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Roy Crabtree........................................NMFS
Dale Diaz...............................................Mississippi
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Phil Dyskow........................................Florida
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PAGE 19: Motion to recommend approval of the Golden Crab EFP. The motion carried on page 20.

PAGE 26: Motion to expand the Officer of the Year Award to include nominations for either an Officer of the Year Award or Team of the Year Award and accept the proposed changes to the eligibility criteria proposed by the LETC. The motion carried on page 28.

PAGE 71: Motion to approve the Replacement of Historical Captain Permits with Standard Federal Charter/Headboat Permits, and that it be forwarded to the Secretary of Commerce for review and implementation and deem the revised codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 75.

PAGE 75: Motion to change the time intervals on black grouper, mutton snapper, yellowtail snapper allocations between the Gulf and South Atlantic Councils from ten years to seven years. The motion carried on page 76.

PAGE 76: Motion to change the time intervals on Gulf of Mexico group king mackerel allocations between the recreational and commercial sectors, zones, and gear types from nine years to six years. The motion carried on page 76.

PAGE 76: Motion to approve the allocation review triggers letter as revised and submit it to NMFS. The motion carried on page 77.

PAGE 77: Motion to direct staff to contact SERO and SEFSC staff to convene an allocation review workgroup to identify criteria that would be appropriate for the species identified in the draft NMFS allocation review triggers letter. The motion carried on page 78.

PAGE 80: Motion to direct council staff to incorporate into the FMPs NMFS recommendations as they pertain to the five-year review of essential fish habitat. The motion carried on page 81.

PAGE 83: Motion to have SERO/SEFSC develop a presentation for the June 2019 council meeting to explain and discuss specific data elements that will be required for reporting in the for-
hire fleet. Additionally, this presentation should include updates on timelines for implementation and way to solves challenges to implementation that were discussed at the April 2019 meeting. The motion carried on page 87.

PAGE 99: Motion to recommend to NMFS that federal waters be closed out to 200 miles to run concurrent with the date that the State of Texas recommends for the 2019 Texas shrimp closure in the Texas Territorial Sea. The motion carried on page 99.

PAGE 99: Motion to recommend the council approve the Shrimp Amendment 18: Evaluation of Shrimp Effort Threshold Reduction in the Area Monitored for Juvenile Red Snapper Bycatch, and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 101.

PAGE 102: Motion to invite the U.S. Army Corps of Engineers to an upcoming council meeting to discuss the impacts and overlaps of the permits which come before the Corps for approval and management of fisheries in federal waters. The motion carried on page 103.

PAGE 104: Motion to include funding in the budget to allow for council member attendee at SEDAR meetings. The motion carried on page 104.

PAGE 104: Motion to accept the 2019 proposed budget as amended. The motion carried on page 105.

PAGE 107: Motion to recommend the council approve Amendment 50A: State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation. The motion carried on page 109.

PAGE 109: Motion to recommend the council approve the Amendment 50B: Louisiana State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation. The motion carried on page 111.

PAGE 111: Motion to recommend the council approve the Amendment 50F: Texas State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation. The motion carried on page 112.
PAGE 112: Motion to recommend the council approve the Amendment 50E: Florida State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation. The motion carried on page 114.

PAGE 114: Motion to recommend the council approve the Amendment 50D: Alabama State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation. The motion carried on page 116.

PAGE 116: Motion to recommend the council approve Amendment 50C: Mississippi State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation. The motion carried on page 117.

PAGE 118: Motion to recommend the council deem the codified text for the state management amendments (50A through 50F) as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 122.

PAGE 123: Motion to recommend the council approve the Red Grouper Framework Action to Modify Annual Catch Limits and Annual Catch Targets and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 124.

PAGE 125: Motion in Action 1 to make Alternative 4 the preferred alternative. Alternative 4 is reduce the commercial trip limit to 500 pounds gutted weight (520 pounds whole weight). The motion carried on page 126.

PAGE 126: Motion in Action 1 to add an alternative that creates a step-down provision that would be implemented when 75 percent of the ACT is projected to be harvested. The trip limit would be reduced to 250 pounds gutted weight per trip. The motion carried on page 132.

PAGE 132: Motion in Action 1 to add an Alternative that would establish a date prior to season start whereby the trip limit would be reduced to 250 pounds gutted weight per trip. The motion failed on page 135.
Motion to amend the purpose and need to read: To review, evaluate, and modify, as appropriate. The motion carried on page 137.

Motion to postpone further consideration on Amendment 52 until August 2019. The motion carried on page 138.

Motion to add a statement in Draft Amendment 36B that indicates the elimination of derby fishing as a program goal has been met. The motion carried on page 138.

Motion to move Action 4 to Considered but Rejected. Action 4 is accuracy of estimated weights in advance landing notifications. The motion failed on page 145.

Motion to start a document to bring to the June 2019 council meeting to modify the red snapper for-hire component’s buffer between its ACT and ACL at 9 percent, based on the council’s ACL/ACT Control Rule. The motion carried on page 173.

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The Full Council of the Gulf of Mexico Fishery Management Council convened at the IP Casino & Resort, Biloxi, Mississippi, Wednesday morning, April 3, 2019, and was called to order by Chairman Tom Frazer.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN TOM FRAZER: Welcome everybody to the 273rd meeting of the Gulf Council. My name is Tom Frazer, Chair of the Council. If you have a cell phone or similar device, we ask that you keep it on silent or vibrating mode during the meeting. Also, in order for all to be able to hear the proceedings, we ask that you please have any private conversations outside. Please be advised that alcoholic beverages are not permitted in the meeting room.

The Gulf Council is one of eight regional councils established in 1976 by the Fishery Conservation and Management Act, known today as the Magnuson-Stevens Act. The council’s purpose is to serve as a deliberative body to advise the Secretary of Commerce on fishery management measures in the federal waters of the Gulf of Mexico. These measures help ensure that fishery resources in the Gulf are sustained, while providing the best overall benefit to the nation.

The council has seventeen voting members, eleven of whom are appointed by the Secretary of Commerce and include individuals from a range of geographical areas in the Gulf of Mexico with experience in various aspects of fisheries.

The membership also includes the five state fishery managers from each Gulf state and the Regional Administrator from NOAA’s Southeast Fisheries Service, as well as several other non-voting members.

Public input is a vital part of the council’s deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process. Anyone wishing to speak during public comment should sign in at the registration kiosk located at the entrance to the meeting room. We accept only one registration per person. A digital recording is used for the public record. Therefore, for the purpose of voice identification, each person at the table is requested to identify him or herself, starting on my left.

MR. DALE DIAZ: Dale Diaz, Mississippi.

DR. PAUL MICKLE: Paul Mickle, Mississippi.
MS. LEANN BOSARGE: Leann Bosarge, Mississippi.

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

MR. PATRICK BANKS: Patrick Banks, Louisiana.

MR. J.D. DUGAS: J.D. Dugas, Louisiana.

MR. ED SWINDELL: Ed Swindell, Louisiana.

MS. SUSAN BOGGS: Susan Boggs, Alabama.

DR. BOB SHIPP: Bob Shipp, Alabama.

MR. KEVIN ANSON: Kevin Anson, Alabama.

LT. MARK ZANOWICZ: Lieutenant Mark Zanowicz, U.S. Coast Guard.

MR. TIM GRINER: Tim Griner, South Atlantic Council.

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

MS. MARA LEVY: Mara Levy, NOAA Office of General Counsel.

DR. ROY CRABTREE: Roy Crabtree, NOAA Fisheries.

MS. SUSAN GERHART: Susan Gerhart, NOAA Fisheries.

DR. SHANNON CALAY: Shannon Calay, Southeast Fisheries Science Center.

MR. LANCE ROBINSON: Lance Robinson, Texas.

DR. DOUG BOYD: Doug Boyd, Texas.

