

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 CORAL COMMITTEE

4
5 Marriott Courtyard Gulfport, Mississippi

6
7 April 17, 2018

8
9 **VOTING MEMBERS**

- 10 Tom Frazer.....Florida
- 11 Patrick Banks.....Louisiana
- 12 Roy Crabtree.....NMFS
- 13 Dave Donaldson.....GSMFC
- 14 Johnny Greene.....Alabama
- 15 Martha Guyas (designee for Jessica McCawley).....Florida
- 16 Campo Matens.....Louisiana
- 17 Paul Mickle (designee for Joe Spraggins).....Mississippi
- 18 John Sanchez.....Florida

19
20 **NON-VOTING MEMBERS**

- 21 Kevin Anson (designee for Scott Bannon).....Alabama
- 22 Leann Bosarge.....Mississippi
- 23 Doug Boyd.....Texas
- 24 Dale Diaz.....Mississippi
- 25 Phil Dyskow.....Florida
- 26 Robin Riechers.....Texas
- 27 Bob Shipp.....Alabama
- 28 Greg Stunz.....Texas
- 29 LT Mark Zanowicz.....USCG

30
31 **STAFF**

- 32 Steven Atran.....Senior Fishery Biologist
- 33 Assane Diagne.....Economist
- 34 Matt Freeman.....Economist
- 35 John Froeschke.....Fishery Biologist-Statistician
- 36 Douglas Gregory.....Executive Director
- 37 Beth Hager.....Administrative Officer
- 38 Morgan Kilgour.....Fishery Biologist
- 39 Ava Lasseter.....Anthropologist
- 40 Mara Levy.....NOAA General Counsel
- 41 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
- 42 Bernadine Roy.....Office Manager
- 43 Camilla Shireman.....Administrative and Communications Assistant
- 44 Carrie Simmons.....Deputy Director

45
46 **OTHER PARTICIPANTS**

- 47 Pam Anderson.....Panama City Beach, FL
- 48 Greg Ball.....Galveston Professional Boaters Association, TX

1 Ryan Bradley.....MS Commercial Fisheries United, MS
2 Eric Brazer.....Reef Fish Shareholders Alliance
3 J.P. Brooker.....Ocean Conservancy, St. Petersburg, FL
4 Mark Brown.....SAFMC
5 James Bruce.....MS
6 Gary Bryant.....Gulf Shores, AL
7 Dan Buckley.....Reef Fish Shareholders Alliance
8 Blake Compeant.....St. Larose, LA
9 Laura Deighan.....Audubon Institute
10 Michael Drexler.....St. Petersburg, FL
11 Mike Falgout.....New Orleans, LA
12 Traci Floyd.....MDMR, Biloxi, MS
13 Troy Frady.....AL
14 Susan Gerhart.....NMFS
15 Ken Haddad.....ASA, FL
16 Rick Hart.....NOAA Fisheries, Galveston, TX
17 Mark Kelley.....Panama City Beach, FL
18 Alicia Paul.....Panama City Beach, FL
19 Ruth Perry.....Shell, Houston, TX
20 Laura Picariello.....Audubon Institute
21 Clay Porch.....SEFSC
22 Lance Robinson.....TX
23 Ashford Rosenberg.....Reef Fish Shareholders Alliance
24 Jessica Stephen.....NMFS
25 Donna Tryon.....Gulf Breeze, FL
26 Mark Tryon.....Gulf Breeze, FL
27 David Walker.....Andalusia, AL
28 Bob Zales.....Panama City, FL

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30
31

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1 The Coral Committee of the Gulf of Mexico Fishery Management
2 Council convened at the Marriott Courtyard, Gulfport
3 Mississippi, Tuesday morning, April 17, 2018, and was called to
4 order by Chairman Tom Frazer.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF MINUTES**
8 **ACTION GUIDE AND NEXT STEPS**
9

10 **CHAIRMAN PAUL TOM FRAZER:** I am going to call to order the Coral
11 Committee. The agenda, I believe, is on Tab N-1, and the
12 committee members are indicated on the agenda, and so if I could
13 have a motion to approve the adoption of the agenda.

14
15 **MR. PATRICK BANKS:** So moved.

