a biologist, and
34 they will bring their tagging, and sometimes they go on there and
35 just do counting, and sometimes they tag fish, and then I have a
36 different person from FWC, a biologist, that will come by and do
37 dockside intercepts, and she will -- As the guys are cleaning
38 stringers, she will take a couple of fish off the stringer and
39 measure.

40
41 **MR. WALKER:** Yes, and I've seen that, and I've done that plenty of
42 times, but I didn't know that counted as legitimate validation for
43 the for-hire, and I thought that had to come with a law enforcement
44 component.

45
46 **CHAIRMAN GREEN:** Sebo is next.

47
48 **MR. SEYMOUR:** I will touch on Ed's thing, but, yes, Mississippi is

1 real heavy, with Resource Management doing most all of the
2 validation in MRIP at our docks. Then next is so SEFHIER in the
3 South Atlantic -- Those were the only two entities for for-hire in
4 the whole country?

5
6 **DR. STEPHEN:** No, and so the Greater Atlantic Region, GARFO, and
7 so that's the Mid-Atlantic and New England, also have for-hire
8 components to them, and so they have a logbook requirement, and
9 their data collection though is more -- I think they have to turn
10 in the reports within forty-eight hours, but the use of the data
11 is not used directly in management, and so the South Atlantic
12 program was built a little bit more similar to the GARFO program,
13 and so the data collected from there, and we're going to ignore
14 the compliance issue in the South Atlantic, and, if the compliance
15 was better, the data collected there might be used to replace
16 components of the MRIP information, because they were already
17 supplying information through the logbook program, but that was
18 the limitation of the use within that program.

19
20 The Gulf program was built to -- I don't want to quite say replace
21 MRIP, but become a better data source than MRIP for the federal
22 component, at least of the programs, and have more information,
23 and have information that could be used for in-season management,
24 and so that's kind of where the differences between the two
25 programs came from. The Greater Atlantic program has been in
26 place longer than the SEFHIER program, and we did use that as a
27 lot of our initial building basis for how to build the programs in
28 general.

29
30 **MR. SEYMOUR:** Right, and so the original SEFHIER they got the court
31 decision down was probably fixing to be the Taj Mahal of data
32 collection.

33
34 **DR. STEPHEN:** Yes, and it was really built to kind of the highest
35 level that we thought we could, attempting to balance different
36 burdens, right, and so we at trip-level instead of set-level, but,
37 other than that, the different components of the program, in and
38 of itself, was meant to be a strong component that would pass
39 through a certification and validation and be really useful for a
40 variety of different uses within management.

41
42 **MR. SEYMOUR:** So no other council in the United States is trying
43 any type of EFP on any other type of data collection, other than
44 the SEFHIER program was fully implemented?

45
46 **DR. STEPHEN:** There might be a couple of other ones on the west
47 coast, or in Alaska, that have tried different -- They have
48 guideboats, instead of the necessarily for-hire, and so the kind

1 of sort of for-hire components are a little bit different on the
2 west coast than the east coast. Here, we have some of the largest
3 for-hire components within the country, but, typically, a logbook
4 is the basis for the start of it, but how you want to use that
5 data in management, and what the purpose was for it, that's where
6 the different survey design elements come into place, and I can
7 look back and see if there were other programs that did things
8 differently.

9
10 We did review all of those, back with that technical committee,
11 when we starting SEFHIER and in the for-hire data workshop, and
12 that's where they came up with sort of what were the more gold
13 standards, right, and the capture-recapture became really critical
14 compared to programs that didn't have that and the usability of
15 the data.

16
17 **MR. SEYMOUR:** Okay. Thank you.

18
19 **CHAIRMAN GREEN:** Go ahead, Thad.

20
21 **MR. STEWART:** So what I'm kind of taking away from this, as far
22 as, you know, what does success look like, this aspect of this
23 wheel, the data aspect of it, isn't something you feel like needs
24 to be reinvented.

25
26 **DR. STEPHEN:** So you mean the data aspect and what's coming in in
27 the logbook?

28
29 **MR. STEWART:** As in what you're actually -- The different inputs
30 that we inputted every time we came back to port, whether it's
31 number of fish, the different aspects of the data collection for
32 your statistical purposes, and that aspect of this project you
33 don't feel like needs to be reinvented?

34
35 **DR. STEPHEN:** I would say that there are probably some minor
36 modifications that could be useful in it, and so some of the things
37 that we pointed out in the gaps of the SEFHIER program is we
38 collected number of fish. Well, a lot of times, we have fish
39 quotas, not in numbers, but in weight of fish, and so how do we
40 get an appropriate conversion from a number of fish to weights of
41 fish, and that could be handled really through more dockside
42 intercepts, more weights of fish, right, and it doesn't necessarily
43 have to be handled by weighing fish, which is kind of out there
44 for -- One of the other things is the discards, and we only did
45 kept or landed.

46
47 While that's useful, to a certain level, it does leave some gaps
48 in management, and I think you're fine not doing it, as long as

1 you're aware that you're not going to get that type of information
2 from this program, and so that might still be a gap, moving forward
3 with it.

4
5 **MR. STEWART:** Which is a cost-benefit thing.

6
7 **DR. STEPHEN:** Right. Right, and then there were probably -- I
8 would relook at some of the depth fields, and I think we originally
9 had three depth fields, and we were going to knock it down to just
10 one, because we realized, through the data exploration, that
11 information wasn't giving us what we wanted, and we would probably
12 take a harder look at all the data fields and then kind of give
13 out more of a sound reasoning of why this field is applying to
14 what measure, so that it would be better understood.

15
16 In general though, what's on that logbook, the catch and effort
17 information, is typically the core information that's collected,
18 and it doesn't need a lot of modification. I would look at a few
19 things, just to see if you wanted more information out of this
20 program.

21
22 **MR. STEWART:** Right, and you're a source that we can turn to for
23 that.

24
25 **DR. STEPHEN:** Yes, absolutely, and you can contact either myself
26 or Michelle Masi, and we'll be the ones to help, if you guys have
27 ideas of fields that you want to see, or you don't think are
28 useful, and it would be good to have that information, so we can
29 come a bit more prepared with why it is or is not useful.

30
31 **CHAIRMAN GREEN:** Go ahead, Clay.

32
33 **MR. SHIDLER:** I know this may be a little bit elementary, but I
34 guess maybe -- I think Thad is trying to maybe get to this too a
35 little bit, but like so we know that our data is pretty solid, as
36 far as what we put into VESL or eTRIPS, but, you know, I guess
37 what we're kind of looking for is like maybe an option of, hey,
38 we're going to subtract VMS, and we're going to add a geofence,
39 and no fish -- Weekly no-fish reports, and an option to put a
40 picture of your catch in the very bottom of your VESL or eTRIPS,
41 and, you know, something like that, I guess, you know, maybe to
42 where we're not sitting here going, well, what do we trade for
43 VMS, you know, and, getting back to the fact that, hey, if you
44 trade your VMS for A, B, and C, and C is an optional picture, you
45 know, that qualifies your data, and keeps your data at the same,
46 quote, high level that SEFHIER is expected to operate at, as it
47 would have with a VMS.

48

1 I think that's maybe a couple of us that have kind of touched on
2 that, but as far as -- We're looking for, you know, the right
3 option, you know, and, if that means adding three things, and maybe
4 one of them is optional, or adding two things, you know, what are
5 the two things, and in conjunction with each other, because there
6 is no trade VMS for this, and it's maybe trade VMS for this and
7 this, or this and this and this, A, B, and C, and I think that's,
8 you know, what everybody is -- That it really seems like everybody
9 is trying to get at.

10
11 **CHAIRMAN GREEN:** To kind of interject here, I think the basis of
12 what you're thinking of is correct. You know, SEFHIER was good,
13 and the ruling came down, and we've got to figure out a way to --
14 Like dockside intercept validates the harvest, and like your VMS
15 never validated any harvest, and it's the effort that we have to
16 validate, and we have to prove the trip happened, and we need to
17 prove the duration of a trip, and that's all that VMS did, as far
18 as validation goes, when it comes to SEFHIER, and I'm looking for
19 you a nod, and is that a nod yes?

20
21 **DR. STEPHEN:** Yes, I think so.

22
23 **CHAIRMAN GREEN:** I mean, like, well, it goes to different avenues,
24 and it's just like what I was saying. Like they want -- Like set-
25 level is what the agency would love to have, and they would love
26 to all that data at a set-level, you know, like she was saying,
27 the different species that are congregating together, what depth
28 you were at, and those are things that the agency would love to
29 have, but those are the things that we're trying to get away from,
30 and we're trying to get at simplicity, and VMS was all about
31 effort. That was -- It proved when, and how long, and when you
32 came back.

33
34 That's all it did, and so, really and truly, that's what we're
35 wrestling with. We're trying to -- We've got the data collection,
36 and we've got the right fields, and the agency just said, you know,
37 earlier, that it was great, but we've got to figure out a way to
38 prove the trip happened, how long, and when, and that's it, and so
39 like that's where we -- Like, to me, that's what we need to be
40 focusing on, is finding that common ground on how we can validate
41 the effort.

42
43 If we can validate the trip happened, and its duration, without a
44 VMS and twenty-four-seven tracking, then SEFHIER would be right
45 back where it was, without the possibility of a 4th Amendment
46 violation, and so, to me, that's the big thing. Did you have
47 anything else, Clay, that you wanted to -
48

1 **MR. SHIDLER:** I just -- You know, not a lot of it is as, you know,
2 set in stone as maybe some of us would like, and you know what I
3 mean? You trade A for B, or you trade A for B and C, and I
4 understand that, and I guess maybe that's kind of the challenge,
5 right, is, as a group, we don't want to walk out of here tomorrow
6 and recommend something that is going to go to the council, and
7 then some -- You know, somebody is going to say, hey, by the way,
8 what they recommended doesn't meet the threshold of what SEFHIER
9 is, and so we're glad they hung out for two days and talked, but
10 it's not --

11
12 **CHAIRMAN GREEN:** So I want to stop you right there. So plan on
13 this AP probably meeting one or two more times, at a minimum, and,
14 really and truly, we don't need to like go and be like, hey, and
15 this is me talking, my opinion, and we don't need to like send a
16 recommendation to the council and be like we want an app that logs
17 our GPS, turns in all the data together, blah, blah, and like we
18 want to make -- What we're doing is making recommendations to the
19 council, and they're going to make -- Then they, if they agree
20 with it, they're going to make a recommendation to staff to start
21 a document, and we should be making recommendations validation,
22 like we want to look at dual permits using the VMS on the boat.

23
24 If you already have a VMS paid for, reimbursed, and installed, if
25 you can use that, and we want to look at an app that geo-tracks
26 you, and we want to look at pictures, AI pictures, and, you know,
27 like we can put in two or three or four things that we want that
28 document to evaluate and analyze, and then, after the next meeting,
29 if they tell the staff to do that, the staff is going to do that,
30 and, at the next meeting or so, it's going to come back, and
31 they're going to review that, and then, once they kind of be like,
32 well, I don't really want to do that, and let's cut it down to
33 these two things, and have the AP meet again, and get the
34 recommendation on it, and so just realize that, when we come out
35 of here, we're not making a recommendation that that this is how
36 we want the program to -- We need to make recommendations like
37 here -- We want a program, and if it's the low-hanging fruit, like
38 the fields, the fisheries stuff, that will be real easy, and we
39 all agree on that.

40
41 When it comes to validation, here's a suite of options we want to
42 look at, and then give them the ability to go to staff and have
43 staff go through all of that and then bring it back to where we
44 can see it, and so that's kind of -- I don't have the thing that
45 we need to sit down here and all iron this out, if nothing is going
46 to come of it, and we need to make some recommendations before
47 this is over, guiding the Gulf Council on where we think the
48 industry wants this data collection program to be. Steve.

1
2 **MR. PAPEN:** So the validation part that we were talking about --
3 Even when we did it before, the report that goes wherever, and it
4 goes to the cloud, and that report only has our hail-out and our
5 hail-in times, and then it has all the information of the catch
6 and everything like that. That doesn't validate catch, right, and
7 it just validates that the trip went through, and is that right?
8
9 **CHAIRMAN GREEN:** The dockside intercept is what validates the
10 harvest.
11
12 **MR. PAPEN:** Right.
13
14 **DR. STEPHEN:** The dockside intercept can validate non-reporting,
15 if you intercept someone who didn't report, and then it could
16 validate a trip. It primarily helps to validate catch as well.
17
18 **MR. PAPEN:** So we're trying to validate the trip happening.
19 Before, the only information they got was hail-in and hail-out.
20
21 **CHAIRMAN GREEN:** Well, the VMS -- What they would do is they would
22 take the declaration and the trip report, and then they would pair
23 it up with the VMS.
24
25 **MR. PAPEN:** Right, but I'm sure they didn't do that -- I'm sure
26 they did that once in a while, when they had a question of a
27 particular boat, and, I mean, I'm sure they're not looking at, you
28 know, my whole track for the day, every single trip we go.
29
30 **DR. STEPHEN:** Typically, what we start looking at is step-one
31 really -- This is more less validation as much as -- Let's call;
32 it trip auditing, making sure that trip occurs, and that's a little
33 bit more precise language there, and so, when you have the hail-
34 out with the hail-in, the combo, we were able to match that to a
35 logbook.
36
37 If we had a vessel -- So that graph that Michelle showed, the
38 vessels that had no report, if their VMS was active and working,
39 we could go into VMS and go, really, you have no report, and you
40 sure look like you've been out there fishing, and that's the sort
41 of -- There is a validation that a trip occurred that we have
42 nothing for, right, and so, without that, what are your other
43 mechanisms to do it, and that's where I kind of said the dockside
44 validation can get you to some level, because, if you intercept
45 someone who wasn't reporting, right, and that's the same with
46 almost any commercial, and I intercept a guy, and he didn't turn
47 in a report, or didn't hail-out, something like that, and I
48 intercepted him.

1
2 **MR. PAPEN:** So, if you were to get the hail-in and hail-out and
3 the report, the catch report, I mean, does that fulfill everything
4 we need? I mean, do we need to go farther than that?

5
6 **DR. STEPHEN:** I think you probably need just a little bit further
7 than that without the VMS, and so the hail-in and hail-out and the
8 logbook, and then potentially that did-not-fish report, some other
9 mechanism to let you know, and so, when you're thinking about it
10 -- When you're looking at trip auditing, or trip compliance, right,
11 you're looking for those who are not complying with the regulation,
12 and not necessarily those who are, and so, in that sense, you're
13 validating whether a trip happened, versus validating a catch on
14 the trip, which is a little bit different.

15
16 I will have to say that we do use "compliance" very generically,
17 and "validation" generically, and so, as we're having these
18 discussions, I like to get it a little bit more precise for what
19 component of the program you're looking to have compliance or
20 validation.

21
22 If you were looking to recognize when a trip occurred, and take
23 VMS off the table, off the top of my head, I would say the hail-
24 out and hail-in combo, the logbook, and probably a did-not-fish
25 report, would get us most of the way there. There are still going
26 to be gaps, and we're going to still have to account for that in
27 some manner, but we might be able to account for it well enough
28 that we feel that the information is reliable. If you drop some
29 of those components, you've dropped your ability to find those
30 that are non-compliant within the program.

31
32 You know, other ways that I mentioned before, and so you can have
33 a video cameras on marinas, or you can check whether boats are in
34 or out, and those are other ways to validate a vessel --

35
36 **MR. PAPEN:** That seems invasive for all of us and you.

37
38 **DR. STEPHEN:** And it's extreme cost, right, if you're talking boots
39 on the ground. The headboat survey can do it, because they have
40 a limited number of vessels, and their, you know, dockside
41 intercept to vessel ratio is really low. We're never going to get
42 that in the full for-hire fleet, right, but just thinking about
43 different ways that you can recognize that a trip went out.

44
45 There might be mechanisms that we haven't quite thought of yet
46 too, and so I encourage people also to think about how else would
47 you know that that trip went out, and just different ways to kind
48 of verify it, and it's really about the verification of it and not

1 really to -- We like to say trust, but verify, is our way of using
2 it, and I know that term has kind of gotten cliché, but, really,
3 we just want to have enough measure of verification that we feel
4 that those numbers that are being generated from the survey are
5 accurate enough for management and are going to, you know, impact
6 your fishery in a way that's appropriate, moving forward.

7
8 **CHAIRMAN GREEN:** Does that cover everything for now, Steve? Thank
9 you. Bo.

10
11 **MR. JOHNSON:** I don't know if I'm missing something here, but what
12 would be the -- What would I gain by saying I did or didn't go
13 fishing?

14
15 **DR. STEPHEN:** So you individually?

16
17 **MR. JOHNSON:** As a captain, owner of two boats, and I mean --

18
19 **DR. STEPHEN:** I think it was mentioned, and I'm not sure which of
20 you guys mentioned it earlier, right, and so what can be gained is
21 that recognition of what the sector is actually harvesting, and
22 so, if the sector separation is something important for this fleet,
23 moving forward, those SEFHIER logbooks, and accurate compliance
24 with reporting, that could show information to give good reason
25 why it should be sector separated.

26
27 Information that shows the value of your fishery, in generally,
28 typically comes from some type of logbook reporting, and, the
29 better data we get, with the less uncertainty, the better we can
30 adjust quotas, and so, when we think of -- Let's take red snapper
31 again, right, and so, with sector separation, we went from nine
32 days to forty-four, or forty-five, and some of that was the good
33 level of data that we just had by separating out the for-hire from
34 the private recreational, because the for-hire component of MRIP
35 supplied us with different information, and it was the fact that
36 we could regulate and have compliance only within that sector.

37
38 When you're having a logbook component to it, you start to gain
39 information for that, and another thing that the logbooks do, in
40 general, is in-season monitoring, and so, right now, when we wait
41 to look at when we're closing a season, and we're relying on MRIP
42 data, and MRIP is a two-month wave that we get forty-five days
43 after the wave is over, if we're lucky, and so you're getting the
44 data late, by the time we're making changes to seasonality, like
45 shutting down in-season. If we had more timely data coming in, we
46 would be able to recognize -- We might even be able to warn you
47 guys that, hey, look, you're coming close to the quota.

1 I've seen it in the for-hire industry over in California, and they
2 did self-monitoring, instead of government-monitoring, and, when
3 they came close to it, they started informing everyone, and the
4 fishermen then changed their behavior to not shut down that quota
5 for that fishery, in order to do it, and so there are different
6 ways that the logbooks really could affect your business, in moving
7 forward, and give you, in the end, probably more flexibility.

8
9 **MR. JOHNSON:** I'm just thinking that we can get a whole lot more
10 people onboard with doing it with less intrusion, and so, I mean,
11 I know, personally, that I filled out half of one, when it started,
12 and that's all I've ever done, and I would more apt to -- I'm going
13 to fishing, and I came home, and here's what I caught, and here's
14 what I threw back, and then it would be up to you guys to -- Not
15 you guys, but you all to trust us at being honest that I ran that
16 trip, and that's what I'm saying, and so, for the validation on
17 having to have something track you, why would you have to have
18 that, because, I mean, I wouldn't say I ran a trip when I didn't
19 run a trip, unless, you know, people think it's going to go to a
20 quota, or something like that, and then you're just -- You're going
21 to get caught anyway.

22
23 **DR. STEPHEN:** I guess I will just make one kind of comment, and
24 so, if we looked at what's happening in the South Atlantic, it's
25 45 percent compliance. If we didn't have some measure to track
26 that level of compliance, we might have assumed that was the entire
27 removals from the fishery, and so that's where I think sometimes
28 the auditing, and the compliance, really come into play.

29
30 That said, on the Gulf program, we have much higher compliance,
31 most likely due to all the different components they built into
32 the program, and I also think really due to the limited-access
33 nature of the permits, and just due to there tends to be more
34 conversation, I think, sometimes on this side, where there's an
35 understanding of how the data feeds into the science that feeds
36 into the management regulations.

37
38 Those are kind -- Just looking at those two scenarios, you can see
39 where having some measure of compliance being known is really
40 helpful to understand if the data being received is accurate, and
41 accurate for the entirety and not for, you know, the individual
42 fishermen, per se.

43
44 **CHAIRMAN GREEN:** So one thing I hear a lot is trusting us, and I
45 have a lot of issues with that too, being a port ambassador, and
46 I was like, you know, if I sign my name to the IRS, to my tax
47 return, that's good enough for the IRS, and how is it different,
48 and you know why it's different? Because you validate it by

1 turning it your W-2, and so it's the same thing, and like, if you
2 don't want the intrusion, and I'm not talking about the tracking,
3 and I'm not talking about you specifically, but I'm just talking
4 in generalities, that, if you put -- If you put something into
5 something that ain't worth anything, and, you know, you're not
6 putting your effort into it, you're not going to get it back out
7 of it.

8
9 The more we put into this, and the more we try and do it -- It's
10 not about what you're going to get, and it's about what we're all
11 going to get, and that's a sustainable fishery, and I mean that,
12 and I'm not preaching to you, and I'm just looking at you, because
13 you brought it up, but it's like I've been through two rebuilding
14 plans on red snapper.

15
16 Red snapper is my red grouper for you, or shark or whatever you
17 wrestle nowadays, and that was to be funny, and not a smartass,
18 but I've been through two rebuilding plans, in my life, of red
19 snapper, and it looks like I might have to do it again, if we
20 continue on this track with the way that red snapper are going
21 right now, you know, with localized depletion.

22
23 To me, what I get out of it is not having to do a damn rebuilding
24 plan ever again in my life, you know, and we have sustainable --
25 You're jumping through these hoops, because, in essence, it's
26 either going to help you extend your season -- It took us five
27 years of Amendment 40 to prove that we were under-catching our
28 fish, and, what was it, 38 to 18 percent a year we were under-
29 catching our red snapper. If we had a SEFHIER logbook in there,
30 it would have only taken a year or two, and we would have been
31 like, hey, man, I want my fish, and you need to give us more days.
32 Instead, it took five years to accomplish that, and a lot of arm-
33 bending. It was a lot of arm-bending, of people calling and us
34 emailing and trying to get them to do it.

35
36 This allows us to not only overfish, like what Jessica was bringing
37 up, but also allow us to -- What we don't ever hear is optimum
38 sustainable yield, and we always hear catch levels, and
39 overfishing, but there's a two-sided coin to that. The MSA not
40 only makes your rein-in overfishing, but it also makes them give
41 us much fish as they possibly can, optimal sustainable yield, and
42 so, to me, it's more about a sustainable fishery, and being more
43 nimble, and not having to wait two or three years to find out that
44 we overfished three years ago, and we have been overfishing, and
45 now we're going into a rebuilding plan, and now we're closing.
46 Now you only get a two-month season, and those are the things that
47 you reap from putting in good, accurate data that's usable, and
48 those are the things.

1
2 **MR. JOHNSON:** Which is what I'm saying, and so, if it's validated,
3 and we do what we can do to get everybody to give the correct
4 numbers, will the numbers be used correctly, and will we get honest
5 numbers, and will we not have a 57 percent, oops, we're kind of
6 off, or a difference between this level of -- Whatever the
7 situation might be, to where -- That's honestly why I'm here, and
8 so, yes, let's get the most accurate numbers we can, and then do
9 it, and you will get your compliance, and I think everybody agrees
10 that less is more, and less will be more, but you will get 100
11 percent compliance, instead of the numbers that you had up there.

12
13 **CHAIRMAN GREEN:** I agree. I am with you. All right. Mike is
14 next and then Thad.

15
16 **MR. JENNINGS:** I don't have a question, but I would like to add
17 something to that, if you will indulge me for a second, Mr. Chair.
18 You know, when I first got involved in this, years ago, it took -
19 - I struggled with ideas, or thoughts, that I had would work,
20 versus what the standards were that the agency could take and then
21 work with, and one of the things that I would be more than happy
22 to do is trade something like no-fishing reports for the VMS, and
23 could I add the weekly no-fishing reports, in lieu of that, and
24 then meet that minimum standard, so that they can use that for
25 management purposes? Absolutely, and that's my thoughts, and my
26 thoughts only, because I don't want to go the way of the South
27 Atlantic.

28
29 I mean, no offense to no one, but there's nothing that you can
30 bring up about the South Atlantic that I want to mirror, or ever
31 use it as an example of what we want to do in the Gulf of Mexico.
32 We are decades ahead of that side of the Florida peninsula, but
33 the one thing I would like to say is, the just trust us, we've
34 already been down that road, and, if somebody's memory is better
35 than mine in here, they can give me the time, the years, but it's
36 been quite some time ago, but the original Alaska logbook program
37 was a paper logbook program, and it was fill it out once a week
38 and send it in.

39
40 For four years, and I think it was four years, or maybe five years,
41 and somebody correct me if I'm wrong, but four years, or maybe
42 five years, of that program before they were finally able to prove
43 that there were some logbooks they had with catch data on them
44 that the guy never left the dock. Now, why he reported it that
45 way, your guess is as good as mine, and I have theories on why it
46 was done that way, but it's fact, and that whole logbook program,
47 and those years of doing it, was tossed out the window, and so we
48 have precedence for the just trust us not working, absolutely, and

1 it's on paper.
2
3 The just trust us is not something that meets the standard that we
4 have to meet to get this by, and, if we're not going to meet that
5 minimum standard, where we can use this for management purposes,
6 then we're just spinning our wheels, and, as far as what we have
7 to come out of here with, and adding to what Jim said a while ago,
8 all the options are on the table. I may not totally agree with an
9 idea that Captain Josh has over there, but if it's a viable idea,
10 let's run it in front of the council.
11
12 Let's put it on the list and run it in front of the council and
13 let the process take place and see what's brought back to us, so
14 we don't have to nail down a specific one thing that we want. We
15 want, you know, as he said, a suite of options that may get us to
16 a point that this information can be used, by the agency, for
17 management purposes, during the season, after the season, whatever
18 it may be, and we want to meet that standard, or we're not going
19 to accomplish anything, and we're going to go out of here with
20 something that's useless, like they've got in the South Atlantic,
21 and that's my thoughts on it. Thank you.
22
23 **CHAIRMAN GREEN:** Thank you, Captain Mike. Thad, you're next, and
24 then we'll take a little break.
25
26 **MR. STEWART:** Okay. Just out of curiosity, the mandate that was
27 put in last year, where we had to put ten-inch letters on both
28 sides of our boat, and one visible from the sky, was that Gulf-
29 wide?
30
31 **CHAIRMAN GREEN:** First off, it was not new last year, and it's
32 been in the books for --
33
34 **MR. STEWART:** Right, but last year they started enforcing it, and
35 that was --
36
37 **CHAIRMAN GREEN:** Well, they're talking about any vessel that has
38 a federal permit has to have numbers decaled for a boat or an
39 aircraft to be able to identify you, like the commercial boats do,
40 and apparently we all got away with it for a long time,
41 recreational, because we were like, hey, we're recreational boats,
42 but, when they went back, and we got LEO, NOAA LEO, they went back
43 and reviewed all of the data, and they found a clause where, if
44 your boat is under thirty feet, or something, it's a three-inch
45 letter. If it's under sixty-five feet, it's a ten-inch, and like
46 mine, and if it's over sixty-five, it's an eighteen-inch -- I have
47 eighteen-inch letters on the side of my boat that has my official
48 number, and so that was something that was already in the

1 regulation, and they just retroactively figured out that it applied
2 to us and made us all do it.

3

4 **MR. STEWART:** But it is Gulf-wide?

5

6 **CHAIRMAN GREEN:** It's national, and it's in the Federal Register.

7

8 **MR. STEWART:** All right. Just curious.

9

10 **CHAIRMAN GREEN:** All right. We're going to take a little break,
11 and then we'll be back in ten or fifteen minutes.

12

13 (Whereupon, a brief recess was taken.)

14

15 **CHAIRMAN GREEN:** All right. We'll go ahead and bring it back into
16 session. Lisa, did you want to speak to it?

17

18 **DR. HOLLENSHAD:** Sure. Thank you, Mr. Chair. We had some good
19 discussions this afternoon, and staff just wanted to bring up some
20 materials that might be helpful for kicking-off the rest of the
21 discussion that we'll have here in a bit. Bernie, if you wouldn't
22 mind pulling that up. Thank you, ma'am.

23

24 One of the things that we just sort of wanted to reiterate to
25 folks, as we go through, and this might be helpful, is, again, you
26 know, we went through that presentation earlier this morning, where
27 we looked at a little bit of the history of the program so far,
28 right, and so some of the good news is a lot of the heavy lifting
29 for some of this has been done, largely, and so it's definitely a
30 good place to springboard, as we start to think about, you know,
31 rebuilding a data collection program here.

32

33 What we've got up here is the purpose and need. Now, this was for
34 the original SEFHIER document, and I will just read it real quick,
35 in case you haven't gotten a chance to look it over, but the
36 purpose is to improve accuracy and timeliness of landings,
37 discards, effort, and socioeconomic data for federally-permitted
38 for-hire vessels participating in the Gulf reef fish and CMP
39 fisheries. That was sort of the purpose.

40

41 If you will notice, there is some language in there that is similar
42 to the charge that the AP has been given, you know, thinking about
43 improving accuracy and timelines and those sorts of things, and so
44 those are some themes that, you know, we could start pulling out.

45

46 The need for this action is to improve management and monitoring
47 of the Gulf reef fish and CMP fisheries, right, and we discussed
48 a little bit of the need for some of these things during Jessica's

1 presentation, and subsequent discussion, and, you know, thinking
2 about what would be needed for not only management purposes, but
3 also for stock assessment, and, you know, a lot of those things
4 are sort of generally in the air that we're having to think about.

5
6 We also had that list of objectives and goals that the group sort
7 of came up with, and we went around in a circle, and what was
8 interesting is there are some similar themes to what also came
9 from the technical report, and so they had a couple of recommended
10 objectives, and it also kind of ties back into what Jessica was
11 discussing during her presentation, and so I will just kind of go
12 through those, right, and so increasing the timeliness of catch
13 estimates for in-season monitoring, right, and why that might be
14 advantageous, and she went through some points there.

15
16 Increasing the temporal and/or spatial precision of catch
17 estimates for monitoring, providing vessel-specific catch
18 histories for management, reducing biases associated with
19 collection and catch statistics, and so we've talked about that
20 throughout the day, right, this idea of getting some more
21 information helps bring down that level of uncertainty, and, again,
22 a big one, that we've sort of touched on throughout the day, is
23 increasing stakeholder trust and buy-in associated with that data
24 collection.

25
26 These are some things that, you know, we've seen themes with, and
27 I think, as you guys begin to craft some of your recommendations
28 for the council, and things that you guys want to discuss, it's
29 important to kind of keep in mind, right, what is sort of the data
30 fields that is like, hey -- You know, I've heard some consensus of
31 like it's okay to look at some catch data, right, and so some of
32 those data fields of what kind of species did I catch, you know,
33 what time did I go fishing, what time did I come back, and some of
34 that information, and somebody throw something at me if I've got
35 it wrong, but the idea being that, okay, some of that information
36 is, you know, sort of fine for the group to go through.

37
38 Recognizing what does that then do, and so let's take something
39 like that, and what advantages is there if you say, hey, I caught
40 this species, and I caught this many, and I go fishing from here,
41 and this is how long it took, and this is my catch per unit effort
42 for this, and what do you get out of that?

43
44 Well, you let the agency know that, you know, hey, I've taken this
45 trip, and they get an idea of, hey, what's out on the water, what
46 are we seeing, and, you know, some trends, and, like Jessica was
47 talking about, some trends that can pull through, and also helping
48 for some in-season monitoring, right, and, you know, this is what

1 we saw for this season, and what might we expect for next, thinking
2 about how long the season might be, those sorts of things.

3
4 When you give your recommendations of thoughts of like, okay,
5 here's some data fields that I think I could live with, in terms
6 of reporting, also think, in your mind, well, okay, potentially
7 what does that mean for the fishery, what it is that they can get
8 out of it, that they can glean it from it, that would then be
9 useful to my business, or things that I've got moving forward, and
10 the industry as a whole, right, and then conservation for the
11 fisheries, which we've also touched on a little bit today.

12
13 Those are just some of the other things that I wanted to bring up
14 that was in your background materials, and that actually, you know,
15 has threaded pretty nicely with some things that you all have
16 discussed, but, now that we've got all of this information, and
17 you all have heard all the presentations, and we're not going to
18 give you any more, unless you really want me to, right, which you
19 probably don't, and, when we start to think of those discussions,
20 we can try to focus-in on those sorts of things that we've got
21 here, identify some of those themes, and, like the chair had
22 mentioned, perhaps some low-hanging fruit, and where can we start,
23 and there are some things where it's like people have some varying
24 ideas of approaches that they might want to do, you know, and is
25 there something that perhaps you don't have to solve everything
26 today.

27
28 If there's some suite of options that you want to give to the
29 council of, hey, this would somewhat be feasible that we could
30 work with and see how that goes, let the council discuss it, let
31 staff look through it, see it again, and that's a possibility as
32 well.

33
34 **CHAIRMAN GREEN:** Thank you, Lisa. One thing that they brought up
35 to me, in the break there, is that the list of objectives, and
36 goals, that we stated are more like components that we want the
37 data collection program to be built in, and, as you can see on the
38 screen, the objectives from the technical report -- Those are more
39 objectives and goals.

40
41 To me, reading them, basically, I don't have a problem with any of
42 the ones up there, and someone might, but I think, maybe, you know,
43 really and truly, we all kind of liked SEFHIER, what it was going
44 to be, minus some components that were going to be taken out, but
45 maybe we can adopt these objectives that were in the report, or
46 something like that, as our goals and objectives for this group.
47 Then we can use our goals objectives -- The ones that we made, we
48 can kind of use it as a checklist, to make sure we're getting

1 everything, and, whenever we start making recommendations, we can
2 use it as a checklist, to make sure that we contain that in our
3 recommendations. Richard.

4
5 **MR. FISCHER:** Thank you, Mr. Chair. If we are going to go down
6 the road of adopting some, or all, of these objectives, at the
7 appropriate time, I would like to make a motion that we do not
8 adopt the third one, the individual catch histories one, and I've
9 heard it mentioned a couple of times so far today, that going
10 toward that path is not something that this group -- Just speaking
11 for those individuals, is something that they would potentially be
12 looking to do, and it's obviously something that, in Louisiana, we
13 are not looking to move toward, and so, at the appropriate time,
14 I would like for this group to consider removing that from any of
15 our objectives. Obviously, we can't remove it from the 2014
16 technical report, but --

17
18 **CHAIRMAN GREEN:** So would you like to make a motion that our goals
19 and objectives are those four items, minus the one that you want,
20 and then we can see how everybody feels about that?

21
22 **MR. FISCHER:** Yes.

23
24 **CHAIRMAN GREEN:** We'll let her put that on the board, but, I mean,
25 it's going to be a byproduct of it, but I understand you not
26 wanting it to be a goal, or an objective, because there are some
27 people that feel differently towards what that might lead to, and
28 I can understand that.

29
30 **MR. FISCHER:** (Mr. Fischer's comment is not audible on the
31 recording.)

32
33 **CHAIRMAN GREEN:** Well, I mean, it's there, but, if you don't want
34 it to be the objective, to give the visual that that's what you're
35 trying to do, then I accept it, and I wouldn't -- I'm not going
36 top to balk at that, myself.

37
38 **Richard's motion, and if you agree, is to adopt the following**
39 **objectives for a new data collection program: Increase the**
40 **timeliness of catch estimates for in-season monitoring; increase**
41 **the temporal precision of catch estimates for monitoring; reduce**
42 **bias associated with collection of catch statistics; and increase**
43 **stakeholder trust and buy-in associated with data collection.**
44 That's the motion we have on the board, made by Richard, and do we
45 have a second?

46
47 **MR. ELLENDER:** Second.

1 **CHAIRMAN GREEN:** We have a second by Joshua, and, Richard, would
2 you like to speak any more, or do we want to open it up? Okay.
3 All right. Does anybody have any discussion on this? **Does anybody**
4 **have any opposition to the motion that's on the board?** Go ahead,
5 Thad.

6
7 **MR. STEWART:** I don't see how we can do what's now 3 and 4 without
8 what was 3. It's hard for me to make sense of that.

9
10 **CHAIRMAN GREEN:** Well, so I will just give you -- I will chime-
11 in, and, Richard, you can validate that, or you can talk to it, if
12 you want to also, but it's mainly a -- Like a thing, back when 41
13 and -- When Amendment 40 passed, there was a lot of discussion
14 about an IFQ for the for-hire industry, and there was a lot of
15 discussion about the commercial and for-hire.

16
17 If the for-hire got an IFQ, trading with commercial and all that
18 stuff, and there was a big boogeyman about catch share programs
19 and all that stuff, and we actually looked at it in Amendment 41
20 and 42, because we were all reduced down to like nine days, and so
21 we were all kind of scrounging for making the most out of a small
22 portion of fish. It's really a political thing, which I'm not
23 accusing Richard of being political, but I'm just saying that
24 building the catch history is a sticking point for people. Yes,
25 sir.

26
27 **DR. FROESCHKE:** With respect to those two bullets, the last two
28 bullets, those really speak to the validation, and just the need
29 for validation. When you have validation, you're going to achieve
30 the reduction in bias and the trust and verify, because the people
31 that, you know, would rather have the fish for a different sector,
32 or other purpose or something, you know, those are the ones you
33 have to convince, and you say, well, these are the data, and these
34 have been reported, and they've been independently validated, and
35 that's what we're catching, no more and no less, and that gives
36 that a lot of credibility.

37
38 **CHAIRMAN GREEN:** Gotcha. Gotcha. All right. Anybody else? **Is**
39 **there any opposition to the motion?** Carrie Simmons, you're in
40 opposition to this?

41
42 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. **No, not**
43 **offhand, but we're just asking if you want to maybe change "catch**
44 **statistics" to maybe "catch and effort", just because this is kind**
45 **of old and outdated, so it's a little bit more clear.**

46
47 **CHAIRMAN GREEN:** I appreciate that. On the fourth item? Is that
48 the one that you're talking about? I mean the third item, the old

1 fourth item, to "catch and effort". Richard, are you good with
2 that amendment? Is my second, Josh, good with that amendment?
3 Okay. **Seeing that there's no opposition, the motion passes**
4 **unanimously, or without opposition.** I'm not exactly sure how the
5 -- You've got it, Ms. Bernie.

6
7 All right. Well, that makes it easy. Now we've got our objectives
8 lined up, and we can use the one that we made as, like I said, a
9 check-off sheet. When we're passing motions, we can make sure
10 that we're addressing everybody's needs. One thing, and can you
11 pull up the AP's -- The ones that we did? I wanted to add one
12 thing to this, and can you add depredation, mammal and shark,
13 report?