DR. GREG STUNZ: Greg Stunz, Texas.

MR. PHIL DYSKOW: Phil Dyskow, Florida.

MR. JOHN SANCHEZ: John Sanchez, Florida.

MS. MARTHA GUYAS: Martha Guyas, Florida.

EXECUTIVE DIRECTOR CARRIE SIMMONS: Carrie Simmons, council staff.
ADOPTION OF AGENDA AND APPROVAL OF MINUTES

CHAIRMAN FRAZER: All right. Thank you. I am going to try to move this meeting along, and so the first item on the agenda is the Adoption of the Agenda, and that would be Tab A-3 in your briefing materials. Can I get a motion? Motion to adopt the agenda by Mr. Swindell. It’s seconded by Patrick Banks.

MS. GUYAS: If I could, I just wanted to add one quick thing to Other Business on the agenda, and that would be blackfin tuna.

CHAIRMAN FRAZER: Okay. We will add that to Other Business. Thank you. Is there any other additions or modifications?

MR. DIAZ: I would like to add, under Other Business also, to discuss the ACT for charter/for-hire.

CHAIRMAN FRAZER: Okay. Noted, and we will add that also to Other Business. Is there any other modifications to the agenda? Seeing none, the motion is approved to adopt the agenda with the modifications. The next item on the agenda is Approval of the Minutes, and that would be Tab A-4 in the briefing materials. Are there any additions or modifications to those minutes? Seeing none, can I get a motion to approve the minutes?

MS. GUYAS: Motion to approve the minutes.

CHAIRMAN FRAZER: We have a motion. Thank you. Any further discussion on that? Seeing none, the minutes are approved. All right, and so the next item on the agenda is a Review of the Exempted Fishing Permit Applications, and I will turn that over to NOAA staff.

REVIEW OF EXEMPTED FISHING PERMIT (EFP) APPLICATIONS
GOLDEN CRAB EFP

MS. GERHART: Thank you, Mr. Chair. I do have a presentation. This is an exempted fishing permit that we received an application for over a year ago, and the council has seen it before and has asked us to bring this back after some further review.

What we are looking at specifically is the area that is proposed, but I would like to remind you of the application. The purpose was to explore the viability of a golden crab fishery in the Gulf as well as to gather more data about golden crabs in the Gulf. There hasn’t been really much research over
the past twenty years.

The applicants are golden crab fishermen from the South Atlantic, and they would like to come and test four different trap types in the Gulf, less than a hundred traps in the water at any one time, and there are no buoys on these traps, and no buoy lines. They’re on a trawl, and so that means they’re connected to each other by a line. Then they find that line using their equipment, and then they grapple that line and pull up the trawl that way, and they like to set on mud bottom to capture the crabs.

The bycatch that they anticipate are red crabs and isopods, which they would be selling commercially as well, and they claim to have little to no reef fish or shrimp, and these are very deepwater areas, in their bycatch, and they will have a biodegradable clasp to prevent any ghost fishing from any traps that might be lost. However, because of the nature of the trawl line that they put these traps in, trap loss is pretty low for them, and these traps do cost about $250 apiece, and the trawl lines are up to forty traps in a trawl line, and so that’s about a $10,000 loss if they lose one of those, and so they’re very good at finding them.

The reason they need an EFP is that traps are prohibited in the Gulf, with the exception of those used in historical crustacean fisheries, which, at the time that that was put into place, those three fisheries were the blue crab, stone crab, and lobster fisheries, and so the traditional traps used in those fisheries are allowed as an exemption to the trap prohibition. In the South Atlantic, there is a similar trap prohibition, with these same exemptions, plus the golden crab as an exemption as well.

A little history of how this EFP application has progressed. We received the application from the applicants in early 2018, and they came to the April council meeting and presented to you all, at which time you all felt that there was a reason to go ahead and recommend what they were proposing to do.

We published a Federal Register notice in October, after working with the applicants, and we had, during that time, some concerns raised from our Protected Resources Division, after consultation with them, and so we changed the area that was proposed for this project, and then we updated the council at the October meeting last year about that, and, at that time, the council raised some concerns about the new area.
We also, during the public comment on the Federal Register notice, got some concerns from the public and comments, and we had a total of nine comments on that, and they were concerns about bycatch entanglement of marine mammals, as well as other things, and movement of the traps, and so the main concerns we heard were about whales in the area and entanglements, about deepwater corals that could be affected, the longline fleet that may be fishing near that area, and royal red shrimping, which is done in deeper waters as well.

We started looking at these different areas, and so the bottom area that you see, the smaller square, was the original area, and then the more elongated one was the one that was in the Federal Register notice and was shown to you at the October meeting. Now, there was a lot of concern about this area, that it was a very large area, but I need to point out that this whole box is not the area.

It's only the area between 1,800 and 2,600 feet, and so the actual area is the -- It’s a little difficult to see on here, but there are some dark black lines kind of running diagonally from the northwest corner to the southeast corner, and that’s the actual area, and so outside of that strip is not part of the EFP area, but it’s a swath enclosed by that box, and so, just to be clear, and I think we weren’t very clear about that area at the October meeting, and that caused a lot of concerns about the size of that box.

One of the reasons that we moved that box from the original area had to do with sperm whales, and this is a heat map showing sperm whale abundance, and what you can see down at the bottom box, in the lower-right-hand corner, is that red spot is a hotspot for sperm whales, and so our Protected Resources people asked us to move the area farther north away from that hotspot for the sperm whales, and so that’s where that other box came from.

I am going to look at that a little bit closer, so you can see that, and one of the other concerns is Bryde’s whales, and Bryde’s whales are in that pink area that is shaded in there, in the northern area, and, although they are outside of the area where the trappers are going to be, they’re within this box, and so you can see a little more clearly here the fathom lines that show, or the foot lines that show, where that swath is in between those black lines that they would be fishing in.

Because of a number of different concerns, we have since determined that we could cut this box down, and so the line you
see across that box cuts off a little less than half of that
area, and so the area north would not be included with the EFP,
if it’s approved, and so, south of that black line, within that
red box, is where we’re looking at.

In addition, you can see a yellow shaded area, and that is the
West Florida Wall, which is one of the new HAPCs that the
council put in through Coral Amendment 9, and then the green box
in there is Okeanos Ridge, which is, I believe, one of the areas
proposed for Coral 10, and so our intention is not to have them
in those areas either, and so the new area that we are
considering is south of that dark line, and that’s, I think, 26
degrees, 37 minutes, and then, within the depths of between
1,800 and 2,600 feet and outside of those two boxes that are
shown there.

Addressing the corals, NOAA’s deep-sea coral group looked at
this and mapped out corals in the area of that box, and the EFP
area is that dark-purple shading, and so those are the only
areas, and they looked all around within the box, the original
box, however, and you can see that, if you look north of the
line, that there are quite a number of coral areas, and these
are corals and sponges, and so that’s one of the reasons that
we’re cutting off that northern area, is to avoid those corals
up there.

The ones that you see just below the black line, that are within
that swath of purple, that’s where we have the West Florida
Wall, and so, again, that area will be off limits to them.
Then, a little farther down, you see some circles on top of the
purple, and that is that Okeanos Ridge that they will prohibited
from as well.

Concerns about the longliners, we looked at VMS points, and this
shows VMS points for the years of early 2007 to mid-2015, and
the points you can see within our area -- The lines that are
there are not exactly the area. Those show 1,500 and 2,500
feet, those lines, but we’re talking 1,800 to 2,600, and so just
a little bit to the left of where those two lines are would be
the EFP area.