16
17 **CHAIRMAN FRAZER:** So moved by Mr. Banks, and it's seconded by
18 Martha Guyas. Is there any objection to the motion on the
19 board? Seeing none, the motion carries. The second item on the
20 agenda is the Approval of the Minutes from the October 2017
21 Joint Coral and Habitat Protection Committee, and that would be
22 Tab N, Number 2. Can I get a motion to approve the minutes?
23 It's moved by Mr. Donaldson. Can I get a second? It's seconded
24 by John Sanchez. Is there any discussion or any additions to
25 the minutes? Seeing none, the motion carries. The minutes are
26 approved. The third action item on the agenda is the Action
27 Guide and the Next Steps, and Dr. Kilgour is going to lead us
28 through that.

29
30 **REVIEW OF PUBLIC HEARING DRAFT FOR CORAL AMENDMENT 9**
31

32 **DR. MORGAN KILGOUR:** Thank you, Mr. Chair. Today, we're going
33 over Coral Amendment 9. In January, the Coral SSC made some
34 recommendations that I will be presenting to you. I have also
35 brought this document to the Shrimp AP with the SSC
36 recommendations and asked for the Shrimp AP's input, being that
37 they wouldn't be reconvened before this document potentially
38 goes final.

39
40 This has also been brought to the Law Enforcement Technical
41 Committee for their input on some of those SSC recommendations,
42 so that the committee has all the information that I could
43 gather about those SSC recommendations, and we have scheduled
44 public hearings in the locations indicated on the action guide,
45 and the document has been updated, mainly in the cumulative
46 effects section, to comply with the EIS requirements that we
47 would need to do, but most of it is exactly as you have seen it.

1 If it's all right with the Chair, I would like to go into the
2 presentation, which will hopefully incorporate all of the
3 recommendations from the different groups, so you can discuss
4 them all at once.

5

6 **CHAIRMAN FRAZER:** That's perfectly fine.

7

8

REVIEW OF PUBLIC HEARING DRAFT FOR CORAL AMENDMENT 9

9

10 **DR. KILGOUR:** I was going to walk the committee through the
11 current preferred alternatives in the document and then, when
12 there was an SSC recommendation about an action or alternatives,
13 I was going to bring that to your attention.

14

15 Right now, for Action 1, this is the action dealing with Pulley
16 Ridge and whether or not to expand the existing HAPC with
17 regulations to have different regulations than what is existing.
18 Currently, the council's preferred alternative is -- If you look
19 at that pie-shaped portion on the bottom with the circles that
20 says, "Pulley Ridge South", that's the current HAPC with
21 regulations.

22

23 The preferred alternative is to expand that HAPC to have that
24 dog-legged portion on the bottom that's kind of squared out that
25 says "Pulley Ridge South Portion A". Those regulations would
26 differ slightly from the existing, in that it would still allow
27 bottom longlining. This is an area that is heavily fished by
28 bottom longliners, especially during the thirty-five-fathom
29 closure, and so the current preferred alternative would allow
30 bottom longlining to continue. I am happy to take any questions
31 as I go through. I am trying to keep us on time, and so sorry
32 for being a motormouth.

33

34 Action 2, the Southeastern Gulf, the current preferred
35 alternatives are to establish three new HAPCs, Long Mound, Many
36 Mounds, and North Reed. The preferred option is Preferred
37 Option b, to prohibit bottom longline, bottom trawl, buoy gear,
38 dredge, pot or trap, and bottom anchoring by fishing vessels.

39

40 This is one of the areas that the SSC had a recommendation, and
41 so the Deep-Sea Coral Research and Technology Program went to
42 these areas in August of 2017, and they found new information
43 that suggests that, along that 400 to 600-meter wall is really
44 the area that was in need of protection, and so the SSC made a
45 recommendation to, instead of having those three HAPCs, to
46 combine all of them into one, but just in the 400 to 600-meter
47 depth range, and so I have drawn that HAPC, and it's in purple.

48

1 You can see it, and this would be a recommended alternative from
2 the SSC to have a new HAPC named West Florida Wall with the
3 action of prohibiting all the bottom-tending gear of bottom
4 longline, bottom trawl, buoy gear, dredge, pot or trap, and
5 bottom anchoring by fishing vessels.