14
15 I kind of worked on this, in this my head, a while back, and I
16 forgot to add it, because we had so much going on there, but I
17 just want there to be a mechanism for us to show that we did have
18 depredation, and it was either a mammal, a shark, or both, and
19 maybe, you know, how many spots did you fish, and how many did you
20 see depredation at, something like that easy. Sometimes it's one
21 spot for me, and sometimes it's seven, you know what I mean, but
22 then there's like -- You know, everybody says, from Brownsville,
23 Texas to Maine, everybody is having problems with the sandbar
24 shark, and tearing up gear and stuff, but we don't have any
25 mechanism to even show --

26
27 You know, we're all saying we see it every time, but just like,
28 back in the day, we used to say there's snappers everywhere, and,
29 well, you can't prove it, and, well, you can if you start turning
30 in a report on it, and so, you know, just like part of your species
31 -- When you get done doing your trip information, and you're adding
32 your species, the kept or threw back, mammal depredation, and I
33 saw it, and it was both, or it was just dolphins, and I fished
34 five spots, and they were there for two of them. You know what I
35 mean? Like just so we can begin something along that line of
36 building a record.

37
38 **AP MEMBER:** (The comment is not audible on the recording.)

39
40 **CHAIRMAN GREEN:** I don't know why you all are hung up on photos.
41 Photos ain't going to get you nowhere anytime soon, you know what
42 I mean, but I get it, but it's still -- You're attesting to it,
43 and you're turning in a -- You're signing your name, when you
44 attest to this federal report that you're submitting to a federal
45 agency, and I can't tell you that --

46
47 **MR. JENNINGS:** It's as valid as your discards.

48

1 **CHAIRMAN GREEN:** Well, it's as valid as your discards, as how many
2 people you put on the board, as whatever else that it's including
3 in the validation, but I'm just saying that it's something that's
4 been requested by multiple people, at multiple ports all around,
5 that they want some way to tell that they are getting trounced by
6 dolphins and sharks, and so it's a start, and we can -- All right,
7 and so we've got our objectives and goals ironed-out. Thank you,
8 Richard.

9
10 Now we need to kind of start making some recommendations here, I
11 feel, and we're getting towards the end of the first day, and I
12 think that validation is a brick-wall sticking point, where we
13 have to really do some thinking, and I would really like any
14 validation component that we're talking about, whether it's VMS or
15 it's geofencing or whatever, and I would like for us all, in my
16 opinion, to sleep on it and start on that tomorrow, when we can
17 have a fresh set of eyes and mind to that, and maybe discuss it
18 tonight and find some middle ground, where we can all work
19 together, and maybe focus this last hour, or hour-and-a-half, on
20 the low-hanging fruit, you know, like we want -- Like the For-Hire
21 Data Collection AP wants trip declarations included, within the
22 following components, you know, like vessel name, captain name,
23 time gone, time back, location.

24
25 You know, maybe we can make some recommendations that way, where
26 we can actually steer the council to start going in the direction
27 we want them to look, and I think that that would be a good use of
28 our last hour-and-a-half of the day, and then we can tackle that
29 hard discussion of -- After we talk for a while, and get to sleep
30 on it, on the validation part, and that's just my opinion, and you
31 all can make some motions to go against it or not, but that's just
32 it. Go ahead, Mike.

33
34 **MR. JENNINGS:** Mr. Chair, do we need to list off all of those? Do
35 we need to go down the list and try to remember everything that's
36 on that app, like on VESL, and list it all off, or do we say as-
37 is minus, and take out the --

38
39 **CHAIRMAN GREEN:** So I think you could do it that way, and I just
40 -- I am OCD and repetitive in certain things, and so I would prefer
41 it to be listed, but, if we want to just say, hey -- Well, because
42 the charter and the headboats have two different things. Like
43 what you did on VESL, during SEFHIER, is completely different than
44 what I did with the headboats, and so, to me, just listing these
45 components -- You know, it doesn't have to just include, but to
46 include the following, and, you know, maybe identify the fact that
47 we want it to look like it used to, minus this, or add this, and
48 then, that way, we all agree on that, and it's clear, and so I

1 would prefer it that way. Does anybody want to take a stab at
2 this and start talking? Do we need another break?

3
4 **MR. WALKER:** I think you need to get to some kind of specifics.

5
6 **CHAIRMAN GREEN:** So like the Charter-For-Hire AP recommends no
7 twenty-four-seven monitoring. All right, and so, Bo, did you want
8 to make that motion? All you've got to do is say that I want to
9 recommend the council have no twenty-four-seven tracking.

10
11 **MR. JOHNSON:** (Mr. Johnson's comment is not audible on the
12 recording.)

13
14 **DR. FROESCHKE:** You need to turn your mic on.

15
16 **CHAIRMAN GREEN:** I'm sorry, and I don't want to look like I'm
17 leading you or --

18
19 **MR. JOHNSON:** You led me, but I will say you're wanting somebody
20 to say. **I motion that we get rid of all twenty-four-hour tracking.**

21
22 **MR. ELLENDER:** I would like to offer maybe a friendly amendment,
23 a motion to that.

24
25 **CHAIRMAN GREEN:** Well, it's a first, and maybe just -- If you want
26 to just -- We need a second first, and we've got a second from
27 Clay, and then now, Joshua, do you want to --

28
29 **MR. ELLENDER:** If you could maybe just do VMS in general, get rid
30 of VMS in general.

31
32 **CHAIRMAN GREEN:** I don't want to do that, and the reason why is
33 there is 200 dual-permitted charter-for-hires, and I want them to
34 be able to use it. I think you may get to where you do not proceed
35 with twenty-four-hour tracking for the for-hire data, because
36 there's people who -- Whatever mechanism we decide, if like Steve
37 is dual-permitted, and, if he can do it all on a device that he's
38 already paying for, and already is talking to the agency on, I
39 want him to still be able to -- I would like for him to still be
40 able to use that, is what I'm getting at, and, if you say no VMS,
41 then that means that dual-permitted aren't going to be able to use
42 the equipment they already have on the boat, and I say dual-
43 permitted as commercial and for-hire. Does that make sense?

44
45 **MR. ELLENDER:** Yes, sir.

46
47 **DR. FROESCHKE:** One way you could do it just to recommend that the
48 council not require twenty-four-hour tracking, and so it would

1 still allow it, for the vessels that have it.
2
3 **CHAIRMAN GREEN:** Do you agree with that?
4
5 **MR. JOHNSON:** Yes, and so you would have a decision.
6
7 **CHAIRMAN GREEN:** Any time we make a change to your motion, you
8 have to agree, and so does the seconder, and I just wanted to make
9 sure that you agree with that wording.
10
11 **MR. JOHNSON:** That it would not be required?
12
13 **CHAIRMAN GREEN:** Yes.
14
15 **MR. JOHNSON:** You don't have to. **Perfect.**
16
17 **CHAIRMAN GREEN:** Gotcha, and you're good with that, and so we have
18 a motion up there. Does anybody want to discuss anything? **Does**
19 **anybody have any opposition to the --**
20
21 **MR. ELLENDER:** I've got discussion.
22
23 **CHAIRMAN GREEN:** Okay.
24
25 **MR. ELLENDER:** So, if I remember right, and correct me if I'm
26 wrong, but one of the issues is having too many components to
27 reporting, I guess, or recording data, and it was too much
28 information, and that people couldn't keep up with the amount of
29 data that they had, and will this complicate that issue? Will it
30 be too many different devices and overcomplicating the system, if
31 you will?
32
33 **CHAIRMAN GREEN:** So, I mean, like I think there's going to be a
34 suite of options, and you had a suite of options in SEFHIER, and
35 you could use eTRIPS or VESL, and there was four or five vendors
36 that were approved, and so I don't -- Like I think that's going to
37 be down the line, but I think to remove VMS is -- There's 600 or
38 700 of us that have that equipment already on the boat, and I might
39 want to use it, whether it's -- You know, just because it's -- I
40 just don't want VMS, and like remove all the other stuff about the
41 VMS you don't like, but I want to be able -- I want to be able to
42 use my VMS that's on my boat, and still in operation, and for-hire
43 vessels that have commercial permits that snapper fish, I want
44 them to be able to use the infrastructure they already have on the
45 boat, and that's my only heartburn.
46
47 It's not making people use a VMS, but it's just excluding people
48 that already have that equipment on their boat, and I don't want

1 to do that that have to have it on already, or want to use it.

2
3 **MR. ELLENDER:** No doubt, and I'm not saying that, if somebody has
4 the equipment, and wants to use it, and that's by all means, but
5 my point of that is one of the stipulations of this program, and
6 why it got struck down, was because of VMS.

7
8 **CHAIRMAN GREEN:** No, no, no. It was because of twenty-four-seven
9 tracking. It doesn't say that the VMS is a violation of your 4th
10 Amendment. It says that tracking you all day, every day could
11 possibly be.

12
13 **MR. ELLENDER:** Right, but everybody at this table has known
14 somebody that says we don't like VMS systems, and we don't want
15 them, and not the commercial guys that already use them, and I'm
16 not saying that, and so my thought is this, and why are we even
17 considering keeping this in the system, and let's come up with a
18 new program, and I say a new program, but a program that doesn't
19 have the features in that are complicating the issue, I guess,
20 that have been, you know, gone up to the court that have been
21 struck down, and let's get that out of the way, to where it will
22 pass, and it will be accepted.

23
24 I mean, we just said, right there, let's increase stakeholder
25 trust, and reduce bias, you know, and so, right there, we just
26 make the motion for the objectives, and so I think you're going to
27 get a lot of pushback if we mention anything with any kind of VMS
28 at all with this going forward.

29
30 **CHAIRMAN GREEN:** Well, I'm sure, in Louisiana, you will, because
31 that's where a lot of people did not want it, but the State of
32 Louisiana has ninety-two federal permits, and the City of Destin,
33 the Port of Destin, has ninety-one, and I had two people, out of
34 seventy-four, and ninety-one boats, that didn't want a VMS on their
35 boat, and so it's -- I mean, like I understand what you're saying,
36 because, where you go, and where you're from, they are strictly
37 against it, and they don't like it, but that's not relative to the
38 rest of the Gulf, and so I don't want to exclude it, but, I mean,
39 you know, instead of going back and forth, just you can make a --
40 There's a motion, and a second, and so you are welcome to make a
41 substitute motion, and get a second, and we can vote on that too,
42 and so it's not about the -- It's not about the VMS.

43
44 Like that's an infrastructure product, and, if you've got it on,
45 it tracks you. The lawsuit said that the act of tracking you was
46 it, and not the VMS was a violation of your 4th, but the fact that
47 they were required to track you twenty-four-seven, and that was
48 the violation, the possible violation, and so, to me, it's -- I'm

1 just trying to maintain the ability for dual permits and people
2 like myself, that want to us my VMS onboard, to still be able to
3 use it, and that's all I'm getting at.

4
5 **MR. ELLENDER:** I respect that, but the whole thing is why are we
6 even talking about this, if it was an issue, you know, and so
7 Carrie had sent me the conclusion from the decision from the 5th
8 Circuit, and I'm going to read this paragraph.

9
10 In conclusion, two components of the final rule are unlawful.
11 First, the Magnuson-Stevens Act does not authorize the government
12 to issue the GPS tracking requirement. In addition, that rule
13 violates the Administrative Procedure Act, because it arbitrarily
14 and capriciously -- In turn, because the government failed to
15 address 4th Amendment issues when considering it, and failed to
16 rationally consider the associated costs and benefits. Second,
17 the business information requirement violates the APA, because the
18 government did not give fair notice that it would require the type
19 of data specified in the final rule.

20
21 That's the document right there, and so my point here, and that's
22 the whole point about discussing this right now, is my rationale
23 of thinking, moving forward, if we teeter with going back and forth
24 with using the VMS, we're going to get the same outcome at the
25 end, that it's going to come up again, where it's going to get
26 shot down again, and so I'm trying to say let's steer away from
27 that, and go a different route, and try something different, and
28 that's all.

29
30 **CHAIRMAN GREEN:** I understand, but I just don't agree with you,
31 and so, if you would like to make a substitute motion, and put
32 what you want to put in there, then that's -- This is the process,
33 and so, if you would like to address this now, because, if not,
34 we're going to -- If there's no further discussion, we'll vote on
35 this, and so, if you want to make a substitution, now would be the
36 time to -- All right, and so is there any further discussion on
37 the motion? All right. **By a show of hands, all in favor of the**
38 **motion. It's unanimous.** All right. **The motion passes**
39 **unanimously.** Mr. Fischer.

40
41 **MR. FISCHER:** Thank you, Mr. Chair. I think I may have a motion
42 that isn't necessarily a substitute motion to what we just voted
43 on, which is good, because we just voted on it, but it's kind of
44 an in-addition motion, and so I think what we're trying to get at
45 here is that we don't want there to be a situation where, due to
46 the last couple of hours of discussion that we had, there is a
47 feeling among charter captains that I've got two options, the VMS
48 or all of these burdensome requirements to be in lieu of the VMS,

1 and so, while the council would not be explicitly requiring VMS,
2 there would be a feeling that maybe VMS is my best option.

3
4 I am open to any and all wordsmithing here, but I think where I'm
5 going with this is to recommend that the council, in the interest
6 of abiding by this court ruling right here, leave no stone unturned
7 to make the -- To make the things that are going to be used in
8 lieu of the VMS as un-burdensome as possible, so that charter
9 captains are not incentivized to choose the VMS, and there's got
10 to be a better way to say that, but do you all understand what I'm
11 trying to say?

12
13 **CHAIRMAN GREEN:** I understand it, and I'm not really good at
14 wordsmithing things that I don't believe in, and so you're going
15 to have to look somewhere else for that, but I don't -- I mean, I
16 understand what you're trying to say, and I'm not trying to make
17 the VMS look good, and I want to be clear with that, and my
18 intention was, in the Gulf, there's 200 federally-permitted
19 vessels that also commercial fish and have active VMS, activated
20 tracking --

21
22 **MR. FISCHER:** By all means, keep using them, if you choose to use
23 them.

24
25 **CHAIRMAN GREEN:** That's why I didn't want the VMS language added
26 into the twenty-four-hour tracking, and like I'm with you on the
27 no twenty-four-hour tracking, but I don't want to take away the
28 option for the dual-permitted to use it or the people who were
29 reimbursed, and the government has already paid out thousands of
30 dollars, and has VMS on their boat, and them not be able to use it
31 if they so choose to, but I understand what you're saying too, and
32 hold on, Mike, unless you want to offer a wordsmith to this, and
33 we have a motion that's trying to get on the board, and so did you
34 want to talk about this?

35
36 **MR. JENNINGS:** I will wait for the discussion.

37
38 **CHAIRMAN GREEN:** So you want to roll with what's right here? It
39 says to recommend to the council to select a less-burdensome option
40 than VMS for data collection.

41
42 **MR. FISCHER:** I'm thinking maybe a little bit more specifics there.

43
44 **DR. FROESCHKE:** I would use the same language as up there, and the
45 goal is --

46
47 **CHAIRMAN GREEN:** To not require?

48

1 **DR. FROESCHKE:** Well, to select a less-burdensome option than VMS
2 to achieve the goals of the program, including catch and effort
3 estimation, that stuff.
4

5 **MR. FISCHER:** I think the word "explore" better than select. Thank
6 you, Assane.
7

8 **CHAIRMAN GREEN:** Okay. So you like that, Richard? All right. **So**
9 **we have a motion on the board to recommend the council explore**
10 **less-burdensome options than VMS for trip validation to achieve**
11 **the objectives of the program.** That's the motion, and we need a
12 second. We've got Mr. Joshua for a second. Then discussion.
13 Mike.
14

15 **MR. JENNINGS:** We cleaned it up a little bit there by adding
16 "option than VMS", but I still -- My opposition to anything along
17 those lines is the use of "less burdensome", and I just think it
18 just leaves the door wide open to what is less burdensome, and I
19 think we would be a lot better off by coming up with those less-
20 burdensome options and then making the motions to the specifics,
21 rather than something along these lines, and so I'm going to -- I
22 hate to go down this generalized less-burdensome and leave it wide
23 open type of conversation, and that's my opposition to it.
24

25 **CHAIRMAN GREEN:** Okay. Is there discussion? All right. Seeing
26 no more discussion -- What's that?
27

28 **MR. STEWART:** This seems like something we were talking about a
29 little earlier, is not the low-hanging fruit that we may need more
30 --
31

32 **CHAIRMAN GREEN:** Well, it depends on whose low-hanging fruit it
33 is. It's not my low-hanging fruit, but --
34

35 **MR. STEWART:** I'm trying to get onboard here.
36

37 **CHAIRMAN GREEN:** I know, and so, guys, don't -- Like the one thing
38 that like I get, when people ask me how you do this, and how you
39 -- Like don't take any of this stuff personal. Like if you don't
40 like the way something is written, speak up. If you don't like
41 the way the motion is written, vote against it. If you like it,
42 offer a friendly amendment, and like, you know, don't feel like we
43 have to get it perfect. If you don't like it, and he doesn't want
44 to change it, then you vote against it, and that's how it all
45 works. Richard.
46

47 **MR. FISCHER:** Those were two very good points on the other side of
48 the table, and I certainly would be willing to table this until

1 after we've slept on it and had the conversation tomorrow about
2 the alternative paths for the VMS, and then come back to it with
3 the same idea in mind, that, to a lot of the captains, that would
4 be preferable, and let's not so much push that, but make sure they
5 know that that's the option.
6

7 **CHAIRMAN GREEN:** So you want to remove the motion from the board
8 at this time?
9

10 **MR. FISCHER:** I would be fine with that, if it is the will of the
11 committee to be more specific than that vague motion.
12

13 **CHAIRMAN GREEN:** Okay. Well, you've always got tomorrow that you
14 can bring it up too, and so we'll remove the motion from the board,
15 or withdraw it. Then, Sebo, you had your hand up?
16

17 **MR. SEYMOUR:** If we're withdrawing it, we can just move on.
18

19 **CHAIRMAN GREEN:** Okay. Yes, sir.
20

21 **DR. FROESCHKE:** One question, I guess to the group, is is there
22 kind of a rank list of items that are most burdensome, considered
23 most burdensome, to kind of work down the list, and, if there was
24 one thing that you didn't have to do, maybe that would help at
25 some point, when you get to this, because I understand the point
26 about the --
27

28 **CHAIRMAN GREEN:** Well, Mike raised his hand, and I will let Mike
29 start with the --
30

31 **MR. JENNINGS:** I think that was my point. My answer to you is,
32 yes, and, what that list is, I'm not going to be able to spit it
33 off the top of my head at this very moment, but I think that's our
34 job to come up with, rather than just these general terms of we
35 want something less burdensome, and have a nice day, and that's
36 just not the way we want to go with this, in my opinion.
37

38 **MR. SEYMOUR:** That's what I was going to ask, is what was Richard's
39 ideas of less burdensome right now, but when we get on this
40 tomorrow.
41

42 **CHAIRMAN GREEN:** Yes. Clay, you had your hand up?
43

44 **MR. SHIDLER:** Yes, and so, maybe in terms of lower-hanging fruit,
45 I mean, I would like to, I guess, make a motion to accept the way
46 that we have documented our catch in eTRIPS and VESL, and I used
47 both in the past couple of years, but, specifically, on your daily
48 catch, and I don't have the exact verbiage on what section of the

1 app that would be, but I feel like that's a less-burdensome subject
2 than VMS, and we can all probably agree that we were okay with the
3 way we did that, and we're willing to accept it, if we're going
4 down the list of things that we want to see in the next program
5 and tabling what we just discussed until tomorrow. The catch
6 reporting.

7
8 **CHAIRMAN GREEN:** So, I mean, we can make a motion to all that. I
9 mean, you go right ahead, if you want to take a minute, and, you
10 know, like, in my mind, when I was preparing for this meeting, I
11 kind of went through each thing, the trip declaration, the trip
12 report, the economic, and the validation, and like that's how I
13 kind of outlined things, and thought about it, and I am a person
14 that -- I don't like to leave people guessing, and so, you know,
15 like my -- Like, on the trip declaration, and so, for me, it would
16 be the For-Hire AP recommends including the following components
17 on the trip declaration: vessel name, captain name, trip departure
18 date and time, estimated date and time of return, type of trip,
19 for-hire or not, you know, commerce or not, and then landing
20 location.

21
22 Like, to me, that's what I would like for my trip declaration to
23 look like before each trip, and so like, to me, that's the low-
24 hanging fruit, and like we want a trip declaration that has these
25 components, and then list those components, you know, because, if
26 you're not specific, then it's just kind of out there, kind of
27 like what -- It's a generality, and so -- Whenever you say, just
28 like we used to, that -- Well, you had a different one than I did,
29 and so like, to me, that's why I think it's important that we list
30 what those are, because, if we want to add something, or take
31 something away, we have a list, you know, and so -- Thad.

32
33 **MR. STEWART:** Okay. I would like to make a motion to maintain
34 trip declarations, both in and out, fish caught, both caught and
35 released, departure time, estimated arrival time and actual
36 arrival time, with the VESL app and other apps.

37
38 **CHAIRMAN GREEN:** Do you have it written down? Ms. Bernie is right
39 there.

40
41 **MR. STEWART:** She can't read my handwriting.

42
43 **MS. ROY:** Sorry, but there was already a motion. No? The previous
44 one wasn't?

45
46 **CHAIRMAN GREEN:** He was more talking -- Clay, did you want that
47 motion up there, or were you speaking in generalities?
48

1 **MR. SHIDLER:** I was more along the lines of trying to go to this,
2 versus -- You guys have it a little more put together than I had
3 it in my mind, but that was where we needed to be, versus talking
4 about VMS and not VMS.

5
6 **CHAIRMAN GREEN:** We'll make you a fishery nerd before you're done
7 with it all. So we'll wait, and Thad is going to get his motion
8 up on the board, and then we'll go from there. Once he's got it
9 listed out, if you all want to -- If there's something you want to
10 add, or take back, we can always do that. Okay. I think we've
11 got it up there. We've got a motion. Mike, you seconded the
12 motion.

13
14 **The motion is to recommend the council maintain trip declarations,**
15 **fish catch (both caught and released), departure time, estimated**
16 **arrival time, and actual arrival time, to all data collection apps.**
17 It's seconded by Mike. Mike, you have the floor, and then Clay.

18
19 **MR. JENNINGS:** I am not prepared to make a substitute motion, but,
20 for discussion, we're talking about trip declaration here, and so
21 that would be prior to being able to -- Your fish catch would not
22 be something that you would declare in the morning with, because
23 you don't have that until at the end of the day, because we're
24 talking declaration here and not your landing reports, and so I
25 would -- It's missing a couple of things I think that we currently
26 have in there right now, which is the captain's name and the
27 departure location, and so however we want to do it.

28
29 **CHAIRMAN GREEN:** I think it was a good stab at it too, Thad.

30
31 **MR. JENNINGS:** Yes. It was. Well done.

32
33 **CHAIRMAN GREEN:** Clay.

34
35 **MR. SHIDLER:** I think we need to add, unless I am missing it in
36 there somewhere, the specification of the trip as recreational,
37 charter, commercial.

38
39 **CHAIRMAN GREEN:** Type of trip.

40
41 **MR. SHIDLER:** Type of trip, trip type.

42
43 **CHAIRMAN GREEN:** You know, it might be easier if we break this
44 thing into -- Let's talk about a trip declaration, and then when
45 you need to make that trip declaration or not, and then go into a
46 trip report, where what's in the -- I mean, I like what Thad is
47 doing, and he's trying to knock it all out in one punch, but I
48 think we need to be just a little bit more specific than that, but

1 that's my opinion.
2
3 **DR. FROESCHKE:** Maybe we could trip to develop a bulleted list of
4 trip declaration, and each one -- Each item would be a bullet and
5 then the --
6
7 **CHAIRMAN GREEN:** Okay. Thad, are you open to us doing some
8 wordsmithing?
9
10 **MR. STEWART:** Yes. By all means, open it up to discussion and get
11 what you want, and then we'll make a motion to do what you want.
12
13 **CHAIRMAN GREEN:** I think Joshua had his hand up first, and then
14 Mike.
15
16 **MR. ELLENDER:** I was just going to say that comparing it to what
17 was like in say in eTRIPS, how is it -- Is it going to be different,
18 or is it the same thing?
19
20 **MR. STEWART:** What we're doing is we're taking out of it what
21 worked, and what we were cool with.
22
23 **MR. ELLENDER:** Yes, absolutely, but what's the difference between
24 what we had and what is now? Is there anything?
25
26 **CHAIRMAN GREEN:** I don't think he's -- That's why I wanted to list
27 it out, and I think bullets is a way better -- So maybe we can go
28 into -- I like what you did with the trip declaration here, and so
29 what was on a trip declaration before was the vessel name, the
30 captain's name, the departure time, the estimated return time, and
31 your location. So departure time, estimated return, and departure
32 location, and so that was what was in the SEFHIER trip declaration,
33 and so does anyone have any heartburn with that, or do they like
34 that, or do they want to add or take anything out of that, or can
35 we have -- Go ahead, Thad, or Jessica.
36
37 **DR. STEPHEN:** I would just say can you make it vessel registration
38 number? Vessel names are repetitive, and so we actually need
39 either Coast Guard or --
40
41 **MR. STEWART:** That's what I was going to say.
42
43 **CHAIRMAN GREEN:** Thank you. There we go. Go ahead, Mike.
44
45 **MR. JENNINGS:** There's still one more that is the trip type.
46
47 **CHAIRMAN GREEN:** Yes, the trip type, and so how does everybody
48 feel about these? Is there anything that people -- Has anyone got

1 any heartburn over it, or do you want to add or subtract?
2
3 **MR. SEYMOUR:** Jim, the hail-out would be on the --
4
5 **CHAIRMAN GREEN:** The hail-out would be the trip report, just like
6 SEFHIER. When you submitted your report, that --
7
8 **MR. SEYMOUR:** I can't remember, and it's been a while.
9
10 **CHAIRMAN GREEN:** This is the hail-out, and your hail-in will be
11 your trip report.
12
13 **MR. SEYMOUR:** Okay. Thank you.
14
15 **CHAIRMAN GREEN:** All right. Jessica, go ahead.
16
17 **DR. STEPHEN:** Just, if you're doing it like we did it for the
18 program before, our declaration had information that was included
19 in your hail-in, and I don't know if you want to do the same, and
20 that worked really well, having just one kind of report submitted
21 that covered both the hail-out and the hail-in.
22
23 **CHAIRMAN GREEN:** So the hail-out is prepopulated in your trip
24 report, right, and then --
25
26 **DR. STEPHEN:** It did for one of the applications, and I'm not sure
27 if it did for all of them, but the hail-in portion was -- I think
28 you have the estimated return time, but it would be the estimated
29 return location, rather than the departure location.
30
31 **CHAIRMAN GREEN:** Well, I think it's location, and the --
32
33 **DR. STEPHEN:** So maybe just call it location, in general, yes, and
34 you can be a little bit more general.
35
36 **CHAIRMAN GREEN:** Okay. Does anybody have any heartburn with that?
37 Go ahead, Clay, and then Bo.
38
39 **MR. SHIDLER:** I'm looking at the trip declaration right now in
40 VESL, and we do have fishing hours in that.
41
42 **CHAIRMAN GREEN:** Yes, but that's not your declaration. That's
43 your trip report. That's what you're going to turn in. You don't
44 know what your fishing hours is in the morning. There's no way
45 for you to know how many hours you're going to spend with a line
46 in the water, right?
47
48 **MR. JENNINGS:** I believe it was there too, the length of the trip.

1
2 **CHAIRMAN GREEN:** It might have been in the charter one, but the
3 headboat one didn't have that.
4
5 **MR. JENNINGS:** VESL did.
6
7 **CHAIRMAN GREEN:** Charter did. I have a VESL that doesn't have
8 that, and that's what I mean. Jessica, and then we're going to go
9 to you, Bo.
10
11 **DR. STEPHEN:** Just one more modification. For the departure and
12 estimated return time, make it date and time.
13
14 **CHAIRMAN GREEN:** Date and time. Agreed. All right, Bo.
15
16 **MR. JOHNSON:** Can we get rid of trip type? It's either a charter
17 or it's not.
18
19 **CHAIRMAN GREEN:** It's more than just what you are -- It's like
20 there's a multitude of boats that -- Like I could be -- In headboat,
21 there was an under charter and no fishing.
22
23 **MR. JOHNSON:** Like dive and everything else, and that had it on
24 both.
25
26 **CHAIRMAN GREEN:** This is -- Like I said, these are recommendations,
27 and like we're going to get to revisit this, and speak to it again,
28 and this is stuff we want them to flesh out, and so -- Yes, Ms.
29 Jessica. Do you want to come sit up here with us?
30
31 **DR. STEPHEN:** No, and I'll keep walking up. I can get my steps
32 in. With regard to the trip type, also keep in mind, right, for
33 those that are dual-permitted, that trip type is kind of important.
34 What we would like to end up with is one declaration that would
35 serve the purposes of both someone who is dually commercial and
36 SEFHIER, moving along the way, and so just trying to keep that
37 mind, and that that might be why you might have a field here, and
38 it might seem redundant to the only for-hire people, but it would
39 provide an avenue that we would only have one report for the dually
40 commercial and for-hire.
41
42 **CHAIRMAN GREEN:** Did you want to speak to that?
43
44 **MR. JOHNSON:** Yes, and I just was trying to make sure that, if
45 you're taking your wife and your kid to the beach, and it's showing
46 then you're back to trip type, and that was my question on it.
47
48 **CHAIRMAN GREEN:** So, you know, I personally want to see a motion

1 come up here that says you only fill out trip reports when you're
2 going fishing, you know what I'm saying? So what I'm saying is
3 like you -- But you still need to know that, because you need to
4 know if the boat is conducting commerce and not fishing, and you
5 know what I mean? Like you still need that in there, and there
6 will still be a place for that, and other vessels, too. Ed.

7
8 **MR. WALKER:** A question for Jessica. Is fishing hours on the
9 departing declarations, because he's kind of right that you don't
10 know how many hours you're --

11
12 **CHAIRMAN GREEN:** That's what I'm saying, and I think it's on the
13 trip report that you turn in at the end.

14
15 **MR. WALKER:** I think that it might be on the app, but I don't know
16 that it's required.

17
18 **DR. STEPHEN:** I thought the fishing hours was put in the logbook,
19 that you would only anticipate, and so I will have to double-
20 check, and it might be slightly different between eTRIPS and the
21 way VESL is, and then, also, VESL has a headboat one, versus the
22 charter one, and we can circle back to that.

23
24 **MR. WALKER:** I mean, to you guys, and it doesn't matter what the
25 app says, but it's do you guys require it or not.

26
27 **DR. STEPHEN:** I don't see fishing hours as necessary in the
28 declaration, because it would just be an estimate of your fishing
29 hours, and what you get from that -- Like you can calculate that
30 for when you say you're departing, and when you're estimating
31 you're returning, and so there would be no reason to make that a
32 field that has be filled out and be calculated.

33
34 **CHAIRMAN GREEN:** Okay. If you're okay with it, Clay, I would like
35 to take that off and put that in when we talk about the report, if
36 that's all right.

37
38 **MR. SEYMOUR:** Jim, the location needs to be an approved location.

39
40 **CHAIRMAN GREEN:** Well, maybe.

41
42 **MR. SEYMOUR:** No?

43
44 **CHAIRMAN GREEN:** That's the old stuff.

45
46 **MR. SEYMOUR:** Okay.

47
48 **CHAIRMAN GREEN:** That depends. I think we keep -- Like, in my

1 mind, and this is just me, I think we put these things in there,
2 and then, when we start talking about approved and stuff like that,
3 that will be later on in the discussions, you know, even if it
4 makes it out of the council. If the council wants to us to discuss
5 it, they will send it back to us, and so, to be honest with you,
6 I think it would be cool if we made a motion just for the trip --
7 Like recommend the council that trip declaration component should
8 be, and then the list we just have right there. Are you good with
9 that, Thad? Mike, you were the second, I believe, and you're good
10 with that? Then we can work through this. Go ahead, Ms. Jessica.

11
12 **DR. STEPHEN:** Michelle has her hand up to probably add something
13 to this.

14
15 **CHAIRMAN GREEN:** Michelle should have been here. Can we patch Ms.
16 Michelle in?

17
18 **DR. MASI:** Thanks, Mr. Chair. I appreciate that comment, and I
19 will be there tomorrow, I promise. All right, and so I just wanted
20 to confirm that fishing hours is not required in the declaration,
21 nor is it on there. It's possible that you might see it on some
22 eTRIPS forms, depending on your dual-permit status, and, also, I
23 want to just emphasize that it is important in the logbook, and
24 it's distinctly different from getting your estimate of effort per
25 trip from your start time to end time, because it's a precision of
26 the time that you had your gear in the water, and so you get an
27 overestimate of effort if you're just using the start of the trip
28 and the end of the trip, and so that's something to think about as
29 you get there.

30
31 **CHAIRMAN GREEN:** Thank you, ma'am. **I think everybody was okay**
32 **with fishing hours, and I think it's just we had it in the wrong**
33 **place, and so the motion is to recommend to the council trip**
34 **declarations include these components.** You're good with that,
35 Thad? The second is good with it? So we've got a motion on the
36 board. Does anybody have any more discussion, or input? **Is there**
37 **any opposition to the motion that's on the board? Seeing none,**
38 **the motion passes unanimously.**

39
40 All right, and so now we've got that, and so, before we go into
41 trip reporting, and stuff like that, maybe we should address when
42 the AP thinks that a declaration should be made, and so, to me, a
43 declaration should be made only when you're conducting commerce,
44 whether it's -- I know it's different all over the place, but I do
45 like fifteen booze cruises year/sunset cruises, and, to me, I want
46 it to be captured, you know, that I'm conducting commerce, and
47 that's me personally, and you could say we need to put a
48 declaration every time we move the boat, and we know that's not

1 popular, or you could say it's only whenever we're conducting
2 fishing activities, but we need to -- If you have heartburn with
3 that, now is a good time to make a motion, to where we can tell
4 the Gulf Council that we want to only make trip declarations in
5 this scenario. Mike.

6
7 **MR. JENNINGS:** I agree with you on that. My -- I don't know where
8 my mind is going on this, but, as far as conducting commerce, you
9 know, I don't want to have to declare because I pulled across the
10 Intercoastal to cross the harbor to get fuel, and back into my
11 slip.

12
13 **CHAIRMAN GREEN:** Yes, and I was talking about making money.

14
15 **MR. JENNINGS:** Yes, but, if that's part of the next morning's trip,
16 is that considered the commerce? I don't know. How far this can
17 -- Be specific, because you leave a gray area, and there is nobody
18 asking you questions about it, and so I don't know how we do that.

19
20 **CHAIRMAN GREEN:** Ms. Jessica.

21
22 **DR. STEPHEN:** Also, with thinking about if it's conducting
23 commerce, right, and so that would also include sunset trips and
24 dolphin cruises, and so just be aware of what you're talking about
25 when you're doing it. In the commercial fishery, they're required
26 to do a declaration anytime they're doing any fishing activity,
27 and so in any of the sectors, and so commercial, for-hire, or
28 private anglers, and those are just two different kind of options
29 that can be out there, and you can, obviously, do more or less
30 than either one of those.

31
32 **CHAIRMAN GREEN:** Well, to be honest with you, I used that language
33 of "conducting commerce" when we were still talking about having
34 -- When we still had the economic part of the trip, part of the
35 report, and so I have no heartburn if it was something like
36 recommends requiring a trip declaration prior to the vessel
37 departing, only when the vessel is departing on a for-hire fishing
38 trip, and like, to me, that's kind of what I'm hearing from
39 everybody around the Gulf, is like, when we go out, we want to --
40 We don't mind declaring, but we don't need to do it when we're
41 taking our kid up the river, and we don't need to do it when we
42 get fuel. That's burdensome for us, and for the agency, to have
43 a bunch of reports with nothing on them. Thad.

44
45 **MR. STEWART:** Would it be controversial to say for-profit, because,
46 I mean, if you're going to buy fuel, you're not making money doing
47 it. I mean, you will the next day, but --

1 **CHAIRMAN GREEN:** Well, I think we just -- Like, to me, I like what
2 Jessica said, in my opinion, because she said fishing activity,
3 and like the only time -- If this is all about data collection for
4 fishing, then it needs to only be when we're fishing, in my
5 opinion. Mike.

6
7 **MR. JENNINGS:** I think we stay away from the for-profit, and that
8 would be as simple as I don't want to -- I got caught today,
9 because I didn't declare out, but this is not for-profit, and I
10 donated it to charity, and then we have some confusion on that.

11
12 **CHAIRMAN GREEN:** Did you want to make a motion, Mike? Someone may
13 have written that down for you already.

14
15 **MR. ELLENDER:** I will make a motion.

16
17 **CHAIRMAN GREEN:** Yes, sir.

18
19 **MR. ELLENDER:** To recommend to the council that trip declarations
20 are only required for fishing charter trips, for-hire trips before
21 departure.

22
23 **CHAIRMAN GREEN:** We've got a motion. Is there a second to the
24 motion? Clay, you raised your hand. We've got a first and a
25 second. Is there discussion? Does anybody want to discuss it?
26 **Is there any opposition to the motion?** I will re-read it. **It's**
27 **to recommend to the council that trip declarations are only**
28 **required for for-hire fishing trips, before departure.** Seeing no
29 discussion -- Ms. Jessica.

30
31 **DR. STEPHEN:** Sorry, but I had some more discussion, and I just
32 wanted to make sure that you guys are aware of what you're doing,
33 and that you're okay with it, right, and so, when we're looking
34 into how the declaration would play into kind of the trip
35 validation, there would be -- This would be less -- We would have
36 more uncertainty if you're only doing it for-hire trips, versus
37 doing it for all fishing trips. That said, it doesn't mean that
38 we can't find other ways to supplement and get validation through,
39 but I just wanted to make sure that was understood, and I
40 apparently raise lots of hands.

41
42 **CHAIRMAN GREEN:** Mike raised his hand, real quick, but, Joshua,
43 did you want to speak to it, real quick, because it's your motion,
44 and then Mike.