You can see the purple VMS points, and that purple represents
eleven to fifty trips that were done in that area, but recall
that’s an eight-and-a-half-year period that those occurred
there, and so each of those really represents a maximum of maybe
six trips a year within that area, and so there is a little bit
of overlap, but the majority of the longlining is in that light
blue area that’s farther up on the shelf.
We also looked at the shrimp ELB points that you see here, because of concerns about the royal red shrimp that are in deeper waters, and, again, if you look north of the black line, you see a pink area, and that pink is where shrimp is in highest concentration for this area, and I believe it’s eleven to a hundred trips that are in that pink area, and that is over a ten-year period, and so about ten per year.

Again, to avoid that, we are not going in that northern area of that box, just in the southern area, and you can see that there is a few points here and there that represent less than ten over a ten-year period, and only, I think, one point actually falls within the swath that would be the EFP area.

This is what that area looks like. Here’s the red outline that shows actually where the EFP would be prosecuted. Again, it’s between 1,800 and 2,600 feet, only between those latitudes that you see there and outside of those two boxes where the coral concerns are, and so that is the update on the EFP.

CHAIRMAN FRAZER: Thank you, Sue. Mr. Swindell.

MR. SWINDELL: Sue, you’re telling me there’s mud bottom that deep in the water out there? I mean, they prefer to put the traps on mud bottom, and this is where they want to put it?

MS. GERHART: We have talked with them extensively about where they would like to fish, and they would just like to try fishing, and so that’s the depths that they’re used to fishing in, over off the east coast, and, quite frankly, they will fish wherever you tell them to go fish, because they really want to get this working.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Sue, I certainly understand the benefits of having a contiguous, an open, polygon, but, particularly west of the Florida Shelf and west of Okeanos Ridge, the red lines were very close to one another, and I know they had given some testimony as to how accurate they can place, but does the distances that are represented there kind of fit in with their ability to place gear into those narrow areas?

MS. GERHART: Yes, I think so. The total area is about 217 square miles, and that’s within that red, but you’re right that it is not a distance, but they are very accurate. These guys have been doing this for a really long time, and so they’re used
to how they have to start deploying to get to where they want in that area, as far as I understand.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I just wanted to say that I’m pretty comfortable with this, and I appreciate you all looking into the royal red shrimping and making sure we don’t have interactions there, because it is dangerous if you hang up in that depth of water when you’re shrimping, and so I’m proud of that, and I think this looks like an excellent compromise, and I know this -- When this particular gentleman presented to us the last time, he does have some history in the Gulf, through his father.

I think his father actually gave this fishery a shot, many, many years ago, and I don’t think it was an issue of being able to catch the species, but it was more how to process them at that point, with the technology, and get them back to shore in the right condition, and so I think he will do a good job, and I’m very comfortable with what you’ve laid out.

CHAIRMAN FRAZER: Mr. Boyd.

MR. BOYD: A question, Sue. What are the currents like in this area? If they’re going to be deploying a line of traps, it looks like, if we have any current at all, they could go any which way.

MS. GERHART: I’m not personally familiar with the currents in that area, and so I can’t really answer that question, but I think that was actually posed to them the last time they came here, and they seemed to be fairly confident that they can judge the currents there and get them where they need to.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Remember the traps are on the bottom, and they grapple them up, and so it’s not like a crab pot, and so you would have to look at -- The currents are complicated.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: They have experience fishing in the Gulf Stream on the south side of Florida, and these guys know what they’re doing, and they will be able to deal with bottom and location and current and pretty much anything else that comes their way.

CHAIRMAN FRAZER: Okay. Are there any -- Go ahead, Martha.
MS. GUYAS: Just a question, because I feel like, when we talked about this before, we had a number of people from the Coral AP come forward and were really concerned, and I’m just wondering if we’ve gotten any feedback from I guess some of those individuals, and I know the Coral AP hasn’t met, but if we’ve gotten any reaction from those members on this.

CHAIRMAN FRAZER: Maybe I can throw this over to Emily. Is there any comments?

MS. EMILY MUEHLSTEIN: No, we did not receive any comments on this.

CHAIRMAN FRAZER: Okay. Thank you. Are there any other questions or comments? John Froeschke.

DR. JOHN FROESCHKE: Heather Coleman is from the Deep-Sea Coral, and she sent me an email this morning, just about an hour ago, and it said they might have some additional information, and so I don’t know what that is or anything, but they are engaged and aware of this, and so, if there were a group to reach out to, I suppose that we could contact them, and they would probably have better information on the corals.

CHAIRMAN FRAZER: I am just wondering, have you interacted with that group already?

MS. GERHART: This map that’s up here was from them, and so they had the box, and they have the depths. This was a while ago that we did this, probably last fall, that they gave this to us, and, if there’s something new since then, then we would certainly look at that.

CHAIRMAN FRAZER: Okay. I guess we’ll wait to hear from them, and then, when you get that information, we’ll share it. Are there any -- Mr. Boyd.

MR. BOYD: A question for you, Tom. You’re our coral expert, and is this area -- Does this area have a lot of coral in it and around these designated HAPCs?

CHAIRMAN FRAZER: We had some discussion in previous meetings about this area, and it’s a fairly contiguous area with regard to corals. When we were identifying those areas for HAPCs, obviously, those were areas that were identified as particularly dense, or species rich, and so that was the basis for the designation.
Those were, I guess, based on the information that we had before, special areas, right, but there is certainly hard bottom distributed throughout that region, but, as Roy pointed out, and others, they’re not going to set that gear on that habitat if at all possible. They don’t want to lose that gear. Roy.

DR. CRABTREE: We have had this EFP request for a while now, and we’ve already gone through a Federal Register notice and the comment period, and so we can check with the deep-sea coral people and see if there’s anything we’re missing, but, at this point, it’s not our plan, really, Tom, to come back to the council with this again, because we feel like we need to go ahead and make a decision on it, and so I guess, if you guys have -- If you want to see this move forward, then I think now is the time for you to let us know what you think as a council.

CHAIRMAN FRAZER: I am just looking around the council table right now and just, if there are any serious objections to moving this forward, now is the time. Mr. Anson.

MR. ANSON: Just a quick question to refresh my memory. Sue, did they offer working with any researcher, as far as the crabs that were going to be harvested? Was there a research component with that, with the EFP?

MS. GERHART: No, I don’t think so. If there was, it probably wouldn’t be an EFP.

CHAIRMAN FRAZER: Just give me a second. I’m looking at an email from the coral folks.

MS. GERHART: If I could, while he’s doing that, they have been very willing to take aboard anyone who might want to go with them, as well as if there is someone who wants to do some research, and I think they would be very amenable to doing that.

CHAIRMAN FRAZER: The email that we just received essentially says that they might have some more available data, but they’re not quite sure, and so that’s the best we can do. Mr. Swindell.

MR. SWINDELL: I move approval of this EFP. If we can move on with it, let’s move on with it.

CHAIRMAN FRAZER: Okay. Roy, is that something that we need a motion or not?

DR. CRABTREE: Normally, you would make a motion to recommend
approval of the EFP, and then Carrie would, or I guess you, Tom, would send us a letter saying the council considered it and recommends approval.

CHAIRMAN FRAZER: Would you like to make that motion then, Ed?

MR. SWINDELL: Yes.

CHAIRMAN FRAZER: The motion on the board is to recommend approval of the golden crab EFP. Is there a second? Second by John Sanchez. Is there any further discussion on the motion?

MR. BOYD: Just one more question. Because of the corals that were know that are in this area, and they are obviously long-lived corals at that depth, how will we know if they do disrupt any coral or destroy any coral? I mean, it appears that we’re not going to know, because, at that depth, we’re not sending down rovers or anything else, I don’t think, to look at the coral while they’re there or to see if they’re on top of it, and I’m just concerned that we will never know.

CHAIRMAN FRAZER: I think that’s a legitimate concern, and I think what I would probably, again, ask Sue, or the folks over at NMFS, is, if there is an opportunity for -- The Deep-Sea Research Program might be able to help with this, actually, if you could contact them.