6
7 The new area is slightly less in square miles, and so, all
8 together, those three HAPCs would be, I think, 40.2 square
9 miles, and the new area is just shy of that, in that it would be
10 36.3 square nautical miles.

11
12 The Shrimp AP made a motion that they supported this new
13 alternative, and the Law Enforcement Technical Committee said
14 that, as long as we provide coordinates, whether it was three
15 rectangular boxes or this one long box, it did not make a
16 difference, as long as the coordinates were there, and so this
17 is a recommended alternative from the SSC, and the committee
18 would need to make a motion to adopt this alternative, and
19 that's where we are.

20
21 **CHAIRMAN FRAZER:** Ms. Guyas.

22
23 **MS. MARTHA GUYAS:** I am willing to make a motion if it's time to
24 do that. Are we ready?

25
26 **CHAIRMAN FRAZER:** Yes, I think it's appropriate.

27
28 **MS. GUYAS:** I will make a motion to, in Action 2, add the SSC-
29 recommended Alternative 5 and make it the preferred alternative.

30
31 **CHAIRMAN FRAZER:** Okay. We'll take a second to put that up on
32 the board, and, as we're waiting for that to happen, is there a
33 second for this motion?

34
35 **MR. BANKS:** Second.

36
37 **CHAIRMAN FRAZER:** It's seconded by Mr. Banks. Morgan.

38
39 **DR. KILGOUR:** Just to note that all of these actions have
40 several preferred alternatives, and so, if you did not want to
41 have Preferred Alternatives 2 through 4 remain preferred
42 alternatives, you would probably need to make a motion along
43 those lines as well, if that makes sense.

44
45 **MS. GUYAS:** Yes, and I guess it would need to be Option b,
46 right? All right, and so let me try to clean up what I just did
47 here. I guess it would be -- Maybe we need to just add
48 Alternative 5 first and then we can switch the preferreds

1 separately. Maybe two motions is cleaner, and so the motion
2 would be to add SSC-recommended Alternative 5 to the document,
3 and I guess that would include all the options underneath it.

4
5 **CHAIRMAN FRAZER:** I think you're on the right track, and so,
6 when we clean that up, I will come back to Mr. Banks. Ms.
7 Bosarge.

8
9 **MS. BOSARGE:** I have no opposition to the motion that's coming
10 up on the board, but I just was going to -- While they're
11 working on that, we'll use our time efficiently, and I think
12 when the Shrimp AP looked at this that they did have a question
13 about, well, what about if we need to transit, because the name
14 of that box is going to be something Wall, and that's
15 essentially what it is. It's a long strip of bottom that
16 parallels the coast, and so what happens when you need to
17 transit across that area for some reason, and it doesn't have to
18 be just a shrimp vessel.

19
20 It could be any vessel, and so I think maybe we're going to have
21 to -- It is pretty far offshore, as far as trying to deck your
22 doors and things like that, and so I think, at some point, we
23 might need to look at some transit provisions generally speaking
24 for these HAPCs and what are the transit provisions in HAPCs now
25 in the Gulf, and I honestly am not sure. I don't know if
26 they're all consistent or not, and then make sure that we get
27 some language in there so that people know, if they want to
28 transit through these areas with some sort of gear that is
29 disallowed, how do they do that appropriately.

30
31 **CHAIRMAN FRAZER:** Sure. I appreciate that, and I think, once we
32 get these motions all squared away, we will come back and
33 revisit that. Okay. It looks like we have a motion on the
34 board, and it's slightly modified, and so, Patrick, are you good
35 with that change?

36
37 **MR. BANKS:** Yes.

38
39 **CHAIRMAN FRAZER:** Is there any discussion on the motion? Okay.
40 **Is there any opposition to the motion? Seeing none, the motion**
41 **carries.** Ms. Guyas.

42
43 **MS. GUYAS:** Motion Number 2, and I think this will get us where
44 we need to go, and so my motion would be to replace the current
45 preferred alternatives in Action 2 with Alternative 5, Option b.