45
46 **MR. ELLENDER:** I was going to say something like that -- Let's say
47 you have the app eTRIPS or whatever, that they could add something
48 at the beginning of the app that is this is a, you know, for-

1 profit trip or a private trip, right there, and just click one or
2 the other, and then it immediately takes you off of it, if it's
3 private, and then it goes to the whole declaration, if it's for-
4 hire, something like that, as simple as that, but that would
5 satisfy that, correct?
6

7 **DR. STEPHEN:** Then you would have sort of a declaration with
8 limited information, right, because you're not doing a for-hire
9 trip, and so you would drop out who the captain is, the estimated
10 return date and time, and the location and all that, and, in
11 essence, that trip type would be functioning in that fashion, and
12 say you were doing private angler, and I am declaring that I'm
13 going private angler, and you have that I left here, and all I
14 have is the vessel registration, and that I'm doing a private
15 angler trip, and no requirement comes after that.
16

17 That would then help with that kind of validation of a trip,
18 because we would know that you're going out not for for-hire
19 fishing, right, and so, if you were intercepted, you would have a
20 declaration to show that I was doing private angler fishing.
21 Likewise, if you were commercial, right, you would say commercial,
22 and, ideally, what we would then trigger is all the fields that
23 are required for a commercial logbook in this same app, so that
24 that could be a different way of submitting it, rather than the
25 traditional commercial declaration submissions.
26

27 **CHAIRMAN GREEN:** All right. While you're thinking about it, Mike,
28 and then Dr. Masi has her hand up too, and then, Steve, you will
29 be after that.
30

31 **MR. JENNINGS:** I was trying to play devil's advocate on that, when
32 I was reading through it and thinking about it, and can we
33 wordsmith this to the point of something along the lines of, and
34 don't change it on the screen yet, and I'm just trying to think
35 here, but something along the lines of required for fishing
36 activity, or fishing trips, before departure, because now we get
37 into -- I think the reason that I was going along with this was
38 I'm not dual-permitted, and I do own a commercial boat, but they're
39 totally separate entities, but I also do a lot of cooperative
40 research projects, and research projects are -- I pick up gliders
41 Texas A&M, and on and on and on, and I don't see where any of that
42 has anything to do with any type of management of the fishery. I
43 don't see how you get less data, or uncertain data, when I'm not
44 going out there to take a fish out of the water, and the boat is
45 simply moving.
46

47 **DR. STEPHEN:** That's why, in the commercial fishery, we have that
48 kind of out-of-fishery trip type designation, for people who are

1 doing research, or doing something else, and so we know you're
2 moving out on water, and that, without any other information, could
3 have been a fishing trip, but, by declaring it, that you're doing
4 a cooperative study, or you're doing this or that, now we know it
5 has nothing to do with us, and so just, again, the vessel
6 registration and that trip type, and done, and that would add that
7 layer of additional validation towards it.

8
9 It wouldn't be collecting a lot of information, but that's one way
10 to -- It's similar to the private angler trip, and that could
11 handle a variety of -- We can come up with the different types of
12 trip types, so that we could handle those different options. I
13 think we actually have a research one in there as currently an
14 option.

15
16 **MR. JENNINGS:** I'm not trying to be argumentative, but I'm just
17 trying to figure out how to get rid of layers, if that make sense,
18 but thank you very much.

19
20 **CHAIRMAN GREEN:** Dr. Masi.

21
22 **DR. MASI:** I just have a comment, and it's sort of unrelated to
23 this discussion, but it's about declarations, that I thought that
24 you should consider, but, on this topic, I did want to mention
25 that we did have an amendment, I believe, that was approved through
26 council action, that we were working towards before the lawsuit
27 occurred, that actually said that it was only for-hire fishing
28 trips that you would need to submit the declaration, and so I just
29 wanted to remind you of that, that we had already facilitated the
30 discussion and found that doing it only for for-hire fishing trips
31 was probably okay.

32
33 **CHAIRMAN GREEN:** Gotcha. Thank you, and so that's what I was kind
34 of getting at, with recommending that, was because, right before
35 the ruling came down, that was what the council was fixing next,
36 was SEFHIER, and so I support the motion as it is now myself, but
37 the --

38
39 **DR. MASI:** Mr. Chair, if I could have an opportunity to speak on
40 the topic of declarations, when this discussion is over, that would
41 be appreciated.

42
43 **CHAIRMAN GREEN:** Okay. Steve, you were next to speak.

44
45 **MR. PAPAN:** So, looking at these things, and the declarations have
46 long been an issue for a lot of the dual-permitted guys, because,
47 to me, it's looking like I'm going to have to do a -- Like say I
48 decide to go on a commercial trip. I'm going to have to do a

1 declaration saying that I'm going commercial fishing, and then I'm
2 going to have to go to another declaration saying for the Southeast
3 one, and that's on my tablet, and so am I going to have to do
4 multiple declarations in a day, and that's always been a problem.

5
6 For a period of time, especially during spring break, when we're
7 doing two or three trips a day, and we were doing seven, eight,
8 ten declarations a day, and the VMS bill goes from fifty-bucks to
9 150-bucks real quick, per month, and so I think the burden, you
10 know, is a big deal, when it comes to that, and so we have to try
11 and make sure this is -- I know there's only 200 boats, but it's
12 got to be kind of seamless for everybody to be able to use, and
13 maybe just be able to do one single declaration every morning.

14
15 **CHAIRMAN GREEN:** I understand, and that's been a burden to
16 commercial fishermen for a long time too, and, unfortunately,
17 that's not really our scope of what a dual-permitted has to do
18 with that, but what this does is alleviate you from the SEFHIER,
19 or the next data collection program, requirement of only doing a
20 hail-out to satisfy for-hire data, when you're doing a for-hire
21 trip. Jessica and then Richard.

22
23 **DR. STEPHEN:** To help out with this, I would suggest that, maybe
24 after we're done with this motion, that there's a second motion
25 for the agency to consider one pathway for declarations for dually-
26 permitted vessels, and that might have been the point that Michelle
27 was going to get to as well, and so I think you just need to make
28 the motion towards that, and it does involve a little bit more
29 work on the agency side, but I don't think it's insurmountable,
30 and we were moving towards that, as it was, with the existing
31 program, and this would give us the leverage, maybe, to actually
32 change and offer alternative pathways in the commercial, for your
33 declaration to come in through this app instead.

34
35 **CHAIRMAN GREEN:** Richard.

36
37 **MR. FISCHER:** Thank you, Mr. Chair. In the interest of being as
38 specific as possible, do we want to mention that, if you're going
39 on an HMS, or a tarpon trip, you don't have to declare, or do we
40 want you to?

41
42 **CHAIRMAN GREEN:** I will let someone in that area, that deals with
43 -- I don't deal with that, and so I don't know the difference. I
44 think it's a for-hire, and you've got the permit on there, and, if
45 you're doing any fishing activity, that you should be recording
46 it, whether it's a state trip or not, in my opinion, but that might
47 vary around the room. Does anybody want to speak to what Richard
48 just spoke about? What would you like to hear?

1
2 **MR. WALKER:** I would like to hear what somebody thinks about that.

3
4 **CHAIRMAN GREEN:** Clay.

5
6 **MR. SHIDLER:** In my bay boats that are federally-permitted -- I
7 mean, there's a lot of times that we fish for trout and redfish,
8 especially outside of -- Like right now, you know, this time of
9 year, and we're not fishing for any reef fish, and everything is
10 in state waters, but I think that we're going to get a little too
11 tricky with the fact that a captain books an inshore trip, and,
12 for us, they catch a gag grouper in eight foot of water, on a trout
13 and redfish trip, and now they've retained a reef fish, or a
14 mangrove snapper, any of them, you know, any reef fish, or
15 something like that, and I think we're going to get ourselves in
16 a little bit of a spot, where you declared a trip that didn't
17 involve a, quote, reef fish, for lack of better words, and now
18 you've caught one, and you look at your customers and say we're
19 throwing it back, or you keep it, and you're kind of outside the
20 bounds of your declaration, for lack of better words.

21
22 I think streamlining it to, if you're fishing, you're declaring a
23 trip, regardless of what you're catching, and, if you're not
24 fishing, you're not declaring it.

25
26 **CHAIRMAN GREEN:** You're not south enough in Florida. They wouldn't
27 be throwing it back, but I agree with you that that is a bind, and
28 did you have your hand up, Bo? Sebo, you did? All right.

29
30 **MR. WALKER:** I appreciate that, and that makes sense, and, in
31 rereading it, it does say your fishing trips on there, and so your
32 dolphin cruise, your sunset and all that, it wouldn't -- It would
33 be excluded, just by the terminology here, and so that's good, and
34 I appreciate the discussion.

35
36 **CHAIRMAN GREEN:** All right. Is there any further discussion that
37 we have of the motion on the board? **Seeing none, is there any**
38 **opposition to the motion on the board? Seeing none, the motion**
39 **passes unanimously.** Steve, did you want to make a motion about
40 streamlining what you and Jessica were speaking to just a second
41 ago?

42
43 **MR. PAPEN:** I think we had a bullet point up there, earlier, about
44 using one -- I thought we had one up there somewhere, where we
45 were talking about using like one means of reporting to cover
46 everything.

47
48 **AP MEMBER:** That was under our goals and objectives, yes.

1
2 **CHAIRMAN GREEN:** One mechanism for reporting, and so you want to
3 craft a motion, kind of just saying -- To recommend to the council
4 that there is one mechanism for all?
5

6 **MR. PAPAN:** Well, try and make it easy, you know, try and make it
7 easy on everybody for everything, and everybody just has to go one
8 place and do one thing, no matter if you're going a for-hire trip
9 or a trolling trip or whatever, every commercial trip.

10
11 **CHAIRMAN GREEN:** Gotcha.
12

13 **MR. PAPAN:** Research trip, and everything is in one spot.
14

15 **CHAIRMAN GREEN:** Ms. Jessica, did you want to add to this?
16

17 **DR. STEPHEN:** Yes, and so I want to give you guys some additional
18 information, and so the agency, in general, really supports this
19 idea, and we are trying to move to that, and so, when you think
20 about -- Less so maybe in the Gulf, but more so on our South
21 Atlantic side, and we have a lot of overlap with HMS, and we have
22 overlap with the Mid-Atlantic and New England, and so, just for
23 your awareness, the agency is putting in a proposal to try to
24 create a one-reporting system overall.
25

26 To give you an idea of the cost of that, we are currently estimating
27 \$3.6 million to build it. That said, a motion like this means we
28 can at least start doing different increments of it along the way,
29 if we don't get the whole area going, and so it's what we call
30 kind of one-stop reporting, and there needs to be certain layers,
31 so you know what permits you have across the different portions of
32 the agency and can report to it. I definitely recommend going
33 forward with a motion like this, and I just wanted to make you
34 aware of some of the actions that we're trying to move to already.
35

36 **CHAIRMAN GREEN:** Should we put -- Should we wordsmith it to be
37 used for all reporting in all sectors, like to be more specific?
38

39 **DR. STEPHEN:** I think you can leave it as it is, for all fishing
40 reporting, right, because you want it for your fishing activity.
41 When you're thinking about it, it's when we have reporting
42 requirements, right, and so, currently, private angler has no
43 reporting requirements, and that's actually being discussed to
44 possibly change in the South Atlantic, and the Gulf is a little
45 bit further behind in a discussion like that, but, knowing this
46 motivation, right, what we want to do is ease the burden on
47 fishermen, and the agency.
48

1 If you do one report, we all get the same data, and it's not
2 different between who you submitted it to, and we can have that
3 information, and it's really critical, as we think about climate
4 change, and how species are moving, to understand this and share
5 the data.
6

7 **AP MEMBER:** Could research trips fall in that same category?
8

9 **CHAIRMAN GREEN:** I've got you, Mike. One second.
10

11 **DR. STEPHEN:** So the research trips possibly could. There would
12 be a little difference under who is doing a research trip, and so
13 sometimes research trips are run by state agencies, or different
14 partners, and, if they're under an EFP, we could probably easily
15 do that. The system we're trying to develop, we're trying to
16 develop it to be really flexible, so that we can include other
17 things, and so that could be an avenue, but it might not
18 necessarily be an avenue.
19

20 **CHAIRMAN GREEN:** So, Steve, did you want to make that motion that's
21 on the board? Do you want to put your name on that?
22

23 **MR. PAPEN:** Yes.
24

25 **CHAIRMAN GREEN:** What have you got, Josh? Well, Clay, you seconded
26 it, right? You did? Okay.
27

28 **MR. ELLENDER:** To recommend to the council that one mechanism to
29 be used to report all fishing activities across sectors.
30

31 **CHAIRMAN GREEN:** I mean, like that's exactly what Steve is trying
32 to get at.
33

34 **AP MEMBER:** And regions.
35

36 **CHAIRMAN GREEN:** I just wanted to be clear what you're trying to
37 get across and to say what they need it to say.
38

39 **MR. PAPEN:** Yes, and I kind of feel like it's needed, just to kind
40 of make it user-friendly and really easy for every single user
41 group, no matter what you're doing, and you've got one thing to
42 do, and it can all be in the same place, whether it's on the VESL
43 app or it's on our tablet, and it can be, you know, together, and
44 the same thing with -- Then you don't have to go to two different
45 places.
46

47 **CHAIRMAN GREEN:** Less heartburn and --
48

1 **MR. PAPEN:** Because, right now, we have to use the VESL app to do
2 the South Atlantic stuff, and then have to use my tablet to do the
3 Gulf stuff, and, you know, it would be nice to do it all in one
4 spot.
5
6 **CHAIRMAN GREEN:** Yes, definitely, and so, Mike, you had your hand
7 up?
8
9 **MR. JENNINGS:** Mr. Chair, that latest change covered my point.
10 Thank you.
11
12 **CHAIRMAN GREEN:** Okay. So we've got a motion, and we've got a
13 second, and do we have any more discussion? **Is there any**
14 **opposition to the motion, which is to recommend to the council**
15 **that one mechanism be used to report all fishing activity across**
16 **sectors and regions? Seeing no discussion, and seeing no**
17 **opposition, the motion passes unanimously.**
18
19 All right, and so now we've got trip declarations done, and we've
20 got when we want to do trip -- Ms. Michelle, you wanted to talk?
21
22 **DR. MASI:** Thanks, Mr. Chair. I was just going to say exactly
23 what Jessica said, is that we were working towards an amendment to
24 the SEFHIER, a general SEFHIER amendment, that did exactly what
25 you guys are discussing now, to reduce the burden for dual-permit
26 holders, and so just getting that information here now is
27 important, so that we're not trying to make changes later.
28
29 **CHAIRMAN GREEN:** Thank you so much. All right, and so, in my head,
30 I'm thinking trip reports next, and, you know, that's kind of what
31 we were leading into with the trip declaration, but, you know,
32 similar to the trip declaration motion, where we listed out the
33 fields that we want to do, I think we should recommend to the
34 council a trip report, including the following components, and
35 then go through those, and I can read to you the ones that are --
36 I can read to you the ones that are on there now.
37
38 It has -- The trip report has the same thing that we had for the
39 trip declarations, is in the general -- All those. I'm just going
40 to kind of put this up here, and then let's play with it, and, Ms.
41 Bernie, under "estimated return time", can you add another line
42 and put "actual return date and time"?
43
44 **DR. STEPHEN:** I would replace the "estimated" with "actual",
45 because we --
46
47 **CHAIRMAN GREEN:** Well, the estimated is still on your trip report,
48 on mine anyway.

1
2 **DR. STEPHEN:** So that's how it appears to you, but it comes through
3 to us differently, and so I think that's the VESL app is showing
4 it with it, but it comes through as a different form for us.

5
6 **CHAIRMAN GREEN:** Gotcha. Okay. Then what's on there now would
7 be, after that "below trip type", would be passenger count, crew
8 count, minimum depth fished, maximum depth fished, average depth
9 fished, and then there is a field of a general area fished, "GPS
10 format", in quotes, and then, if you go below that, there is the
11 harvest data, which is individual species, kept and discarded, and
12 then so that's what is on there now, and I would like to add
13 depredation data, and then, below that, do your little second row
14 of things, and then "mammals/sharks/both", and then locations
15 fished and fishing locations with observed depredation, and so
16 that depredation data I added to it. The rest of the stuff is
17 what's actually in the report, and so that gives us a little basis
18 to work from. Yes, Ms. Jessica.

19
20 **DR. STEPHEN:** So one thing to consider is, if you're thinking of
21 this at the trip level, one of the things that I mentioned before
22 is some of those depth fields having three depth fields, and that's
23 probably not giving us, as management, much use, and so you might
24 want to consider dropping the minimum and maximum and just leaving
25 it as an average.

26
27 I say that because we did talk to the South Atlantic Council, for
28 their current SEFHIER program, to do that, and then I don't know
29 if Michelle has her hand up, but she might have additional
30 information to add.

31
32 **CHAIRMAN GREEN:** Does Michelle have her hand up? Okay.

33
34 **DR. MASI:** Thanks, Mr. Chair, and so there's a couple of things
35 that we left out that I thought might be important to mention, and
36 so there's a field that we added that lets us know whether or not
37 that vessel got turned around, in inclement weather, or maybe a
38 customer got sick or something, and so that allows us to, one, you
39 know, account for when there's not any effort on that actual trip,
40 and so they were intending to go out and fish, but they didn't
41 actually have any effort, and no gear hit the water, but it's also
42 beneficial because we then also report our reporting application
43 vendors, in those events, to reduce the number of fields that are
44 shown, and so, should that trip get turned around, the application
45 vendor -- For example, VESL just implemented this in the South
46 Atlantic, and they can show fewer fields that need to be filled
47 in, you know, in the event that fishing didn't occur, and like
48 fishing hours, for example, and obviously you can't answer that,

1 if you didn't actually fish.
2
3 That one is on there, and that's really just a yes and no question.
4 You know, was there fishing effort, yes or no. I don't see anywhere
5 that you put in gear, and so that's something that we use to inform
6 effort as well, the primary gear that was used.
7
8 **CHAIRMAN GREEN:** I'm sorry, and this is what was on the headboat
9 survey, and so the gear and whatever else is on the -- I don't
10 have that.
11
12 **DR. MASI:** Primary gear and primary target species, and those are
13 also important in effort estimation, and then, also, number of
14 anglers, and that is actually used to estimate effort as well.
15
16 **CHAIRMAN GREEN:** That's already on there. I called it passengers,
17 but we can put anglers.
18
19 **DR. STEPHEN:** So those are two different fields, and so it is
20 critical to have the difference between passengers and anglers,
21 because sometimes you have passengers who don't fish, and the
22 amount of passengers you're taking out probably affects your trip
23 fee, and your economics, but the number of anglers is going to
24 affect your catch per unit effort, and so that's why we have both
25 fields in there.
26
27 **CHAIRMAN GREEN:** We're not worried about economics. We're worried
28 about fish.
29
30 **DR. STEPHEN:** Well, again, your anglers is the more primary field
31 than passengers, and so that point that knowing the difference
32 between those two is generally helpful in moving forward with
33 regulation changes.
34
35 **CHAIRMAN GREEN:** I was just being sarcastic, Jessica, and so Ms.
36 Jessica brought up the minimum and maximum depth fished. I think,
37 in our simplicity approach, we take those out and just leave the
38 average depth fished, if everybody is good with that, and I do
39 agree with the passenger count and the angler, and we need to add
40 angler count, above or below passenger count.
41
42 **DR. MASI:** Mr. Chair, if I could, I would recommend, if you're not
43 interested in economic fields, you could remove passenger count,
44 because that's not going to impact the effort estimation.
45
46 **DR. STEPHEN:** Or I would suggest at least denoting that that is
47 more of a derived field for economics, so that people can be aware
48 of it when making decisions.

1
2 **CHAIRMAN GREEN:** I've got you. Yes. Well, I'm doing a lot of
3 talking, and so does somebody else want to talk about this list
4 here? I don't want to seem like a dictator.
5
6 **MR. JENNINGS:** Mr. Chair, I would like to make a motion. Just for
7 the purpose of discussion, I would like to make a motion that we
8 adopt this as written.
9
10 **CHAIRMAN GREEN:** Okay. So we've got a motion to recommend --
11
12 **AP MEMBER:** (The comment is not audible on the recording.)
13
14 **CHAIRMAN GREEN:** Well, I was going to read it. The motion that
15 Mike has made is to recommend to the council that a trip report
16 include the following components: vessel registration; captain's
17 name; departure date and time; actual return date and time;
18 location; trip type; angler count; passenger count; crew count;
19 average depth fished, which is in there twice; general area fished,
20 with GPS format; individual species data, with kept and discarded;
21 depredation data (mammal or shark or both); fishing locations
22 (fished locations and locations of observed depredation); fishing
23 effort, yes or no; primary gear used; and target species.
24
25 I really have to ask, and is primary gear used really that -- Like
26 does it really go off and -- Like line I'm sure is like ninety --
27 Well, I mean, it could, but it just seems like --
28
29 **DR. STEPHEN:** So I will weigh into that, and the primary target
30 species is really used in stock assessments, and it's a critical
31 field.
32
33 **CHAIRMAN GREEN:** I was talking about the gear used.
34
35 **DR. STEPHEN:** Oh, the primary gear?
36
37 **MR. JENNINGS:** The gear would fit more to a dual-permitted vessel
38 trying to use this same system.
39
40 **CHAIRMAN GREEN:** Also, if you use like -- I know VESL always
41 populated your last at the top of list, and so it's not like you're
42 searching for it every single time.
43
44 **MR. JENNINGS:** Just for discussion, I'm fine with the fishing
45 occurred being from -- Being changed there.
46
47 **CHAIRMAN GREEN:** Okay. All right, and so we've got a motion, made
48 by Mike Jennings, and it's seconded by Clay. Is there discussion?

1 Ed, did you want to --
2
3 **MR. WALKER:** I, as a council member, would like to hear discussion
4 on the depredation data, because we're making -- We're talking
5 about adding three more things here, and I haven't heard a word of
6 discussion on this new suggestion, and so what do people think?
7
8 **CHAIRMAN GREEN:** Okay. It was Sebo, Clay, and Thad, and I just
9 want to say that --
10
11 **MR. SEYMOUR:** The declaration is -- I don't think we're ready for
12 that just yet, for me personally, but am I next?
13
14 **CHAIRMAN GREEN:** Go ahead.
15
16 **MR. SEYMOUR:** We've got that already, and that's just something
17 that, you know, I'm not really for that.
18
19 **CHAIRMAN GREEN:** So every single Gulf Council meeting, for the
20 last four years, has screamed about dolphins and sharks, dolphins
21 and sharks, and they're killing us, and they're tearing us up, and
22 every single person complained -- Not every single person, but a
23 lot of the people that I talked to complained that we had SEFHIER,
24 but we had no mechanism to show how many trips a year we deal with
25 depredation.
26
27 That's where it came from, and that's the intent, and there's no
28 ifs, ands, or buts, and I know Panama City and Destin, and some
29 guys in Orange Beach, were very avid about having something like
30 that added to SEFHIER, before it got struck down by the ruling,
31 and so that's where it came from, Captain Walker. Clay, you're
32 next, and then Thad.
33
34 **MR. SHIDLER:** I'm going to speak as a charter boat captain here,
35 and not necessarily so much from the standpoint of being on this
36 AP, but, I mean, it could be kind of a scary thought to think that
37 we start talking about how many fish we lose to predators, and, if
38 that ends up counting kind of in the discard pile, or something
39 like that, and, I mean, I would hate to have to sit there and think
40 that, if had ten snapper get eaten by sharks, does it end up
41 eventually going against our quota, and I'm not saying that it
42 necessarily shouldn't, but it does turn into kind of Pandora's Box
43 a little bit, right, and like I don't want to -- I don't want to
44 have to try to answer for how many fish I fed to sharks.
45
46 It's a tough subject to even say that that maybe could even come
47 up, but, I mean, we see, in the South Atlantic, with red snapper,
48 that, you know, discards are actually the reason that they have

1 like a four-day season, or a two-day season, and, at the end of
2 the day, a floating discarded red snapper is just as equal to the
3 one that got eaten by the shark, and so I don't necessarily want
4 to say that -- I really like that, and I like an avenue to say
5 that, hey, we got sharked on two out of five spots today, or eaten
6 up by dolphins, but I think it could open up kind of a tricky
7 situation, where, you know, the next thing you know, somebody is
8 trying to count how many fish I lost to sharks, and I don't know
9 if that's something that we can really overcome in the near future,
10 as far as actually changing what the predation world looks like,
11 and so I would be kind of nervous to necessarily include it, and
12 I say that speaking as a charter captain.

13
14 **CHAIRMAN GREEN:** So they already estimate how many fish you throw
15 back that died, and, for years, and I'm talking like -- I mean,
16 like anybody that goes to a Gulf Council meeting in this room,
17 they will tell you that people have got up and -- It's not me.
18 Like it's not me leading the charge through the dark, and like
19 these people are up there screaming, and like I had a lady get
20 slapped in the face with a rod because the shark came up and
21 grabbed the line. I had a mammal pull a rod out of a kid's hand,
22 and like this has been going on for years and years, and this is
23 only attempt that I've seen. Thad was next, Mike, and then Steve
24 and you.

25
26 **MR. STEWART:** Okay, and so, I mean, I think we can all agree that
27 something has got to be done about it, I mean, and, if this is the
28 first step, then great, but I just wanted to, again, mention that
29 it is a double-edged sword, as in what does the end of this road
30 look like, because say we do start reporting this as an issue,
31 with dolphins and all that, and, the next thing you know, they're
32 trying to take care of them, and what does that do to our industry?

33
34 That's my concern on it, and I think it's something that I would
35 like to sleep on maybe, but, nonetheless, look, man, and there are
36 spots that we pull up on that we can't even get bait down, and so,
37 I mean --

38
39 **CHAIRMAN GREEN:** I'm telling you -- I understand, and I understand
40 the double-edged sword. The first Gulf Council meeting that I
41 ever went to was in 2006, 2005 or 2006, and I went up there and I
42 said that I'm watching the dolphins teach their babies how to eat
43 my fish, and I had a guy pull me to the side, and he said, you
44 can't say that. Well, guess what? I did, and now it's eighteen
45 years later, and they ain't done nothing. It ain't taken a fish
46 away from me or nothing, except more mammals, and sharks, eating
47 my fish, and destroying my gear, and so I understand, and like you
48 haven't had my -- Like that's my experience, but --

1
2 **MR. STEWART:** Trust me, and my experience is the same.
3
4 **CHAIRMAN GREEN:** If you all don't like it, you can pull it out,
5 and we can pull that part out, and sleep on it, and go with the
6 rest, and we can add it to another motion later, that we want to
7 add that to the trip report, and so, if it's giving you all that
8 much heartburn, we can pull that out, and I can make a motion
9 tomorrow about it, after you all have slept on it, and we can talk
10 about it then. I have no heartburn in it, and I want everybody to
11 be in on it. Go ahead, and Mike was next, or were you next, Steve?
12
13 **MR. JENNINGS:** Steve was next.
14
15 **MR. PAPEN:** So maybe we can -- You know, instead of pulling it
16 out, just give it a yes or no, you know, and did it happen or did
17 it not, you know, and then you still get some data out of it, that,
18 you know, you did have it, but you don't have to get super technical
19 about it, like it happened thirteen times, at twelve different
20 spots.
21
22 **CHAIRMAN GREEN:** No, and I didn't mean how many times it happened
23 at each spot, and I was just talking about a percentage of much
24 you deal with it a day. Where is Jessica? Jessica, if I told you
25 depredation was happening, what's your next question for me? Was
26 it a shark, or was it a mammal, and how many times did it happen
27 during the day, and that's what they're going to ask.
28
29 **DR. STEPHEN:** The questions would be to get some more information,
30 so that you could use it, primarily probably for stock assessments,
31 right, because, in stock assessments, you're looking at total
32 removals, and how are those removals occurring? They occur by
33 landing fish, by dead discards, and depredation is a form of a
34 dead discard, and so, to some extent, it might be already captured
35 in the stock assessment, and just not what percentage of your dead
36 discards are from depredation.
37
38 I guess there's two schools of thought when you're thinking about
39 it, right, and they're probably already included in your total
40 removals, and they're just not classified as depredated fish, and
41 they're classified as an assumption of dead discards.
42
43 **CHAIRMAN GREEN:** Well, I'm going to make it easy, because there is
44 some other -- Ms. Bernie, would you pull out the depredation data,
45 and we can talk about it tomorrow. We can think about it tonight.
46
47 **MR. PAPEN:** I had one more question on the trip type. You know,
48 we're doing our trip type on the deck, going out.

1
2 **CHAIRMAN GREEN:** Just delete it.
3
4 **MR. PAPEN:** So, I mean, it's not going to change mid-trip, and so
5 I don't think -- We don't need to have trip type in the coming
6 home too, and we have it on the way out.
7
8 **CHAIRMAN GREEN:** It should be pre-populated when you -- Like the
9 idea behind it was that -- If you notice the first, they're all
10 the same as the trip declaration, and those should be pre-
11 populated. Like, on VESL, when I did my trip declaration, and I
12 declared, and then, when I opened it up to do my report, it just
13 had the trip declaration, and it just had all the other stuff that
14 I filled out, and so that --
15
16 **MR. PAPEN:** I just feel like making it simpler is always the best
17 practice, and, if there's one more thing that somebody doesn't
18 have to fill out, while they're running home through the water, or
19 whatever, it just makes it a little easier, you know?
20
21 **CHAIRMAN GREEN:** Yes, and maybe -- I might not have --
22
23 **MR. PAPEN:** You're answering twelve questions instead of ten.
24
25 **CHAIRMAN GREEN:** Well, I might not have characterized it, and so
26 like, to me, like what happens in my -- What happens with VESL is
27 I do my declaration, and, when I'm headed home, and I want to add
28 my fish, I open that report back up, and all those things are like
29 I filled it out that morning, and I just keep going down the list.
30
31 **MR. PAPEN:** Well, the tablets aren't.
32
33 **CHAIRMAN GREEN:** Well, I just said that I might have not made it
34 clear what I was --
35
36 **MR. PAPEN:** Because, the tablets, we have to do a complete separate
37 -- It's another declaration, where, when, why --
38
39 **CHAIRMAN GREEN:** Well, you say tablet, but your VMS.
40
41 **MR. PAPEN:** Yes.
42
43 **CHAIRMAN GREEN:** So it depends on what SkyMate put on the form, or
44 Triton, or CLS, or whoever it is, but I get it. Like I said, I
45 put this up here so that we could have a discussion.
46
47 **MR. PAPEN:** I just feel like making it -- You know, condensing it
48 as much as possible, making it as easy as possible, and then more

1 people will get behind it.

2

3 **CHAIRMAN GREEN:** Start snatching stuff off of there. Hold on a
4 second, Sebo, because there was -- Mike was next and then you.

5

6 **MR. JENNINGS:** I don't know, since it's been pulled off, and I
7 don't know how much more we need to discuss it, but I was going to
8 speak in favor of it, and just try to remind everybody that we've
9 had multiple discussions today about what the fleet wants, or what
10 the industry wants, and it's been overwhelming, at council
11 meetings, if you're there, that the fleet wants to talk about, and
12 document, this predation.

13

14 They've been loud about it, and we're not making -- Remember that
15 we're not making management decisions here, and we're making a
16 recommendation to those who make management decisions, and I would
17 personally like to see that in there, and see where the council
18 goes with it, and how they send it back to us, rather than worrying,
19 at our level, about how we could, or could not, be affecting
20 something that they're already estimating anyway, and that's just
21 my thoughts.

22

23 **CHAIRMAN GREEN:** All right, and so it was Sebo and then Clay.

24

25 **MR. SEYMOUR:** I'm with Mike. You're right, and we've heard it
26 over and over, especially in Panama City, and, if it's there, I
27 would like to say depredation no, and then it's closed. If it's
28 there, you all could open another menu, and then you all can add
29 to what you want, and that's simplified. That's kind of what I
30 was getting at, Jim.

31

32 **CHAIRMAN GREEN:** I pulled it off so that we wouldn't have to talk
33 about it anymore, and we could finish this motion.

34

35 **MR. SEYMOUR:** Okay. Thank you.

36

37 **CHAIRMAN GREEN:** That's why I pulled it out of there. I was trying
38 to be efficient. Ms. Jessica, are you up here ready to talk about
39 something?

40

41 **DR. STEPHEN:** I do have a few points that I wanted to bring up, a
42 little bit more generalized, and so one thing to keep in mind is,
43 with your previous motion about having one mechanism to do all the
44 reporting, that you might have to report some fields that are not
45 necessarily a requirement of SEFHIER, but maybe a requirement with
46 HMS, because you interacted with a species, and so I just wanted
47 to make sure that that acknowledgement was there, that, depending
48 on what you're doing, there might be other laws, and regulations,

1 that require additional things that you may not see on here.
2
3 That said, those would be -- So the HMS ones would be for very
4 specific HMS interactions, and so I just wanted to make sure that
5 everyone was aware of that, and, as we're moving towards kind of
6 a full one-stop reporting, that, depending on your permits, or
7 your species interactions, additional questions may appear, and I
8 believe that HMS was trying to move also forward to for-hire
9 reporting, and I'm not completely sure where that is, and I haven't
10 touched base with them in a while, but I wanted to make sure that
11 there was awareness of that, moving forward.

12
13 **CHAIRMAN GREEN:** Okay. Mike, you're next, and, just so you know,
14 we're getting down to the last fifteen minutes of the meeting, and
15 we also haven't allowed for public comment, and so, if this is
16 going to be -- I'm not talking about you, Mike, but, if we need to
17 do this, we can just table this motion until tomorrow, and then
18 pick it back up, and we can discuss it tonight and kind of work on
19 this, on what we want to see here, but --

20
21 **MR. JENNINGS:** Mr. Chair, she touched on part of my point there,
22 was there already is some discussion with HMS on reporting, and I
23 would sure hate -- This would be a whole lot easier than a total
24 separate report for HMS on shark and dolphin predation, and, also,
25 they're the ones that are going to make any management decisions
26 on these two species, and it's not going to be the council. I
27 would also like to add, so that we can move forward, that I am
28 okay with your changes to my motion.

29
30 **CHAIRMAN GREEN:** Okay. Then our second was Clay. Are you good
31 with how it reads? Yes? All right. So we'll do something with
32 this motion. Go ahead, Dr. Masi.

33
34 **DR. MASI:** Sorry, but I just wanted to add a little bit to the
35 discussion on the additional depredation questions, which I
36 definitely support, as a data manager and, you know, a stock
37 assessment person, but, coming from the stock assessment realm, I
38 know that, currently, there isn't really a straightforward way to
39 use that data yet, and I also know that, for example, Brett Pierce
40 was in the audience today, and they have been putting forth a
41 proposal which would allow essentially users to opt-in to select
42 whether or not they want to answer those depredation fields, so
43 that it doesn't put burden for every single constituent to have to
44 always report depredation, but, if they want to opt-in, or opt-
45 out, they can select that option.

46
47 Now, I believe that VESL has gotten that work funded, or they're
48 working to get it funded, but, if we put a motion in that says

1 something along the lines that let's trial this, through, you know,
2 optionally requiring folks to do it, or potentially how commercial
3 requires the economic fields, and they can, you know, select that
4 random folks have to submit those answers to those questions for
5 a duration of time, and something like that, to reduce the burden
6 overall, but still start to get that information and start to see
7 how the agency could use that information to inform management or
8 stock assessments.

9
10 **CHAIRMAN GREEN:** Thank you very much. All right. We have a
11 motion, and we've already read it once, or twice, and is there any
12 further discussion? **Is there any opposition to the motion that's**
13 **on the board? Seeing no opposition, the motion carries.**

14
15 In lieu of time, then we're going to go -- We're going to stop the
16 discussion, and the recommendations, until tomorrow, and we're
17 going to go to Public Comment. John.

18
19 **DR. FROESCHKE:** I just have a brief statement, to kind of orient
20 everyone to public comment. This has been part of our public
21 meetings for a long time, and we've added it, in the last few
22 years, to the advisory panels.

23
24 We welcome public comment from in-person and virtual attendees.
25 Written comments may also be provided at any time to the council,
26 through our general public comment link on the council's website.
27 Anyone joining us virtually that wishes to speak during the public
28 comment should have their hand raised. When it's your turn to
29 speak, you will be unmuted by the webinar organizers. Please note
30 that you must also unmute your own line.

31
32 Public commenters must refrain from addressing members of the
33 advisory panel, council members, or staff in a derogatory manner.
34 If you have a cellphone, or a similar device, we ask that you keep
35 them on silent or vibrating during the meeting. Also, in order
36 for all to be able to hear the proceedings, we ask that you have
37 any private conversations outside.

38
39 **CHAIRMAN GREEN:** All right, and so, normally, the Gulf Council is
40 a three-minute, and, you know, we don't have much time left, but,
41 you know, I'm not going to put a timer on you, but be respectful
42 of that, or I will have to call you down. Do we have anyone that
43 wants to make public comment? Dylan.

44
45 **PUBLIC COMMENT**

46
47 **MR. DYLAN HUBBARD:** We're going to test that theory, Jim. Thank
48 you. I'm Captain Dylan Hubbard, from Hubbard's Marina, central-

1 west Florida. Partyboats and multi-passenger charter boats is
2 what I do, and I appreciate the time to speak.

3
4 I want to make sure that we have a sustainable fishery. That's
5 the best, most important thing here for the SEFHIER program, and,
6 in my opinion, one of the other goals should be the most possible
7 access for our industry, and so a sustainable fishery with the
8 most possible access, and I think we can all agree to those goals
9 for this program.

10
11 I think we can achieve these goals by decreasing scientific and
12 management uncertainty. You guys, at this AP, have the opportunity
13 to decrease those uncertainties, and we can do this by standing up
14 a new SEFHIER program as soon as possible. We can all agree that
15 having more access in a healthy fishery is better, right, and we
16 are looking at shrinking access to multiple fisheries, and huge
17 data issues that are only getting more and more glaringly worse.
18 Look at the Wave 4 red grouper data. It showed unrealistic
19 information and heinous landings for the first nineteen days of
20 July. We need to fix these issues for our industry, while we have
21 this opportunity.

22
23 We can remove our relationship with MRIP-FES by standing up a new
24 SEFHIER program quickly, and we can do that with quality input
25 data to provide a good output that will pass peer review, and
26 that's the big thing. A lot of discussion today has talked about
27 trust, and it doesn't matter. Trust doesn't matter. The council
28 members, NMFS, they could trust us, and we could be best friends,
29 and they could come to dinner every night, and trust does not
30 matter, because the peer reviewers don't matter, or the peer
31 reviewers don't care, and they don't trust us, right, and look at
32 what just happened with the red snapper research track assessment.

33
34 Almost three years of work, by over 250 people, got thrown in the
35 garbage can, in this room, less than three weeks ago, because it
36 did not pass peer review. All of us have jobs, lives, and we do
37 -- We work hard in our industry, and we don't -- I don't want to
38 see us wasting our time filling out reports and doing all this
39 legwork to fill out an app just to have that information not be
40 used.

41
42 We have to make sure that we stand up a program that removes
43 uncertainties, reduces buffers, increases access, and produces a
44 sustainable fishery. We have to do that with some sort of
45 validation that will pass the peer review.