DR. CRABTREE: We can certainly talk to them and see if they would be interested and have someone ride along and observe. We don’t have any funding to put observers. Now, we can ask the applicants to report to us any kind of encounters or things, but that would be self-reported information, but we can see what we can come up with on that.

CHAIRMAN FRAZER: I appreciate that. Just an effort, at least, to see if we can try to gain some type of information with regard to potential habitat disturbance, and I think that’s a legitimate request. Are there any further questions or discussion? Go ahead.

LT. ZANOWICZ: Thanks. I just had a quick question. I’m not that familiar with this fishery, but how do they locate and retrieve the traps if they don’t have buoys on them?

MS. GERHART: If you want a lot of information about that fishery, Dr. McGovern, in the audience, knows a lot about that, but they have a pinger, basically, on them, so that they can
find them, and they can actually see the line between the traps. They can see that through the depth finder stuff, and so they can see where it is and grapple it that way.

CHAIRMAN FRAZER: Any further discussion? Mr. Swindell.

MR. SWINDELL: Is there any time that -- This is an exempted fishing permit, and do we have a time certain of when it has to be reviewed? I mean, this is foregoing approval.

CHAIRMAN FRAZER: Sue.

MS. GERHART: I think they asked for a two-year exempted fishing permit. As far as the approval process, they did submit this to us over a year ago, and so we -- They have been waiting for a while, and they would like to start fishing this year, if it’s approved.

CHAIRMAN FRAZER: Any further discussion? Seeing none, is there any opposition to this motion? Seeing none, the motion carries.

MS. BOSARGE: I was just going to ask -- I know it’s probably outside of the norm for NMFS, but the gentleman that came and presented, that is going to be doing this project, Mr. Brad, I think his name was, maybe could you give him some contact information and some names on some of the longliners that are out there in that area, and maybe even the one royal red shrimper that interacts with our AP sometimes, and, that way, he doesn’t have to recreate the wheel. They also know exactly where that coral is, and I think, if they had a good working relationship, that would be helpful to also -- As a secondary safeguard of our resources, and I think that would be great.

CHAIRMAN FRAZER: Okay. Any additional comments? Seeing none, I think we’re going to move on. The next item on the agenda is a presentation by Captain Patrick Levine from the Mississippi Department of Marine Resources.

PRESENTATIONS

MISSISSIPPI LAW ENFORCEMENT EFFORTS

CAPTAIN PATRICK LEVINE: Good morning, council. I’m Patrick Levine from the Mississippi Department of Marine Resources. Today, I’m going to be doing a presentation on the current status of the joint enforcement agreement between NOAA OLE and the Office of Marine Patrol.
As of today, we have conducted 1,899 man hours of patrols. While engaged on those patrols, we have encountered 810 stakeholders. During outreach events, we have reached approximately 10,000 stakeholders during outreach events, such as fishing tournaments, fishing rodeos, public campaigns, and that enforcement effort broken down, if you look at this pie chart, to date, 65 percent of our efforts have been underway in a vessel, 27 percent of those efforts have been dockside, with the remaining 8 percent outreach.

When it comes to vessel hours, what do those patrols look like? Those patrols break down that 40 percent of the patrols have been mid-range, 24 percent have been near-shore, and 36 percent have been long-range patrol.

We have performed many, many vessel boardings, and I am going to break each of them down really quick, what those boardings look like. First of all, the Endangered Species Act, with TEDs, to date, we have had ninety-nine commercial contacts, and we’ve taken three enforcement actions, and we have observed a 97 percent compliance rate.

For red snapper, we have had 471 recreational contacts, twenty-five commercial contacts, fourteen enforcement actions taken, for a compliance rate of 97 percent.

Under HMS, Lacey, and general enforcement, we have had 144 commercial contacts, sixty-eight recreational contacts, and twenty-six enforcement actions have been taken, for an observed compliance of 88 percent. While I have this slide up, if you notice the picture there, during one of our outreach events, a local rodeo, we had somebody that tried to submit a shark that was prohibited, and so, during that outreach event, it came to our attention, the officers that were down there working, that, hey, somebody has a prohibited species, and so you see that there on notable cases. That is currently under investigation.

The MDMR is working, and has worked, a joint investigation with NOAA OLE and the Louisiana Department of Wildlife, Fisheries, and Parks pertaining to the illegal harvest, transport, shucking, and sale of oysters. In that particular case, two men were cited, for a total of nine state misdemeanor violations. That case is currently still under investigation, and it’s growing.

The DMR is jointly working a Lacey Act investigation with NOAA OLE and Alabama Marine Resources Division, and that investigation is continually growing, and we expect multiple
charges in that case, and so there are a lot of large profile cases that are continually being worked under the joint enforcement agreement.

Under the 2017 JEA, we purchased this offshore vessel, and it’s a thirty-four-foot Cobia, and we powered it with three Suzuki, and this vessel is primarily going to be used for offshore red snapper enforcement in the recreational sector.

The Marine Patrol’s continued success, obviously the continued funding from NOAA, through the joint enforcement agreement and the Office of Law Enforcement with NOAA, we appreciate that, and we’re thankful for it, the increased patrols in the EEZ for federal fishery compliance, and then the continued strong partnership with federal and state agencies.

We can’t say enough on the importance of the partnerships we have with the states on the Gulf of Mexico and also with NOAA Office of Law Enforcement. There have been just -- It’s been an amazing partnership, working amongst the states, and we’re thankful for that. Since I am the only thing standing between you and lunch, that concludes my presentation. Do you have any questions pertaining to this presentation?

CHAIRMAN FRAZER: Thank you, Captain Levine. Are there any questions? Go ahead, Paul.

DR. MICKLE: Thank you, Captain Levine. We really appreciate you giving the presentation, and I’m glad that it was -- It was very well done, and it really showed the different federal acts that JEA provides the ability for the states to do, and my question -- We had some discussion yesterday about JEA and funding specifically, and would you say -- When you’re on the water, you’re obviously -- I am reading all the acts that OLE and JEA, of course, falls under, and it’s Magnuson-Stevens that you’re enforcing, the Endangered Species Act, Marine Mammal, National Marine Sanctuaries Act, Lacey Act, and then there’s one more, the Northern Pacific Halibut Act of 1982, and I don’t know if that’s really pertinent, but I just thought that I should mention it, because that’s all of them, but would you say, when you’re doing dockside intercepts, when you’re perusing the terrestrial landings, right, would you say all of these acts, baring the Northern Pacific Halibut Act, you’re still trying to -- You’re putting forth efforts of enforcing all of those acts, of which you do on the water, and you carry to the dockside intercepts?

CAPTAIN LEVINE: Yes, sir. They do all carry to the dockside,
and, thinking this way, ultimately, everything that happens in
the Gulf, eventually it has to make its way to land, and so all
of our officers make contacts, and, often, we’ll receive
information, or a tip, and we may not be able to engage that
individual on the water, but we can do is we can make that
contact on land.

DR. MICKLE: thank you.

CHAIRMAN FRAZER: Are there any other questions for Captain
Levine? Go ahead, Dale.

MR. DIAZ: I just want to make a short mention. I just want to
applaud you all’s organization, Patrick. I work closely with
you all from time to time. Chief Davis and you all’s management
team have really developed a very professional unit, and, every
time I interact with you all, I am always appreciative of how
professional your folks are, and so thank you all for that.

CAPTAIN LEVINE: Thank you.

CHAIRMAN FRAZER: I would say I think everybody around this
council table appreciates the work that your group does, and we
appreciate you, and thank you for being here.

CAPTAIN LEVINE: Thank you, sir. Thank you, council.

CHAIRMAN FRAZER: All right, and so we’re not going to actually
let you go to lunch. I am going to try to go to the Law
Enforcement Committee Report and knock that out, and I think
it’s a good follow-up.