46
47 **CHAIRMAN FRAZER:** While we put that on the board, is there a
48 second for that motion? Mr. Donaldson seconds the motion. It

1 looks like we have the motion on the board. The motion is, in
2 Action 2, to replace the current preferred alternatives with
3 Alternative 5, Option b, and we have a second. Is there any
4 discussion on this motion? Martha.

5
6 **MS. GUYAS:** To go back to what Leann was talking about with
7 transit here, it would be great, when these go out to public
8 hearings, if we choose to make this the preferred alternative
9 here, if we could actively ask for input on transit and what's
10 the best way to go about that at the public hearings. It would
11 be nice to have that input from the industry, beyond just the
12 AP.

13
14 **CHAIRMAN FRAZER:** I have Dr. Kilgour and then Mara.

15
16 **DR. KILGOUR:** I anticipated those questions, and I had a
17 conversation with Mara, and she will better iterate, but we
18 pulled the options directly from the existing CFRs, which don't
19 have any transit provisions in the existing HAPCs, and Mara will
20 expand on that, I hope, for you.

21
22 **MS. MARA LEVY:** I think the confusion comes from, and I think we
23 can clarify it fairly easily by changing that language to say,
24 "prohibit fishing with bottom-tending gear", because the
25 regulations are for the other HAPCs. Fishing with bottom
26 longline, bottom trawl, dredge, pot, is prohibited year-round,
27 and so it's not about having the gear onboard, but it's about
28 fishing with it. I think if, in all these options, we say to
29 prohibit fishing with bottom-tending gear, that would be
30 consistent with what's in the regulations, and then you don't
31 need a transit provision.

32
33 **CHAIRMAN FRAZER:** That is actually really good, and so I'm
34 assuming that we can go ahead and make those changes throughout
35 the document and we don't necessarily need a motion to do that,
36 because it will be intent, right? Great. Is there any further
37 discussion on this motion? Dr. Mickle.

38
39 **DR. PAUL MICKLE:** Thank you. Just a quick question, and I'm not
40 sure who to ask, because I don't think the staff is here to ask,
41 but is the attendance at the hearings in this area of the Gulf
42 heavily attended, or do we know? If we want public input with
43 these requests, are we expecting to get it in a robust form, or
44 how is the attendance?

45
46 **DR. KILGOUR:** When we initially suggested some public hearing
47 locations, it's because we went back through previous scoping
48 meetings and things regarding this document and tried to target

1 locations where we did get public input, and so I will also be
2 reaching out to some of the fishermen that have been really
3 helpful in this, to make sure that they're aware of the public
4 hearings when they are going to occur.

5
6 **CHAIRMAN FRAZER:** Is there any further discussion on the motion?
7 **Seeing none, is there any opposition to the motion? Seeing**
8 **none, the motion carries.**

9
10 **DR. KILGOUR:** Like I said, the Law Enforcement Technical
11 Committee and Shrimp AP -- That was actually the Shrimp AP's
12 recommendation, that that become the preferred alternative as
13 long as Preferred Alternatives 2, 3, and 4 were no longer
14 preferred alternatives.

15
16 **CHAIRMAN FRAZER:** Madam Chair.

17
18 **MS. BOSARGE:** I'm sorry, but I meant to ask this. I know that
19 we showed I think the Reef Fish AP the old boxes, but they
20 haven't seen the Wall box, and are they going to meet at any
21 point? Are any of those -- I am wondering about those
22 commercial guys that are out there, and you can see the activity
23 on the chart, and so are we going to be engaging them at any
24 point, possibly, before June? Is there any meeting they have
25 coming up?

26
27 **DR. CARRIE SIMMONS:** We currently don't have a Reef Fish AP
28 scheduled before June, and the council is looking at
29 repopulating that group as well and finalizing that group in
30 June, and so, no, right now, we don't have a meeting planned for
31 the Reef Fish AP.

32
33 **CHAIRMAN FRAZER:** Madam Chair.

34
35 **MS. BOSARGE:** If I remember, I think we actually kind of had to
36 reach out to a few guys, because, actually, we didn't have the
37 right people on the AP for that particular little area, and so
38 maybe we can just reach out to them again and pass this by them
39 and say, hey, you know, we've changed this a little and could we
40 get a little feedback, and that's all.