46
47 If VMS is such an issue, there's tons of other options on the
48 table, but we have to be willing to come to the table and talk

1 those things through and make some sort of difficult compromise.
2 It's not going to be something we're all happy with, but we all
3 have to agree, at some point, that the end goal here, the hundred-
4 thousand-foot view, is going to be better for our industry, better
5 for our future, and better for our fishery. We have to get away
6 from MRIP-FES. Thank you.

7
8 **CHAIRMAN GREEN:** Thank you, Dylan. Next online, and if you want
9 to give public comment online, you have to raise your hand on the
10 webinar feature, and Mike Colby is up. Is that right, Ms. Bernie?

11
12 **MS. ROY:** Yes, and I can't unmute him right now, until he enters
13 his audio PIN. Carly is trying to get him on the phone, and so
14 proceed with folks in the room.

15
16 **CHAIRMAN GREEN:** All right. Is he the only one that is --

17
18 **MS. ROY:** So far, yes.

19
20 **CHAIRMAN GREEN:** Okay. All right. Does anybody else from the
21 back of the room want to give public comment? Wow. Troy doesn't
22 want to speak? That's a first.

23
24 **MR. TROY FRADY:** I will.

25
26 **CHAIRMAN GREEN:** I had to stir the pot on him a little bit. I was
27 about to start talking about my new seasoning that I'm coming out
28 with. All right, Troy. Three minutes.

29
30 **MR. FRADY:** I'm Troy Frady, a charter boat captain out of Orange
31 Beach, Alabama. I've been involved in this for I guess thirteen
32 or fourteen years now, and I guess the biggest thing is that I
33 respect everyone at this table, and how you make a living for your
34 family, whether you're an advocate for conservation, an advocate
35 for, you know, having healthy fish stocks, and I applaud all of
36 those things that we all stand for, and, if you represent a group
37 -- Richard, I appreciate you coming to the table right here, and
38 Josh, and having some different aspects, because all of us,
39 whenever the SEFHIER program rolled out, we were kind of shocked
40 that there were certain things in there, and it kind of hit us,
41 but we said, oh, we're going to roll with it.

42
43 We want the accountability, and we want the responsibility, because
44 we had those short seasons that took things away from us, and, you
45 know, I think this group right here has an opportunity to lay
46 something simple out there for the council that is non-
47 controversial and that all sides can get along with and agree with,
48 whether they be minimal, and I like minimal, and I don't like

1 change, and I like to only do what we have to do to make sure that
2 the Gulf Council, and NOAA Fisheries, state fishery managers, all
3 have the right stuff, because what Dylan was talking about was
4 having sustainable fisheries so that we can maximize our ability
5 to feed our families by generating as much income as we can during
6 short periods of time, and certainly in times when these economic
7 hardships, like economies struggling, when you have oil spills,
8 and you have hurricanes, and that all creates uncertainty in our
9 lives, and that's one thing we don't want.

10
11 By you all continuing to do and hash these things out right here,
12 but keeping in mind that -- You're doing a great job keeping things
13 simple, and trying to keep them on task, and we're not creating
14 this big problem that everybody is going to argue about later, and
15 I think you're doing the right thing.

16
17 Just put your personalities aside, which you all have done, and go
18 after what is the end result of where the fishery benefits, and we
19 have a health fish stock, and we can all make a living off those
20 resources if we get control of the data.

21
22 We heard, years ago, and I remember when we went down to our nine-
23 day season, and, I mean, we were in shambles. We were scared to
24 death what we were going to do to feed our families, and I just
25 don't want history to repeat itself, but I thank you all for taking
26 the time out of your family's lives and coming down here and
27 sitting through this.

28
29 Anything that I can do to give input to you guys, and, I mean,
30 I've had some thoughts about electronic monitoring, because I come
31 from the aviation and transportation industry, prior to fishing,
32 and we used different tools, that didn't require VMS, and I've
33 given them to Dr. Stephen and them, to let them mull these things
34 over, which they don't require satellite tracking, but there are
35 other options out there that are less intrusive, where they don't
36 monitor you twenty-four hours a day.

37
38 These tools are out there for you all, but we've just got to bring
39 them to you and go, oh, that may be a good idea to explore, and,
40 you know, in the end, you're an advisory panel, and the Gulf
41 Council is made up totally different, and sometimes their
42 motivation is not to do what's right, and it's to do what benefits
43 a group, or those that they represent.

44
45 Your goal, and I would like to see you at the next council meeting
46 in January, is to stand up to even people in your own group, or
47 your own party, or your own affiliation, or whomever you're with,
48 or aligning yourself with, and say, look, this is -- We think this

1 is a good thing for all, and so, like I said, thank you so much
2 for taking time out of your life to be here, and thank you for
3 thinking about all the different things that are going to make
4 this process successful, because nothing was more disappointing
5 than to see the SEFHIER program fall apart.

6
7 Even though I didn't agree, personally, with a lot of the stuff
8 that was required of us, but it was the best available for what we
9 had during the time, and so let's design a better mousetrap, and
10 let's do something that is going to benefit the fishery,
11 yourselves, your families, and to make everybody's lives a little
12 bit more beneficial, and so thank you so much for your time.

13
14 **CHAIRMAN GREEN:** Thank you so much, Troy. All right, and so we
15 have Mike on the phone.

16
17 **MR. MIKE COLBY:** I've got a few, just two, observations, and the
18 first one is on the economic data, and I know there are some folks
19 that don't want that submission, in terms of going forward with
20 SEFHIER, but, notwithstanding disaster assistance, prosecuting the
21 fishery for allocation issues through Magnuson, imagine yourself
22 as a young charter captain getting into the fishery, and going to
23 a lender to get a loan on a boat, a mortgage on a boat, and that
24 lender says, where are you keeping the boat? Well, it's behind my
25 house, or you can keep it in a venue where 48,000 people a year
26 walk through that marina and fish, and that is what we have at the
27 Clearwater Marine Association in Clearwater, Florida.

28
29 I got a survey, from 2005 to 2010, and we had an average of 48,000
30 fishermen that fished on our boats, with a high of 70,000, and
31 that is -- That lender would probably be way more likely to loan
32 you the money to buy that charter boat, and get into this fishery,
33 than if you told them it's going to be stuck in a canal behind my
34 house.

35
36 My other observation, on prosecuting the SEFHIER plan, and I know
37 location tracking, you know, is certainly front and center on your
38 discussions, and far be it for me to put an unwanted object in the
39 punchbowl, but I can guarantee you that, without some kind of
40 validation -- Now, you can call it geofencing, or you can look at
41 all the options that are on the table, but some kind of location
42 tracking is probably going to be required.

43
44 I don't want the South Atlantic program in the Gulf. I don't want
45 that kind of program. We don't have enough dockside intercepts to
46 make that work. In Florida, what did Michelle Masi say, 20
47 percent? We need 50 or 60 percent, without any kind of location
48 tracking, and now I think what would sell, to all five Gulf states,

1 and what would sell to the council and NOAA Fisheries, is something
2 in the cellular environment, similar to NEMO, something in the
3 cellular environment that could not track you twenty-four-seven.

4
5 It would track you only when you declare out and hail-out and it
6 stops. I will guarantee you that, if you can sell that across the
7 Gulf, and that will get SEFHIER up and running a lot faster than
8 us trying to wonder about all these other wonderful options that
9 are out there on the table, and that's my opinion on that.

10
11 It makes sense, in terms of how -- One of the other comments,
12 public comments, is that they would like to get this up and running
13 as quick as possible, and, well, that would be a way to do it, and
14 it may not -- Not everybody is going to like it, but something
15 like NEMO, in the cellular environment, and no twenty-four-seven,
16 and that will sell, my friends. Thank you.

17
18 **CHAIRMAN GREEN:** Gotcha. Thank you very much, Mike. Go ahead,
19 Mike.

20
21 **MR. JENNINGS:** I didn't have a question, but just a statement, and
22 he didn't identify himself when he came on, but, if anybody on
23 this panel doesn't know Mike Colby, he owns a charter boat in
24 Clearwater, Florida, right over here, and he's worked probably as
25 many hours, if not more, than anyone on the planet in trying to
26 put SEFHIER together, and we appreciate it, Mike. Thank you.

27
28 **MR. COLBY:** You're welcome, Mike, and I would be there, except I'm
29 recovering from COVID, and don't put the phone too close to you,
30 buddy.

31
32 **MR. JENNINGS:** I will stay clear.

33
34 **CHAIRMAN GREEN:** You stay over there in Clearwater, Mike. Hold
35 on, Mike, we've got one more question from Captain Ed Walker.

36
37 **MR. WALKER:** Mike, I know you've worked on this, as Mike Jennings
38 said, for more than most of us have, and you mentioned that there
39 are good cellular options here, and I think you would probably be
40 one of the most informed to let us know what those are, and, in
41 your opinion, is this NEMO system -- I'm not that familiar with
42 it, but do you think that would be one of the better options,
43 because I think we need to start listing some of these alternative
44 options that we're talking about, but not naming.

45
46 **MR. COLBY:** Ed, NEMO is still in supply, and it's still being
47 manufactured, and those that chose satellite VMS -- Those
48 reimbursements were over \$3,000. NEMO costs \$800, and you can

1 report through your cellphone off of it, and I think -- I think a
2 product like that, affixed to the boat, and, again, going back to
3 the motion that this AP -- One of the first motions was no twenty-
4 four-seven tracking, and I think, if you could track only the time
5 of fishing, that might sell to all five Gulf states.

6
7 Now, I'm sure that -- I've heard information on some of the other
8 satellite links that are through cellphones, that could be on the
9 table, but, right now, the one that is most available, at a very
10 low cost, is the NEMO, by Woods Hole.

11
12 **MR. WALKER:** Okay. Very good. Thanks, Mike.

13
14 **MR. COLBY:** You betcha.

15
16 **CHAIRMAN GREEN:** All right. Thanks, Mike. We appreciate it, and
17 we hope you feel better. All right. We're going to go ahead and
18 adjourn for today.

19
20 (Whereupon, the meeting recessed on January 10, 2024.)

21
22 - - -

23
24 January 11, 2024

25
26 THURSDAY MORNING SESSION

27
28 - - -

29
30 The Ad Hoc Charter-For-Hire Data Collection Advisory Panel of the
31 Gulf of Mexico Fishery Management Council reconvened at the Gulf
32 Council Office in Tampa, Florida on Thursday morning, January 11,
33 2024, and was called to order by Chairman Jim Green.

34
35 **CHAIRMAN GREEN:** All right. Good morning. Welcome to day two.
36 We're going to revisit the charge, and, Ms. Bernie, if you could
37 throw up the objectives and goals that we adopted yesterday on the
38 screen, that would be awesome, just as a reminder when we start
39 talking.

40
41 **AP DISCUSSIONS ON RECOMMENDATIONS FOR NEW FOR-HIRE DATA**
42 **COLLECTION PROGRAM**

43
44 **DR. HOLLENSHAD:** Bernie, if you actually wouldn't mind putting up
45 the charge, real quick. We're going to review that, really
46 briefly, and then we're going to come back to this. Good morning,
47 everybody, and so, again, just to rehash, and we had a lot of
48 really good discussion yesterday, with a flurry of motions at the

1 end of the day, which was really good, and so, just to sort of get
2 everybody back to square here, for the morning, we're just going
3 to review the charge one more time, you know, just to make sure
4 that that's all in everybody's mind as we continue day two here.

5
6 I am not going to read the whole thing, but other than to say sort
7 of there's the two points for the AP should, and so the AP should
8 consider lessons learned from the SEFHIER program and work
9 collaboratively to discuss strategies that would enhance
10 timeliness, accuracy, and quality of data for the federal for-hire
11 fleet.

12
13 Some of that was done yesterday, right, in looking over some of
14 the technical recommendations, and then making the AP's
15 recommendations on that. Second, the AP should also consider
16 balancing the anticipated reporting and economic burdens
17 associated with the recommended program requirements, and so
18 that's something that we could probably dive into a little bit
19 more today, talking about some of those other data fields and
20 things like that, and so just so everybody is made aware. Any
21 questions on the charge then, as we've gone through it? I know
22 we've already looked through it, but just to make sure. Okay, Mr.
23 Chair.

24
25 **CHAIRMAN GREEN:** All right. Just to let everybody know too,
26 online, we have a lady from HMS, Ms. Karyl, and she's on from 9:00
27 to 10:00, and so, if you all wanted to talk about anything HMS,
28 and we have her on the line, with depredation or sharks or anything
29 to do with HMS, you have an opportunity, and we have someone on
30 the line, and so would anyone like to start a discussion about
31 anything involving HMS, while we have her? Joshua.

32
33 **MR. ELLENDER:** Absolutely. If we were to put a requirement to our
34 reporting of whether we saw depredation or not, how beneficial
35 would that be, on your side, to receive that data?

36
37 **MS. KARYL BREWSTER-GEISZ:** So you were just asking if the
38 information would be helpful to us, and, yes, it would be helpful
39 to us. Before we can come up with any potential solutions, and we
40 don't know what those solutions might be, we do need more
41 information on the depredation issue, and so having any information
42 will be helpful, and good morning, everybody. Happy new year.

43
44 **CHAIRMAN GREEN:** Thank you. Ms. Karyl, thank you for being here.
45 Yesterday, we were discussing, and I don't know if you were on the
46 meeting yesterday or not, but, yesterday, we were discussing adding
47 in a line on our electronic logbook that would tell us if there
48 was depredation, you know, was it -- We talked about sharks and

1 mammals yesterday, and some of these guys down here -- Like goliath
2 grouper was also part of the depredation, and other, you know, and
3 so, if we did something where we had a line item that said, yes,
4 we incurred depredation from, you know, mammal, shark, goliath
5 grouper, other, or all, or, you know, whatever selection, and then
6 maybe like how many spots we fished, and how many spots we observed
7 depredation, and would that be useful information, or what would
8 you consider being useful, if fishermen were turning in a report?
9

10 **MS. BREWSTER-GEISZ:** Thanks for that. I was not on the call
11 yesterday, and I actually just found out about this at 8:30, and
12 so all of this is new to me. In terms of whether that information
13 would be helpful, yes, it would be helpful to know the frequency
14 of depredation events, what species were involved, and so not only
15 the predator, and so, as you mentioned, sharks aren't the only
16 one, and you also have the dolphin, gag grouper, and there are a
17 lot of predators out there that could be the cause of depredation,
18 but, also, what were you fishing for?
19

20 Where were you fishing, and so the frequency, spatial distribution,
21 number of fish that you lost, and then if -- I know it can be hard,
22 when you have particularly a shark coming up fast and grabbing the
23 fish and disappearing, but, if you can tell what the species is,
24 all of that information could be helpful, but I also understand
25 there is a limit to how much people actually want to report, and
26 so you have to balance the needs of what I, as a manager, would
27 love to get, and also what it is that you can reasonably expect
28 people to report.
29

30 **CHAIRMAN GREEN:** Gotcha, and, no, that helps out a lot, and that
31 kind of drives -- That will allow us to drive the discussion
32 further on how far we want to go and find a balance or if we want
33 to request a program, a whole separate program, for everybody to
34 use for depredation, and so thank you very much. Does anyone else
35 have any questions for Ms. Karyl? Bo. I'm sorry. Sebo was next,
36 and then Bo.
37

38 **MR. SEYMOUR:** The SEFHIER program, would it be helpful if we had
39 more information, if we start this new program up, and, instead of
40 just a shark category in the old SEFHIER program, and we need to
41 maybe add a few different species, and like spinner and blacktip
42 and Atlantic sharpnose is the most frequent that we take on a state
43 trip, other than in the EEZ, through our state guidelines. Thank
44 you.
45

46 **MS. BREWSTER-GEISZ:** I'm not sure if question was for me, but --
47

48 **MR. SEYMOUR:** Would that be beneficial to your HMS, to having the

1 shark --

2

3 **MS. BREWSTER-GEISZ:** Yes. Having the species, and the option for
4 people to pull down different shark species, would be very helpful,
5 and so some of the species you mentioned are good, but there are
6 a lot of other species that we're hearing about that might be
7 potential culprits for depredation, and a lot of the -- I believe
8 a lot of the logbooks already have the option to ID sharks to
9 species, and so it would just be continuing that.

10

11 **MR. SEYMOUR:** Correct. The last SEFHIER program, my option was
12 only shark, is what I wanted to make sure that everybody knew.

13

14 **CHAIRMAN GREEN:** Gotcha. All right. Bo. These are questions for
15 you, Ms. Karyl, the next few.

16

17 **MS. BREWSTER-GEISZ:** All right. Thank you.

18

19 **MR. JOHNSON:** How are you doing, Karyl? I guess my biggest question
20 would be everybody talks about, you know, if we tell you the real
21 numbers, which you probably already know, what effect can that
22 have, obviously, on the fish count at the end of it, right, and is
23 it going to be worth it in the end, and I guess my question would
24 be, if you got the information that you guys already have, and you
25 already know, what would you look to implement in the future on
26 the -- You know, on the predators that are there, unlike maybe
27 coming up with a hundred goliath grouper tags that's got to be
28 between X and X, and what would you guys do?

29

30 **MS. BREWSTER-GEISZ:** I'm not sure -- I'm not sure that the
31 information would help us with the species involved so much, and
32 it's not that we are looking for -- I don't really know how to say
33 this well, but we're not looking for ways to figured out new
34 management measures for sharks. What we're looking for are, as we
35 are continuing to rebuild sharks, as we are continuing to have
36 more sharks in the ocean, because that is our goal under Magnuson,
37 is to rebuild overfished stocks, and many of those stocks are
38 overfished, but how do we provide information that allows fishermen
39 to go out and enjoy the experience, ways for them to go out knowing
40 that, maybe, possibly, they won't have depredation this trip, or
41 things that we can suggest, that fishing techniques change, or
42 maybe we suggest that you don't go into a particular area at this
43 particular time of year, because it is more likely to have
44 depredation.

45

46 Those are the type of things that we're looking for, and so, the
47 more information we have, the more information we can use to
48 provide to all of you, so you can go out and experience fishing

1 without as much depredation.

2
3 **CHAIRMAN GREEN:** Gotcha, and so it would be data that would help
4 you in high-level decisions, and not management, and it wouldn't
5 -- What you're saying -- I guess what Bo was getting at was more
6 of like, if we show this abundance, then would it lead to the
7 ability to harvest some of them, and take them out of areas, or
8 out of the water in general, and so I think that was what he was
9 more or less getting at, right?

10
11 **MR. JOHNSON:** Yes, pretty much, and it's kind of like, you know,
12 pick your battles, and we can fight every fight, and we'll never
13 win a war.

14
15 **CHAIRMAN GREEN:** But it sounds like you're saying, Ms. Karyl, it's
16 going to be pretty high-level stuff, as far as the information
17 goes, in the beginning, correct?

18
19 **MS. BREWSTER-GEISZ:** Yes, and, in the beginning, we're looking
20 more for helping all of you. Over time, as we get more information,
21 of course, that will feed into the stock assessments, which will
22 give us a more accurate idea of what the abundance is, and that
23 can, in turn, change, in terms of quotas, retention limits, bag
24 limits.

25
26 If you remember, last summer, we had a lot of scoping documents,
27 including a scoping document out for what we're calling Amendment
28 16, and, in that amendment, we're looking at changing quotas and
29 the ability to harvest more or less, depending upon the species,
30 recreationally, and so, if you remember, and I think there were a
31 lot of questions about the Gulf of Mexico blacktip, because what
32 we were suggesting for a quota was so high, but it's the type of
33 things like that that eventually having more information on the
34 depredation and the species involved -- If that information is
35 good, and accurate, it will feed into the assessments, which can
36 result in changing quotas, and other management measures, for
37 sharks.

38
39 **CHAIRMAN GREEN:** Gotcha. Thank you. All right. Our next one is
40 Clay. Clay, go ahead. You're good? Okay. Ms. Jessica.

41
42 **DR. STEPHEN:** Hi, Karyl. I was wondering if you could give maybe
43 a high-level overview of what HMS's efforts are towards moving
44 towards electronic for-hire reporting, because a conversation
45 yesterday was we want to make sure that we can maybe do sort of a
46 one-stop reporting, and how would HMS play into that, and I'm not
47 sure if you have any answers, but, if you have any information
48 towards that, it would be good for this panel to hear.

1
2 **MS. BREWSTER-GEISZ:** Sure, and so we have started moving toward
3 electronic reporting across a number of our fisheries. Last
4 summer, when we talked about Amendment 16 scoping, we also had an
5 advanced notice of proposed rulemaking out for electronic
6 monitoring, where we were talking about converting some of our
7 commercial logbooks to electronic logbooks, but also jumping in on
8 that one-stop reporting option for all of our recreational and
9 charter/headboat fishermen, so that -- Right now, there are several
10 apps out there that people report in, but not all of those apps
11 get the HMS information back to HMS, and so they're not -- The
12 fishermen can't use it, but, over time, what we're hoping for is
13 that one-stop reporting, where fishermen report in one app, and
14 all the information goes where they need to do, whether it's Gulf
15 of Mexico Council stuff or up into GARFO, because we're across all
16 of the regions in the Atlantic.

17
18 We are very much in on that effort, and all of that good stuff,
19 and so we are trying very hard to work towards there and work with
20 all of our partners to come up with something that works for
21 everybody.

22
23 **CHAIRMAN GREEN:** Awesome. Thank you. Is there any more questions
24 for -- Yes.

25
26 **DR. MASI:** Hi, Karyl. I'm just curious, and would it be helpful
27 to you if you also got, instead, voluntary information, if the
28 fishermen volunteered to opt-in to answering depredation
29 questions, or, instead, potentially like commercial does it, where
30 they randomly select folks that have to participate and answer
31 those questions for a set period of time?

32
33 **MS. BREWSTER-GEISZ:** So, yes, all of that could be helpful. Right
34 now, we get scattered information from people, and nothing very
35 cohesive, and so it's hard to take a step back and really look at
36 it, to see what we're getting, but, if more people are doing it
37 voluntarily, or if people are being randomly selected, and
38 reporting that way, that can give us a lot more information. In
39 short, the more information we have, then we can actually act on
40 that. Having just a little bit more information can be very
41 frustrating.

42
43 **CHAIRMAN GREEN:** Gotcha. Thank you, Ms. Karyl. Any more questions
44 for Ms. Karyl? All right. Thank you, Ms. Karyl, for being here
45 too, and for taking the time, on such short notice, to speak to
46 us. We appreciate it.

47
48 **MS. BREWSTER-GEISZ:** Thank you, and I will hang out for a few more

1 minutes, and so, if there are more questions that come up, I will
2 be here, and, if questions come up later in the day, you can always
3 send them to me, and I will do my best to respond. Thank you.

4
5 **CHAIRMAN GREEN:** Thank you so very much. All right. As far as
6 the agenda goes today, we're pretty much open to continue our
7 discussion that we ended on yesterday, and so the floor is open,
8 and, if anybody -- Clay.

9
10 **MR. SHIDLER:** I would really like to see the depredation section
11 kind of be pulled into its own section, and I'm just kind of
12 stating this for the point of discussion, but that we would -- You
13 would have the option to opt-in or opt-out, you know, on a daily
14 basis on your report.

15
16 You know, did you have predation, yes or no or N/A, and, you know,
17 the guys that don't want to talk about it, or don't feel that
18 that's their thing to discuss, they don't have to put it in the
19 report, and it can -- You know, the more times you answer yes, the
20 more things you might have to fill out, like what kind of shark,
21 what kind of fish got eaten, and you can get as deep into it as
22 you want, but none of us are sitting here going, oh my god, I
23 really don't want to go on here and tell them that I had eighty
24 red snapper eaten by sharks today, you know, and I think that's
25 kind of a really fair way to do it, to where each one of us can
26 make our own decision, based upon how we feel about the subject.
27 We're still giving data, and we're not, you know, quote, tied to
28 it, for lack of better words.

29
30 **CHAIRMAN GREEN:** I tend to agree with you about putting it on
31 there, but making it optional. Mike.

32
33 **MR. JENNINGS:** Since we're on this topic, this morning, a few
34 things on the shark -- Or the depredation, whether it be sharks or
35 marine mammals or what have you, and, you know, we've heard -- We
36 talked, yesterday, about the council meetings and how many people
37 are coming up and talking about sharks.

38
39 Well, they're actually not coming up there, in the way that I
40 understand it, from listening to the public testimony, and they're
41 not coming up there and saying that we want to report on sharks,
42 and they're coming up there and saying that something has to be
43 done about these sharks, and so we have to be real clear.

44
45 As you heard her speak a while ago, they're not looking for this
46 information to make management decisions, and you're not fixing to
47 get a chance to go out there and do anything to the population of
48 say the sandbars, that we're having the massive amount of problems

1 with, and her suggestion was that it might lead to them just
2 saying, well, you can fish somewhere else this time of year.

3
4 Well, we already do that, and, I mean, they can completely shut a
5 spot down, and eat up so much gear that there's no reason to even
6 stay there, and so -- But I think we've got to start somewhere on
7 this reporting, and help them understand what's going on, but just
8 keep in mind too, like Clay was saying, that -- The former Regional
9 Administrator for this council told me something one time, twenty
10 years ago, that I never forgot.

11
12 We were talking about better data one time, and he finally stopped
13 me and made me be quiet, and he said, Mike, he said, better data
14 doesn't always mean more fishing, and so watch what you ask for.
15 I never forgot that, and it made sense, and so there's always --
16 With any of this kind of stuff, there's always a risk. If you
17 find out that the depredation, and the predation, on managed
18 species is much higher than what's being guessed at right now, or
19 what's being understood, and I shouldn't say "guessed", and they're
20 doing everything they can to get the right information, and make
21 the right decisions, and it's not like they're just taking a wild
22 guess, but there's always a risk.

23
24 At some point, we've got to start dealing with this depredation,
25 and it needs to be made clear, as we go forward, and even from
26 this AP, that it's not going to lead to you being able to go out
27 there and take a bunch of hooks and crush on a bunch of sandbar
28 sharks, and it's not going to happen, and so understand that we're
29 giving information, and we're not going to get a result that lets
30 us thin those sharks out. That's all.

31
32 **CHAIRMAN GREEN:** Thad.

33
34 **MR. STEWART:** I have a statistical question, if there's anybody
35 who can answer it. If say 25 percent of the people are opting-in
36 to report on this topic, in the process of, however you want to
37 say it, calculating the statistics, or building the statistical
38 analysis, is it appropriate, in statistical analysis, to say, okay,
39 25 percent of the people are actually reporting, and so we're going
40 to take this number that we grabbed from 25 percent and multiply
41 it times four?

42
43 **CHAIRMAN GREEN:** Go ahead.

44
45 **DR. FROESCHKE:** No, and that's a problem with many -- When you
46 have opt-in things, typically -- Well, if you're having opt-in,
47 and you want to do something, you're assuming that the people that
48 are opting-in are representing -- Are equally representative of

1 all the other participants that are not opting-in, and that's
2 almost never true.

3
4 It's, when you have voluntary reporting, typically, those anglers
5 are more invested in the fishery, and it's called angler avidity,
6 and so, for example, if you've got -- You know, if the best
7 fishermen are the only ones that report some catch rate, and you
8 were to extrapolate that to all the other people, there's probably
9 going to be a much higher catch rate, based on that self-selected
10 group, than is actually true for the entire population, and so
11 that's like Statistics 101.

12
13 If you're going to expand based on a sample, that sample needs to
14 be representative of the entire group, and you need to do some
15 actionable ways of doing that, and letting the participants self-
16 select them is almost never the right way to do that.

17
18 **CHAIRMAN GREEN:** Dr. Masi.

19
20 **DR. MASI:** I'm going to totally agree with John, but I'm going to
21 add that we heard from Karyl, and she said that she was thinking
22 that the way the data would be used is kind of in an exploratory
23 way, to help you all kind of figure out what you're doing with
24 fishing, and so, with it not going directly into a stock assessment
25 at this time, and knowing that they're kind of in that exploratory
26 phase, having that voluntary reporting, letting them see how they
27 can start to use the data, would be a good alternative.

28
29 Now, with that, if you want something that's more accurate, doing
30 that random sampling, like I said, where you require that folks
31 have to report at random for a certain amount of time, would get
32 you to more precise information.

33
34 **CHAIRMAN GREEN:** Gotcha. I mean, I think you have to start
35 somewhere, and I understand what you're saying, Mike, about we're
36 not going to get to harvest sharks, but I've never seen anything
37 move fast with the government, and so, if we don't start now, then,
38 two years from now, when we realize that it's overreaching, and
39 it's overrunning, we have zero data still, and so that's my thing.

40
41 Like, to me, this was not about like trying to get more sharks or
42 trying to -- It's trying to start the process of showing people,
43 you know, and we had a presentation, a couple of Gulf Council
44 meetings ago, and maybe it was last year, and they all run
45 together, but they said that -- Like I think the shark was getting
46 managed with like a hundred-year rebuilding plan on some of the
47 sharks, and, to me, it's like what are we trying to rebuild the
48 shark to, back to the Jurassic period, or are we --

1
2 You know, are we talking about a modern ocean, that has humans in
3 it too, and so, you know, like, as far as harvesting more sharks,
4 and getting that open, it's going to take more than just the Gulf
5 Council, and it's going to be getting involved in the HMS process,
6 but I wanted to start somewhere and contribute, was my big thing,
7 and, whatever level we do that at, that you all feel comfortable,
8 or making it optional, it sounds good to me. Andy, did you want
9 to speak to that? Welcome. Thank you for coming today and spending
10 the day with us.

11
12 **MR. ANDY STRELCHECK:** Sorry I couldn't be here yesterday. Andy
13 Strelcheck, NOAA Fisheries, Regional Administrator, and I just
14 wanted to make a general comment about data collection, and data
15 variables, and, you know, I've never talked to a scientist that
16 doesn't want more data collected, right, and obviously we then --
17 You bear the burden, in terms of providing that data.

18
19 I like the conversation that's happening, because you're kind of
20 thinking thoughtfully, in terms of what would be collected and why
21 would it be important, and you're asking whether it could be used
22 or not used, and what I think is the missing piece is kind of
23 aligning expectations with the reality of what that data may
24 ultimately be used for, and when it could be used, right, and so
25 is it going to go into a stock assessment, or is it going to be
26 informing management decisions, or is it simply exploratory, and
27 that was mentioned earlier, that could benefit, you know, future
28 knowledge, and information, about shark interactions, right, and
29 so I think, as we work through this amendment process, it will be
30 really important to work with you guys and kind of delve into some
31 of these specific variables that are being collected, to make
32 certain that like these are definitely things that we can utilize
33 to estimate landings, and we can use to plug into a stock
34 assessment.

35
36 These might not have as much certainty around them, but could be
37 beneficial, in terms of exploring new information about our
38 understanding of interactions with sharks, or anything else, but
39 aligning those expectations to the reality of how it can be used
40 I think is really important.

41
42 **CHAIRMAN GREEN:** Thank you. Brett.

43
44 **MR. BRETT PIERCE:** Brett Pierce, Bluefin Data, and I just wanted
45 to speak briefly on kind of what the technological aspects of this
46 are, and kind of the difference between and optional field and an
47 opt-in option.

48

1 Right now, in the next year, we'll be able to have the ability to
2 add those fields, those shark depredation fields, dolphin
3 depredation fields, to the form. You know, we'll have the ability
4 to opt-in, where, if you choose not to participate in this program
5 at all, you won't see those fields at all, and it's very different
6 than having the fields on the form and making them optional, right,
7 and I think Jessica spoke yesterday about the PRA concerns,
8 Paperwork Reduction Act concerns, and I don't know what that
9 process would look like if you start from scratch, building a form
10 and including shark depredation fields, but that's a little bit
11 different than opting-in.

12
13 I guess one thing I just wanted to make sure the committee
14 understands is that, you know, some vendors are going to have the
15 ability to include that opt-in field, the opt-in option, where you
16 don't see the fields if you don't want to participate, but then
17 that's very different than optional fields. From a technological
18 aspect, you can do that. You can make it voluntary, but, depending
19 on how you do it from the start, and it's really going to depend
20 on a number of factors, going forward, and how that gets
21 implemented in the overall process.

22
23 **CHAIRMAN GREEN:** Gotcha. Thank you. Mike, go ahead.

24
25 **MR. JENNINGS:** I just had a question there, and I'm hoping that I
26 followed you there, and so, if we were to make this optional, for
27 the fishermen to either report or not report, based on his
28 decision, the term you would use is opt-in?

29
30 **MR. PIERCE:** Just an example I can kind of give is the headboat
31 survey right now. Right now, there is two fields, the venting and
32 the number of descended fields, and those are both optional fields,
33 where the form will go through, the report will go through, if you
34 include the data. If you don't include the data, it won't go
35 through, or sorry. It will go through, depending on if you include
36 the data or not.

37
38 That had to go through the PRA process. You know, Ken had to go
39 through and make sure that everything was aligned to get those
40 onto the form. If you opt-in, and we're talking about the
41 language, and, if you choose to opt-in, we would probably provide
42 some kind of notification saying these fields are collected for
43 shark depredation, mammal depredation, whatever the language needs
44 to be. If you click a box, you will see those fields.

45
46 If you choose not to do that, you can pull back and say that I
47 want to opt-out, and those fields will never be shown, and I think,
48 to speak to Clay's point, a separate section could be done, but it

1 just really depends on how this is set up, because this is kind of
2 unknown territory. We don't know what this is going to look like,
3 because this is something that's really never been done before.

4
5 **CHAIRMAN GREEN:** Okay. Just to let you all know what he's talking
6 about too, on the headboat survey, whenever you go to your
7 individual species, and you put "discard", as soon as you punch in
8 a numeric value that's over zero, there's a drop-down, and it has
9 two more line items that say descended or vented, and, to me, I
10 think the optional is the way to go, because -- I know that VESL
11 is working on putting more improvements, and stuff like that, in
12 right now, or brainstorming on it, but maybe not everybody is as
13 advanced as VESL is too, and so I think an optional, to me, would
14 be the easiest thing, instead of an opt-in or opt-out, unless, you
15 know, we get the road to -- But that's me, because it does -- I
16 fill it out, because we vent everything on the headboat.
17 Descending is a very difficult thing to do with that many people
18 on board, and a limited amount of deck space, and so we vent
19 everything.

20
21 I go in there and make sure that I punch it every time, but it
22 will go away, you know, and you just save that species, and it
23 keeps going, and so, while we're on it, if somebody wants to make
24 a motion about making it optional, or something like that, I think
25 this would be a good time in the discussion, if that's the will of
26 the people. Go ahead, Steve.

27
28 **MR. PAPEN:** As fishermen, we all know that there's issues with
29 sharks, and, if we give all this information, and everything like
30 that, Karyl was not saying that, you know, if everybody in this
31 room starts reporting that we're seeing all these interactions, a
32 hundred or 200 or 500 interactions a day with sharks, it's not
33 going to lead to less sharks, right, and they want to protect the
34 sharks, and they want to rebuild the sharks, and so the information
35 we're giving isn't doing anything for us, and, in my idea, we're
36 supposed to be simplifying this whole process, making it easier
37 and streamlining everything and making it simpler for everybody to
38 use, so it gets industry support and we can get to the end goal of
39 where we want to be.

40
41 This seems, to me, that it's just making it more difficult, because
42 we're giving information that isn't helping our fishery, really,
43 and, I mean, there's no -- She didn't say anything about -- It's
44 not going to be used for management, or anything like that, right,
45 and it's just going to be used for managing the sharks.

46
47 **CHAIRMAN GREEN:** So, well, the way that I took what she said, and
48 maybe I -- What I have found with agency people, and you all cover

1 your ears back there, is that they don't give you direct answers,
2 because there's a chain of how it happens. There's a chain of
3 command, and she also said that it could be used later, and so, I
4 mean, we're all in here talking about giving more data, because we
5 want our fishery to be robust, and so, to me, this is part of
6 making the fishery robust, whether you're showing that or not, and
7 it's a long game.

8
9 It's a hundred-year rebuilding plan, and, I mean, like, to me, we
10 almost need to get more involved in the HMS process, and try and
11 be effective there, but that's me, and that's how my brain works,
12 and so, I mean, I'm not going to tell you that you're wrong,
13 because you're right, and we are streamlining, and making it
14 optional still streamlines it.

15
16 It's there if you want to participate, but, like I said, I'm not
17 trying to like hold us up, or spend a whole bunch of time talking
18 about whether it's good or not, you know, and, I mean, like I
19 understand it's -- Like you and Bo have the same train of thought
20 on that, and I have a different train of thought, and we haven't
21 heard from everybody in the room, but, you know, if it's something
22 we want to do, then I think now is a good time to bring it up, and
23 vote it up or down, and, if not, we can move on to something else.

24
25 **MR. PAPAN:** Is anybody from like the council, or the management
26 process, and are they -- Are any of them asking for this
27 information, or is it just --

28
29 **CHAIRMAN GREEN:** They weren't asking for our data from the charter
30 boats, and we forced this. Like they got tired of us badgering
31 them about it, you know, and it's like --

32
33 **MR. PAPAN:** But, I mean, we have a goal for this process.

34
35 **CHAIRMAN GREEN:** If we have an issue with a species, I don't
36 understand where anybody wouldn't want to give more data, to figure
37 out a solution for the species, and like, to me, it's not seeing
38 the forest for the trees, and I'm not trying to be rude to you or
39 nothing like that, but, if we're having a problem, and it's so
40 much that we're hearing it from fishermen from all around the Gulf,
41 up the eastern seaboard, and we're not doing anything about it,
42 then quit complaining about dolphins and sharks, and not you, and
43 that's how I feel about it.

44
45 Like if we're not going to be stewards of the resource, and try
46 and find a solution, then I'm tired of hearing people complain
47 about it, and maybe you don't hear it as much, and I hear it a
48 lot.