LAW ENFORCEMENT COMMITTEE REPORT

MR. BOYD: Thank you, Mr. Chairman. The Law Enforcement
Committee members are Mr. Diaz, Mr. Banks, Mr. Anson, Mr.
Donaldson, Mr. Dyskow, and Mr. Robinson and Lieutenant Zanowicz.
The first thing on the agenda is to adopt the agenda, and could
I have a motion to adopt the agenda with any changes that are
necessary? We have a motion and a second, and the agenda is
adopted. Approval of the minutes, I will entertain a motion.
We have a motion by Mr. Donaldson, and Mr. Dyskow seconds. Dr.
Lasseter, if you would go over the Action Guide and the Next
Steps.

DR. AVA LASSETER: Yes, and thank you, Mr. Boyd. There is
really just one item on the action guide, and it will lead us
right into the next agenda item, which is the Law Enforcement
Technical Committee meeting summary.

We will review the report with you, and there were not other comments. There were not other sections of the LETC report that ended up being discussed elsewhere in the committee. Their primary discussion was to develop recommendations for a possible law enforcement team of the year award, and so that’s what we’ll spend the most time on, and so I will go on into the meeting summary, if that’s okay with the committee.

The summary is located at Tab L, Number 4, and so the LETC met just a couple of weeks ago, and we reviewed the current actions that could have law enforcement implications, and we actually walked them through the council’s action schedule as well, showing them where it’s located in the briefing book and just kind of connecting them with the council process a little bit more.

One issue that they did have some discussion on, and this is towards the top of page 2, is the issue of non-permitted vessels taking paying passengers to fish for red snapper in federal waters or illegal charters, as I just discovered that term recently, and so we brought this up because we heard, at the state management public hearings, and our Outreach Officer also has been hearing some complaints, and so the Law Enforcement Committee discussed what they’ve heard and the fact that some active investigations are going on currently, and they did point out that these are much more complex investigations for them to pursue, and so that does make it more difficult for them to respond to, because it does involve them actually doing an undercover investigation, and they’ve got to book a trip on one of these vessels, and so it’s a little more complex than just doing on-the-water enforcement and checking bag limits and size limits.

The LETC members did strongly advise other for-hire operators, or people in the public, whoever is concerned about this issue, to communicate regularly with their state agencies about these concerns. They said they can’t take any action unless they are hearing about it and they’re aware of what’s going on, and so they did encourage that.

The next item, and this will be the bulk of the report, is the development of a possible team of the year award, and so, as we know, every year, the council recognizes its outstanding officer of the year from somewhere in the Gulf, throughout the Gulf, and this group has been discussing that sometimes there is people that they may want to nominate, but they’re a part of an...
enforcement team, and it could include people that are undercover and that could not be identified, and so they have been talking about this for a little while and wanting to expand this award.

At the end of the report, there is a copy of the council’s current Law Enforcement Officer of the Year, and so what the LETC is proposing is that, each year, each state nominates either an officer of the year or a team of the year, and so this could result in the council needing to evaluate some officers and some teams, depending on which states elect to provide which type of nomination.

Another suggestion is that the LETC itself be the group that reviews these nominations and ranks them and provides a recommendation to the council for the top two recommendations or rankings for the top two people, and then, of course, in closed session, the Law Enforcement Committee would evaluate those rankings and ultimately select from the nominees.

What we did in the LETC meeting was walked through this nomination form and made all of the recommended changes that they would like to see made, and primarily it’s just editorial, to change this from nominee to the potential for plural nominees, and, if we scroll down a little bit to the award criteria, they did modify this somewhat, and they broke out the teamwork and public outreach, such that the teamwork part would have its own stand-alone one, which is both -- I apologize, and this is on page 5.

They broke out the teamwork and public outreach, the first item under the award criteria, and so now there’s a public outreach section, and then there would be a partnership section, just so there is something that more fully reflects the team aspect, and now, if we scroll down to the next page, other recommended changes, proposed changes, we’re to the guidelines, and so the LETC is also requesting that, rather than all of these performance reviews and official reports and whatnot be submitted as documentation, that this form itself serve as the primary mechanism for the nominations.

They would ask that the form be converted into a fillable PDF and that each of these previous award criteria, public outreach, partnerships, excellence and innovation, attitude and leadership, and, finally, achievements and accomplishments, be fillable fields on this electronic form, and then the nominating agency would be able to just fill in these spots electronically, providing a letter as well, and then, finally, they have
provided a proposed timeline for themselves, and so they have said that they would provide this nomination for either the Officer of the Year or Team of the Year Award by February 1 of each year.

Then the LETC, at its March meeting, would discuss these nominations, and, at that time, rank them and make its recommendations to the council. In the event we had some delay, we would be able to accomplish this through a webinar, and we would have to notice it and whatnot, but, should we not be able to get this done in time for the March meeting, we could get them convene before your April meeting.

Then we would bring to you, at your April meeting, like now, their report and their nominations, and, in closed session, you would have the opportunity to review those and rank those, and so these are the changes to the form. If we scroll down to just the very, very last page, there is just a comment there, where they recommended modifying the form to be a fillable PDF for the spaces for those reward criteria, and then we also did some editorial changes, on the very, very last page, as far as updating our address to our new council office, and so you can see all those changes.

The first draft, this is all in track changes. Then, below that, if you keep going down through the report, it’s a completely clean copy of what all of this would look like, and then here is all these track changes accepted, so you could take a look and read through it a little more cleanly. I will pause there and see if the committee would like to discuss the LETC’s recommendations, and, if we could also go back up to the report, there is a motion specific to this proposal.

CHAIRMAN FRAZER: Mr. Boyd.

MR. BOYD: I would just like to say a couple of things about this. The process that we’ve had over the years for an award for law enforcement has morphed and moved, and we have been developing criteria and procedures over the years, and I have listened to their comments over the years in the Law Enforcement Committee, and I think this is just a refinement of what we’ve been trying to do for a long time, and it is recommended by them, and I think it’s important that we listen.

They have a problem, because they can’t award sometimes -- As Dr. Lasseter said, they cannot award to an undercover agent, and usually those things are done with a team of people, either from the federal level or undercover, and so it’s hard for them to
recognize some of the people that they would like to recognize, and so I think it’s important, and I would recommend to the committee that we approve it. This is a committee motion, and so it doesn’t need a second, Mr. Chairman.

CHAIRMAN FRAZER: Is there a second for that motion? Dale.

MR. DIAZ: This is for Ava or for Doug, either one. Does the motion that was on the board just a second ago -- If we were to adopt that motion, would that do everything that they asked for, including the fillable form, and then they would make the top two recommendations to us, and would that do everything, if we accepted that motion as it’s written?

DR. LASSETER: I guess I would just rephrase it a little bit, to be coming from you rather than from the LETC, and so the one recommendation that the LETC did make is provided in your report, which is that the council expand this Officer of the Year Award to include nominations of either Officer or Team of the Year Award and to accept the proposed changes in the eligibility criteria, and I think you could make a motion here to just accept the LETC’s proposed changes to this award and approve the proposed changes, correct.

MR. DIAZ: Based on what they just said, if it’s all right, I would like to make that motion. If it’s worded wrong, please help me wordsmith it, Ava. The motion is to recommend to the council --

CHAIRMAN FRAZER: We are in Full Council session, and so just make the motion.

MR. DIAZ: Okay. To expand the Officer of the Year Award to include nominations for either Officer of the Year or Team of the Year Award and accept the proposed changes to the eligibility criteria proposed by the LETC. The intent of my motion is to accept all of their recommendations. Thank you.

CHAIRMAN FRAZER: We have a second by Mr. Swindell. Is there discussion? Kevin Anson.

MR. ANSON: Just to be clear, one of their recommendations was that they would review the applications and then provide the top two, as they deem it, and so those would be the only two that would be coming to the council for voting on? Okay.