41
42 **CHAIRMAN FRAZER:** I think that's a good idea, and I think we can
43 certainly make an effort to do that. Okay.

44
45 **DR. KILGOUR:** That was the plan, but I just wanted to note that,
46 if you look at the new box that is the SSC-recommended
47 alternative, it doesn't overlap with any real VMS points. Those
48 magenta boxes are the -- It's a small number, and so, when I did

1 speak with the fishermen previously, that aqua box on the
2 bottom, and I think that's Many Mounds, was the area of concern
3 for them, and, when they plotted it on their charts, it no
4 longer was a concern, but I will absolutely be reaching out to
5 the fishermen that have been particularly helpful and talking to
6 them about this, so that they can provide input.

7
8 The next action is Action 3, which would establish several
9 different HAPCs in the northeastern Gulf, and this is another
10 area where the SSC had a recommendation. Right now, the
11 preferred alternatives are to make these six HAPCs as HAPCs with
12 bottom-tending gear, with the exception of Preferred Alternative
13 7, and that would have Preferred Option c right now, and that is
14 to prohibit bottom longlines, bottom trawls, buoy gears, dredge,
15 pot or trap, and bottom anchoring by fishing vessel, and provide
16 an exemption to the bottom-tending gear for fishermen that
17 possess a royal red shrimp endorsement and are fishing with
18 royal red shrimp fishing gear.

19
20 The SSC made a recommendation to change that wording that I have
21 underlined here to, instead of saying to provide an exemption to
22 the bottom-tending gear for fishermen that possess the royal red
23 shrimp endorsement and are fishing with royal red shrimp fishing
24 gear, to instead say, "Federal shrimp trawl permit holders with
25 a royal red shrimp endorsement may transit through the HAPC
26 while fishing for royal red shrimp, but with the trawl gear off
27 the bottom."

28
29 I brought that SSC recommendation to the Law Enforcement
30 Technical Committee, and the technical committee suggested that
31 the wording, instead of what the Shrimp AP had put, would be
32 that they may actively retrieve gear or have the doors on the
33 deck in the HAPC while fishing for royal red shrimp.

34
35 Then, when I discussed it with the Shrimp AP, the Shrimp AP felt
36 that the original wording of the alternative was best, and it
37 was discussed that the royal red shrimp fishermen pulled their
38 gear up and then put it back down right after they have passed
39 that coral reef, and so they couldn't necessarily be continually
40 retrieving if they put it right back down after they go over the
41 coral reef.

42
43 I have added some language to the discussion, saying that the
44 intent is not to allow bottom trawlers to trawl over the coral,
45 but it is to allow them to continue to prosecute their fishery,
46 because that, I believe, was the discussion and the intent when
47 the council met and when the APs met, but to change the wording
48 -- The Shrimp AP said to change the wording to what the Law

1 Enforcement Technical Committee suggested, or even what the SSC
2 suggested, would make it so that they couldn't be using those
3 royal red shrimp fishing grounds.

4
5 **CHAIRMAN FRAZER:** I would carry on. Excuse me. Dr. Crabtree.

6
7 **DR. CRABTREE:** Yes, and this is kind of a tricky one, because
8 it's not clear to me exactly what we do here. If we fall back
9 to the original language, law enforcement just has no way of
10 telling if the nets are on the bottom or off the bottom, and
11 maybe the Law Enforcement Panel's suggestion that you have to be
12 actively retrieving the gear when you enter the area works, but
13 I think that we need to talk to them about that.

14
15 There was some argument at the Shrimp AP that it self-regulates,
16 because the shrimpers don't want to drag on the coral, and so
17 they are not going to do that, and that makes you question why
18 are we prohibiting it if we believe that argument is correct,
19 and so I'm not quite sure where to go with this one, but it does
20 bother me to put something in place that just simply can't be
21 enforced, and so, somehow, we need to sort that out.

22
23 **CHAIRMAN FRAZER:** Madam Chair.

24
25 **MS. BOSARGE:** Well, I think if you go back to the original one,
26 where essentially we put the same regulations in place that
27 we're talking about putting for all the other HAPCs, which you
28 provide an exemption to the regulations for someone that holds
29 that royal red shrimp endorsement, and so that, to me, is the
30 enforcement piece of it. If they board a vessel and that vessel
31 has the royal red shrimp endorsement, then they're exempt, and
32 they're okay.