1
2 **MR. PAPEN:** No, we see it all the time, just like everybody in
3 this room does, I'm sure, but, you know, if the end goal is fixing
4 the problem, and our information isn't doing that, then why are we
5 doing it?
6

7 **CHAIRMAN GREEN:** Because she talked in a very general -- In a big
8 generality, and she was very high-level. They've never had this
9 information, and so how in the world are we going to know how it
10 affects us? What if they have it, and then, two years down the
11 line, they plug it into a stock assessment, and they're like, woah,
12 this thing shows this is way rebuilt, and maybe we can think about
13 taking harvest from it, and it's a long game.
14

15 Sharks and mammals are long games, and they live as long as us, in
16 some instances, or longer, and so it's -- Like I said, I'm not
17 trying to burn up a bunch of time in this meeting about it, but,
18 you know, if we want to do it, this is a good time, and there are
19 no answers to your question, and there's no hard line of whether
20 or not it's going to be effective for us, but I know what's not
21 going to be effective for us, and that's not having anything at
22 all, and that's my opinion. Mike.
23

24 **MR. JENNINGS:** Mr. Chair, I agree, and my comments, a while ago,
25 were not to discourage, and they were just some basic thoughts on
26 where this, you know, can or can't go in the near future, and I do
27 agree with you that nothing is going to happen fast, but we --
28 It's difficult to sit around a table and complain about something
29 when you make zero effort to be a part of the solution, and, with
30 that, if I may, I would like to make a motion on this, and see if
31 we can move it forward in discussion, or shoot it down, or whatever
32 we want to do.
33

34 **CHAIRMAN GREEN:** Okay.
35

36 **MR. JENNINGS:** I would like to make a motion to recommend that the
37 council add an optional depredation data section to the daily
38 reporting, to include a selection list of predatory species and
39 marine mammals. We can wordsmith that however.
40

41 **CHAIRMAN GREEN:** All right. We've got a motion on the board.
42 Clay, did you second? We have a second. Discussion? Yes, Dr.
43 Masi.
44

45 **DR. MASI:** All right, and so I just wanted to kind of reiterate
46 something that Andy said, that, as scientists, as data analysts,
47 like we love data, and we can't answer anything unless we have
48 some data to start exploring it and to figure out how we're going

1 to use it, and so, with that, I would say that I have heard not
2 just about depredation, but I've heard about adding fields that
3 would support things like the descending devices, and other folks
4 come to me and say it would be really great if we could have this
5 in the logbook, and so my only comment, on this motion, is -- I
6 mean, it's important, for you guys right now, to get depredation,
7 because sharks are a problem.

8
9 Tomorrow, something else might be a problem, and so maybe thinking
10 about making it more general, to say something like having the
11 option to add in fields where we're going to do something that's
12 to benefit the fishery, or the industry, at this time, and I'm not
13 a word person, but, you know, adding something in there that's
14 sort of more general, so that you can get this information in
15 there, from time to time, that helps you, and helps us, better
16 understand what's happening out there.

17
18 **CHAIRMAN GREEN:** Thank you. Mike, before you do, I just want to
19 say that, you know, all these things -- Like so this is all going
20 to go in a document, and staff is then going to research it, and
21 then they're going to bring it to the council, and, you know, we're
22 going to have time to say, well, oh, we want -- No, we might not
23 want this, you know what I mean, and, after the council discussion
24 -- They might throw it out, and never put it in there, but, if we
25 don't put it in here, and we don't talk about it, then we can't
26 see what that is, and like a lot of that --

27
28 You saw a lot of that in 41 and 42, and we had like six meetings,
29 or something like that, and then we ended up going up there and
30 asking them to table it indefinitely, and so, you know, just
31 because we're in here asking about it, and talking about it, and
32 we ask the council to add this in -- All this does is it's going
33 to give us more information on whether or not this is a good idea,
34 and we're going to have probably over a year, and probably multiple
35 points, a couple of -- A meeting or two more, where we're going to
36 get to give our input on what the council analyzes.

37
38 When you make these motions, please understand that this isn't
39 like the final, and like this isn't the last time we're all going
40 to see each other, probably, and we'll probably see each other at
41 least once, or maybe twice, through this process, because we're -
42 - You know, there's a lot of things that we all agree on, but
43 there's some contentious things to figure out, and so just be aware
44 of that.

45
46 We have a motion to recommend to the council to add an optional
47 depredation data section to the data reporting to include a
48 selection list of predator species and marine mammals. We had a

1 first and a second, and is there anybody that -- Mike, you're next.
2 Sorry.

3
4 **MR. JENNINGS:** The only thing that I wanted to add, in addressing
5 Captain Steve's comments over there, is, obviously, you know, this
6 is optional, and so, if you're looking to streamline this, is the
7 word that was used earlier, to streamline this for yourself, it's
8 optional, and so this thing adds nothing to you, if you choose to
9 not participate in it, and it doesn't make your reporting any
10 longer.

11
12 **CHAIRMAN GREEN:** Welcome, Andrew. Good morning.

13
14 **MR. ANDREW PETERSON:** Hi, guys. My name is Andrew Peterson, and
15 I'm with Bluefin Data and the VESL application. One point that I
16 wanted to make on this is the data collection, and the data
17 analysis, can be done in separate stages, and so, like Jim said,
18 we can start the data collection, especially if we go the opt-in
19 route, and we have more flexibility, to where we can collect the
20 data and then figure out what we want to do with it.

21
22 We can look at it, and we can say, hey, do we want to provide this
23 to fishery managers or not, and, I mean, to me, that's an option,
24 especially if we go the opt-in route, without having to go through
25 a PRA process, and the SERO group doesn't have to really be
26 involved, and we can opt-in, and we can collect the data, and then
27 we can decide, and take this in baby steps, like Jim mentioned.

28
29 **CHAIRMAN GREEN:** Thank you, Andrew. Does anybody else want to
30 have any discussion on the motion on the board? **Is there any**
31 **opposition to the motion on the board? Seeing none, the motion**
32 **passes unanimously.**

33
34 All right, and that handles that. Another thing that we didn't
35 address, because we kind of ran out of time yesterday, that was on
36 my list was the economic reporting. We haven't addressed that.
37 Mike.

38
39 **MR. JENNINGS:** I'm already with you, Mr. Chair, and I've got a
40 motion on that too, if you would like.

41
42 **CHAIRMAN GREEN:** Sure. Go ahead.

43
44 **MR. JENNINGS:** I would like to make a motion that -- I'm going to
45 make this real simple, and we may need to work on this, but
46 recommend that the council remove the economic information data
47 from the daily reporting requirements.

48

1 **CHAIRMAN GREEN:** I will let Richard have that one, the second,
2 Clay. We'll let -- The motion is to recommend to the council to
3 remove the economic information from daily reporting requirements.
4 That motion was by Mike, and seconded by Richard. You weren't?
5 Okay. All right. Clay, then you're next to speak. The floor is
6 yours.

7
8 **MR. SHIDLER:** I feel that removing the economic data is kind of a
9 challenging subject, really just because of the fact that it's
10 going to make it a lot harder to prove the value of our industry.
11 I mean, we're all here as business people, whether we own our own
12 businesses or we're working for somebody running a boat, and I
13 think that's kind of a challenge, to say that -- I mean, a lot of
14 people have been in this a lot longer than I have, but, at the
15 same time -- I mean, I'm going to refer to Mike, and the value of
16 this industry, and these permits, has risen substantially in the
17 past thirty years, and I use thirty years because that's my
18 lifetime, but the value of our industry as a whole, our sector,
19 has risen substantially, the price of charters and everything else,
20 and I think that, if we can't show the modern value of our fishery,
21 then we're really setting ourselves up to kind of shoot ourselves
22 in the foot, seeing as how we may be the most underfunded sector,
23 in reality.

24
25 I think there's probably -- That's purely conjecture, but I would
26 say that we probably are the most underfunded sector, and, as this
27 gets more and more challenging, and recreational and commercial
28 both want larger pieces of the pie, at some point down the road,
29 having economic data to support the fact that, hey, we are a
30 viable, profitable, you know, powerhouse of an industry, for lack
31 of better words, and it can be really important to maintain what
32 we have.

33
34 If there's any possibility for our sector to grow, as sector
35 separation, you know, moves forward in other species, and we start
36 discussing, you know, cutting the pie down, and us taking our
37 piece, and I think that showing the economic data could be super
38 important, and I know that sector separation is another hot topic
39 and all that, and I'm not trying to get into that, but, you know,
40 as we look at that with other species, I think it could be super
41 valuable for us to have the economic data to back our claim for
42 our percentage and really showcase kind of what we are.

43
44 **CHAIRMAN GREEN:** Thank you, Clay. Mike.

45
46 **MR. JENNINGS:** Captain Clay, you're not going to find a bigger
47 proponent for collecting economic data than myself. I mean, I was
48 involved from prior to day-one of the sector separation issue, and

1 we learned some hard lessons, especially with allocation splits,
2 as we talked about yesterday.

3
4 You know, we took a one-third haircut, and we were fighting, even
5 then, to try to justify our value in the fishery, and this was not
6 to say that -- Our approach here, or my approach anyway, goes back
7 to our discussion yesterday of, yes, we want to collect this
8 economic data, and we want to do it in a different way. We want
9 to explore other ways than in that daily reporting, which part of
10 the fleet had such heartburn about.

11
12 We can step back, and the economic data does need to be collected,
13 and I'm 100 percent in favor of it, and we're just trying to --
14 Our attempt here, or my attempt anyway, was to take it out of that
15 daily reporting and streamline that thing, get a little more
16 industry support for this reporting process, for the data
17 collection on the fishery side of things, and then explore other
18 options on the economic data collection, be it prior to -- Be it
19 a form prior to renewing your permits, being a permit renewal
20 requirement, or something along those lines, and, I mean, there's
21 other options there than this daily, you know, click and spin and
22 hit send that we're doing right now, and I think that it would
23 help to get a lot more buy-in from the industry on this data
24 collection thing, for the fisheries side, and that was my thought.

25
26 **CHAIRMAN GREEN:** Thank you, Mike. Sebo.

27
28 **MR. SEYMOUR:** I support this motion. One of the things that I've
29 noticed, which I heard talk before about the disasters, and I've
30 rode through Katrina, the BP oil spill, Bonnet Carre, and COVID.
31 The agency, where I'm assuming that disaster fund that comes out
32 of Congress -- We got it in Katrina.

33
34 The federal for-hire got, and all the state guys got it, and it
35 was equally distributed, through the State of Mississippi, to
36 whoever had qualified with a charter license anyway, and so we
37 just got a Bonnet Carre relief from the state, which was federally
38 funded, apparently, and then the state equally distributed through
39 the seventy-two registered charter boats in Mississippi. Josh
40 didn't make the qualification, because his stakeholder didn't come
41 in in time for 2019 or 2020 or whatever it was.

42
43 I just wanted everybody to know that, on the economic data side,
44 they know what's all being registered in your state, because we
45 get a lot of disasters where I'm from, and the Bonnet Carre was
46 definitely -- It was one of the most damaging, not include the
47 flesh-eating bacteria one that we got a couple of years ago. Some
48 of the guys in Florida, they get red tide, of course, but I just

1 would like to make sure that everybody understood that, in my area,
2 but I do support this motion. Thank you.

3
4 **CHAIRMAN GREEN:** Thank you, Sebo. Is there any more discussion on
5 the motion? Lisa.

6
7 **DR. HOLLENSHAD:** So just some clarification for staff, and so, as
8 I read the motion just now, it says, you know, to recommend to
9 remove economic information, and, Captain Jennings, I appreciate
10 the clarification that it was like, you know, I don't want it daily
11 from the logbook, but, you know, there's still some appetite
12 potentially, from here in the group, to provide some sort of
13 information.

14
15 I will certainly get that in the body of the report, but sometimes
16 that gets lost in the report, and a lot of the folks just look at
17 motions, and so I don't know if you wanted to put something in
18 there, you know, to remove the economic information from the daily
19 reporting requirements and explore other avenues for collecting
20 economic data, I guess just so the council is aware that -- You
21 know, however the group would like to proceed.

22
23 **MR. JENNINGS:** I guess I'm open to your thoughts on what would be
24 the simplest way to word this, where it would be simple and
25 straightforward for staff when they type it up.

26
27 **CHAIRMAN GREEN:** If we add it at the end, from daily reporting --
28 You know, information from the daily reporting requirements, and
29 then but we would --

30
31 **DR. HOLLENSHAD:** And explore other methods for collecting economic
32 data in the for-hire charter fishery, something like that.

33
34 **CHAIRMAN GREEN:** Yes, and, that way, it leaves it open, whether
35 annually or quarterly or random, or whatever the will of the
36 council is, and I think that demonstrates that we want to, but we
37 don't want it on the report. Yes, Ed.

38
39 **MR. WALKER:** I was going to say the same thing, because, at first
40 glance, before, that would be like we don't want anything to do
41 with any economic data, but that's not really the --

42
43 **CHAIRMAN GREEN:** Well, I was going for a simple thing, to say that,
44 hey, we don't want it on the daily reporting, and then, when that
45 motion passed, I was going to ask the guys, well, what do you want
46 it to look like, and then pass a motion similar, but we can add
47 the two.

48

1 **MR. WALKER:** I think this is good. I like it.
2
3 **CHAIRMAN GREEN:** Richard, go ahead.
4
5 **MR. FISCHER:** Thank you, Mr. Chair. If I may, would we be willing
6 to change the word "other" to "voluntary"?
7
8 **MR. JENNINGS:** I am not.
9
10 **CHAIRMAN GREEN:** Thad.
11
12 **MR. STEWART:** I would like to address I believe it's Assane, and
13 he spoke, yesterday, on the use of the economic data, and the main
14 phrase that stuck out to me was the value of that fish, and I was
15 wondering if you could kind of give some input on what this motion
16 would mean for that, if it's even useful.
17
18 **CHAIRMAN GREEN:** Or maybe even what method we would collect the
19 information.
20
21 **MR. STEWART:** Right, and just any input on this from you, because,
22 I mean, I believe you're probably the expert in the room.
23
24 **CHAIRMAN GREEN:** Oh, he is.
25
26 **DR. DIAGNE:** Well, okay, and that's a point for debate, but, I
27 mean, to the extent that this group is willing to have some
28 collection, which this motion captures -- For example, I understand
29 that folks do not want to fill out the economic information every
30 single day with reporting, but one of the avenues would be, for
31 example, to have a sample of for-hire operators that would be
32 required to fill this out, and, if that sample was truly a random
33 sample, something to which, I mean, John and Michelle spoke about
34 early on, then that would allow us to capture the same information.
35
36 For example, say, just throwing out a number, if 20 percent of the
37 operators were to be selected, and those would fill out the
38 information, then that could be useful to getting towards the
39 value, because, at the end of the day, when you look at these
40 amendments, I see a lot of emphasis has been placed on disaster
41 relief and so forth, but, on a daily basis, for management
42 alternatives, we need to be able to assess the value of let's say
43 a trip, because the product that you guys are selling is a fishing
44 trip, and so we need to be able to look at that fishing trip, and
45 what is the value of it, the economic value of it, because you can
46 have some management alternatives that would reduce your season,
47 meaning would allow you to only have a very limited number of
48 trips, versus other management measure that would allow you to

1 fish longer and have more trips, forgetting about seasonality and
2 so forth, and we need to be able to tell the council that this
3 option would affect the charter industry this much, versus the
4 other one, and allow them to make the better, quote, unquote
5 decision, outside of any disaster and so forth.

6
7 Depending on what this group is willing to, I guess, accept, and
8 the direction that the council would take, I mean, there is
9 definitely some progress to this to capture that information, and
10 I don't know if I have begun to answer your question.

11
12 **MR. STEWART:** You did. Thank you.

13
14 **MR. JENNINGS:** Assane, real quick, if you don't mind, just while
15 we're on the topic of discussion, and I know, on the commercial
16 side, we're randomly selected, and do you know what that percentage
17 is, off the top of your head, on the commercial side on the
18 economics?

19
20 **DR. DIAGNE:** No, I don't know.

21
22 **MR. JENNINGS:** What percentage of the fleet is sampled each year?

23
24 **DR. DIAGNE:** I don't know, off the top of my head, but I can check
25 and get back to you with that.

26
27 **MR. JENNINGS:** Thank you.

28
29 **DR. HOLLENSEAD:** Captain Jennings, I believe it's 20 percent.

30
31 **MR. SEYMOUR:** I have a question for Assane, also.

32
33 **CHAIRMAN GREEN:** Go ahead, Sebo.

34
35 **MR. SEYMOUR:** On the private angling sector, under Amendment 50,
36 how do we figure -- How is the agency figuring their economic --
37 Are we collecting those numbers also? Is that coming from a group
38 like CCA or somebody that supports the private angling sector and
39 regional management?

40
41 **DR. DIAGNE:** No, it doesn't. I mean, one of the things that we
42 have to keep in mind is that let's say the private anglers are not
43 selling anything, right, and so, over there, if you are to look at
44 the value of a fish, you really have to measure it in terms of the
45 satisfaction that the angler gets, and that satisfaction -- We
46 measure it by using something called consumer surplus, which is
47 the amount of money, you know, that the angler would be willing to
48 pay above the cost of going and catching the fish.

1
2 It is not really any organization that would supply that, and the
3 way that we get at this is that the Science Center periodically
4 would conduct some surveys, or some studies, and one of those
5 studies would be based on what is known as a choice experiment.
6 For example, you are offered two different bundles, one with let's
7 say three gag, et cetera, and another one with two gag and some
8 other fish, and, with some statistical methods, you can determine
9 the value, or the consumer surplus, of that fish caught by a
10 private angler.

11
12 For you folks, I mean, you have a product to sell, and so, anybody
13 that's selling anything, at the end of the day, the important
14 question is how well are you doing, right, and, to get to that,
15 you need to know how much money you made, and you need to have a
16 reasonable sense of the cost, and so that's where, really, the
17 value of these questions lies, right, and the revenue is one side,
18 and cost is on the other side, to be able to determine what it is
19 that you guys get out of these fisheries by selling trips.

20
21 **CHAIRMAN GREEN:** So, Assane, it's basically it's a different
22 methodology for the private recs, because commercial and charter
23 make money off the resource, and it will be closer to like what
24 the commercials do, correct?

25
26 **DR. DIAGNE:** Yes, it is closer, even though -- I mean, you are
27 selling trips, but, you know, you have a fish also that is not
28 marketed directly, and so, I mean, there are similarities, like
29 you said, but it is different, because, for the commercial sector,
30 at the end of the day, I caught ten pounds of fish, and I sold it
31 to the dealer, and that's pretty straightforward.

32
33 **CHAIRMAN GREEN:** Gotcha. Thank you. Go ahead, Joshua.

34
35 **MR. ELLENDER:** So the process, when you collect the data from the
36 commercial guys, and, the data that you collect from an individual,
37 is it attached to that individual, or does it go into a pool, and
38 you don't actually know who it comes from, and so it would be
39 anonymous at that point?

40
41 **DR. DIAGNE:** The analyst can initially know where the data comes
42 from, yes, but, at the end of the day, in everything we write,
43 nothing is reported that would allow a reader to identify a
44 particular individual, to the extent that sometimes, even when we
45 report average, you know, returns, or sizes and so forth, if we
46 have less than three observations, that would not be reported,
47 because we want to protect the privacy of the folks that provided
48 the data.

1
2 **CHAIRMAN GREEN:** Thank you. Any more questions for Assane? Thank
3 you so much, Assane. Right now, we've got the motion on the board
4 to recommend the council remove the economic information data from
5 the daily reporting requirements and explore other methods for
6 collecting economic data in the for-hire industry. We have a
7 motion and a second. Is there any further discussion? Dr. Masi.

8
9 **DR. MASI:** I just want to come back to a couple of points. The
10 first thing that I want to say though is we need to be sensitive
11 to the fact that our vendors have to pay for development, to make
12 all of these changes, and, for example, we talked already,
13 yesterday, about how folks are interested in, you know, supporting
14 our dual-permitted vessels, who have to do reporting for multiple
15 different permits.

16
17 For right now in eTRIPS, if you're a commercial fisherman, you
18 actually have to -- When you see those economic fields, you have
19 to either -- You know, if you're required to answer them, because
20 you're randomly selected, you have to fill in that information, or
21 you can leave them blank and submit your report without any
22 penalty, if you're not required.

23
24 Those fields are in there, and, because of the way that eTRIPS is
25 built, and we're a shared partner with commercial, and so it would
26 be a big development leap for eTRIPS to have to go in and remove
27 those questions just for us, for SEFHIER, and so the way that
28 you've worded this is that you don't want to see them, but there
29 is, you know, conversations out there that potentially we would
30 have them as optional, and so I'm just thinking maybe be sensitive
31 to the fact that they could be there, but you don't have to answer
32 them, that kind of thing.

33
34 **CHAIRMAN GREEN:** Gotcha. Thank you. In my mind, I think we kind
35 of accomplished that by removing the requirement, and we're not
36 saying it has to remove the field, but we're removing the
37 requirement, and so, you know, maybe it's not them pulling out the
38 field, but making it optional or whatever, but anybody else?
39 Joshua.

40
41 **MR. ELLENDER:** Then we may want to put that in that motion. We
42 need to probably specifically say remove the requirement of the
43 economic --

44
45 **CHAIRMAN GREEN:** It says it. It says remove -- It says "remove
46 the economic information data from the daily reporting
47 requirements".

1 **MR. ELLENDER:** Okay. Sorry.

2

3 **CHAIRMAN GREEN:** No, and it's all -- I want everybody -- When we
4 vote on this, I want everybody to know what we're voting on, and
5 so, if anybody needs clarification, please speak up. Does anybody
6 have any further discussion on this motion? **Is there any**
7 **opposition to this motion? Seeing none, the motion passes**
8 **unanimously.**

9

10 All right, and so some other things that were brought up, and I'm
11 kind of going off the list that we had yesterday, and I'm
12 scratching stuff out as we go of things that we can actually make
13 motions about, and, Sebo, you had regional species in there, and
14 were you just talking about sharks?

15

16 **MR. SEYMOUR:** The sharks and the SEFHIER program, basically.

17

18 **CHAIRMAN GREEN:** Gotcha, and then another thing was brought up,
19 and I believe Richard Fischer did it, was to move weekly -- To
20 weekly data reporting, and not daily, and so is that something
21 that we want to address, and make a motion about, or discuss? I
22 don't want anyone to feel like I'm breezing over anything that was
23 important to them. Go ahead.

24

25 **MR. FISCHER:** Thank you, Mr. Chair. **I will a motion simply to**
26 **begin the discussion, and, if there's not a second, then maybe we**
27 **move on.** I think there was some very compelling evidence, after
28 I brought up that yesterday, that was discussed, about potentially
29 some of the reasons why there's less buy-in in the South Atlantic,
30 and that could have to do with weekly, but it also could have to
31 do with other reasons as well.

32

33 I still kind of feel that there are other reasons that go into why
34 there is less compliance in the South Atlantic than in the Gulf,
35 and so, for the interest of the conversation, I would like to make
36 a motion that has to do with weekly reporting, instead of daily
37 reporting, and so it would just simply be that, to recommend to
38 the council that we move toward weekly reporting, instead of daily
39 reporting, and we'll see if I get a second.

40

41 **CHAIRMAN GREEN:** All right. Ms. Bernie is getting that on the
42 board. Is there a second? Where did Joshua go, your partner in
43 crime? Do you want to wait until he gets back, Richard?

44

45 **MR. FISCHER:** Sure.

46

47 **MR. SEYMOUR:** I will second it, to see if we get any discussion on
48 it. I will second it.

1
2 **CHAIRMAN GREEN:** All right. I wasn't trying to -- I want us to
3 discuss it, and I want to have it on the record, and so Clay and
4 then Mike and Thad.

5
6 **MR. SHIDLER:** I will say that weekly reporting wouldn't be nice
7 upon occasion, but I think that there's a lot of times, like say
8 red snapper season, that where trying to compile your week of
9 fishing into either one report or -- Just the idea of remembering
10 it, to be honest with you. it would be a challenge.

11
12 I do like -- In looking in the direction of no-fish reports, I
13 like the weekly aspect of that, for sure, to say that, hey, you
14 said we're going on vacation for three weeks, and I file my no-
15 fish reports, and, you know, I think, on the no-fish reports
16 weekly, it could be very handy, but, as far as daily fishing
17 activity, I think it would be very challenging, and also from the
18 aspect of trip declarations, because, for me personally, when I go
19 -- If I go on a recreational red snapper trip during the
20 summertime, when it's open recreational and charter, and I have my
21 family on the boat, and I keep my fish, it's going to create a
22 challenge if I get pulled over at the end of the day, and I say,
23 no, I've been on a charter for the past five days, but today I'm
24 recreational, when I have my declaration already filed that I'm
25 leaving on a recreational trip, and I have used this in the past,
26 because my boat is a known charter boat.

27
28 When I get pulled over, and I have my limit, and I have my fish in
29 my possession, it's really easy to go back to look at the officer
30 and say I filed, this morning, as a recreational trip, and I made
31 my declaration, and I'm recreational fishing, and I'm legal, and
32 so I think that's kind of where the -- Where going to a weekly
33 reporting system can make things more challenging.

34
35 **CHAIRMAN GREEN:** Gotcha. Thank you, Clay. It will be Mike, Thad,
36 and then Sebo.

37
38 **MR. JENNINGS:** So I'm going to speak in opposition to this, for
39 multiple reasons. One is my -- This comes from a manager side of
40 things, and owning multiple boats, and not to make light of it,
41 but, you know, my -- This daily reporting, currently, is tied to
42 me renewing these permits, and so my permits, that are very
43 valuable, are tied to this reporting, and, you know, I've got a
44 captain that can't remember to put a belt on from one day to the
45 next and ties his pants up with fishing string, and I don't want
46 to have to rely on him to remember, at the end of the week, what
47 he did throughout that week, when he's working daily to dark, seven
48 days a week, and having that tied to the renewal of my permits.

1
2 The main thing, to me, is that we're already removing VMS, which
3 is one of the major validation points that we've had for this data
4 reporting, and so then, if we remove the daily reporting, now we've
5 dumbed-down the dockside intercepts, and part of the dockside
6 intercepts, from a law enforcement standpoint, is, as you're
7 required, to input that number of fish, accurately, before you
8 offload them.

9
10 If he comes walking down the dock, that's a major validation
11 process that just took place, when he comes behind you says, yup,
12 you're correct, and thank you and have a nice day. We're losing
13 the ability to validate this information, and this would just dumb
14 it down one more, by making that dockside intercept even weaker,
15 because, if you're reporting at the end of the week, it doesn't -
16 - It doesn't do you any good from one day to the next. If you
17 don't have to report on Monday, or you don't have to report until
18 Friday, then his dockside intercept is, yup, you're here, and
19 you've got a logbook app on your phone, and that's the best you've
20 gotten out of that dockside intercept, and so that's where I have
21 my main contention with it.

22
23 **CHAIRMAN GREEN:** Thank you, Mike. Thad.

24
25 **MR. STEWART:** Okay, and so this is twofold. One is sleep
26 deprivation is real, and, in the middle of July, and you're on
27 day-ninety in a row, or whatever it is, and you're supposed to
28 report on that day, and that's day-five, and I am going to forget.
29 I'm just telling you right now, and my permits won't be worth
30 anything.

31
32 Gone, out the window completely, and the other side of it is
33 accuracy, because, I mean, that's what we're all going for here,
34 is accurate data, and, unless you're an extremely diligent person,
35 that's running two six-hour trips a day, and marking every fish
36 you catch, every fish you release, and we're talking about now
37 including the depredation and all that, and, I mean, that -- You
38 would have to be really diligent, man, I mean like really, really
39 diligent, and we, as fishermen -- I mean, yes, we have to be detail
40 oriented, for the safety of our people, the well-being of our
41 vessels, and all that kind of stuff, but it's just -- I think this
42 fights our nature a little bit, and so that's my concern with it,
43 the accuracy, and I'm going to forget and lose my permits.

44
45 **CHAIRMAN GREEN:** Thank you, Thad. Sebo is next, and then Steve.

46
47 **MR. SEYMOUR:** I wanted to touch back on data collection in
48 Mississippi. Tails 'n Scales was devised by Ms. Carly back there

1 for the State of Mississippi, and, when Amendment 50 started, the
2 first implement of Tails 'n Scales was a slap on the wrist without
3 having a validated number, a daily hail-out, for private anglers
4 and for-hire, and so, as the program went on, the data collection
5 was coming in at a state level, and not a federal level, and so
6 you all would have to take this into consideration, and the second,
7 or the third, year, it was mandatory, no questions asked.

8
9 If you don't have that number, and you get pulled over by agency
10 law enforcement, it's a \$500 fine and removal of all the snapper
11 that's onboard. I know a charter boat guy who forgot his number
12 last year, a state guide, and, now, he was under the nine-mile
13 line, and so he was legal there, and he wasn't across the fence,
14 with four passengers onboard, or five, on a twenty-five Mako, and
15 they gave the man a ticket and took his fish, and told him to go
16 back to state waters. His day, his adventure, was over, and so,
17 yes, daily reporting must be important in Mississippi, and so
18 they're doing it with no questions asked, and there's no I'm going
19 to slap you on the wrist no more, and it's a sure-enough violation
20 now, and removal of your fish.

21
22 Weekly reporting would be -- I don't know how Texas and Louisiana
23 is on their private angling sector, but we're all tied in it
24 together in Mississippi, and so we're two apps, regardless, and so
25 it doesn't matter to me, but daily reporting is what I -- Is going
26 to be my choice, and not weekly reporting. Thank you.

27
28 **CHAIRMAN GREEN:** Thank you, Sebo. Steve, you're next, and then
29 Richard.

30
31 **MR. PAPAN:** Thad kind of touched on it, what I was going to say,
32 and I think weekly reporting just kind of leads to less-accurate
33 information. You know, if I've got -- If I run Monday through
34 Saturday, or something like that, or Sunday, and then, at the very
35 end, I have to remember every trip, and especially spring break,
36 and we run multiple trips in a day, and we could run fourteen --
37 Two boats, I could run twenty-eight trips in a week, and then, at
38 the end of that, I've got to sit there and go back and do twenty-
39 eight different landings, and it seems like, every day, it just
40 becomes part of the process, you know, and it's like getting fuel
41 and getting ice. You know, at the end of your day, you're doing
42 this on your way back to the dock, on your way in, whatever, and
43 you're filling it all out, and so I'm opposed to this motion.

44
45 **CHAIRMAN GREEN:** Gotcha. Thank you, Steve, and I just wanted to
46 add that, you know, I also like daily reporting. The headboat,
47 right now -- When SEFHIER came back, headboat went back to weekly
48 reporting, and we, you know, referred it back to the last

1 regulations that we were under, and I never broke stride.

2
3 Like back before, it was kind of like -- Almost the burden was
4 taking the time after a week to enter in forty-five minutes' worth
5 of trip reports, and it seemed way easier to dedicate two or three
6 or four or five minutes a day to do it, and so that's my opinion,
7 personally, but, Richard, if you would like to speak.

8
9 **MR. FISCHER:** Yes, and thank you, Mr. Chair, and I appreciate the
10 conversation, everyone, and I actually wasn't going to bring it up
11 today, after we learned about some of the validation issues in the
12 South Atlantic yesterday, after I had brought up some of my initial
13 points yesterday morning, but you gave me the segue, and you gave
14 me the opportunity to make a fool of myself, and I've never been
15 able to turn those opportunities down, and so thank you all for
16 the conversation, and I appreciate us at least considering it,
17 but, Mike and Thad, you all did give me a little bit of a segue to
18 a motion that I did want to make today, and it has to do with the
19 possibility of potentially losing your permit if you have well-
20 intentioned problems with logbooks, where you just forgot, or it
21 is just didn't happen. **I would like to withdraw my motion and**
22 **make a second motion.** I don't know if we have to withdraw the
23 second as well, from a technical standpoint.

24
25 **CHAIRMAN GREEN:** No, and I don't think the second has to approve
26 that, and so we'll withdraw that from the board, and then you can
27 start fresh. You still have the floor.

28
29 **MR. FISCHER:** So hopefully I do a little bit better with this one.
30 **This separate motion would be to ask NOAA Fisheries and the Gulf**
31 **Council to remove the inability to renew a permit from logbook**
32 **violators who are not repeat offenders and who are making good-**
33 **faith efforts to comply with the program.**

34
35 The intent, and the rationale, for that is that we shouldn't have
36 a situation where, if you forget to file your logbook report,
37 you're at risk of losing your permit. We shouldn't have a
38 situation where, if your device breaks, if you choose to go the
39 VMS route, and you've got customers at the dock, and you've got to
40 take them fishing, and you've got to make money, and you're willing
41 to go through the processes of reporting your catch in a separate
42 way, and this is to protect the doomsday scenario of good people
43 making good decisions to feed their families, and still making
44 every good-faith attempt to comply with the program, not being at
45 risk of potentially losing their permit.

46
47 Look, if you're just straight-up not complying, by all means, lose
48 your permit. If you're a repeat violator, where you're just going

1 to keep not doing a daily logbook, fine, and you can be out as
2 well, but this is the one-offs, and it shouldn't be a scenario
3 where -- I talked to a captain, about a year ago, whose signal
4 went dormant during the winter, when his boat was in a boathouse,
5 and he got a letter from NOAA Fisheries saying you can't renew
6 your permit, and he was able to get it straightened out, after
7 more communications happened, but, boy, that letter sure scared
8 the bejesus out of him, and so it's kind of removing that from
9 being on the table.

10
11 **CHAIRMAN GREEN:** Gotcha. All right, and so we have a motion to
12 ask NOAA Fisheries and the council, and I would say "to remove"
13 the inability to renew a permit from logbook violators who are not
14 repeat offenders and make good-faith efforts to comply with -- I
15 guess he's saying the data collection program.

16
17 **MR. FISCHER:** Yes. I have a way of speaking in shorthand about
18 logbooks. Thank you, Jim.

19
20 **CHAIRMAN GREEN:** No problem, and so we've got a motion. Do we
21 have a second?

22
23 **MR. SEYMOUR:** I will second it.

24
25 **CHAIRMAN GREEN:** We've got a second from Sebo. All right. Sebo,
26 you were next to speak, if you would like to go.

27
28 **MR. SEYMOUR:** Yes, and I'm going to touch on discussion, and are
29 we on discussion now?

30
31 **CHAIRMAN GREEN:** Yes.

32
33 **MR. SEYMOUR:** I support this, because I was a port ambassador of
34 SEFHIER, and, of course, we only got really ten of us on the radio
35 during red snapper season, and so it's not like we can't not all
36 talk to each other, because we're, hey, don't forget to do your
37 Tails 'n Scales today, and do SEFHIER, and, anyway, we can all
38 leave at six o'clock and talk on the radio, in our area, for the
39 whole fleet, but I caught a ration of bull over one of the charter
40 boats down the pier from me, and he was using the NEMO, or the
41 little one, whatever it was, and his permit renewed on his
42 birthday, right in the middle of snapper season, and, somehow or
43 other, his battery, on the solar gizmo, went out, and I caught it
44 at the pier, and he was like, Sebo, what do I do, what do I do,
45 and, I said, you've got to call them, and we've got you to figure
46 out why you're not being pinged anymore.

47
48 The violation is -- It had the guy in complete -- He already had

1 a permit for, whatever, twenty-some-odd-plus years, and he was a
2 seasoned guy, but that's one of the things that I support this,
3 because of -- In a business aspect, and, basically, reef fish
4 permits, and pelagics, is probably the most valuable part of my
5 whole operation, not even including the books or the slip or what
6 have you, or the boat, but then we go back and say that, on the
7 other side of it, if you don't fill out your state Tails 'n Scales,
8 it's a \$500 fine. They did that for a reason, so that all data
9 collection would come in, and so I do support this effort. Thank
10 you.

11
12 **CHAIRMAN GREEN:** Thank you, Sebo. I'm going to speak to it, real
13 quick, and then it's going to be Mike, but I'm not in support of
14 this, and it's not because it's Richard, just so you know, but, to
15 me, when you run a boat, and you're a boat captain, there is a
16 tremendous level of responsibility that's placed on your
17 shoulders.

18
19 You don't forget to do your maintenance, and you don't forget to,
20 you know, pick up the bait, make sure you order your tackle, get
21 fuel in the boat, and, to me, this is just another responsibility
22 of getting to be part of a limited-access privilege program, and
23 so I speak out against it, me personally, and those are the reasons
24 why. Mike, you have the floor.

25
26 **MR. JENNINGS:** Thank you, Mr. Chair. I'm also going to speak in
27 opposition, and a couple of reasons, and one is I've had some
28 issues with permits over the years. I bought a set that had not
29 been renewed, and I had to scramble, at the last minute, to save
30 them, as I was, you know, writing the check for them, and, you
31 know, I picked the phone up, and I called the permits office, and
32 I said, here's what I've got, and I need some help with it, and I
33 have never not been helped. They have always jumped through hoops
34 to help me, and I'm no one special, and it's about taking some
35 initiative, and making some phone calls, and doing what you need
36 to do.

37
38 As far as -- My main problem with is it, to me, it makes this whole
39 program worthless. I mean, the fact that there's some teeth in
40 it, if you don't comply, is -- It gives the whole program, this
41 data collection system, some value, and it makes it something that
42 we know that people have some consequences if they don't do what
43 they're supposed to do, and so those are my two thoughts on it,
44 and so I don't support the motion.

45
46 **CHAIRMAN GREEN:** Thank you, Mike. Andy.

47
48 **MR. STRELCHECK:** I appreciate Mike's comments, and, you know, I

1 think we give a lot of grace, and good-faith effort, to work with
2 industry members, when you have permitting problems, and I
3 appreciate the concerns you have, in terms of you don't want to
4 disrupt your business, especially if you made the efforts to submit
5 logbooks and just happened to have not submitted one, you know,
6 periodically.

7
8 My concern about the motion is there's a lot of detail here that
9 we would have to figure out, in terms of what does it mean to be
10 a repeat offender, what is an offense in the first place, and is
11 that an actual legal case that's against you, versus you're not
12 submitting logbooks on a regular basis, and so I guess my
13 suggestion, if you're willing to consider it, would be to provide
14 more of a general motion of intent, in terms of you're concerned
15 about permit renewals being held up because of missing logbooks
16 for people that are making a good faith effort to submit them, and
17 you would like the council, and NOAA Fisheries, to explore options
18 to address that, right, and that gives us some flexibility then to
19 see if we can't come up with something that still maintains the
20 integrity of the program, which I'm hearing is a concern, right,
21 and it doesn't tear that down, and it gives you some flexibility
22 as well, if we can come up with an idea.

23
24 **CHAIRMAN GREEN:** Go ahead, Richard.

25
26 **MR. FISCHER:** Thank you. **Yes, I'm willing to change the wording**
27 **of my motion to what Mr. Strelcheck just said.**

28
29 **CHAIRMAN GREEN:** If you would like to go ahead and work on that
30 with Ms. Bernie, and then we'll ask the seconder if he agrees. Go
31 ahead, Clay.

32
33 **MR. SHIDLER:** Not that it's -- It's along the same lines, but, I
34 mean, in 2018 and 2019, the end of 2018 and early 2019, and my
35 permits all expired at the end of January, and we filed to renew,
36 and the government shut down, and it caused my boats to fish for
37 about fourteen days on expired permits, and there was nothing we
38 could do about it.