MR. DIAZ: Kevin, what I like about that is I read through all of these things to get ready for the meeting, and you really --
It depends on how good the person writing the recommendation is, and these guys are at least closer to them, and they’re a little bit more familiar with them, and I feel like they could probably do a better job at making that selection, and then we’ll still have two to choose from once it gets here, but I feel like they are closer to them, and it just would be more effective that way.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: I think Ava wanted to respond to that.

CHAIRMAN FRAZER: Go ahead, Dr. Lasseter.

DR. LASSETER: Thank you. We would definitely bring to you all five of the application packages, and we would note which were the ones -- We would note the ranking amongst the five, but we will definitely provide everything that was nominated.

MR. BOYD: The discussion in the committee was that they would do the debate among themselves to bring it down from five states to one state, to one applicant, so that we wouldn’t have to go through all of those applicants. They would give us a recommendation of one officer and a team.

CHAIRMAN FRAZER: Ava.

DR. LASSETER: The way I understood it was that they would evaluate the five, and they would pick the top two, and it could be in one year an officer, a team, and an officer, but they would select from amongst however the assemblage is, and they would rank the top two, but they would provide you, as the deciding body, all of the information that they had available, which would be all five applications, nominations.

CHAIRMAN FRAZER: Mr. Swindell.

MR. SWINDELL: I think she states what I remember of the meeting, is that they would going to submit at least two from us to choose from.

MR. BOYD: Yes, that’s what I was trying to say. They wouldn’t come with five officer nominations. They would pare that down, and they would come to us with a possible team, and is that correct, Ava?

CHAIRMAN FRAZER: Ava.
DR. LASSETER: I think this is really probably semantics. There is going to be nominations, and we’ll have up to five nominations. Among those nominations, they will rank the top ones that they recommend get the award. We will bring to you all of those nominations with the people identified, or the teams identified, who were the top -- Who they think should get it, but you will have all of the information, including the identified top two ranking nominees. I am saying five, but, of course, NOAA OLE is invited to provide a nomination as well, and so there could be up to six. Excuse me. Also the Coast Guard. Excuse me.

CHAIRMAN FRAZER: All right. I think that it’s clear at this point. Are there any further questions or discussion? Seeing none, is there any opposition to this motion? Seeing none, the motion carries.

DR. LASSETER: Okay. That is pretty much the bulk of the report. The Law Enforcement Committee, the Gulf States Commission side, did meet, and they reviewed the usual items, updated in terms of what’s going on with the commission profiles for the LETC members, LEC members, and then, the other major discussion that kind of happened, I believe that Lieutenant Zanowicz is going to provide information that he provided to the LETC to the Full Council shortly, and so I will -- It is provided in your report, but I think we’ll be hearing that firsthand here shortly, and that concludes the summary report. Thank you.

CHAIRMAN FRAZER: Thank you, Ava, and I appreciate you guys making the time to squeeze this in right before lunch, and, if I look at my clock, we are exactly on schedule at this point, and so thank you, again. Before we go to lunch, Emily Muehlstein has one request. If everybody would, outside those doors, line up for a Full Council picture. This is the first time that we’ve all been here for a while.

(Whereupon, the meeting recessed for lunch on April 3, 2019.)

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April 3, 2019

WEDNESDAY AFTERNOON SESSION

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The Full Council of the Gulf of Mexico Fishery Management
Council reconvened at the IP Casino & Resort, Biloxi, Mississippi, Wednesday afternoon, April 3, 2019, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: Good afternoon, everyone. Public input is a vital part of the council’s deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process.

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

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

Knowingly and willfully submitting false information to the council is a violation of federal law. If you plan to speak and haven’t already done so, please sign in at the iPad registration station located at the entrance to the meeting room. We accept only one registration per person.

Each speaker is allowed three minutes for their testimony. Please note the timer lights on the podium, as they will be green for the first two minutes and yellow for the final minute of testimony. At three minutes, the red light will blink, and a buzzer may be enacted. Time allowed to dignitaries providing testimony is extended at the discretion of the Chair.

If you have a cell phone or similar device, we ask that you keep them on silent or vibrating mode during the meeting. Also, in order for all to be able to hear the proceedings, we ask that you have any private conversations outside, and please be advised that alcoholic beverages are not permitted in the meeting room. Our first speaker is Lawrence Marino, followed by Jason Delacruz.

PUBLIC COMMENT

MR. LAWRENCE MARINO: Good afternoon. I’m Larry Marino, and I’m here on behalf of Louisiana Attorney General Jeff Landry.
First, as to the state management amendments, not unsurprisingly, Attorney General Landry fully supports those amendments and commends this body for resolving the difficult question of allocation of the quota among the states.

However, in the what-have-you-done-for-me-lately category, he would like to urge that this body begin developing a separate amendment to enable state management of the for-hire component as well, only for states that want it, as has been discussed during development of Amendment 50. The Louisiana for-hire industry does want it, and the Louisiana Department of Wildlife and Fisheries has proven that it can do a good job of it.

As to Amendment 36B, Attorney General Landry urges the council to continue to move that amendment forward. As long as the IFQ program is in place, those limited access privileges should be allocated to fishermen and not to non-fishermen. Use-it-or-lose-it is an appropriate standard here.

Amendment 36B tries to get at this by defining fishermen, and they do it by trying to define it as the reef fish permit holder. As Dr. Crabtree has pointed out, this is likely simply to drive up the price of reef fish permits, as catch shareholders purchase it in order to remain viable. It seems likely to move the problem rather than to solve it.

We, therefore, urge beginning to explore other ways to define who is a fisherman. Attorney General Landry also urges exploring what to do with catch shares that are divested and suggests that auction is at least one of the appropriate means of dealing with that, limited to fishermen being able to acquire it.

Alternatively, the exact opposite of divestiture may be explored, should be explored, true intersector transfer, not limited to commercial, or even to for-hire, but also to private angling and actually moving that percentage to the recreational sector.

Finally, as to the allocation review, now is the time to flesh out what allocation review will be, what will result and under what circumstances, so that we can be prepared, when it’s time to implement that, but also to allow this to be done in the abstract, for multiple species at once, rather than in the heat of particular facts. The standards should be as objective, determinable, and as well-defined as possible. The committee has moved to request that this process begin, and Attorney General Landry fully supports that. Thank you.
CHAIRMAN FRAZER: Thank you, Mr. Marino. Our next speaker is Jason Delacruz, followed by Ronald Chicola.

MR. JASON DELACRUZ: Good afternoon. Thank you all very much for being here and giving me the opportunity to speak. First off, I will start real quick with amberjack. As far as that fishery goes, in my eyes, we have already determined it a bycatch fishery, and so one of the things that I would really prefer, and for my guys, would be the 500-pound trip limit, but I also think that we need to consider a step-down technique with that. Once we get to 75 percent of the landings, we drop down to 250 pounds.

The most important thing in that fishery, at this point, is remaining open, so we’re not just discarding dead fish. That fishery needs better management, and I have always advocated for that being one of the next IFQ fisheries, because, right now, if you’re -- I mean, there are dedicated amberjack fishermen, and they have a two-month season right now, and so I don’t know anybody that can make a living in that timeframe. Let those guys get their historical catch and be able to continue to fish.

Absent of that, at least the 500 pounds, with the step-down, I think will at least try to keep that fishery open, and I think we need the step-down thrown in there as well, because, like was said yesterday at committee, we have done trip limits and things like that, and we thought, okay, this is going to do the job, and we look up and it still closes, because we did this 1,500 pounds, and we have closed every time, and so there’s really nothing left to do with that fishery.

As far as 36B goes, the one thing I am very happy about, and so I’m glad that Susan brought it up yesterday, and then the guys that voted for getting rid of that 10 percent rule, and that’s a crazy, punitive rule that’s only going to hurt good people for no reason, and I think the unintended consequences in that rule are a little kind of overwhelming, and I’ve been fortunate enough to have a couple of conversations with law enforcement in the State of Florida, and they never really thought of it that way.