33
34 **DR. CRABTREE:** Yes, and the only trouble I see with it is that
35 we're going to prohibit all these gears that aren't used there
36 to begin with and allow the one bottom-tending gear that
37 actually is used there, and that, to me, causes you to question
38 what are we really doing, because I don't think any of these
39 other gears are really used in these areas.

40
41 **CHAIRMAN FRAZER:** Madam Chair.

42
43 **MS. BOSARGE:** That's the case for most of these HAPCs that we're
44 closing. There is not activity, fishing activity, and stuff
45 like that in them, and so, if that's the argument, why are we
46 drawing boxes around any of them? It's to prevent, I don't
47 know, some future risk that may come in there.

1 **DR. CRABTREE:** I get that, and I think we just need to be clear
2 that we have some explanation for the logic behind what we're
3 doing, because it is a little odd.

4
5 **CHAIRMAN FRAZER:** Mr. Diaz.

6
7 **MR. DALE DIAZ:** Thank you, Dr. Frazer, and I'm not on your
8 committee. Dr. Crabtree, I agree with you, to a point, that we
9 need to do everything we can do to make sure that we're
10 protecting corals, but the difficult thing is, when you think
11 about this, it's not like normal shrimping that most people
12 think about in fairly shallow water.

13
14 These folks are pulling an extraordinary amount of cable, and it
15 takes a long time to pull this cable up, and so you've just go
16 to look at it differently, because of the way this fishery is
17 prosecuted.

18
19 With the amount of cable that's out, the boat could be inside of
20 the area, but the gear still may not be, and then it's my
21 understanding that they pull this gear up off the bottom without
22 retrieving all of this cable, because it takes so long to do it,
23 and they move over the top of the area and then they set it back
24 down.

25
26 It is tough finding a good way to enforce this. I tend to think
27 that the Shrimp AP's recommendation is the best way to go from
28 where we are now, but just, when you think about it, just
29 remember how much cable these guys have got out and how long it
30 takes to get all this stuff in, and it's just different than a
31 typical shrimping situation.

32
33 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. I actually have a
34 question for the Chair. Just logistically, when a royal red
35 shrimper is retrieving their gear, or pulling it up off the
36 bottom, do they continue to do that over that -- I mean, it's
37 one or two nautical miles, right, that HAPC, and so are they
38 actually -- Is the winch turning that whole time?

39
40 **MS. BOSARGE:** Yes. If you're retrieving your gear, your winch
41 is going to be turning, but, essentially, they are going to
42 shrimp in this HAPC, and do you see what I am saying? This HAPC
43 doesn't go only just around the little bit of coral, right, and
44 so they're dragging a bottom contour, and they are dragging that
45 contour, and they know where that coral is, and they've got like
46 I think it's over 5,000 -- It's over a mile of cable that they
47 have out.

1 That winch starts turning, and they start winching that cable in
2 and pulling that gear up off the bottom, and so they get that
3 gear up in the water column where they know that coral is,
4 because they don't want to touch that coral. That ruins their
5 gear, and not to mention that you're in really deep water. If
6 you hang up, like if your nets get hung up on something in deep
7 water, that could be like a life or death situation in that deep
8 water.

9
10 They get up, and they know where the coral ends. At that point,
11 they start letting -- The winch is still turning, and they're
12 going to let the cable back out, right, and so they put that
13 gear back on the bottom and start trawling again. Now, the boat
14 is going to be in one spot, and the gear is going to be
15 somewhere else, but that's why it's the cleanest way.

16
17 We tried to adjust the box, where somehow it wouldn't affect
18 their dragging, but we couldn't, because they pull up in the
19 water column and pass the coral and drop back down, and so
20 that's why I say that just having the original language, where
21 you say, if you have the endorsement on the boat, then you are
22 exempt from these regulations.

23
24 The other thing that came up in that conversation is it's
25 actually a very well-studied location. I think it's Dr. Brooke
26 that has studied that location. Maybe or maybe not, but,
27 anyway, and so they've been to the bottom and they've looked at
28 that coral, and it's still pristine.