39
40 I mean, I never got asked, I never got stopped, and I never got
41 checked, and I was thankful that I didn't have to explain why my
42 permits were expired, but we filed our renewals about sixty days
43 out, and they were just about to probably get wrapped up at the
44 Southeast Regional Office, and the government shut down, and, when
45 they came back to work, they had a massive backlog, and we kind of
46 worked through that, but, I mean, at the same time -- I mean, if
47 you make a mistake, and you're not in compliance -- I think the
48 truth of it is, if you ask half of the guys, you know, they may be

1 willing to risk it, and, if their own fault, then that comes up to
2 them.

3
4 I mean, I had to take a risk with my boats, and understanding that
5 it actually wasn't my fault, but, if it's your fault -- I mean,
6 the reality is you didn't do your job, and this is speaking back
7 to what you said, you know, and it is your job. It is every
8 captain's job to do, you know, the right thing, whether it's the
9 boat or the permit, and I think that's, you know, exactly where we
10 need to be on this, and I agree with Mike that there has to be
11 some teeth.

12
13 **CHAIRMAN GREEN:** Gotcha. Sebo and then Thad, and, if we want to,
14 we can -- Richard, do you have any wording for this yet, what you
15 want to add, or something like that, that speaks to what Andy said,
16 and do you want to amend this?

17
18 **MR. FISCHER:** Just switching it to giving the Gulf Council, and
19 NOAA Fisheries, the ability to explore the possible situations
20 here. Andy said it way better than I'm going to be able to repeat
21 it.

22
23 **MR. SEYMOUR:** I definitely think it needs teeth, and there's no
24 doubt about that. I do get to speak to some of the Venice guys,
25 and I take a ration from them, and that's the people that Richard
26 supports, and, in this whole process, I have tried to figure out
27 a way to sell the whole program to them also, while they're doing
28 fifty miles an hour down the river, and Josh can do fifty miles an
29 hour in the open Gulf.

30
31 The rationale is what I said, and it definitely needs teeth, but
32 we've still go to -- I would love to sell this thing to the whole
33 fleet, somehow or another, in that aspect about the loss, or the
34 hold, of their permit, if that makes any sense to anybody, and I
35 don't know. Thank you.

36
37 **CHAIRMAN GREEN:** I think it makes good sense, and I think it's --
38 You know, this isn't a hard line that we're just taking something,
39 and this is asking to explore some options, and so, you know,
40 again, this is not saying that you totally agree with what comes
41 out of it, but we have to get them to get the ball rolling, to see
42 what they come up with and see if that's something that we would
43 want in our industry, or in our program, and so I was going to let
44 them do a little wordsmithing.

45
46 **MR. SEYMOUR:** Yes, and it's not as teathy now, I mean, but it's
47 something that we could probably consider that might get, you know,
48 another portion of the fleet onboard.

1
2 **CHAIRMAN GREEN:** Yes. Thad, did you want to speak to this?
3

4 **MR. STEWART:** Yes, and I just -- I just want to make sure that
5 we're acting in good faith and not trying to sue NOAA, and, the
6 way they're changing the wording, it's helping with that, but, I
7 mean, I just -- I just want to make sure that, when all this goes
8 to who it's going to, that it's not perceived that we're -- I hate
9 to say this, but hostile.

10
11 **CHAIRMAN GREEN:** Just so you know, when Lisa -- When we get done
12 with these motions, and Lisa does this report, when there is
13 something that has been discussed like this, it's included in the
14 summary of the report, that this motion passed, and the discussion
15 was -- You know, there were some that had concerns with it, and so
16 she'll -- They're really good at capturing the discussion that's
17 around the motion, usually, but don't worry if they get it wrong,
18 and I will definitely speak up to it, but I think that we'll
19 capture it in the report of this meeting that's given to the Gulf
20 Council, and they go in there and say, you know, hey, there was
21 concerns about this or this or this with this, and, you know, give
22 it some context to the motion, to where it's not just --
23

24 **MR. WALKER:** (Mr. Walker's comment is not audible on the
25 recording.)
26

27 **CHAIRMAN GREEN:** Ed, you've got to turn on your mic, or we're going
28 to get yelled at.
29

30 **MR. WALKER:** I was just letting you know that I do the same thing,
31 and I've got notes on what people's opinions were, and even on the
32 motion that went away. You know, if that topic comes up, I can
33 report back to the council that there was these discussions.
34

35 **CHAIRMAN GREEN:** Also, Thad, in January, when this report happens,
36 we'll definitely -- I'll be there at the meeting, during the thing,
37 and so, if they're like, well, what did they mean by this, then,
38 you know, me, or Ed, can sit there and be like, well, this is what
39 was discussed in the meeting, if it's not totally covered in the
40 summary of the report, and so there's multiple ways for -- What
41 we'll doing here will be presented to the council, or we'll be
42 there to answer questions, me and Ed, at the next meeting, that
43 has to do with everything with this meeting.
44

45 **MR. STEWART:** Okay. That being said then, on the subject at-hand,
46 I definitely think that this needs teeth, and I am all for
47 accountability. I just consider -- I would say that killing an
48 undersized fish, or something along those lines, is a more

1 egregious thing than, hey, we had an issue coming into the slip,
2 and I lost an engine, and, you know, I ran downstairs, and went
3 into the engine room, and, while I was doing that, the deckhand
4 offloaded the fish and cleaned them.

5
6 I mean, \$500 for an undersized fish, for the first fish, versus
7 \$35,000, which is what six-pack permits are going for right now,
8 and I just -- There is a big gap in -- I don't think that the
9 crimes are that far apart, and so that's my opinion on it.

10
11 **CHAIRMAN GREEN:** Gotcha, and I think we're all -- Also, we're
12 always trying to nail down the extreme. When a lot of these things
13 happen -- I had a similar incident, and I had a guy that was
14 passing out, and I pulled into the slip, and I got him in an
15 ambulance that was waiting for him, and then I went up, and they
16 had already taken the fish off, and I turned in the report, and I
17 think, you know, that's a reasonable extenuating circumstance, and
18 most people are going to use their judgment on that instance. You
19 know what I mean?

20
21 That's like -- Like I said, and Mike, and, when you call the permit
22 office, and if you're really sweet to them, because they usually
23 get yelled at a lot, they tend to help you out really well, you
24 know, and I've never had anybody threaten me, and I know some
25 people have, but I've never had an officer like threaten me,
26 because I had an extenuating circumstance.

27
28 **MR. STEWART:** Well, I was fortunate in a situation, where I, like
29 I mentioned yesterday, operated a boat that somebody else had set
30 up all the equipment, and it wasn't working, and, I mean, I was
31 threatened with a \$10,000 fine, but, fortunately, the Alabama guys
32 supported me to the NOAA guy, who I think he was -- He was about
33 to write me a \$10,000 ticket, and so, anyway, I see it from both
34 sides.

35
36 **CHAIRMAN GREEN:** Gotcha. Understood. Mike, you were next.

37
38 **MR. JENNINGS:** Yes, and I just go back to -- I just have a comment,
39 and my earlier comment about some teeth in this thing, and I may
40 be the lone dissenter in the room, but I don't like this slope, no
41 matter how we word it, and it even goes back to one of the comments
42 that Clay made a while ago. You know, that discretion, on the law
43 enforcement side, during COVID and things along those lines, was
44 displayed pretty well.

45
46 I've been in that same situation, and even been in that same
47 situation because of my own procrastination, and I'm the world's
48 best at it, and I had a permit on my boat that expired, but the

1 new ones were in the mail, literally, and he said have a nice day,
2 but I still -- I don't like this -- Me personally, I don't like
3 this slope, and I'm not going to support the motion.

4
5 **CHAIRMAN GREEN:** Thank you. Andy.

6
7 **MR. STRELCHECK:** I mean, I appreciate all the comments around the
8 table, and I appreciate the willingness to consider a modification
9 to the motion. You know, one of the challenges, I think, with the
10 AP process, is that you're providing recommendations. What I hate
11 to do, as a council member, is shoot down good ideas, right, and
12 I think you've outlined some intent here, in terms of why you would
13 want us to explore this, which is helpful, but I view this as an
14 iterative process, right, and so we're going to explore this, and
15 we're going to come back to you.

16
17 You will be reconvened, at some later date, and you'll have a
18 chance to then chew on this and determine does it have enough teeth
19 in it, does it not, does it provide the flexibility you want, or
20 does it not, or do you want to go down this path, and you can then
21 provide the recommendation at that point, but my concern with kind
22 of how it was worded previously is that it might just be dead on
23 arrival, versus this giving the agency, and the council, some
24 options to really explore some good ideas that can come back to
25 you for consideration, and so thanks.

26
27 **CHAIRMAN GREEN:** Thank you, Andy, and we appreciate your input,
28 most definitely. Sebo.

29
30 **MR. SEYMOUR:** I just want everybody to know that not -- It's my
31 personal side of the whole SEFHIER program, and this is going to
32 be one of the things that is -- They looked at me as -- I'm not
33 going to blow my horn, but as a leader, and, Sebo, why did this
34 happen, and why do we have government overreach, and I get this
35 probably way more than everybody else does, and I have to answer
36 it, and I have two questions. I say just let's work through this,
37 or sell your permit and get out of the EEZ, and so that's my two
38 options, but I don't say, if you don't like it, sell your permits.

39
40 I have to go through the baby steps that say let's try it one time,
41 and who wants to try the program of the first VMS tracker, and
42 there were two of us in the whole area, and so it kind of -- Like
43 I said, it's some things that -- Then, when I was talking about
44 the Louisiana guys that live in Mississippi, I have to listen to
45 them, and they live in Ocean Springs, and they fish out of Venice,
46 and, at one time, I did reach out to some of the guys that live in
47 Ocean Springs for bigger items, such as sector separation, and
48 that helped us -- I'm sorry. Amendment 50 and regional management.

1
2 They did that, and they didn't know what we were talking about,
3 but they did that for me, because I asked for their support for
4 not to be a part of regional management, and so that's kind of
5 where I want everybody to know, and, as we get down this road,
6 with this particular issue, that just -- I know that we're not
7 going to have full support of this, but I would like to see this
8 motion passed, to take it down the road, so that at least we could
9 sell, or have a better product, to say, hey guys, this is what a
10 long reach is to get through it.

11
12 It's no different than when we had to give up captain and crew red
13 snapper, and we give them up to get Amendment 40 where it is today,
14 and so there's always going to be a push-and-pull for industry to
15 be able to buy-in on this. Thank you.

16
17 **CHAIRMAN GREEN:** Gotcha. I will just say that it gives me less
18 heartburn, Andy's input, and your -- I can support exploring
19 whatever, and so like, to me, that changed it, in my mind, of
20 supporting it, in my head. Dr. Masi, and then we're going to take
21 a break after -- We'll vote this up or down, after we get done
22 talking, and then we'll take a little ten or fifteen-minute break,
23 and then we'll come back and address the rest.

24
25 **DR. MASI:** I just wanted to provide some quick insight on how the
26 process works, since I'm the program manager and I do tend to
27 interact with these situations. When someone comes up for permit
28 renewal, and they're out of compliance, and they're missing one
29 report, or two reports, whatever it is, we work diligently, and,
30 I mean, we try to provide the utmost best customer service to you
31 all. We know it's your permit, we know it's your livelihood, and
32 we work, and we focus, on that as our priority, to make sure that
33 you can get those reports submitted to us quickly.

34
35 We try to do it within the day, and we've even developed, in our
36 database, the option to where, if you had a missing report, and
37 you're calling us right now, and you're trying to renew your
38 permit, we can update our system, right then and there, once you
39 get your report to us, and then you can go ahead and immediately
40 renew your permit, and so we are here for you, and we're trying to
41 help you, and so I wanted to just give that little sense of, you
42 know, comfort, I guess, to you all, when you're thinking about
43 this motion.

44
45 **CHAIRMAN GREEN:** Thank you so much. Richard.

46
47 **MR. FISCHER:** Thank you, Mr. Chair, and I did want to reiterate
48 that, that, with the specific issue that I brought up a few minutes

1 ago, I did get that captain in touch with Dr. Masi, and it got
2 addressed pretty close to immediately, and so you and your staff
3 did an outstanding job. I think that the issue is just the initial
4 communication that that captain received was maybe a little bit
5 more nuclear than it had to be, but staff did a fantastic job
6 straightening it out after.

7
8 **CHAIRMAN GREEN:** Gotcha. Thank you. Do we have any discussion on
9 the motion that's on the board, any further, I mean? **The motion**
10 **is to ask NOAA Fisheries, and the council, to explore some options**
11 **to address permit renewal issues that maintains the integrity of**
12 **the for-hire data collection program and provides some flexibility**
13 **for program participants.** We have a motion and a second. **Is there**
14 **any opposition to this motion? Seeing none, the motion passes**
15 **unanimously.**

16
17 We're going to take about a ten or fifteen-minute break, and, just
18 so you're thinking about it, the things we've kind of got left on
19 our list was re-fund the reimbursement program, safety-at-sea, and
20 things to do with the rollout, and then also validation, and, if
21 we tackle that, that's what we were talking about yesterday, about
22 having a couple of different options for validation for them to
23 explore, and so let's -- We can finish up this list, and then
24 tackle the hard topic, but we've got a ten or fifteen-minute break,
25 and then we'll be back.

26
27 (Whereupon, a brief recess was taken.)

28
29 **CHAIRMAN GREEN:** All right, everybody. If we can get back to our
30 seats, we'll get back started. I was talking to staff too, and we
31 were -- We will probably do a thirty-minute lunch, and they'll be
32 having it here, like yesterday, and, whenever lunch gets here,
33 we'll just take a break, for about thirty minutes, and let
34 everybody eat, and then we'll continue on, instead of the hour.

35
36 We've been working through this list, and a few things that are
37 left on, you know, our brainstorming list would be -- Maybe the
38 next topic we could talk about is re-fund the reimbursement
39 program, and I know -- Is Richard not here yet? Okay. Maybe not.

40
41 I know that was brought up, and I know some people missed out, and
42 so, you know -- I think we probably all know some people that drug
43 their feet and then got in a bind with it, and so, if there's any
44 appetite by anybody here, we can bring it back up when Richard is
45 back in the room, to refund the reimbursement program, for those
46 who missed out, or make a motion supporting something of that
47 nature.

1 Another thing that's one the list was -- It says rollout done
2 correctly in a way that will hold up in court, show that the fleet
3 is onboard, and a flawless rollout, and so, to me, another thing
4 that we could bring up here, and I know we have some here, are
5 port ambassadors, and maybe we could craft a motion that iterated
6 to the Gulf Council that we want to have a peer -- A peer-involved
7 implementation, similar to what we did with the port ambassador
8 program, where we can work with fishermen that understand the
9 process a little better than others, and being able to reach out
10 to those, and so that's one thing that we can do, is industry
11 involvement, peer outreach, and I don't know exactly how to word
12 it, right off the top of my head, but, to me, that was important.

13
14 SEFHIER got a lot of those things that were the modifications that
15 happened to SEFHIER in the program after it was implemented. A
16 lot of it came from like port ambassador and that kind of input
17 from the industry, and so I think that that was a valuable tool in
18 the initial implementation, and I think it would be valuable if we
19 support that, or want to talk about it, and that's another topic.
20 Richard, I brought up the refund, the reimbursement, program, to
21 make it whole. If you make a motion, or want to speak to a motion
22 that demonstrates to the council that maybe they can explore ways
23 of doing that, refunding that.

24
25 **MR. FISCHER:** Thank you, Mr. Chair, and so, to go back to our
26 conversation yesterday, so there were several captains that had
27 not submitted their reimbursement form before the email came out,
28 a couple of years ago, that showed a retroactive date that, if you
29 did not submit your form by this date, which was previous to the
30 email that was sent out, you are going to receive substantially
31 less in your reimbursement.

32
33 I think where we're going with it, and I had not written down an
34 exact motion to address this, but it's to explore all possibilities
35 of finding money to re-fund that replacement -- That reimbursement
36 fund. I don't know if this is a situation where, you know, since
37 -- Since we're not doing -- If we go down the road where there are
38 other possibilities than VMS, maybe those other possibilities are
39 cheaper to implement, and maybe you could find money there, and
40 maybe this is going to our federal delegation, going to Congress,
41 and saying please fund this, and I don't know the beltway
42 intricacies of how that fund is funded, and where that money comes
43 from, and so I might have to, based off of my knowledge, need to
44 keep the motion vague, but it's essentially to leave no stone
45 unturned to find enough money to make everyone who has to get
46 either a logbook or a VMS made whole, for them being forced by the
47 government to make that purchase, essentially, because that's what
48 happened. That's kind of where I was going with that, and I'm

1 certainly open to anyone who wants to wordsmith or has more
2 information on how that fund works.

3

4 **CHAIRMAN GREEN:** Jessica wanted to speak to this topic.

5

6 **DR. STEPHEN:** I can supply a little bit more information on how
7 that fund works, and so that fund is through a grant that's given
8 to the Pacific States Fisheries Commission to cover for the entire
9 United States, and so the money needs to be allocated from Congress
10 to the grant, in order to do so.

11

12 What happened, during the program, is we were running out of funds,
13 even though we had asked for some, and so that's where some of the
14 changes in the cost, and what was going forward, came forth with,
15 and so I think, within the Regional Office, it's not really within
16 our purview, and it's definitely not within our budget, and so, if
17 there is interest, I would definitely suggest a more congressional
18 route for the fishermen that are interested in it.

19

20 The fund particularly there is for anything that is type-approved
21 through VMS, and so, when the SEFHIER program was created, and we
22 went with a cellular unit, we made sure that they went through
23 that VMS type approval in regulation, so that they could be
24 considered under it, and so, to your point of thinking about other
25 ways to go through it, if it doesn't go through sort of that VMS
26 approval process, then it's probably not applicable to that grant,
27 and you might want to talk to people, if you want money, funding,
28 for it, through some other avenue or mechanism.

29

30 **CHAIRMAN GREEN:** John, go ahead.

31

32 **DR. FROESCHKE:** Just a follow-up, and is it plausible that that
33 money, if it were replenished, so to speak, could be used to
34 reimburse captains that bought it for the SEFHIER program, even
35 though it's no longer in use, or would that money then be reserved
36 for people who are subsequently buying VMS in the future?

37

38 **DR. STEPHEN:** All right, and we're going to go off my memory here
39 a little bit, and I believe that the fund -- In order to be
40 reimbursed, it had to be a requirement of the fishery, and so,
41 currently, for someone who missed out on when it was there, and if
42 we don't have it as a requirement, it would not be applicable. If
43 they bought it afterwards, and we made the requirement, there's
44 the potential chance that it could be applicable, and so it's a
45 requirement of the fishery that makes that grant applicable.

46

47 **DR. FROESCHKE:** So, as of today, even if that were fully funded,
48 the guys that Richard was speaking to would still be out of luck.

1
2 **DR. STEPHEN:** Correct, unless we build the new amendment with the
3 VMS portion in it, yes. Currently, they're out of luck, because
4 there is no regulation requiring VMS in the for-hire.

5
6 **CHAIRMAN GREEN:** Gotcha. Thank you, Jessica. Steve, you were
7 next.

8
9 **MR. PAPEN:** Do we have any idea on, A, how long that refund was
10 available, and, B, how many people missed, how many people missed
11 out?

12
13 **CHAIRMAN GREEN:** Do you have any of those numbers, Jessica?

14
15 **DR. STEPHEN:** I'm not aware how many missed out. I know when we
16 -- So, when the fund was available -- At one point in time, it was
17 available for higher reimbursement, another amount, and those were
18 kind of set where the regulations were that you had to have a VMS
19 on, and so anyone who had kind of complied with the initial
20 regulations and had the VMS onboard on that first cutoff date,
21 where we decreased the amount, was able to receive the full amount.
22 While the program was still in play, anyone who got a VMS unit
23 after that date had the reduced amount that was available.

24
25 **CHAIRMAN GREEN:** Sebo.

26
27 **MR. SEYMOUR:** I personally know, being a port ambassador, of two
28 multi-passengers that did SkyLink, and I think they may have got
29 a partial refund, but they missed the complete -- Because they did
30 SkyLink, and the rest of the fleet did NEMO, and so I personally
31 do know of two in Mississippi.

32
33 **CHAIRMAN GREEN:** Yes, and I know a few, not so much in Destin, but
34 in our area, too. Did you have your hand up, Mike? Okay. I don't
35 know if you want to make the motion, Richard, or if you want to -
36 - I know that, if you go the congressional route, and want to start
37 working on that, I know that you probably will get industry support
38 from Destin, and CFA, on making that whole and figuring out a way
39 to outreach and do that, but I don't know if it's applicable to
40 putting it here or not, and that would be up to you.

41
42 **MR. FISCHER:** Yes, and I appreciate that, and you kind of hit on
43 what I was about to say, that, you know, while I have a great
44 relationship with our federal delegation, and they do a lot of
45 great work for us, I'm still just a guy representing about seventy
46 or eighty guys. If there's a coalition, and a bigger group, coming
47 to more members of the U.S. Congress, saying that this is a
48 priority, and we need this, that would, obviously, carry a whole

1 lot more weight than just me, and so that's kind of where I'm going
2 with that, to kind of ask that people with connections, people who
3 are out there, who know these people, can also have these
4 conversations also, and, you know, that's not really an official
5 thing that you can ask of a government agency, because government
6 agencies can't lobby, and so it's probably not appropriate to make
7 a motion, and a recommendation, here, but I do think it's worth
8 the conversation, the discussion, and the recommendation that
9 those of us in the private world, with those connections, to make
10 it a priority to have those conversations.

11
12 **CHAIRMAN GREEN:** Well, after this -- Whenever you get some kind of
13 proposal or something like that, please send it to me, and we'll
14 get it sent out, and we'll work on industry support for that,
15 because I think that's a pretty -- I think that's low-hanging fruit
16 for all of us that we can agree on, and so all right. We'll move
17 on.

18
19 One of the other issues -- I'm kind of leaving the validation thing
20 for the end, and so I was just working through this list. The
21 next one was the rollout done correctly and in a way that will
22 hold up in court, a flawless rollout, and so that was one of the
23 other items that we had on here, and, like I was saying, you know,
24 something like the port ambassador program I think was very helpful
25 to the stakeholders, and the agency, and maybe, if we want to want
26 to make a recommendation that the council uses industry outreach,
27 or is that the word you used, John, earlier, industry outreach, or
28 the --

29
30 **DR. FROESCHKE:** Yes.

31
32 **CHAIRMAN GREEN:** Industry outreach on development and
33 implementation plans, and, you know, maybe something along that
34 line, and I don't want to make a motion, as the chairman, but, if
35 you all feel so -- Like, to me, that would be important to include,
36 especially with how important I feel the port ambassadors were.

37
38 All right. Well, if you all won't do it, I will. **To recommend**
39 **the council to use industry outreach and be part of the development**
40 **and implementation plan, such as the port ambassador program.** All
41 right, and so that's the motion that I'm putting -- Do I have a
42 second? I've got a second from Abby. Mike, did you want to --
43 Okay. Does anybody have any discussion? **Does anybody have any**
44 **opposition to the motion?** Go ahead, Ms. Jessica. She did not
45 have opposition, and she wants to talk about it.

46
47 **DR. STEPHEN:** Sorry. I try to give you guys a chance to talk
48 first, before I come up here. I think it would be helpful, in

1 discussion, to outline some of the different types of industry
2 outreach that you're looking for. Now, keep in mind, when we
3 rolled out SEFHIER, we were in the middle of COVID, and that really
4 impeded our ability to get out face-to-face at the dock and meet
5 with people. We tried to do things online, and that's not always
6 the most successful, and so I would be definitely interested,
7 considering we'll be the group doing a lot of outreach, in what
8 would you, as industry members, consider better ways to do
9 outreach.

10
11 Is it in-person, or is it group meetings, websites, demonstrations,
12 how often, things like that, and so some discussion about that
13 would be really helpful in moving this forward and giving us ideas
14 on how the outreach would be effective. I say this because,
15 depending on -- With different fisheries, there are different
16 mechanisms that they prefer outreach, versus others, and some of
17 that also is generational, and I know, when we did IFQ, there was
18 a lot of paper, and they wanted something to hold, a packet in
19 their hand, and now, as we're more in the electronic age, people
20 want a website they can refer to, and so any type of information,
21 or support, you can give towards outreach will be helpful.

22
23 **CHAIRMAN GREEN:** Go ahead, Mike.

24
25 **MR. JENNINGS:** Our thoughts on that -- The port ambassador program
26 was obviously not something that was set up by the council, and it
27 was something that we did on our own, and we had some help doing
28 do, but it was -- We did a couple of group meetings, if you wanted
29 to come and listen and talk about it, and it was taking some people
30 who were educated on the process, and the app, and what was
31 expected of us, and passing that information on to those who
32 weren't, and also being -- They had your cellphone number, and, if
33 they had a problem with the app, had a problem with understanding
34 any of the inputs that they needed to do, they were able to reach
35 out to you, and, you know, we, of course, had the ability to send
36 them on or reach out to Bluefin, et cetera, to get answers, if we
37 couldn't do it, but that was more of the idea of the port ambassador
38 program, was to help with a lot of the misunderstanding, or lack
39 of education, or glitches or problems, that came along with the
40 implementation. I don't know how you put all of that in that
41 motion, but --

42
43 **CHAIRMAN GREEN:** I'm not sure how you put it all in there too, and
44 I'm sorry, Ms. Bernie, and it is port ambassador program, and I
45 re-read my motion there. Richard.

46
47 **MR. FISCHER:** Thank you, Mr. Chair. Going along with looking at
48 some of the ways to best reach captains, and this is maybe speaking

1 specifically for Louisiana, where we really have three offshore
2 ports, and one is two, or two-and-a-half, hours from the New
3 Orleans airport, and the other two are you drive about a half-
4 hour, and then you either go an hour this way or an hour that way,
5 and so getting these captains to, first of all, come to New
6 Orleans, with what's going on in New Orleans right now, and that's
7 hard enough, but, to get them away from their ports, or to get
8 them away from their families, when they're not fishing, is very
9 tough, and so what I think would be very important to continue
10 building buy-in would be -- And we'll help you all to do it, but
11 it would be to hold meetings on the coast while these captains are
12 fishing, and so a meeting in Venice, in-person, a meeting in Grand
13 Isle, in-person, and a meeting in Cocodrie, in-person.

14
15 I think putting a face to this boogeyman of a program, that a lot
16 of people kind of tend to have that feeling about, would go a long
17 way in helping get some more buy-in, and not only putting the face
18 to it, but saying here's my number, and call me if you have any
19 problems, and I really think that would go a long, long way,
20 specifically to Louisiana.

21
22 **CHAIRMAN GREEN:** That's a lot of what the port ambassador program
23 was, and I'm not giving anyone a hard time, but, you know,
24 Louisiana was kind of opposed, and so we didn't have a whole lot
25 of port ambassador in Louisiana, but that's what we did, and we
26 operated off of a grant, and we had a little bit of money to --
27 Each port ambassador had a meeting, and like I had one in Destin,
28 and I invited people from Panama City and Pensacola to come to
29 Destin, and meet with the Destin fleet, on this.

30
31 I know they had one in Galveston, and I know they had one in Orange
32 Beach, and, you know, each one had their own little meeting, where
33 they got everybody together, and bring your tablet, and let's talk
34 about it, and let me show you how to use it, and it was very
35 helpful. It put a lot of people at ease, and I'm cool. I will go
36 to Louisiana, but, you know, if I'm south of home, in the swamp,
37 I'm going to need some of you all to be witnesses around there
38 too, and they might not like what I'm talking about in there, and
39 so, you know, but I agree.

40
41 Like, you know, we want everybody to be onboard, and buy into this,
42 and so I don't -- With what Jessica said, and I understand she
43 wants a little bit more specifics, but I think -- I would rather
44 speak to this at the council, and give the intent, because I think
45 it's really hard to list all the things, you know, because I think
46 the agency, and the Gulf Council, does a real good job of outreach.

47
48 I think the gap is understanding some of the terminology, and the

1 process, and like they do really good at telling you what's going
2 on, but, on the end user, that's not involved as much as we are,
3 they're like, well, that's great, and she told me that, but I don't
4 know what that means, and I think that's where the industry
5 outreach, and the port ambassador program, is very important, to
6 bridge that gap, and then being able to take that input and come
7 back to the agency and put it in -- You know, they would say --
8 Then it would be like an hour discussion to get down to what they
9 really want, when we already know the process, and they're like,
10 hey, we want this, and then we can go -- We're the middle man to
11 the agency, to be like, hey, this is what we need, and be that,
12 and so I'm really onboard with that, and I would love -- As long
13 as I had protection, I would love to go to Louisiana. I'm just
14 joking, but, Jessica, if you would like to. I've been there too,
15 and I've been told where to go in Fort Myers too, and so --

16
17 **DR. STEPHEN:** I just wanted to clarify that your motion, in and of
18 itself, is fine. You don't need to change that, and I just wanted
19 to hear the discussion, and maybe, if another meeting is held, we
20 could give the group, in advance, some of the outreach materials
21 we did, and you tell us, and was that helpful, or what did you not
22 understand.

23
24 It's often hard, when we do this, to see how it's being received,
25 because we don't always hear back about that, and we had quite a
26 wide variety of different tools. You know, were the webinars
27 helpful, or were they not, and hopefully, at this time, we will
28 not have any pandemics, and we will get more in-person
29 communication, which is generally how we really prefer to do a lot
30 of outreach. Those of you who are also in the IFQ program, you
31 know we come out and visit, and do talks, and we get a lot more
32 response back, because we're there to hear your concerns, and then
33 we can take it back, and so, likewise, maybe by the next meeting,
34 look over some material, and give us some feedback, and we'll see
35 how that proceeds.

36
37 **CHAIRMAN GREEN:** Yes, and I would like for that, in our next
38 meeting, for that to be an agenda topic, the implementation, or
39 whenever it's applicable, but, you know, roll out -- Even the
40 development, you know, and I think that, if the industry had some
41 involvement, or the ability to be in on the development -- You
42 know, things like the economic reporting and stuff like that, that
43 we were not -- That just kind of rolled onto us, and I think we
44 could cut -- We could save some time.

45
46 If we're all getting heartburn over something in the development,
47 and it's pretty unanimous, like this economic data ended up being,
48 it would be really easy for us to give you that then, and then we

1 don't have to worry about going back and doing frameworks, and
2 changing stuff, and so I would just like to make sure that, when
3 it is applicable, I want that to be an agenda item for this AP,
4 because I think that is -- Amongst the other little issues, you
5 know, the issues we had with the program, I think the rollout was
6 definitely the biggest challenge, on the industry and the agency,
7 and so, Mike, did you want to speak? Okay. Do we have any further
8 discussion on the motion?

9
10 **All right, and the motion is to recommend the council -- To**
11 **recommend the council use industry outreach and be a part of the**
12 **development and implementation plans, such as the port ambassador**
13 **program. That is my motion, and I guess I don't have a -- Abby**
14 **was the second, Ms. Bernie. Then is there any discussion? Seeing**
15 **no discussion, is there any opposition to the motion? Seeing no**
16 **opposition, the motion carries unanimously.**

17
18 All right, and so one thing that -- We brought up safety-at-sea,
19 and that was you, Thad, that brought up safety-at-sea, when we
20 were doing this list, and was that you that did that?

21
22 **MR. STEWART:** It was.

23
24 **CHAIRMAN GREEN:** Okay, and so just -- I want to make sure we cover
25 it, if we want to cover it, and that was more what you were talking
26 about, was climbing up and having to verify that the VMS unit was
27 working, and you climbing up there, or is there anything else that
28 you want to touch on, while we're --

29
30 **MR. STEWART:** I just want to make sure that this -- I mean, like
31 I'm totally good with as long as the fish are on the boat, once
32 you're in the slip, but I just -- I want that option, to where, if
33 it's like July 4th weekend or something, and I'm having to go in
34 and out of gear, getting to the marina, and into the slip, that
35 I'm not having to look down at a cellphone while I've got six
36 peoples' lives in my hands.

37
38 **CHAIRMAN GREEN:** So, to iterate that, would you like to try and
39 craft a motion that requests the council -- You know, because, as
40 it is, at the end of SEFHIER -- When SEFHIER ended, you could pull
41 in the slip, and you had to turn in your report before you offloaded
42 your fish, and so if you want to use that as a -- So whatever you
43 want to do. You've got the floor, Thad.

44
45 **MR. STEWART:** Okay. **I would like to recommend the council maintain**
46 **the component of the SEFHIER program that allowed safe dockage --**

47
48 **CHAIRMAN GREEN:** Before submitting a report.

1
2 **MR. STEWART:** Yes. Before submitting a report.
3
4 **CHAIRMAN GREEN:** And offloading fish.
5
6 **MR. STEWART:** And offloading fish, yes.
7
8 **CHAIRMAN GREEN:** All right, and so we've got a motion on the board
9 to recommend the council to maintain the component of the SEFHIER
10 program that allowed safe dockage before submitting a report and
11 offloading fish. Do we have a second? We've got a second from
12 Joshua. Do we have any discussion? Sebo.
13
14 **MR. SEYMOUR:** Yes, and I think they're right. The main issue,
15 before, was, when the regatta is coming out of the channel, and
16 we're on autopilot, trying to dodge the crab pots, that puts us
17 safely in, and we don't have to have the thirty minutes prior to
18 offload to be logged-in, correct?
19
20 **CHAIRMAN GREEN:** That's correct. It was a thirty minute before
21 berthing, in the beginning, but then that was a concern, with
22 safety-at-sea and stuff like that, and then they went to just
23 having to send the report after you dock, before you unload your
24 fish, and the second was Joshua. Steve, go ahead.
25
26 **MR. PAPEN:** So, with that, if we're trying to get validation out
27 of it, and is that going to mess us up at all? Like, if we're
28 sitting at the dock, at the end of the day, and we're doing our
29 trip, and we submit it, and we're doing it from the dock, I mean,
30 does that mess with our validation process?
31
32 **CHAIRMAN GREEN:** Come on up, Jessica, and it didn't mess with it
33 in SEFHIER, but we also had VMS data that did that.
34
35 **MR. PAPEN:** Right, and so, since we're kind of going in that
36 direction, without a VMS, and, I mean, is it -- Would it be better
37 for us to do the logbook offshore, on your cellphone, and then, as
38 you come in, as soon as you get cell service, and then you're
39 offshore doing it, as opposed to being tied to the dock.
40
41 **CHAIRMAN GREEN:** I think Jessica is going to speak to that exact
42 question.
43
44 **DR. STEPHEN:** So, if you're recording at-sea, we tend to feel that
45 there's probably more accuracy in the reporting, because you're
46 recording the species that are being caught, as they're being
47 caught, but the point of the reporting prior to offload, and that
48 would be also prior to a dockside biologist intercepting you, and

1 that is what lends the weight to that capture-recapture validation
2 method.

3
4 The critical component in a capture-recapture is that your report
5 is submitted before you even know that you might be intercepted,
6 because the idea then, if you're intercepted, you're going to make
7 sure your report says exactly what they intercepted and looked at,
8 and so there is where the balance point we did with SEFHIER --
9 Instead of the reporting at-sea, is we allowed the reporting prior
10 to offload, and it still met the validation need for the capture-
11 recapture.

12
13 **CHAIRMAN GREEN:** So she's saying it's not going to affect -- It
14 would still hold integrity, doing it this way, as it did in
15 SEFHIER.

16
17 **MR. PAPEN:** So, either way we did it, it wouldn't hold more water
18 one way or another.

19
20 **DR. STEPHEN:** Right, and the only extra benefit you potentially
21 could get at at-sea reporting is less reporting bias, and so, if
22 you have a larger boat, a headboat, with making sure you're
23 recording everything, and remembering when you get to the dock
24 might be a little bit harder than remembering when you're at each
25 location, but, for the validation component, at-sea or prior to
26 offload are both equally weighted.

27
28 **MR. PAPEN:** Thank you.

29
30 **CHAIRMAN GREEN:** Thank you. Any further -- Thad, you put your
31 hand up. I'm sorry.

32
33 **MR. STEWART:** Yes, and I would be totally fine with tabling this
34 until we figure out what we want to recommend for validation, if
35 that's necessary.

36
37 **CHAIRMAN GREEN:** I don't think it is. I think we're showing
38 intent, and, again, this is all general ideas to put into a
39 document, and so I would leave -- Me personally, I would leave it
40 in there, and then, as we go through it and evolve into the
41 document, and see what that means into the agency, what it
42 translates into the document, then we can make that decision, but
43 I would urge you to leave it in there, myself. Clay, did you put
44 your hand up?

45
46 **MR. SHIDLER:** I did. Just speaking for my marina, I mean, we had
47 a young lady that was there to validate catches for the for-hire
48 boats during SEFHIER, and, I mean, she would be standing on the

1 dock waiting for the boats to get there, I mean, knowing -- There
2 was a day that I pulled up to the dock, and she goes, there is
3 thirteen permitted boats that declared out here this morning, and,
4 I mean, you know, it wasn't like her intercept plan was to, hey,
5 Clay is coming to the dock in thirty minutes, and I need to be
6 there in thirty minutes, and she was there at one o'clock, and she
7 left when the last boat left, and so, I mean, that was kind of
8 what I saw, just in the real world of SEFHIER and the validation
9 aspect of how it went, at least at my marina.

10
11 It wasn't based upon I made a landing declaration, and I'm going
12 to be there in thirty minutes, and Hannah was showing up five
13 minutes before I got to the boat, or to the dock, and it wasn't
14 quite like that.

15
16 **CHAIRMAN GREEN:** Yes, and that's like it is in Destin, and, in
17 Destin, we have seven headboats, and so David Bharti is our
18 regional headboat validator, and it's the same thing. Like he'll
19 come to Destin for the day, and he will hit all the boats that
20 went through, and then, you know, he's working a range of
21 coastline, with different boats, but it's similar, and like
22 sometimes I see him standing there waiting on me, and sometimes he
23 walks up ten minutes after I've pulled into the slip, you know,
24 and so it's not so much like they're sitting there watching and
25 waiting, but, if the validators are in the area, they're probably
26 hanging out around your boat to get the validation done, so they
27 can go somewhere else. That's what I've found, too. Any more
28 discussion on the motion?

29
30 **Is there any opposition to the motion, and the motion is to**
31 **recommend to the council to maintain the component of the SEFHIER**
32 **program that allowed safe dockage before submitting a report and**
33 **offloading fish. Seeing no opposition, right, and no opposition?**
34 **Seeing none, the motion passes unanimously.**

35
36 All right, and so, basically, what I've got left on the list is
37 the -- Like to discuss would be the efficient means of validation
38 and the one with the app, the phone, location, and tracking -- We
39 already covered that, and so more of the validation.