They didn’t see it until we talked about it and were able to talk it through, what the implications of that were. We were unloading a little boat, and they had called in 120 pounds of gag, and, when we actually got the boat all finished, there was only like 2,000 pounds, and they had made a mistake. They had like eighty-six pounds of gag, and so were in a position, standing there with a law enforcement officer, that I said, now,
look at this. They didn’t do anything wrong. They made an honest mistake, and now we have to fine this person for this. I said, that’s not what this program is about.

The purity of offloading fish is perfect. They want to get paid for everything that they caught, and I don’t want to pay them for any more than they caught. That two-party system protects that scenario and makes the data incredibly accurate. We need to maintain that and not do something that causes a ripple in that effect. I think that’s really all I’ve got for today, and I appreciate you guys giving me the opportunity to speak. Thank you.

CHAIRMAN FRAZER: Thank you, Jason. The next speaker is Ronald Chicola, followed by James Bruce.

MR. RONALD CHICOLA: Good afternoon. I want to just talk a little bit about 36B that we were speaking of yesterday. One of the goals in 36B, you all claim, is to let new people into the fishery, and I don’t know how that’s possible. John made the statement yesterday, and he said that you can buy in.

I have a twenty-three-year-old son that wants in, and he has a boat, and to buy in, to buy 100,000 pounds, or 1 percent of the quota, costs $4 million. You think it’s all right to strap $4 million of debt on a twenty-three-year-old, or a $500,000 boat, and so you’re looking at four-and-a-half-million dollars to start fishing, and that doesn’t make a lot of sense to me. The economics doesn’t work out. Since I got up here and started talking, nobody leases me any fish. I can’t get any snapper leased. That’s about all I’ve got to say about it. Thank you very much.

CHAIRMAN FRAZER: Thank you, Mr. Chicola. The next speaker is James Bruce, followed by Buddy Guindon.

MR. JAMES BRUCE: I’m James Bruce, a commercial, bonified true fisherman from -- I fish out of Dulac, but I live in Mississippi, and I don’t even know how to start this mess, but the first thing I would like to know, and nobody can answer, is the design in our structure of our IFQs. It went from a fisherman assignee system to a vessel assigned system. When I voted for IFQs, I didn’t want that. Then, when the groupers joined us in 2010, it went that way.

As far as 36B, we need licenses, and we need caps on boats, if you all want new entries, about 100,000 pounds a year across-the-board, and we need a lot. We need to -- The other one that
you’ve got, and I ain’t got it in front of me, but you’ve got to stop the licenses at 2012, because, if you give that space between 2012 to 2015, there is other entities that get in, and it’s just a mess. You have got quota hoarding, and it’s not right.

The system was designed to help the bycatch of the longliners. When I used to come here, they had a camera thing. I went to British Columbia, and the cameras would work where you could see who needs bycatch and who don’t, because you cannot go by paperwork. Paperwork lies, and there is no way. They are manipulating the system. You need stewardship. In the National Standards, you need stewardship for a system like this to work.

I talked to somebody in California, and they’ve got a little plan that they borrow fish from each other, and they put it in a system, but it’s all fishermen. I told them that you almost have stewardship, and you all aren’t out to make money. It’s about preserving the fisheries, and doggone it, man, we don’t need a bunch of fish houses ruling us, and that’s the whole problem.

I don’t want to work for a dollar no more. That don’t get it, because what’s going to happen is they’re going to be derby running again, because they won’t be able to control their destiny. When you can’t control your destiny, it ain’t no good, and, every report you look at, a boat only needs 75,000 pounds, and why not 100,000 across-the-board and put caps. You all need to put some caps and do something, period.

The bycatch is easy, but you need the science. You all keep on saying the science, the science, and how do you get science? By observers? They’re not on the boats all the damned time, and you put cameras, and it’s in Amendment 31, I think, that it was considered and rejected, and so I think you all could bring that back.

When we went to vessel accounting, when I was issued my stuff, and I was issued for each permit I had, and then my boat was associated with the permit. Now I’ve got to transfer my fish, and it don’t make no sense. I freaked when I was coming home, and you’ve got put some fish in your account, or you’re going to get arrested, and I didn’t even know nothing about an account.

**CHAIRMAN FRAZER:** Mr. Bruce, I’m going to have to ask you to wrap it up. Sorry about that.

**MR. BRUCE:** That’s it.
CHAIRMAN FRAZER: Hold on. We’ve got a question for you from Mr. Banks.

MR. BANKS: Thank you for coming, Mr. Bruce. I can tell that accent is not from Mississippi.

MR. BRUCE: I live in Mississippi.

MR. BANKS: I think what I heard, in part of your comments, is you feel strongly that, to hold allocation, or to hold shares, you have to have a valid permit, and is that correct?

MR. BRUCE: Yes, and, the people who is going to see that they are going to go up, they are probably holding them to make money off of. I bought mine for $5,000, and I drove from Cutoff all the way to St. Pete to pick it up.

MR. BANKS: How long ago was that?

MR. BRUCE: It’s been a while. A long time.

MR. BANKS: All right. Thank you, sir. I appreciate it.

CHAIRMAN FRAZER: Thank you, Mr. Bruce. The next speaker is Buddy Guindon, followed by Bart Niquet.

MR. BUDDY GUINDON: Hello. I’m Buddy Guindon, a commercial fisherman and fish house owner and many other things. Big Fish Texas, I heard somebody talked about that, and what they referred to was the need for fishermen to report to the fish house what they have, so it makes it easy for us to market the fish.

Well, the only difference between that and the regulation that we’re trying to bring up in 36B is I don’t take anything away from them if they make a mistake after eighteen days and twenty-four-hour-a-day fishing, where the captain has to be in bed at least six or eight hours a day, and so to put a regulation on a group of folks that work hard enough and spend enough time away from their families that, when they get to the dock, they can have their trip jerked out from underneath them because they made a mistake on counting their fish would be wrong.

Thank you, Roy, for informing the council, or at least the committee, that this fishery is still overcapitalized. Well, we wouldn’t have a $4.25 lease price on $5.50 fish, and so, to the chagrin of the man who was up here earlier, he’s trying to get
in the wrong fishery. We’re a market-based system that requires you to buy in, and we still are overcapitalized, or our prices wouldn’t be so far out of control.

There is nothing you can do to fix that without restricting the market-based system that makes this work for the businesses that are left in it to be successful, and not everybody can be successful with a limited amount of fish. Each fisherman has to have enough fish to be successful, and so, when you see this price war going from, at one time, a dollar in the beginning, to $4.25 is what I have heard was the highest price this year, you really have to think about what is the problem?

The problem is we haven’t reached an equilibrium yet in the fishery. We have not reduced our effort enough to allow the supply to outweigh the demand, and so I hope you consider that the system that we implemented did a great thing for the fishery. We rebuilt these stocks in a very short period of time, and so let’s not throw the baby out with the bathwater, and let’s look towards implementing the system fully.

The system that was looked at in the very beginning was a system much like British Columbia has, where we have a full-retention fishery, where we maximize the fish that are in the Gulf, where we bring home every fish, whether it’s dead or alive, if it comes aboard the boat, thereby allowing more fish to be in the water to produce a bigger stock of fish. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Guindon. Our next speaker is Bart Niquet, followed by Ken Haddad.

MR. BART NIQUET: Good afternoon. I’m Bart Niquet. Thanks for letting me speak. I have been fishing for over seventy years, and quite a lot has changed. On 36B, you cannot reduce the capacity of new entries and let new entries come into the fishery. In order to reduce discards, you must issue more allocation. This should lower the lease price, similar to red grouper.

The last four years I had a longline boat, we didn’t try to catch red snapper. We fished for grouper and any other target of opportunity, because it was more practical and profitable, and, to the man on deck, the bottom line is what counts. Before you make any changes in any rules, you should consider that part of it.