29
30 These guys are doing this in a very sustainable manner, and they
31 have known where that coral is for decades, and they don't touch
32 it, and so that's why, to me, it's important to make sure that
33 we show these gentlemen the respect that I think they deserve.

34
35 **CHAIRMAN FRAZER:** Okay, and so the reason I asked that was so it
36 seems to me that the preferred alternative, as it's written,
37 originally written in the document, captures the intent of this
38 council and this committee. What I was trying to understand,
39 from a law enforcement perspective, I the issue they have of, in
40 order to enforce it, they would say the gear is being retrieved,
41 and the way that they do that is they are looking to see if the
42 winch is turning.

43
44 If in fact the royal red shrimpers are slowly turning their
45 winches as they are transiting over this area, it's really not a
46 law enforcement issue. It's enforceable, and I'm okay with the
47 language as it was originally written, with the recommendation
48 of the Shrimp AP. Captain Greene.

1
2 **MR. JOHNNY GREENE:** I am not on your committee, and the only
3 shrimp I've ever caught is with a fork, but I do fish around
4 these guys, and there's only five or six boats. I mean, it is a
5 very small fleet. I mean, it is extremely small. I am sure
6 that if there is some concern that you have that those five or
7 six guys will come up with some way to do that, because it's 100
8 to 200 fathoms, typically, around 1,000 or 1,200 feet.

9
10 When I encounter them, they're only making about two knots, or
11 maybe two-and-a-half on a good day, if the tide is on their
12 side, and so they're not going to outrun anybody. They're not
13 going to do anything, and, just like she said, it's a mile of
14 cable. Those winches are big, and they don't turn fast, but
15 what you're talking about, if the winch is turning, that may be
16 something.

17
18 Now, if they've got it up to the point that they know they're
19 going to clear that, because it's only happening in a couple of
20 geographical areas, and so you could tie in that, okay, in these
21 areas, and they would probably identify the areas that you can
22 do this specifically, because one of the areas happens to be in
23 my part of the Gulf.

24
25 They do pick it up and go, but I think that there's something to
26 that. There might be a specific point at which they pull the
27 net up that they stop, and that could be marked, and they could
28 work in concert with enforcement that, at this area, they're
29 going to bring it up to this particular mark somehow or another
30 and work it out, and so I think it's a workable deal.

31
32 **CHAIRMAN FRAZER:** Thank you. Madam Chair.

33
34 **MS. BOSARGE:** Whatever you want to do, Dr. Frazer, but think
35 about this from the Coast Guard's perspective. You've got a
36 mile of cable out, and it's essentially making a right-triangle,
37 right, and so you've got a boat here, and here's your cable, and
38 this is your bottom.

39
40 I don't remember my right-triangle rules, but that winch --
41 That winch is going to be turning depending on where that net is
42 and not where that boat is, and so then the Coast Guard is
43 trying to say, well, okay, was the drum on the winch turning at
44 the right time so that it was pulling up when the nets were over
45 the coral and not the boat, and do you see what I'm saying? I
46 don't know. I mean, they're not hitting it. It's been
47 documented that they're not touching the coral, and I just --
48