40
41 You know, basically, this is where we're going to get into making
42 a recommendation on what methods of validation we would like to
43 see, and some of it -- This is kind of going back to some of our
44 discussion, and I'm just prefacing it, and I definitely know that
45 there we're going to have -- That there's going to be plenty of
46 people to speak to it, but one of my concerns is dual-permitted,
47 them being able to use their infrastructure already on the boat to
48 report that.

1
2 I would like for -- I would like it to have vessels affixed with
3 VMS being able to use that VMS for reporting, mainly that -- That
4 doesn't mean that we all agree with it, and that doesn't mean that
5 it has to be that way. Whatever we want to see as an option for
6 these programs, we need to put it in to a motion, or multiple
7 motions, to where we make sure we get out of the council process,
8 and the staff, what we want to analyze for our industry, and so,
9 if somebody wants to start off that discussion, and it could be
10 using the VMS, and it could be using an app like VESL, and having
11 them make modifications to track -- You know, being able to have
12 it to where the app tracks you, instead of having it affixed to
13 your boat.

14
15 I spoke, with some of the VESL guys earlier, about having a
16 validate button, and like, if you declared your trip, and then you
17 go out, and then you come back in, and you do your report, but,
18 while you're out there, have a button that you could hit, a
19 validate button, where you hit it, and it gives your location, and
20 then the user actually gets to decide -- I've got you. The user
21 actually gets to decide where that validation ping happens.

22
23 Instead of it doing it randomly, and you're worried about it being
24 on your fishing spot, you could be on your way in, and you could
25 hit "validate", and it shows you out in the Gulf, and it has those
26 time stamps of when you left and got back, and that could be a
27 thing. It could be as easy as signing the report, or some of the
28 other things that Jessica brought up that would fill the gap of
29 what VMS was, and so Joshua had his hand up first, and then Mike,
30 and you all have the floor. Joshua, you have the floor.

31
32 **MR. ELLENDER:** Thank you, Mr. Chair. I have a motion that pertains
33 to validation, and so how about to recommend to the council -- I
34 will just read it first, and then I will slow down after. To
35 recommend to the council that we institute the following validation
36 efforts to ensure our data can be used to reduce scientific and
37 management uncertainty and be used in a stock assessment passing
38 peer review with the following tools: 1)hail-out (trip
39 declaration; 2)hail-in (trip reporting); 3)dockside intercepts;
40 4)effort validation button, which you just kind of went over, which
41 would capture your coordinates of where you're at off of your
42 phone, and this would be required to be hit by the captain after
43 declaration, and before trip reporting, while seaward of the
44 demarcation line.

45
46 **CHAIRMAN GREEN:** Do you have that written down?

47
48 **MR. ELLENDER:** I do.

1
2 **CHAIRMAN GREEN:** Then slide over there to Ms. Bernie, and let her
3 type it up off of your thing. I've got you, Clay.
4

5 **MR. ELLENDER:** I have one more, that we also -- Number 5 would be
6 to have a no-fish report required, and it can be a weekly
7 requirement.
8

9 **CHAIRMAN GREEN:** Okay, and so a weekly no-fish. Okay. If you
10 will get with Ms. Bernie, and let her type that up for us, and
11 then we can start the discussion on this. I think maybe we can do
12 a little wordsmithing too, Joshua. Maybe instead of "that we
13 institute", "that we explore", you know, because -- You know, to
14 me, the big thing is we explore these, and they bring it back, and
15 then we start trying to select a preferred alternative, and so --
16 We've got other people -- Mike, you were next, and then Clay, and
17 I will speak to that, a little bit.
18

19 **MR. JENNINGS:** I don't have anything further, Mr. Chair, and he
20 has covered it well. I will wait for discussion.
21

22 **CHAIRMAN GREEN:** Okay. Clay, do you want to speak?
23

24 **MR. SHIDLER:** I do like -- I do really like the validate button
25 concept. I think where we could run into an issue with that is
26 how are you going to go back, after the fact, if you have five
27 dates that you didn't press your validate button, and it's time to
28 renew your permits, and you have five trips that aren't validated,
29 and how are you going to go back and validate to, for me, the
30 Southeast Regional Office, or, you know, how are you going to go
31 back and post-validate a trip, because, once you cross the
32 demarcation line coming back -- Really, the only option, at that
33 point, is to turn around and go back out and hit the button,
34 without filling your landing notification, and I don't want to see
35 that turn into a big hang-up point for, you know, Richard doesn't
36 -- He want this to have the minimal effect on renewing permits,
37 and I feel like that could be a major hurdle to try to get over.
38

39 **CHAIRMAN GREEN:** Yes, and I want to say, because this is kind of
40 -- This idea of a validation button, and some people might not
41 know what exactly we're talking about, but we spoke with some of
42 the app designers, and the theory of it is, you know, the ruling
43 struck down twenty-four-seven tracking, and so that's out. I know
44 plenty of people that were not fond of the tracking, but they did
45 it because they wanted to make a difference, and so, when that got
46 struck down, I think there was more people that fell into the fence
47 of, okay, good, I didn't want to -- I didn't necessarily want to
48 do that, but I was doing it because it was what was best for our

1 industry, and our fishery, and so now we're at the point where I
2 think any kind of tracking, even while we're underway -- There is
3 hurdles to come over, because I -- You get back into the "tracking"
4 word, and we already made a motion to twenty-four-seven tracking,
5 but does that mean that we can track while we're fishing?
6

7 Well, there could be a number of things, and so like, when I spoke
8 with Andrew about the VESL app, you could declare -- It could be
9 where you declare, and then, when you declare, it starts logging
10 your location, on that device, and, in the beginning, like I said,
11 in headboats, whenever they first came out with VESL, they had a
12 grid in the Gulf, a ten-mile -- I think we figured out that it was
13 like a ten-mile-by-ten-mile grid all around the Gulf, and we just
14 touched where we went, and that gave them the spatial data of what
15 area we were fishing in, what depth.
16

17 Maybe the app tracks you, and it goes -- It never turns in a GPS
18 coordinate, but it just goes through a grid, on the Gulf, and it
19 turns into grid boxes that you were actually in, or you log-in,
20 you declare, you leave, and then we talked about even like the app
21 notifying you. Well, if you're out there, and you put your -- You
22 leave at six, and your estimated time back is 4:00 p.m., then,
23 five hours later, the app throws you a notification of don't forget
24 to validate, and then you can't punch in your report until you hit
25 the validate button.
26

27 You know, there's processes we could do this, but, while you're
28 out at-sea, and you hit the validate button, and, well, now you've
29 got the time stamp, and location, of where you started, while you
30 were out there, and now you're back, and so that -- It would
31 satisfy the requirements of just -- Then you get to select what
32 location you ping, instead of it just randomly -- It being your
33 fishing spot or whatever, and you can drive out to the middle of
34 the sandflat and hit "ping", and that shows the delineation of the
35 boat being at the dock and out at-sea, and there is no twenty-
36 four-seven tracking. You decide when that ping happens.
37

38 You know, that process, to me, would jump over a lot of hurdles
39 for people, that they don't want it randomly taking their GPS and
40 sending it to the agency. If it did have that tracking aspect, if
41 the coordinates never left your device, and it would just give the
42 grid locations that you were at for that area, and there's a number
43 of ways to do it without violating -- Possibly violating and giving
44 up, you know, proprietary information, and so that's the idea of
45 a validation button, is that giving the user the ability to select
46 where they're at when they validate their trip, and so that's kind
47 of where I was going with it. Steve, you were next.
48

1 **MR. PAPEN:** So Jessica was saying that the validation is the same,
2 whether you do it sitting at the dock or whether you do it five
3 miles offshore, or twenty miles offshore and you hit the button,
4 and it's the same --
5
6 **CHAIRMAN GREEN:** I took it a different way than what she said, and
7 she was saying that it didn't affect when we turned in the report.
8 Go ahead, Jessica, and I will let you speak to it.
9
10 **DR. STEPHEN:** So "validation" is one of these tricky words, and we
11 use it for a lot of different things. The validation of the catch
12 and all that, that's the capture-recapture portion that's
13 validating kind of what was caught, is that prior to offload or
14 at-sea. A different type of validation, in some places, is did a
15 trip occur at all, and so that's where the VMS tracking was more
16 for the did the trip occur at all, and you didn't submit anything,
17 and so there's different levels of validation used for different
18 components of the program.
19
20 **MR. PAPEN:** So that's the part I'm talking about.
21
22 **DR. STEPHEN:** So you're talking about did the trip occur.
23
24 **MR. PAPEN:** That part right there is the validation data that you
25 get, and is the same -- Does it carry the same weight whether we
26 do that -- Whether we send the report at the dock, we send the
27 report three miles offshore, on our way in, or we send that report
28 thirty miles offshore, before we leave, and which one, if any,
29 carries more weight, as far as, you know, making this legitimate?
30
31 **CHAIRMAN GREEN:** So, Steve, if I could chime-in for a second, and
32 so, thinking if the trip happened, if we did our declaration before
33 we left at the dock, and then we came back to the dock, and we
34 turned in our trip report, and it gave the location there, that
35 we're doing it there, and that -- Those two locations doesn't prove
36 that we went out into the Gulf. It could be as easy as somebody
37 going down in the morning and saying, hey, we're going fishing,
38 and then come back at two o'clock and then turn in a trip report.
39
40 The effort that the trip happened -- That's what the validate
41 button offshore, or the tracking through the grid boxes, would
42 accomplish. The turning in the data, turning in the trip report,
43 before offloading fish, that validates the harvest, and so --
44
45 **MR. PAPEN:** Yes, I get that part.
46
47 **CHAIRMAN GREEN:** So it's the harvest and the effort.
48

1 **MR. PAPEN:** I was just asking Jessica which -- Are they all the
2 same, or does one carry more weight than the other ones?
3

4 **DR. FROESCHKE:** Just to speak to that, the situation where it
5 wouldn't address is if a trip occurred, a catch occurred, and no
6 trip was ever reported, and so, if you have some sort of tracking,
7 for lack of a better word, you can look at the tracking and say,
8 hey, it looks like a trip occurred, and where is the missing
9 report? As far as, if you're just trying to validate the catch,
10 whether it's offshore or nearshore, I don't think that's as
11 critical, but none of those would address the did a trip occur,
12 and I don't even have a report at all component, without some sort
13 of effort validation.
14

15 Historically, just a brief aside, when we started on this path,
16 when I started working on this document in 2009, when I started
17 working at the council, and the classic story is you have the
18 catch, and then you multiply that by the effort, and then you get
19 the total removals, and what we always perceived out of it is the
20 number of trips was the biggest component of the uncertainty, and
21 so that's how we got down this path, is, if we had a better estimate
22 of the total number of trips, then that expansion factor would be
23 much more tightly bound, and it would prevent us from getting way
24 out of bounds, one way or the other, and that's where we see the
25 improved science and management.
26

27 That's kind of how we got on this part, and I'm not sure exactly
28 how the validate button -- You know, I don't -- I probably don't
29 understand that yet, and so I'm interested to hear how it works.
30

31 **MR. PAPEN:** Well, I guess where I'm going with this is, you know,
32 I go out and do a trip, and I'm coming back in, and this is just
33 adding just another layer, one more thing for the guys to do on
34 their way in, and it's just adding one more thing, and it's just
35 we're trying to make it smaller, and not bigger, and so, if it
36 helps us, then great. Then let's put it in, and, if it doesn't
37 make a difference, then we're adding another step for no reward.
38

39 **CHAIRMAN GREEN:** Go ahead, John.
40

41 **DR. FROESCHKE:** It seems like another tradeoff kind of a situation,
42 where, if you were to do that, it would be another thing to do. I
43 mean, you could solve that by doing something more passive, like
44 a geofence, and you just put something at the nine-mile boundary,
45 and it just pings your vessel when it crossed, but then that would
46 be more of a passive thing, and, you know, people have different
47 feelings about that.
48

1 **CHAIRMAN GREEN:** My idea behind this is that -- You know, like I
2 said before, there's the people that didn't want to be tracked,
3 and there's the people that did it reluctantly, but they wanted to
4 be a part of a solution, and this takes the tracking and all of
5 that out of play and allows the user -- It puts it in the user's
6 hand of when to do it.

7
8 I mean, like nothing against you, Steve, but sorry, and pushing a
9 button is way better than paying \$10 to \$30 a month for a VMS that
10 tracks you, and then we have to facilitate a way to create a
11 program that that VMS is only turning in a report and tracking you
12 while the fishing -- Like, to me, that becomes more contentious,
13 and I would think pushing a button would be far more palatable for
14 a lot of people, and Jessica is waving at me, and so --

15
16 **DR. STEPHEN:** So maybe I can flip this around. What this would
17 not help with is a person who is not turning in any reports, and
18 so there is no trip validation for the person who is not doing the
19 declaration, not turning in the logbook, right, and that type of
20 validation, which is what John was talking about, how we do trips,
21 there are a couple of other ways to do it, and VMS is one of them.
22 I know your boat is out there, and I should be expecting a trip,
23 or I have a higher likelihood of expecting a trip report from you.

24
25 There is what we talked about yesterday of putting boots on the
26 ground, and, oh, that vessel left, and they looked like they had
27 people onboard, right, and so a really basic, but it's high-dollar
28 though to put boots on the ground.

29
30 Troy Frady was mentioning RFID, putting an RFID decal on a vessel,
31 and then have readers, maybe on your buoys, and that's a passive
32 kind of way to go through, and there are probably other
33 technologies. Maine is doing something with a product called
34 Particle that I need to look into more, and understand, and there
35 are probably other passive ways to have an electronic
36 acknowledgment that a vessel went somewhere, and so some type of
37 geofence. That would capture the idea of trips we do not know
38 about, if that helps.

39
40 **CHAIRMAN GREEN:** We'll just continue the discussion. Mike and
41 then Joshua.

42
43 **MR. JENNINGS:** I think, listening the conversation, there is some
44 confusion with terminology here, and, to get away from the term
45 "validate", you -- In my mind, I try to use the word "prove", and
46 the -- Steve, you used the word "report", and, when you say report,
47 I assume that you're talking about filling out your daily catch,
48 and that would be your report. Now, if you do that offshore, at

1 the dock before the offload, there is no difference in the value
2 of proving that you caught those fish, because you do it before
3 you offload at the dock, and, if there's a dockside interceptor
4 there, then he can double-check your work.

5
6 What we're not proving the report, and I use the word "prove"
7 instead of "validate". We're proving the fact that we lost with
8 the VMS -- When you take a component like the VMS out of this,
9 which is the gold-standard for being able to tell that that boat
10 left the dock and went fishing and came back, and that has nothing
11 to do with the report, and this validation button is proving that
12 that vessel broke the demarcation line, and all we had to do is
13 that one ping to prove that it broke the demarcation line, and
14 that vessel actually went offshore, and actually was out there for
15 however many hours, and we know that, and we can prove that you
16 were out there for eight, because you were intercepted eight-and-
17 a-half hours later.

18
19 That's what this button is doing, is proving that the boat actually
20 left, and went fishing, and the filling out the report is doing
21 nothing but proving that you caught a certain number of fish, and
22 that you reported them correctly, and that can be validated, or
23 proven, by the dockside intercept, or whenever you become
24 intercepted.

25
26 The value of proving that report -- There is no bigger value to
27 doing it offshore at the dock. The value of proving that the boat
28 went fishing, you can't do that when it's tied to the dock, if
29 that helps to make -- That's where this conversation started
30 originally with that validation button, and I don't know if that
31 is --

32
33 **CHAIRMAN GREEN:** That explained it way better than I was explaining
34 it. Joshua.

35
36 **MR. ELLENDER:** Thank you. The dockside intercept, at the same
37 time, helps you validate your fishing effort, I guess, if you will,
38 if the boat actually went out, and so you capture that when they're
39 coming in, by randomly picking boats. Do you get everybody? No,
40 but it will still work, in a sense, the same as the VMS, but it's
41 just not as accurate.

42
43 **MR. JENNINGS:** That may -- I apologize, but, just going off my
44 statement there, that -- Yes, we're trying to find a way to, as
45 best we can, make up for the loss of the best tool available to
46 us, to prove that boat is moving.

47
48 We can't just take components of this and say we're making it

1 easier and not find some other -- The more components that we have
2 in this that give us that proof, that validation, the better off
3 we are, as far as this information being used for management
4 purposes, and we can't just say, well, you're going to go fishing
5 someday and write it down at the end of the day in an app, and it
6 just -- It's useless information, and one of the components here
7 is being able to prove that that vessel went fishing and came back,
8 and that's not in -- That doesn't exist just in simply tying your
9 boat to the dock and reporting prior to offloading.

10
11 **MR. ELLENDER:** With the dockside intercept, you do.

12
13 **MR. JENNINGS:** That's part of the validation process in your
14 reporting itself, and not that the vessel left and moved.

15
16 **DR. STEPHEN:** So the dockside validation, that capture-recapture
17 methodology, does a couple of things. One, we say it can account
18 for misreporting, and so whether that's intentional or accidental,
19 and more often accidental, is what we've seen, but so that kind of
20 looks at that.

21
22 If someone is intercepted, that has no reports at all, well, then
23 that could, to some extent, account for a trip that was missed,
24 but, with the 5 percent sampling size, I'm not sure that would
25 give you enough confidence, or it would leave uncertainty there
26 about truly capturing that measure of all the trips that are
27 missed. Some passive geofence thing would do a much better job of
28 doing that.

29
30 **MR. ELLENDER:** What about -- One more question on this one, but
31 what about us recommending to the council about putting penalties
32 for non-compliance? You know, a certain monetary value to it, or
33 whatever, to hold people accountable?

34
35 **CHAIRMAN GREEN:** Are you sure that you're from Louisiana, Josh?
36 I'm just making sure here. You know, are you a transplant?

37
38 **MR. ELLENDER:** I like leading by fear.

39
40 **CHAIRMAN GREEN:** In hearing this, maybe we add a sixth item, and
41 we can leave it more vague, to add the -- Like to where we can
42 evaluate it, to where we add in the geofence, or something of that
43 nature, or word it to where it gives the Gulf Council staff the
44 ability to weigh the options, like Jessica was just saying.

45
46 A geofence may be better than a validate button, and so I think
47 the intent of this group is not to hinder anything, when we're
48 talking about what to explore, but maybe just make sure our

1 intentions are -- So maybe you could -- We actually need a second
2 for this motion, but maybe you could add something in there with
3 some vague wording that would explore other options for validation,
4 you know, because I like the idea of the button, but, if they're
5 saying a geofence would work way better, and then we don't have to
6 worry about people forgetting, and, like Steve said, it's one more
7 thing, and then maybe that's the option that we need to -- I just
8 want to make sure that we include that in the analysis of it, and
9 maybe that would satisfy concerns. Sebo was next, and then Thad.

10
11 **MR. SEYMOUR:** So 2021 is when SEFHIER came on, right, without a
12 tracker, and am I correct?

13
14 **CHAIRMAN GREEN:** January was the start date of the SEFHIER logbook
15 program, and December of 2021 was the --

16
17 **MR. SEYMOUR:** Okay, and so the graph basically gave them the 90
18 percent, with the GPS, and so, the first year, apparently they
19 didn't get any numbers, because we didn't have a VMS to be able to
20 track us, and so everything is there, but the -- So, regardless,
21 if you hail-out -- Did the VESL app give us a -- I can't remember,
22 but did it give us a number, stating that -- Or it just sent the
23 email to law enforcement, or the dockside interceptor, that we
24 were returning at X amount of time, and does anybody -- Do you
25 know that, Jim, or anybody?

26
27 **CHAIRMAN GREEN:** I know they didn't do it -- Like I know they can
28 access it, but maybe Jessica -- Jessica, do you want to come sit
29 up here?

30
31 **DR. STEPHEN:** I'm fine standing, and so we didn't have a
32 confirmation number. Those of you who are familiar with
33 commercial, we have confirmation numbers throughout the IFQ
34 system, for every form, and we didn't do it in this program,
35 because we had a lot of different vendors doing it, and trying to
36 get a set type of confirmation number was a bit more difficult,
37 but we did record -- So we could audit, or match, the declaration
38 to the logbooks going through, and so we had a record, because
39 that declaration included, you know, the vessel registration
40 number, which we can tie to a permit, and so we had ample ways to
41 show that.

42
43 The way most of the apps worked is that you could show it to law
44 enforcement too, if they asked you a question, and then they could
45 always contact us, and we gave them access to view all the data,
46 and submit it to us as well, and so there were different ways to
47 verify that that declaration did occur.

1 **MR. SEYMOUR:** I remember, when LE would come off of the email,
2 after a trip offload, after VMS, but, before, and I guess it wasn't
3 enforced much, but, in 2021, the intercept by LE was not near as
4 it was in 2022, because -- Then, when we got -- Just say, for
5 instance, when the observer program came onboard, and they ride,
6 and the observer fills out the number that -- They didn't take a
7 SEFHIER number from us, but they took the Tails 'n Scales number
8 from us, and so that is a hail-out number, and then a hail-in
9 number, and then they say what's your number today, and then it's
10 something-something-something, and it ends with a date. I just
11 wanted to see where 2021 went, with no VMS tracker, of how
12 everybody is being validated prior to the start-off, is kind of
13 where I was at on this.

14
15 **DR. STEPHEN:** So, if I remember correctly, for a lot of 2021, we
16 were just trying to do compliance assistance, and so we were trying
17 just to meet you, and talk to you about it, and not -- When we hit
18 2022, we were starting to do more enforcement. The program had
19 been in place for a while, and I can't remember if we had the email
20 portion set up correctly early on, or if we had to modify it along
21 the way, but, in general, what you're talking about, with the
22 observer grabbing numbers, that's part of what, in the kind of
23 scientific world, we call like a full trip reporting, or
24 accounting, throughout everything, and it's really nice to be able
25 to track the declaration to your time at-sea, if that's something
26 that's required in your fishery, to your pre-landing, or hail-in,
27 to your logbook, to your observer report.

28
29 It is, oddly enough, very difficult to do, because of all the
30 different systems that are there, and that's another area, in
31 general, the agency is looking to try and get the systems to talk
32 better, and so, if you remember my slide the other day, there was
33 a whole integration, and that would be a portion of integration.

34
35 **MR. SEYMOUR:** Thank you.

36
37 **CHAIRMAN GREEN:** Thad and then Clay.

38
39 **MR. STEWART:** Okay. Who is that determines if the level of
40 certainty, as far as this geo-stuff we're talking about, whether
41 it's the button or a geofence or whatever, but if it matches the
42 level of certainty necessary for the statistics to be relevant
43 enough to be used in making decisions?

44
45 **CHAIRMAN GREEN:** Come on back up, Jessica. We can get you a stool.

46
47 **DR. STEPHEN:** So I think that would probably be a combination of
48 the Regional Office, working with our Science Center, and then

1 working with S&T, and particularly the MRIP group is the ones who
2 have really good survey design, and statisticians, and so remember
3 that one of our goals is to eventually calibrate, and certify, the
4 data, and so that would be part of the entire process.

5
6 My goal would be to be having those conversations as we're building
7 the amendment, right, and we don't want to have those conversations
8 after the amendment is in place, and everything is decided, and we
9 want to know what is the potential ability of this, prior to
10 putting it in place.

11
12 **MR. STEWART:** Okay. Kind of a follow-up, and so we went from a
13 nothing at all to the very best, and now we're kind of looking at
14 good, better, you know, not best, because best has already been
15 struck down, and I just wonder how big of a role that will play in
16 all of that.

17
18 **DR. STEPHEN:** One of the things, when I was playing with the
19 presentation, that I was thinking about is everything occurs along
20 a continuum, right, and so you had nothing at all, and so we had
21 MRIP instead, and that didn't give you a lot of the information
22 that was being requested for doing the logbook program, and let's
23 say we have the South Atlantic program, that gives you some
24 additional information, and we have what SEFHIER was in the Gulf
25 before.

26
27 There's a whole lot of breadth in between the two of those. The
28 closer you get to having stronger validation, and less uncertainty,
29 the more increased likelihood you have that that data is going to
30 be certified, and able to be calibrated and used, and so some of
31 this is playing within that continuum of where we're at.

32
33 **MR. STEWART:** Okay. I just wanted to hear that.

34
35 **CHAIRMAN GREEN:** All right. Clay and then Mike.

36
37 **MR. SHIDLER:** I know we've spoken a lot about how to, quote,
38 validate our catch, but it kind of seems that it's coming down to
39 how to validate that we didn't fish, more so than what we did fish
40 for, or when we did go, and it's more so, when we didn't go, how
41 do we validate that we didn't actually go, beyond a weekly no-fish
42 report, and I guess my question would be like how do we -- What
43 are our options on that front?

44
45 Yes, we implement the geofence, and I think that the
46 geofence/validate button is really a great answer, and, if it can
47 be done, I think that we should really consider that as a strong
48 option, but it doesn't validate that we didn't fish, and what is

1 going to be our I-didn't-fish measure to validate the -- You know,
2 the opposite, and I think that's actually where we're going to
3 get, because I think, when we're looking at that side of the coin,
4 there are much fewer options on the table below VMS, and I don't
5 know what those options are, but I think that's actually where we
6 really need to get, because I think that's the crux of it.

7
8 **CHAIRMAN GREEN:** Well, I agree, to a certain extent, with you on
9 that too, and I think the non-fishing is less important -- Not
10 less important, but it's -- I've got it in my head, but I don't
11 know how to say it exactly, but, you know, like you're not -- When
12 you're not fishing, you shouldn't have to go through the steps to
13 prove you're not fishing, to me, and like -- I mean, like the whole
14 thing is you're trying to take -- What is it that you're concerned,
15 and is it that you're concerned of people putting in a no-trip
16 report and then running trips?

17
18 **MR. SHIDLER:** Well, correct. I mean, non-fishing, at this point
19 -- Without VMS, non-fishing is the same as fishing without
20 reporting. It's the exact same thing, in the eyes of, you know,
21 the governing body, and so, I mean, therefore, you know, although
22 you say you're not fishing, if you're not reporting, how do you -
23 - You know, I think that's kind of it.

24
25 **CHAIRMAN GREEN:** I guess, at that point, to me, it's attesting --
26 You're attesting that -- I've said it before, and you're -- Like,
27 whenever you submit these reports, and you submit a non-fishing
28 report, you are signing your name, electronically, and attesting,
29 as you submit this report to a federal agency, on a federal form,
30 and like, at some point, I would think -- You know, in my area,
31 our industry is very self-regulating.

32
33 You know, you don't get away with doing dumb stuff, because
34 everybody else has to jump through the hoops, and so I don't know
35 exactly how to speak to that, and maybe someone else can, because
36 Mike is next on the list, but, to me -- To me, that signing-off -
37 - You don't gain anything -- Well, that's not true either. Go
38 ahead, Mike.

39
40 **MR. JENNINGS:** The --

41
42 **CHAIRMAN GREEN:** You got to see my inner and outer monologue there.

43
44 **MR. JENNINGS:** A couple or three things here, real quick, and, to
45 me, to Clay's point, that would be a very argument now, Clay, for
46 that geofence, or that RFID technology that she was talking about,
47 like they use on trucks. If you don't break that geofence, it's
48 obvious that you didn't go fishing, but I want to remind someone,

1 or everybody here, if you will indulge me, that we're trying to
2 give this council options to explore.

3
4 That's the whole reason like I made the comment earlier that I was
5 not in favor of the motion that Mr. Fischer had made, but I didn't
6 oppose it either, and, I mean, let's run it in front of the council,
7 and let's have discussion, and let's see what their response is,
8 and let's come back in here and discuss it some more, and that's
9 kind of where I'm at on these different options that we can add in
10 here.

11
12 It gives us all something to discuss, and we may find out
13 something, six months from now, that this just isn't going to work
14 for us, and it all comes out of discussion on the council level,
15 or within this agency, et cetera.

16
17 The other thing that I would like to ask, Mr. Chair, on this motion
18 right here, do we need to -- Is it necessary, in Number 4, I guess
19 it would be, to -- You know, with the validation button, if that
20 would not be required, is it even necessary to put it in here that
21 it would not be required, if we're going to integrate this into
22 all systems and let the dual-permitted guys use their VMS, and not
23 be required by the guys who are dual-permitted, who are currently
24 using a VMS that's operating? For other reasons, it would --

25
26 **CHAIRMAN GREEN:** Josh, would you be open to talk about geofence,
27 and also dual-permitted -- Like can we add a few things here? We
28 don't have a second, which we need, and does anybody want to second
29 this?

30
31 **MR. JENNINGS:** I will second it.

32
33 **CHAIRMAN GREEN:** Okay. Mike Jennings seconds the motion, but maybe
34 we can add some things here, and, instead of that "we institute",
35 in the first line, that "we explore the following validation
36 efforts". That way, it gets more palatable, and it's a little bit
37 more vague, and it allows the freedom of the discussion to happen
38 at the council level.

39
40 **MR. ELLENDER:** Yes, 100 percent, and, also, I wanted to add some
41 more stuff. The geofence, I'm not really fully familiar with that,
42 but, if it's what I'm thinking it is, it wouldn't work for
43 Louisiana, just because, most of you all's spots, you all have one
44 pass that you all go out, and we have thirty to choose from.

45
46 **CHAIRMAN GREEN:** So the geofencing -- Like, in the beginning of
47 SEFHIER, we talked about this, when we were trying to fix the last
48 thing, the multiple hail-outs, because we talked about the line of

1 demarcation, and this, and it varies around the coast, but a
2 geofence is basically they take a map, and they draw a line, and
3 it could basically be all of land, and they could go around on the
4 coastline, or a mile out or whatever, along the coastline, and
5 draw a line, and now you have this big blob on a map.

6
7 Well, when you open your app, and you turn in your declaration,
8 and say you allow tracking, just on your phone, you know, and then,
9 when you go outside of that box, the app would realize it, through
10 the GPS internally, and it would trigger a report that you broke
11 the geofence, that you went through that area, and then you would
12 come back through, and it would log that again.

13
14 It doesn't have to be like just one port, and they can do a geofence
15 that bands around the whole coastline, and so anybody that goes
16 seaward, or in open water, and, when you go into open water, it
17 would trigger, and it would submit that report, and so that's the
18 idea of a geofence, is not the tracking, but the breaking of the
19 gate, basically.

20
21 **MR. ELLENDER:** So, with that being said, do you have to -- You
22 don't have to have cellphone service for that to be activated?

23
24 **CHAIRMAN GREEN:** I wouldn't think so, and it would be internal on
25 the app. It wouldn't even need to be real-time.

26
27 **MR. ELLENDER:** So what Jessica was saying, and what I was kind of
28 going to, was, from Number 4, it's actually give a couple of
29 options, more options, to explore. That way, maybe it may be --
30 That might not particular work for us, and it could, and I don't
31 know, but I'm just saying that it doesn't have to be that, hey,
32 this is one way that everybody has to do it, and it may not work
33 for everybody.

34
35 **CHAIRMAN GREEN:** Then, also, it might be a suite of options.
36 Maybe, if you have VMS, you check that's how I validate, and I
37 want to use the app and the geofence, and maybe there's a couple
38 of different ways for people to access -- Mike, you raised your
39 hand?

40
41 **MR. JENNINGS:** Yes, and there was some confusion there, and I threw
42 in that -- Jessica brought it up earlier, and I threw in that RFID
43 technology, like they use on the trucks when they go through a
44 gate, and that would be the technology that's really difficult,
45 because there is so many points and passages that you can go out.
46 The geofence, they can draw a line down the coast, from Key West
47 to Brownsville, and you literally can't get offshore without
48 breaking it, and the nice thing is that it's not tracking, because

1 it doesn't violate the court decision, in my opinion, and I'm not
2 an attorney, but, the way I read it, I would suspect, and we can
3 get a better opinion on that, obviously, but, because you,
4 obviously, are fixing to lose cellphone signal, if you haven't
5 already, and so just having the location on on your phone isn't
6 tracking you, because it's useless once that signal goes away.

7
8 **CHAIRMAN GREEN:** So we did a little wordsmithing in Item 4. To
9 explore trip validation options, such as effort validation button,
10 which would capture the GPS coordinates on the phone, and this
11 would be required to be hit by the captain after declaring, before
12 a trip report, while seaward of the demarcation line, or geofence
13 options, and so is that capturing what everybody -- Is there
14 anything else that anybody sees in this that they want to see
15 validation possibly? Sebo, you had your hand up?

16
17 **MR. SEYMOUR:** What does this no-fish required only weekly
18 currently, like currently required -- What about that -- Does that
19 go to SEFHIER daily or weekly, and is that what we're referring
20 to?

21
22 **CHAIRMAN GREEN:** So that's a way of quantifying the data, when we
23 aren't fishing, and allow you to -- Because, like on the headboat,
24 you can already do it weekly, and I guess you can do it in the
25 south Atlantic, in that SEFHIER --

26
27 **MR. SEYMOUR:** So what about a geofence in bad weather, or what
28 have you, and that's going to be part of the app, right?

29
30 **CHAIRMAN GREEN:** Geofence is in Number 4. It's at the end of
31 Number 4. Jessica.

32
33 **DR. STEPHEN:** Just, as I mentioned, the bad weather, and say you
34 have a mechanical failure when you start to go out, and so you
35 intended to fish, but didn't, and I thought we added, to the
36 logbook, a button that said, hey, I intended to fish, and something
37 happened, and you could probably fill out a comment field, and
38 then we would know that, all right, this logbook didn't have any
39 catch, because something happened that inhibited the ability to do
40 that.

41
42 Again, I will draw some comparisons to IFQ. If they had trouble
43 out there, they have what we call a declaration and a pre-landing
44 notification, and, if they're in trouble, if there's a mechanical
45 or injury onboard, sometimes they'll get on the phone call us, and
46 we'll be like I don't care about your pre-landing notification,
47 and do what's in the best for your safety, and we will contact a
48 law enforcement officer to let him know that. Then we record it

1 in our system, so there's a record that they talked to us, and so
2 I wouldn't overly concentrate on things that are unusual, or rare
3 events that happen, and we typically work with the fishermen for
4 any of that that's going on.

5
6 **CHAIRMAN GREEN:** Gotcha. Steve.

7
8 **MR. PAPEN:** Is there going to be like an option for a no-catch
9 report? Like say you go out there, and you -- You know, you get
10 people from up north, that are jumping a plane tomorrow, and they
11 don't want to keep anything.

12
13 **CHAIRMAN GREEN:** Well, but you should still be turning in your
14 catch report, because you're discarding. Like if you go out there,
15 and you don't -- You know what I'm saying?

16
17 **MR. PAPEN:** You would only turn in the discards.

18
19 **CHAIRMAN GREEN:** You would only turn in the discard info.

20
21 **MR. PAPEN:** That would count the same as the catch report?

22
23 **CHAIRMAN GREEN:** Yes. So lunch is here, and we're getting -- We're
24 a little bit past noon at the moment here, and do you all want to
25 vote this up or down, or do you want to take a break, and then we
26 can come back and address this? That way, it gives everybody over
27 lunch to think, in case they have anything else, because this is
28 a pretty big motion, with a lot of information in it, and so, if
29 we can leave this -- Can you leave this up on the screen, Ms.
30 Bernie? Okay. So we'll leave this up on the screen, and we'll
31 take thirty minutes for lunch, and we'll readjourn.

32
33 (Whereupon, the meeting recessed for lunch on January 11, 2024.)

34
35 - - -

36
37 January 11, 2024

38
39 THURSDAY AFTERNOON SESSION

40
41 - - -

42
43 The Ad Hoc Charter-For-Hire Data Collection Advisory Panel of the
44 Gulf of Mexico Fishery Management Council reconvened at the Gulf
45 Council Office in Tampa, Florida on Thursday afternoon, January
46 11, 2024, and was called to order by Chairman Jim Green.

47
48 **CHAIRMAN GREEN:** If you'll start making your way back, we'll go

1 ahead and reconvene. All right, and so we have the motion that's
2 on the board. Welcome back from lunch. During some of our
3 discussions, there were some questions, and I was going to give
4 the opportunity for Andrew, from Bluefin, and the VESL app, to
5 maybe come up and speak to -- Thad had some questions, on the
6 lunchbreak, about geofencing, and what all entails, and so maybe,
7 Andrew, if you would give us a few minutes, before we vote on this
8 motion, to give us some input, it might help everybody else
9 understand a little something more.

10
11 **MR. PETERSON:** Hi, guys. I'm Andrew Peterson, with Bluefin Data,
12 and one of the developers of the VESL application. Really, to
13 build on kind of what Mike was talking about with the geofencing,
14 is, essentially, it's a virtual boundary that you can set on a
15 map, and, whenever you cross that, you get -- An event triggers,
16 and that event could be sending a notification to somebody and
17 say, hey, a fishing trip occurred.

18
19 This is most accurate when done online, and so there are some
20 challenges when it comes to offline, because there may be some
21 requirements to like say pre-load an app with the boundary, or
22 with the geofence, location. That way, as the device moves around
23 offline, it knows when it might cross that boundary, and so I
24 wouldn't say that everything is all done and clear, from a
25 technical perspective, but it can certainly be done, to where, in
26 a majority of the cases, whenever you cross that boundary, you can
27 have a validation event occur that says like, hey, a fishing event
28 occurred.

29
30 **CHAIRMAN GREEN:** Go ahead, Mike.

31
32 **MR. JENNINGS:** Andrew, I know, going back, and this is -- I'm
33 talking about a different app here, but I've dealt with these
34 different apps all the way back to the very first round of iSnapper
35 that we did there in Texas for a while, and I know that, with that
36 one, it would -- It would gather this data even when we were
37 offline, and then it would just upload it, once we received signal
38 again, and is something like that possible with the geofencing, or
39 does it have to be active as you cross that line?

40
41 **MR. PETERSON:** No, and it can certainly be -- It can certainly
42 work offline, but it's just sometimes the accuracy will decrease,
43 because it doesn't -- The device might not necessarily know where
44 it's at on the map, but, yes, it can certainly work offline.