1 **CHAIRMAN FRAZER:** Mr. Diaz and then Morgan.
2
3 **MR. DIAZ:** Again, I'm not on your committee, but I don't like
4 getting hung up on whether the drum or the winch is turning. If
5 they're at the point where they've got the net up in the water
6 column, where they want it to go over the top and clear
7 everything, the winch doesn't necessarily have to be turning.
8
9 The cables would just be dogged off, and then to let a net back
10 down, some winches require that they be turning and some just
11 have brakes, where you just work the brakes to let the net go
12 out, and so turning -- Whether the winch is turning or not may
13 be confusing, depending on what type of winch it is and how they
14 operate that gear.
15
16 **CHAIRMAN FRAZER:** Thank you. Dr. Kilgour and then Dr. Crabtree.
17
18 **DR. KILGOUR:** Thank you. I just wanted to iterate that actively
19 retrieving gear portion that the Law Enforcement Technical
20 Committee made was only in the event that the council and
21 committee adopted that change by the SSC.
22
23 As it is worded now, they would have no problems with
24 enforcement, and they have already commented on that. They
25 specifically were talking about the actively retrieving gear in
26 response to the SSC's recommended change, and I will definitely
27 add some of this discussion to the discussion in the Chapter 2,
28 so that it's clear that the council was discussing this and what
29 the intent was, but I just wanted to highlight that only
30 actively retrieving gear was in response to the SSC's
31 recommended change and not to the original wording of the
32 alternative.
33
34 **CHAIRMAN FRAZER:** Thank you for that clarification. Dr.
35 Crabtree.
36
37 **DR. CRABTREE:** Yes, and that makes sense to me, because it does
38 seem to me that if you're going to allow them to fish there then
39 you don't have an enforcement problem, but my thought, if we
40 wanted to go to the actively retrieving gear, it would have to
41 be based on where the vessel is and not where the net is,
42 because there is no way to know where that is, and so it would
43 have to be when the vessel enters this area that the drum has to
44 be turning to retrieve the net, and we could check with the
45 Coast Guard and all, but I'm guessing they could get close to
46 the boat with binoculars or something, and maybe they could
47 tell, or we would have to figure out how to do that.
48

1 That is a problem, because the net is not where the boat is.
2 It's some distance behind it, but I don't think there is any way
3 to do it other than allow -- Unless you want to go with the
4 first one, which says we're going to allow them to fish there,
5 and then I think we have to reconcile that with our need
6 statement that says there's a need for action to conserve the
7 corals, because part of why we would be justifying that
8 preferred alternative would be that there's not a need to
9 protect corals from this fishery, because we're going to let
10 them continue to fish there.

11
12 **CHAIRMAN FRAZER:** Thank you, and so I think we've had a lot of
13 good discussion, and I think we'll move forward at this point
14 and ponder it a bit and discuss it later in the week, and so
15 we'll move forward, Morgan.

16
17 **DR. KILGOUR:** Okay. I don't even want to open this can of
18 worms, but, since there was no motion, this will remain the way
19 that it is in the document.

20
21 **CHAIRMAN FRAZER:** That's correct.

22
23 **DR. KILGOUR:** Okay, and so let me try and fly through the next
24 portion. In Action 4, the Northwestern Gulf, I just wanted to
25 review the council's preferred alternatives. Right now, our
26 Alternatives 2 through 4, which would establish new HAPCs at AT
27 047, AT 357, and Green Canyon 852, and the current preferred
28 option is to prohibit bottom-tending gear.

29
30 Action 5 is South Texas Banks, and this is another action that
31 the SSC had a recommendation on. The preferred alternatives are
32 to establish HAPCs at Harte Bank and Southern Bank, and the
33 current preferred option is Option a, no fishing regulations,
34 and the SSC recommended that the committee and council change
35 the preferred option to Option b, which would prohibit bottom
36 longline, bottom trawl, buoy gear, dredge, pot or trap, and
37 bottom anchoring with fishing vessels. The Shrimp AP
38 recommendation is to keep the council's current Preferred Option
39 a. I will keep going, if there's no questions.

40
41 **CHAIRMAN FRAZER:** Continue.

42
43 **DR. KILGOUR:** Okay. Action 6 would establish some deepwater
44 HAPCs with no bottom-tending gear regulations, and those are
45 South Reed, Garden Banks 299, Garden Banks 535, Green Canyon
46 140/272, Green Canyon 234, Green Canyon 354, Mississippi Canyon
47 751, and Mississippi Canyon 885.

48

1 The council's current preferred alternative on dredge fishing is
2 to prohibit dredge fishing in all HAPCs that have fishing
3 regulations, and this particular prohibition would only apply to
4 Pulley Ridge South, Stetson Bank, and McGrail Bank, as well as
5 all of the HAPCs in the document with bottom-tending
6 regulations, but this would just maintain consistency throughout
7 all HAPC regulations, and that's it.

8
9 **CHAIRMAN FRAZER:** Thank you very much for that summary. I
10 think, at this point, we have concluded our agenda items, and
11 so, unless there is any other business, I think we will be done
12 with this session. Seeing no other business, we are done with
13 the Coral Committee.

14
15 (Whereupon, the meeting adjourned on April 17, 2018.)

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17 - - -