45
46 **CHAIRMAN GREEN:** Hey, Andrew, I had a question, and so, on like
47 Hunting Stand, an app I use, you can download offline maps, and,
48 basically, you can download -- You know, you can highlight a map,

1 and is that something that would be a viable option, if VESL, once
2 they -- Say we determine the geofence boundary, and then the app
3 could have a -- Where the app has it stored inside of it an offline
4 map, to where it does not have a connection, it would still be
5 able to have more precision, or at least an idea of where the
6 boundary is, instead of having to rely on uploading after the fact?
7

8 **MR. PETERSON:** Yes, and, I mean, in an ideal scenario, you make it
9 a requirement to where the information gets downloaded to the
10 phone, and, when you download the app, everything is already there
11 and available, and so, whenever it does go offline, you have that
12 ability to track and know when boundaries are being crossed.
13

14 **CHAIRMAN GREEN:** Okay. Does anybody else have a -- Go ahead, Mike.
15

16 **MR. JENNINGS:** Just a clarification here. By "online", are you
17 referring to as long as it's got a cellphone signal, or do you
18 necessarily mean online with Wi-Fi?
19

20 **MR. PETERSON:** So, when I talk online, I mean any type of
21 connection, and so cellular or Wi-Fi. To us, it's the same, online
22 or offline.
23

24 **CHAIRMAN GREEN:** Go ahead, Sebo.
25

26 **MR. STEWART:** It doesn't interfere with the 4th Amendment right,
27 right? Does it interfere with the 4th Amendment on privacy?
28

29 **MR. PETERSON:** That, I have no clue. I wouldn't want to answer
30 that.
31

32 **CHAIRMAN GREEN:** Well, I don't think that can be answered until
33 you do it. I don't think the agency is going to let you violate
34 the ruling.
35

36 **MR. PETERSON:** So I guess the only thing I could think of is -- I
37 mean, in order to have this functionality, you have to give the
38 app permission to do this. All the mobile -- Apple, or Google,
39 they don't just let us track your location without you knowing,
40 and you have to consent to it, and so that's why I say there -- I
41 mean, I don't know how the regulation side works, but I don't think
42 they can force you to consent to giving personal information, at
43 least in the sense of downloading the app, because we have no way
44 of just saying, hey, you must give this information, without your
45 consent, and like that's a core infrastructure boundary that we
46 can't cross.
47

48 **CHAIRMAN GREEN:** Thad, you'll be next, and one question I had was

1 -- I will let Thad speak. Go ahead, Thad.

2
3 **MR. STEWART:** Okay. Just so we're clear, we're talking about
4 something that isn't constantly tracking you, and marking your
5 every move, but it's just basically saying, okay, you crossed this
6 line, and, okay, you crossed it back, correct?

7
8 **MR. PETERSON:** Correct.

9
10 **CHAIRMAN GREEN:** My question was kind of to that also, and I don't
11 know exactly how to iterate it, but so, when you -- Can it be
12 allowed -- Can the programming be allowed to where, every time you
13 go to declare a trip, and say that we do the grid on the Gulf, and
14 it follow you and turns in grid boxes, and could you make it to
15 where, every time you opened the app, you would have to allow --
16 The user would have to click a button to allow tracking, so they
17 know when the tracking starts, and when the tracking stops, if
18 that becomes a requirement during a fishing trip?

19
20 **MR. PETERSON:** Yes, and there is that ability.

21
22 **CHAIRMAN GREEN:** Okay. Anybody else have any more questions for
23 Andrew? All right. Thank you, Andrew, and, Ms. Jessica, if you
24 would like to -- Okay. Thank you, Andrew.

25
26 **DR. STEPHEN:** Just one other thing that I want to tell you about,
27 and I'm blanking on what the name is, but there's a technology
28 where you're downloading, in essence, the connection to the
29 website, and not an app in and of itself, and so, when you download
30 apps, there's a whole lot that either Apple or the Androids require
31 you to do.

32
33 It can be downloaded and function, and, even though it opens like,
34 quote, a webpage, it functions like an app on you, and, in those
35 instances, and GARFO does this, and I actually had downloaded it
36 to my laptop here at work, and it functions like an app inside of
37 there, but it allows you to record all of your information and
38 save it. It is only then, when it gets a connection, say to a Wi-
39 Fi or cellular, that the information is sent. That's probably a
40 technology that we would want to think about, moving forward, with
41 different kinds of applications for reporting. Progressive web
42 application, and that's it.

43
44 **CHAIRMAN GREEN:** Gotcha, and I called up Andrew just so -- Before
45 we voted on this motion, if there was any more questions about
46 things like -- I mean, like he's VESL-specific, but just any
47 questions to have to do with technology and feasibility, but it
48 sounds like everything we have in this motion is feasible, and it

1 just will take movement on the council, and then us, in essence,
2 in working with vendors, the agency working with vendors, to get
3 what we need. I appreciate it, Andrew. Thank you for taking the
4 time to come up and answer some questions.

5
6 **The motion on the board is to recommend to the council that we**
7 **explore the following validation efforts to ensure our data can be**
8 **used to reduce scientific uncertainty and management uncertainty**
9 **and be used in a stock assessment passing peer review with the**
10 **following tools: 1)hail out (trip declaration); 2)logbook;**
11 **3)dockside intercepts; 4)explore trip validation options such as**
12 **effort validation button, which would capture GPS coordinates of**
13 **the device (phone) and this would be required to be hit by captain**
14 **after declaration, before trip report, while seaward of the**
15 **demarcation line or geofence options; 5)no fish reports required,**
16 **only weekly, like currently used in the Southeast Regional Headboat**
17 **Survey, meaning, if you do not fish at all in a week, you'd have**
18 **to do a no-fish report. If you fish one day during that week, you**
19 **wouldn't be required a no-fish report. That's the motion on the**
20 **board. We've got a first and a second. Is there any further**
21 **discussion? Sebo.**

22
23 **MR. SEYMOUR:** So the geofence is -- The line of demarcation, can
24 that be a little broader, or does it have to the line right now?

25
26 **CHAIRMAN GREEN:** So that was left over from the beginning, from
27 Josh's original motion, and then we just added the geofencing in
28 there, and I think the intent of that is to show that you're
29 seaward, that you're in open water, and like that if the geofence
30 -- Whatever it is, that, once the captain is in open water, then
31 that would trigger the options.

32
33 **MR. SEYMOUR:** I just want to say that, for just getting out there,
34 for the council to look at it, is that just trying to cover all
35 the bases right now?

36
37 **CHAIRMAN GREEN:** Yes.

38
39 **MR. SEYMOUR:** Okay.

40
41 **CHAIRMAN GREEN:** Yes, and it's giving a suite of options for the
42 staff to explore.

43
44 **MR. SEYMOUR:** And I'm still confused on the weekly deal.

45
46 **CHAIRMAN GREEN:** Okay, and so that's to quantify the data, and so
47 if you -- Like, right now, in the headboat, the reason why they
48 have us fill out no-fish reports is so, if we -- Like I shut down

1 for the first three weeks of November, and so, on the first day of
2 November, I opened up my app, and I put three weeks of no-fish
3 reports, because I wasn't going, but, if I didn't do that, they
4 would have no idea, and they would have to spend time figuring out
5 if I ran trips that week, or I had missing -- Like, when the week
6 goes by, and then I think another week goes by, then it's like --
7 It shows up on the website that I am not compliant.

8
9 If I turn in the no-trip report, then I am compliant, and so it's
10 to quantify all the data through the entire calendar. Like, if
11 you're not fishing, and you turn that in, then they can expect no-
12 fish reports from you, and so that's the purpose of the no-fishing
13 report, is just to kind of close any gaps.

14
15 **MR. SEYMOUR:** I just look at it simplistically. If you're going
16 to hail-out, and you don't hail-out, that means you're not going
17 anyway, and that's what concerns me about the simplicity of the
18 reporting system when you're down. In other words, if I'm down
19 from November 1 to March 15, I really don't want to do a weekly
20 report.

21
22 **CHAIRMAN GREEN:** Well, you can put in as many as you want. On
23 November 1, I put in for November's week one, two, and three, and
24 submitted it, and then I shut the app down, and so that -- Like I
25 could have done it through the whole winter, but that wouldn't
26 have been accurate, because we run fishing trips sparsely in the
27 wintertime, but --

28
29 **MR. SEYMOUR:** That's the only thing I have a situation with the
30 motion, and that's all I was saying, and I don't know about that
31 for me.

32
33 **CHAIRMAN GREEN:** Mike and then Thad.

34
35 **MR. JENNINGS:** We discussed it yesterday a little bit. With the
36 no-fishing reports, you're adding one more component to the overall
37 validation, and it's like I said before, and you can't just take
38 that VMS away and expect to not supplement that with something
39 else for the validation needs, for it to be used for management
40 purposes, and the no-fishing reports are simple. I mean, they're
41 paper reports on the commercial end, and they literally take me
42 about a minute-and-a-half to do one of them, and I can only imagine
43 how much quicker it would be on an online application, and it's
44 going to be pretty darned simple, one button and get out.

45
46 **CHAIRMAN GREEN:** That's correct, and that's how it is on the
47 headboat app. Go ahead, Thad.

1 **MR. STEWART:** I was just going to ask if that's something that is
2 specific to headboats, because, I mean, at the moment, a six-
3 passenger boat, we're not required to do it, I don't think. I've
4 never seen it.

5
6 **CHAIRMAN GREEN:** Headboats are completely different, because it's
7 not just the Gulf. It's the Southeast Regional Headboat Survey,
8 and so it's headboats in the Gulf, it's headboats in the Atlantic,
9 and it's headboats in the Mid-Atlantic, and so there's -- I don't
10 know if it's the Mid-Atlantic, but, anyway, it's multiple regions
11 that are included in it, and I don't know if it's specific just to
12 that, but I know -- It is?

13
14 **DR. FROESCHKE:** Yes, and so you're part of the Southeast Region
15 Headboat Survey, and so, if you're a six-pack, you're not in the
16 headboat survey right now, and so your catch and effort are
17 monitored under the MRIP charter survey, and so there's only like
18 200 vessels, in the South Atlantic and the Gulf, in the headboat
19 program.

20
21 **MR. STEWART:** Okay. I just -- Now, look, if this is here, or
22 compliance to I guess supplement not having -- I can accept that,
23 but, if it's not a necessary regulation for those that don't have
24 to do it already, I would rather not -- I mean, if we could say
25 something like for those that it applies, or something like that,
26 if that's possible.

27
28 **CHAIRMAN GREEN:** So I don't want you all to think that this is
29 some big report. This is -- I literally pull open the app, and I
30 put -- It has a selection, and, it says -- Like, on my VESL app,
31 it says, find report, create report, create no-fish report, and I
32 hit that, and it pulls up a list of weeks, you know, to be -- The
33 week in November, and it's like forty-six, or forty-four, and it
34 gives the dates, and I hit that, and I highlight as many as I want,
35 and then I hit "submit".

36
37 It's not -- This isn't creating -- It's not on-the-water stuff,
38 and it's you're sitting at the house, and you're like, all right,
39 we didn't run fishing trips for the last three days, and now a
40 front comes through, and it's blowing its butt off, and we're not
41 going to be able to go out for another four days, and then you get
42 to where you're like eight days into bad weather, and you're like,
43 all right, I'm ready to run a trip, and you are like, oh, shit, I
44 need to turn in a no-trip report for those seven days, and that's
45 what this is. So the SEFHIER in the South Atlantic had no-trip
46 reports optional for each day, and is that -- Jessica.

47
48 **DR. STEPHEN:** Yes, and so the South Atlantic does use did-not-fish

1 reports. They were set at the weekly level, because of their
2 weekly reporting. Some of the avenues we could think about here
3 is -- I wouldn't suggest anything less than a week for a did-not-
4 fish report, but we could probably also incorporate maybe longer,
5 and so you know you're going to be not fishing for a month, and go
6 ahead and submit it one time, and that covers those dates. Those
7 are the different options that we can explore.

8
9 I will say that it does add a lot for the compliance and auditing
10 and tracking, and so, without a VMS, I would highly recommend
11 having the did-not-fish report as one component, to ensure kind of
12 the greater certainly within the data.

13
14 **MR. STEWART:** Okay. Thank you.

15
16 **CHAIRMAN GREEN:** Go ahead, John.

17
18 **DR. FROESCHKE:** Well, just the way that I would interpret it, and
19 Jessica can correct me if I'm wrong, but, if you were to do
20 something like the geofence, where it was more of a passive thing,
21 there wouldn't be a need for the no-fishing report.

22
23 **DR. STEPHEN:** We would have to explore how the geofence would work,
24 and, as we would get to exploring those, I think then we would be
25 able to tell that, hey, this geofence is going to work 100 percent
26 of the time, and we're really good with it, and then we potentially
27 might not need the did-not-fish report, because you're passively
28 knowing that there is a trip, and so then we could look at something
29 that has shown that they've gone out fishing, and give them a call,
30 and, hey, were you on a fishing trip or not, and we didn't see any
31 reports. The other way of doing it really is looking at these
32 did-not-fish reports in combination with the dockside validation,
33 a hail-out, a logbook, et cetera.

34
35 **CHAIRMAN GREEN:** Gotcha. Go ahead, Sebo.

36
37 **MR. SEYMOUR:** I was just going to say that I personally don't like
38 Line 5, if you have geofencing, and that Line 5 is not for me, and
39 it just -- It's probably going to pass right now, but it ain't for
40 me.

41
42 **CHAIRMAN GREEN:** So what I'm -- So this is a suite of options,
43 okay, and so like the majority of this is not going to pass, when
44 it comes time to do the final document, and there's going to be
45 one thing in this, or one or two things in this list, and so, I
46 mean, like I get it, and like, to be honest with you, I don't
47 understand it. Like it helps, and this is something -- You know,
48 we talk about we want to turn in our harvest, and we need this in

1 this report, and this is something that the industry needs, and
2 this is something that the agency needs to quantify the data.

3
4 If they don't, they're going to spend a lot of time trying to --
5 It's more uncertainty, and so, by not having a no-fish report, and
6 having no fishing reports turned in, the uncertainty is did a trip
7 happen or not, and, by doing this report, and submitting it, you
8 are attesting to a federal agency, on a federal form, that you
9 didn't fish that week, and so it closes the gap. Like it closes
10 the gap on them having to validate every day and make sure there
11 isn't any boats that are running trips without it, and you're
12 attesting to it, and so that's the premise of the whole thing. Go
13 ahead, Sebo.

14
15 **MR. SEYMOUR:** I get it. I mean, I get it, and it's just more --
16 The overreach is what I'm having a problem with again, and I know
17 we're going to have to give up something to get something, but I
18 have to sell that people, and I don't know.

19
20 **CHAIRMAN GREEN:** Gotcha. Okay. You can blame it on me, if it
21 passes. All right. I'm a pretty good punching bag. Steve, you
22 wanted to speak?

23
24 **MR. PAPEN:** In the commercial sector, when you do your logbooks
25 and stuff like that, they do it for a month, and is it possible to
26 increase that to a month, instead of a week? Probably most people
27 wouldn't have a whole month of --

28
29 **CHAIRMAN GREEN:** Jessica can speak to it, and I personally would
30 like to see it a week, because you can do one, two, three, four,
31 and that's a month, and then that -- Because I don't take months
32 off, but I take weeks off, and I think that you --

33
34 **MR. PAPEN:** Well, if you did a report like at the end say, and it
35 blew all month, or you went hunting, or you took the whole -- You
36 know, you took three weeks off, and then it blew for, you know,
37 another week, and you didn't fish for the whole month, and it would
38 be less intrusive if it was a whole month, and people wouldn't
39 have to sit there and go every week.

40
41 **CHAIRMAN GREEN:** I get it. I mean, I'm not going to argue with
42 it, and I think it's semantics, whether you click a button four
43 times to equal a month or one button for a month, and that's just
44 me. I'm not going to down you, Steve, either. Jessica, and then
45 Mike, and then -- Okay. Jessica.

46
47 **DR. STEPHEN:** One thing, when thinking about the commercial, is
48 commercial trips are typically five to fourteen or more days, and

1 so that's where the week mechanism didn't really play in with the
2 commercial did-not-fish report, and the monthly was a little bit
3 more applicable to going forward. That said, as I mentioned
4 before, we could set it up where it defaults to a week, for a did-
5 not-fish report, but you could extend that, and so you could maybe
6 say that I'm going to be out for the entire month, and you only
7 submit one report that covers let's say three weeks, and so it
8 would cover the same as three individual reports. There is
9 different ways that we can play with this in trying to ease the
10 burden of it, right?

11
12 If you know you're not going out fishing, go ahead and submit one
13 and say, for three weeks, you're not fishing. If you come back,
14 and the weather blew out, just give us another one for the next
15 week, and you can do it in advance or, you know, a little bit after
16 the fact, as long as it comes in within that timeframe. Michelle,
17 did you want to add anything?

18
19 **DR. MASI:** Just a point of clarification. The way it works right
20 now, for the South Atlantic, is you go in, and you can actually,
21 in advance, say I'm not going to go fishing for a month, and you
22 click your four weeks. If you then take a trip, that just overrides
23 it, and you don't have to do anything. You don't have to change
24 anything, and it just overrides that did-not-fish report, and, you
25 know, one thing that I would be really supportive of is, for
26 commercial, they allow up to six months in advance, you can say
27 you're not going to go fishing, and then, again, if you do take
28 those trips, it just comes to us. We just get it, and it overrides
29 that did-not-fish week, and so you're not doing anything actively.

30
31 **CHAIRMAN GREEN:** Gotcha. Thank you. Mike.

32
33 **MR. JENNINGS:** She covered my point on the multiday trips and the
34 reason for a month.

35
36 **CHAIRMAN GREEN:** Gotcha. All right, and so we've got the motion
37 up here. Any further discussion, before we vote on it? **Seeing no**
38 **discussion, is there any opposition to this motion? If there is,**
39 **we'll do a yes or no vote, but -- So no opposition. Seeing no**
40 **opposition, the motion carries unanimously.**

41
42 That was a lot of the stuff that -- That pretty much covers
43 everything that we had on our little brainstorming list there, and
44 I think it does anyway. Can we pull that up, Ms. Bernie? There's
45 our list, and you all can kind of review it for a minute, and,
46 also, you know, that kind of covers what we had our brainstorming
47 list, but I would like to take the time -- We still have to do
48 public comment, give time for public comment and stuff, but, if

1 there's anything that's missed, that you missed, that you thought
2 of, or that you think we should add into this at this time, now is
3 a good time to -- I say we take the time to -- I've got you, Mike.
4 I say we take the next twenty-five minutes or so, twenty or twenty-
5 five minutes, and hash out anything else that we need to put into
6 this, or want to have considered. Mike, you have the floor.

7
8 **MR. JENNINGS:** Mr. Chair, I have one more motion that I would like
9 to make, and that is -- I don't think it's going to have a lot of
10 discussion, or at least I hope it doesn't, and take up a lot of
11 time, but recommend to the council to move forward with
12 reimplementing the SEFHIER program as quickly as possible with
13 current available options while continuing to explore AP
14 recommendations to improve data integrity and usability.

15
16 **CHAIRMAN GREEN:** Mike, will you carry that down to Ms. Bernie, so
17 she can copy what you had written down there?

18
19 **MR. JENNINGS:** If I will, Mr. Chair, my point is to -- I would
20 like to see us reporting again, as quick as we can, and then we
21 can get what data we can, and then we can improve it as we go, but
22 I will wait for a second, and then we can discuss it.

23
24 **CHAIRMAN GREEN:** I have a second from Abby. Is there discussion?
25 Would you like to speak to it more, Mike?

26
27 **MR. JENNINGS:** No, and I will listen.

28
29 **CHAIRMAN GREEN:** Okay. Joshua.

30
31 **MR. ELLENDER:** When you say "current available options", can you
32 define that?

33
34 **MR. JENNINGS:** Yes. Either the -- Either one of the apps, whichever
35 app you're using, as it sits, without the VMS running.

36
37 **MR. ELLENDER:** So you would you be open to adding that in there,
38 with something saying without VMS?

39
40 **MR. JENNINGS:** Well, I mean, we can. The VMS is not an available
41 option, and so I figured that I covered that, but we can add -- If
42 you want to make an amendment to that, or wordsmith an amendment.

43
44 **MR. ELLENDER:** I'm in favor of it, getting it rolling.

45
46 **MR. JENNINGS:** With zero vessel tracking, or something along those
47 lines, and I'm okay with that.

1 **MR. ELLENDER:** Yes, and just something so it's clear that we're
2 saying, hey, we want you to roll it out, but, you know, we've got
3 to make sure we, obviously, can't have the same thing.
4

5 **MR. JENNINGS:** So, between -- Current available options, excluding
6 vessel tracking, while continuing to explore --
7

8 **CHAIRMAN GREEN:** Yes.
9

10 **MR. ELLENDER:** And economic data.
11

12 **CHAIRMAN GREEN:** Yes.
13

14 **MR. JENNINGS:** Yes, we can do that. Excluding vessel tracking and
15 economic data requirements while continuing to explore AP
16 recommendations to improve data integrity and usability. It works
17 for me. Thank you.
18

19 **CHAIRMAN GREEN:** Abby, as the second, do you agree with the amended
20 language? We have an agreement. Discussion? **Seeing no**
21 **discussion, is there any opposition? Seeing no opposition, the**
22 **motion passes unanimously.** Go ahead, Richard.
23

24 **MR. FISCHER:** I have got one more motion as well, before we sign-
25 off for the meeting, and it has to do -- First of all, I want to
26 thank you all for removing the bullet point from yesterday from
27 the 2014 technical committee, as it pertains to data -- To
28 individual data histories, and that's where I'm going with this
29 motion, because I think it's important that we consider taking it
30 a step further, and I will provide my rationale after I provide
31 the motion.
32

33 **The language of the motion would be for the Gulf Council, and NOAA**
34 **Fisheries, not to use any of the data received from this program**
35 **to develop any individual catch histories for any potential future**
36 **IFQ or PFQ systems.**
37

38 My rationale for why I believe it's important that we make that
39 statement on the frontend, before the program comes back, is that
40 there -- In the minds of some captains, and not necessarily the
41 captains sitting at this table, but, in the minds of some captains,
42 if we do not explicitly say that this is not going to go towards
43 a catch history, we are going to create a derby.
44

45 We are going to create a mindset, and an expectation among
46 captains, that, if I do not catch and kill every fish that I can,
47 on every trip that I can, that I am going to be hurting myself
48 down the road for my quota, and that's a conservation problem, and

1 we're all conservationists here, and we don't want that. That's
2 a safety problem, and you might be staying out longer, on days
3 when you shouldn't stay out, due to weather conditions, and you
4 might be going out on days that you shouldn't go out, due to
5 weather conditions.

6
7 It also creates a validation problem as well, because, on the 95
8 percent of the days that you're not validated by a validator at
9 the dock, you are now incentivized, for the bad actors out there,
10 to not be totally truthful about the fish that you caught that
11 day, and maybe you say you limited out, when you didn't, in an
12 effort to try to get as much allocation for yourself, in a selfish
13 way, in the future.

14
15 You know, these are all problems that we've, you know, laid out
16 there that get into creating the IFQs, and the PFQs, and it's my
17 personal opinion that it's important for this group to state that
18 that is not the intent of any of this on the frontend, and I would
19 be interested to see if others in this group agree with that.

20
21 **CHAIRMAN GREEN:** All right, and so, before I -- Do we have a second
22 for the motion? We have a second from Josh. Before we get started,
23 I wanted to speak to that, because, first off, I don't agree with
24 this in the beginning, and there's one reason why, and it's not
25 because I want to build a catch history, or I want a PFQ, or an
26 IFQ, but it's that we lived through a time when there was a nine-
27 day red snapper season.

28
29 Before we got down into the single-digit days, I never considered
30 -- Like I came -- I didn't up with the PFQ, but I came up with the
31 idea of tying it to the permit, so it wasn't individually owned,
32 or brought that up, I should say, and not came up with it, but I
33 never intended to have an IFQ, or a PFQ, until I got reduced down
34 so much that I only had nine days to work with, and so, to me, I
35 wouldn't support this motion, just because I can't say that, in
36 ten years, if the fishery collapses, and you only give me a ten or
37 twelve-day season, that I ain't going to be like give me my fish,
38 and I can do it better than picking days in a derby.

39
40 On that word, I am -- As the one who came out first, as a headboat
41 operator, and NCFCA, that pushed for 41 and 42 to be explored, I
42 was the first one to come up to the public testimony and shoot
43 down 42, which caused a lot of riff, and you would have thought I
44 was from Louisiana then, but like it caused a big riff, but I don't
45 want to lock myself out of it, but I have no problem saying that
46 my intent with this is not to create the environment for IFQ, but
47 that might be me, and so we've got a second, and, Mike, do you
48 want to speak to that?

1
2 **MR. JENNINGS:** Hang on.
3
4 **CHAIRMAN GREEN:** I'm sorry.
5
6 **MR. JENNINGS:** I will hold off.
7
8 **CHAIRMAN GREEN:** I jumped.
9
10 **MR. FISCHER:** I will certainly be willing to accept some help with
11 the wording of the motion, but the way that I worded it was that
12 the Gulf Council, and NOAA Fisheries, do not use any of the data
13 received from this program to develop any individual catch
14 histories for any potential future IFQ, or PFQ, systems.
15
16 **CHAIRMAN GREEN:** Maybe, instead of like "not use" -- To me, "not
17 intended to be used", you know, and however you want to word it,
18 but I don't want to lock myself into never having the opportunity
19 for that, if the --
20
21 **MR. FISCHER:** I do.
22
23 **CHAIRMAN GREEN:** Well, I understand, but, I mean, you know, we
24 demonstrated that, by taking the objective out, and so, to me,
25 that's my biggest thing, is like I don't ever intend for this to
26 -- Unless the fishery gets to a point where we have to survive, to
27 find a different way of managing the small amount of fish we've
28 got -- Once our snapper season got over fifty days, you quit
29 hearing people talk about PFQs, because they were happy with the
30 season, some of us, and not the western Gulf, but a lot of us were
31 happy with having that duration of season, and so I will let
32 someone else speak to it, if they want to, but, to me, I don't
33 want to lock myself into it, even though it is not my intent to
34 create a catch share with this information at this time. Did you
35 want to speak, Mike?
36
37 **MR. JENNINGS:** Yes, and go ahead, Ed, and then I will go next.
38
39 **MR. WALKER:** Well, I understand what you're saying, and there
40 certainly is opposition, you know, and I would say majority
41 opposition, to the whole concept of an IFQ in the charter fishery,
42 and most places I've been as well, and I don't -- I don't know
43 though that you can dictate to NOAA Fisheries what they can do
44 with existing data in the future.
45
46 The data is going to be there, you know, in a computer somewhere,
47 of, you know, who caught what, and I'm not sure that you can
48 dictate that they can never use it for certain things, but I get

1 where you're going with it, and I agree with it, to be honest with
2 you, but I don't know if you can dictate what they can do with the
3 data.

4
5 **CHAIRMAN GREEN:** Mike and then Josh.

6
7 **MR. JENNINGS:** Ed just covered a portion of what I was going to
8 discuss, but, on the same token, I am also in opposition to this
9 motion. I mean, I hear -- Every time that this subject comes up
10 in the corner of a room, the first thing that will come out of
11 even the biggest opponents of any kind of an IFQ, or a PFQ, would
12 be to talk over the top of you and tell you that there's no industry
13 support for it, and, if there's no industry support for it, then
14 it's a done deal. You will never get past the referendum process.

15
16 Secondly, it won't create a -- In the rationale portion of the
17 argument, it won't create a derby. We currently fish a derby, and
18 all it does is point out -- Or the rationale takes into question
19 my ability, after three decades on the Gulf of Mexico, to make
20 sound decisions, and safe decisions, for my customers, simply
21 because now I have an app on my phone that's letting me record my
22 catch.

23
24 No offense, but I find the rationale a little bit insulting on the
25 gentlemen sitting around this table, who have got millions of hours
26 on the water of the Gulf of Mexico, making those foolish decisions
27 over this app, just for some future whatever may happen, and so
28 that's kind of my take on it, and I don't support the motion.

29
30 **CHAIRMAN GREEN:** Josh.

31
32 **MR. ELLENDER:** So, kind of to what Ed was saying first, it was --
33 You know, we're not saying that we want to dictate to NOAA that
34 you can or cannot do this. I think the gist of this is saying
35 that, as an AP, is that this is not our intention, and we're not
36 -- We don't want to use this to develop an IFQ program, and I think
37 that's what a lot of people have the question about.

38
39 When we're sitting at this table, talking about stuff, and coming
40 up with the ideas, and the recommendations, to the council, that
41 we're doing it in good faith, that it's best for the fishery, but
42 we don't have some kind ulterior motive to take advantage of people
43 that really don't fully understand the system. With that being
44 said, I do support this motion.

45
46 **CHAIRMAN GREEN:** So maybe -- I don't know, and maybe or maybe not
47 other people that don't support it now may support it, but maybe,
48 instead of "to recommend to the council", maybe "to inform the

1 council that this data is not intended to be used to develop any
2 catch whatever". You know what I mean? Maybe, if you soften the
3 language up, because like you can't tell them that we're not going
4 to use any of this data.

5
6 I mean, you can say that all you want, but, in hindsight, if we
7 decide to do it in ten years, nobody gives a damn if the AP motion
8 passed or not, and do you know what I mean? So maybe, if you're
9 trying to just inform the council, and NOAA, that the data
10 collected in this program is not intended to be used for an IFQ,
11 or a PFQ, system, maybe that allows you the political cover to
12 show that, hey -- I'm not being -- I'm just talking in general.

13
14 It allows the political cover, for those not involved, to
15 understand the intent, and the council, but, in all essence, it
16 would be a game-time decision, as we move on, but I can agree that
17 I don't -- I didn't come in here today with the intent of creating
18 an IFQ, or a PFQ, and so I can agree with that. Other people might
19 feel differently, but maybe, if you did that wordsmithing change,
20 and you were okay with it, and see if we get some more discussion
21 about it. Go ahead, Josh.

22
23 **MR. ELLENDER:** So Jessica just made a good point, and, if you're
24 willing to accept this, this friendly amendment, is to say that
25 the AP recommends that the council does not move forward with an
26 IFQ program in the for-hire fishery, something along the lines of
27 that, and is that the same thing as you're trying to say?

28
29 **MR. FISCHER:** That is. I'm fine with that, too.

30
31 **MR. ELLENDER:** That would still cover everything?

32
33 **CHAIRMAN GREEN:** Well, I mean, it's you all's motion, and you two's
34 motion, and so, if you want to give it to Ms. Bernie, and make
35 sure it's written the way you want it to say, and then we can open
36 it up for discussion, and, that way, everybody has a chance to
37 weigh-in on it properly.

38
39 **Okay, and so is that how you want the motion to read, to recommend**
40 **to the council to not move forward with a for-hire IFQ program,**
41 **and that's** -- Josh, you're good with that?

42
43 **MR. ELLENDER:** Yes, sir.

44
45 **CHAIRMAN GREEN:** So the first and second, and we have a motion on
46 the board. Any discussion? No? All right. **Is there any**
47 **opposition to the motion? Seeing no opposition, the motion carries**
48 **unanimously.**

1
2 All right. We're getting close on time here, but is there anything
3 else that we want to include in motions, or discuss real quick,
4 before we open it up to public comment? Sebo.

5
6 **MR. SEYMOUR:** In the document, the recommendations, do we have a
7 dual-permitted -- To do that in there, to make sure that the
8 council knows that dual permitters still want to use the tracking
9 device?

10
11 **CHAIRMAN GREEN:** I think we can make -- Mike.

12
13 **MR. JENNINGS:** We had discussed that earlier, and the dual-
14 permitted guys, whether they want to use it or not, they have to,
15 for just a point of clarification. They still have to have it on
16 there for the commercial side, and I think we can get to a point
17 to where we're not dealing with issues like Mr. Papen was talking
18 about earlier, where he's having to use two and three devices to
19 get out of the pass every morning, which is just ridiculous. I
20 think that we discussed it, and I think that may be -- We can put
21 it in there, if you like, and --

22
23 **MR. SEYMOUR:** I think if it's in there, to where the council knows
24 that these guys are going to do an app, and they're going to
25 continue to do what they normally do.

26
27 **MR. JENNINGS:** I think it's something we deal with in the future.

28
29 **MR. SEYMOUR:** Okay.

30
31 **CHAIRMAN GREEN:** I think so, and, John, if you would like to speak
32 to it, but I agree, and I think that's next stuff, next steps.

33
34 **DR. FROESCHKE:** Just briefly, in the past, when we've dealt with
35 these documents and things, the requirements have been discussed
36 as minimum standards, and so, if there's something out there that
37 exceeds the minimum standards, and like I would view the VMS as
38 that, and that would be fine, and so it seems like we're okay.

39
40 **CHAIRMAN GREEN:** Okay. All right. Ms. Bernie, can you pull up
41 our brainstorming list, one more time, for everybody to see, and
42 we've got a few more minutes, and we'll see if there's anything
43 else that anybody wants to add. Josh.

44
45 **MR. ELLENDER:** What about if, for some reason, we have an app
46 failure, and say we're using the phone, eTRIPS or whatever, and we
47 have an app failure, and what about -- This could be, you know,
48 further down the road, but what could be in place right now, as to

1 where we could still fish, if we do have some kind of a failure?

2
3 **CHAIRMAN GREEN:** I think that will have to do with the
4 requirements, if they make that a requirement, and then, also, the
5 beauty of it, if it was an app, or a webpage, and like, in VESL,
6 just so you know, there's the VESL app, and then you can take your
7 login credentials, and you can go to the VESL webpage and do the
8 same thing you're doing in the app, and so, if you have an app
9 failure, you could use your browser on the same device, or you
10 could pick up somebody else's phone, that's on the boat, and log
11 into the website with your credentials, and you could still be
12 able to report and stuff like that. Jessica.

13
14 **DR. STEPHEN:** If something like that happens, and you have a phone,
15 you can call SEFHIER, and you can say, hey, look, my phone fell in
16 the water, or something happened, right, and you don't have it,
17 and I was trying to report, and I am going to do it as soon as
18 possible, and we'll make note of that too, and then helps kind of
19 with law enforcement, and you were trying to do good diligence in
20 moving forward.

21
22 Typically, like I said, in any kind of an emergency, or a different
23 situation, we're going to work with you, to help move forward
24 through it, and we're also trying to work to build an agency
25 application that is not only -- That's that progressive web app,
26 and so it's not only to be on the phone, but you could get to it
27 through a computer, and so, there, we would have a communication
28 to just submit it as soon as you really possibly can.

29
30 **CHAIRMAN GREEN:** So, yes, it might be when you get back to the
31 house that night, after you call them and say, hey, I dropped my
32 phone in the water, and then you get to the night, and then you -
33 - Everything is copacetic, you know, if it's not a habitual thing
34 too, and then they -- If it's habitual, then they can address that
35 person individually with the problems. Is there anybody else that
36 wants to bring before the AP before we close and go to public
37 comment? Okay. All right. If nobody has anything else, Lisa.

38
39 **DR. HOLLENSHAD:** Thank you, Mr. Chair. I was just going to speak
40 to some of the next steps. Number one, thank you all for your
41 participation. This has been really, really good. You've got a
42 lot for the council to chew on here, and so, again, we really
43 appreciate all of your input. This has been incredibly helpful.

44
45 One thing that I guess that I do want to do, since we've made all
46 of this progress, is maybe temper some expectations. You know, it
47 takes a little while to write-up some of these things, and so kind
48 of getting to what Captain Jennings had mentioned, that, you know,

1 while we develop this, and this can take a little bit of time, and
2 that's okay, and it's good that, you know, we're sort of working
3 through these things, and so just keep that in mind, that some of
4 the development of these things just take some time.

5
6 The second thing is that likely this group will meet again,
7 probably, and so keep that in mind. I'm not sure exactly when
8 that will happen, and that will sort of depend on what feedback we
9 get from the council, but we will likely convene this group again,
10 and so you'll hear from me again, reaching out about some potential
11 times, when that happens, and potentially it could be, you know,
12 in the fall, something like that, and so I just wanted to let
13 everybody know those next steps. If, at any point, you have any
14 questions through this, please feel free to reach out to staff, or
15 to myself, and we're happy to help you in the interim.

16
17 **CHAIRMAN GREEN:** Also, Lisa, we take this, and this report goes to
18 the January council meeting, and the staff -- The council will
19 make recommendations for the staff to develop a document, or I
20 talked to Ms. Carrie, and they might have already done that, but
21 they would be able to give some direction to staff on how the
22 document should -- What it should have in it, and then that would
23 come back in the April meeting, and then, you know, by then, it
24 will be summertime, and so it might be, like she said, like the
25 fall, and so just understand there's a process to go through, and
26 pay attention, and, if we can help in any way, you all know how to
27 get ahold of me, Lisa.

28
29 **DR. HOLLENSHAD:** Yes, sir, and so what I see here, actually, is
30 there's some things that it looks like, from the old SEFHIER
31 program, that were sort of okay, like the data fields for the
32 logbooks, the hail-outs, and those seem to be okay. That's already
33 been, you know, sort of generally drafted in what was in the
34 SEFHIER document before, and so that's good, but some of the other
35 things, like the geofencing, right, and so that's going to take a
36 little bit of exploration, and so, you know, in January, it might
37 be, hey, you know, okay, it sounds like we can take some portions
38 of the original SEFHIER document and kind of recycle those a little
39 bit, and that seems to be okay, and so we'll definitely put that
40 in there as something the council might say, but then also be like,
41 well, we also want to explore some of these other things, before
42 we decide to put those in there, and that, like you said, might be
43 coming more towards April, and so, in the summertime, we know you
44 all are busy with your charters and things, and so maybe a little
45 after that would be a time to then come back to this group.

46
47 **CHAIRMAN GREEN:** All right, and so we'll go ahead and move to the
48 public comment, and so, John, do you need to read your thing?

1
2 **DR. FROESCHKE:** I sure do. All right. Good afternoon, everyone.
3 We welcome public comment from in-person and virtual attendees.
4 Written comments may also be provided at any time to the council,
5 through our general public comment link on the council's website.
6 Anyone joining us virtually that wishes to speak during the public
7 comment should have their hand raised. When it's your turn to
8 speak, you will be unmuted by the webinar organizers. Please note
9 that you must also unmute your own line.

10
11 Public commenters must refrain from addressing members of the
12 advisory panel, council members, or staff in a derogatory or
13 demeaning manner. If you have a cellphone, or a similar device,
14 we ask that you keep them on silent or vibrating mode during the
15 meeting. Also, in order for all to be able to hear the proceedings,
16 we ask that you have any private conversations outside.

17
18 **CHAIRMAN GREEN:** Thank you, John, and so we'll go ahead and open
19 it up for public comment, and we'll start by do we have anybody
20 online that raised their hand? No? Okay. So we'll start in the
21 room. Is there anybody that would like to provide public comment?
22 Dylan Hubbard, you don't have anything to say? That is odd. Thank
23 you. All right, and so, seeing no public comment, our next meeting
24 is to be determined, and we appreciate everybody's input and
25 working together, and we look forward to the future meetings.
26 We're adjourned.

27
28 (Whereupon, the meeting adjourned on January 11, 2024.)

29
30 - - -
31