The program proposed yesterday by the council staff looks good on paper, but, in reality, it’s a nightmare. It would be
disaster to require a reef fish permit again. You did away with them four years ago, if I’m not mistaken, or maybe five, because all it did was create another hassle and more bookkeeping, and to go back to it now, to require a reef fish permit again, would drive the price from where it is now, the $15,000 or $20,000 range, to the $60,000 to $100,000 range.

Your small boats would be gone. They would be priced out of the seafood restaurant, and you would have to depend on the imports again, and the fish-eating American taxpayer would have to do with no more fresh fish. Obviously, this program fails to look back and see what has been rejected by other councils in the years past, and I hope this council rejects every bit of it. It’s a ridiculous farce.

One other question. Why is it always the law-abiding section of the fishery, the only one that pays taxes, or is being taxed, I should say, and, also, Magnuson says a fishery shall be managed equally throughout its range, and we in the Gulf would like to have our bluefin tuna returned to us. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Niquet. Our speaker is Ken Haddad, followed by J.P. Brooker.

MR. KEN HADDAD: Thank you, Mr. Chairman and council members. My name is Ken Haddad with the American Sportfishing Association. I’m going to spend most of my time on allocation triggers, and it will be boring.

The letter to NOAA, Chris Oliver, in our view, doesn’t really meet the spirit or intent of the NOAA policy directive on allocation review. We would request that you please either include a statement and timeline in the letter for incorporating public and indicator triggers into your policy or discuss some other way to address our concerns, and I’m going to talk about them a little bit more.

I hope that everyone will read, or re-read, in detail the policy directive that NOAA put out in 2017. There was so much in there to guide the development of a policy for review triggers, and, again, the letter is very shallow, in our view. It gave three years to develop a worthwhile accountable policy, and, really, if you add up time, the council has only spent a few minutes, basically, on developing this letter, in your discussions.

We would like to see more thought and a vision put into this to deal with the most simple part of the allocation process, and that is the triggers, and the NOAA policy states that this
policy will provide a mechanism to ensure fisheries allocations are periodically evaluated, and you kind of do that, to remain relevant to current conditions. In addition, it will improve transparency and minimize conflict for a process that is controversial. I would argue that the policy letter does not really do much to fortify that policy statement coming out of the NOAA policy.

Also, the NOAA policy states that National Marine Fisheries Service Regional Administrators and Science Center Directors will be responsible for engaging with the councils to support the development of triggers and thresholds for each. We haven’t seen any evidence that this has occurred, and it kind of supports our conclusion that neither the intent nor the spirit of the policy has really been thought well through.

We do appreciate the motion that Council Member Anson made to begin engagement with NOAA on thresholds and criterion, and we hope that maybe you will build on this and perhaps satisfy our concerns at this meeting, during your Full Council.

We ask that you make an allocation policy and process a priority and use the resources offered by NOAA and additional experts to actually make a meaningful process, and that is what we believe the directive says. Finally, please pass Amendment 50 and all its pieces, and we are fine with the Reef Fish Committee motion to postpone Amendment 52 until August. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Haddad. Our next speaker is J.P. Brooker, followed by Dylan Hubbard.

MR. J.P. BROOKER: Thank you, Chairman Frazer, and thank you to the council for the opportunity to give comment. My name is J.P. Brooker, and I’m an attorney with the Ocean Conservancy, based in St. Petersburg, Florida, and I will keep my comments short.

As I have said in previous testimony, I would like to again affirm that Ocean Conservancy sees a lot of benefit to state management of the private recreational red snapper sector, because we appreciate that good fishing in one state is different from good fishing in another, and this provides an opportunity to fish sustainably while increasing angler satisfaction.

Ocean Conservancy is not an anti-fishing organization. We focus on sustainability, in order to ensure continued access to the fishery by anglers from all walks of life, while protecting
robust and healthy marine ecosystems. State management can facilitate sustainability.

We recognize and appreciate that the council has really come a long way with issues in Amendment 50, including potential problems with data discrepancies between the states that Ocean Conservancy has raised, and we appreciate that you have taken the time to think through some of these things, even though they are dense and challenging and time is short in order to get something up and running for private recreational anglers for 2020.

Ocean Conservancy would like to underscore that our reasons for raising these issues is to ensure the long-term sustainability of the stock and to continue the successful trajectory of rebuilding for the stock. Additionally, we would like to emphasize that, the more quickly and thoroughly the council and NMFS deal with the common currency calibration issue, the more confidence they can have that overfishing is not occurring in the stock under state management.

This will also have the benefit of ensuring that the accountability measures in place under the state plans are actually effective. The more delay there is in addressing this issue, the more likely that overfishing will go unnoticed and unaddressed, which would threaten rebuilding and potentially reduce fishing opportunities across the sectors.

Even with the full delegation concept in place, it will be important to track and encourage regular updates and progress on the calibration issues, to ensure that management is sustainable and MSA compliant. We find it encouraging that NMFS will include some analysis of the common currency issue in the EIS, a Mara mentioned yesterday, and we look forward to seeing that analysis, and we hope that we can find a way to minimize any potential delays in making sure that the common currency problem is dealt with. Thanks for the opportunity to give comment.

CHAIRMAN FRAZER: Thank you, Mr. Brooker. Our next speaker is Dylan Hubbard, followed by Gary Bryant.

MR. DYLAN HUBBARD: Hello. My name is Captain Dylan Hubbard, and my family business has been fishing central west Florida for over ninety years and four generations. We operate six federally-permitted vessels, both charter and headboats, and I’m here today representing my family business, and my family business alone.
For the for-hire rec buffer, thank you for our 9 percent buffer into this year and the extra eight days on the water. Please allow this 9 percent buffer to extend into 2020, and, if our fleet continues to be easily managed, hitting the ACT nearly right on the head, a continually-decreasing ACT buffer would allow for optimum yield in our fishery.

Electronic reporting requirements, we’re looking forward to this program and improving our data and our industry’s data collection. However, we have just spent a lot of time and energy on these workshops across the five Gulf states, and I’m worried that all the captains who took the time to attend and make meaningful inputs and suggestions are not going to be heard by NOAA. I am hoping that we can evaluate some of these sticking points and work on providing some sort of solution or compromises, to allow the program wider acceptance on roll-out.

Also, I have seen a big issue myself in navigating the proper hardware and software combinations to appease regulations on both charter and headboats. Due to headboats still reporting to the headboat survey, and charters to this new program, we really need all hardware and software providers to be able to accommodate both. CLS has been working with Bluefin, and it’s been a hard road to get that to happen, but I feel the council should be made aware of this issue.

Finally, I would like to emphasize, once again, during outreach, I feel that being upfront and honest and letting fishermen know this data can’t be used in an assessment for at least three years, until MRIP calibration is completed, and an emphasis on truthful reporting should be added to the outreach effort as well.

Illegal charters, illegal charters are becoming a larger and larger issue in the Gulf of Mexico, especially in my area and areas affected by red tide. Our near-shore state guideboats, and even inshore guides, who don’t have federal permits, are regularly running fishing charters in federal waters. We need the council to make higher penalties, or urge whoever to make higher penalties, for illegal operators.

I appreciate NOAA’s and OLE’s efforts, and I know that everyone knows at least a few, or suspects at least a few, illegal operators, but we have a problem with people reporting, and I feel a simple app or a website could be created to allow people to more easily report suspected illegal operations and provide some evidence, such as photos or screenshots, and I feel that would be a lot easier and more standardized, making it easier
for people who aren’t as involved in the system to know the right people to report to.

Then, as far as gray snapper is concerned, mangrove snapper, please move forward with the preferreds currently in Amendment 51 to ensure our mangrove snapper fishery is not affected with any new regulatory changes. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Hubbard. Our next speaker is Gary Bryant, followed by Bill Staff.

MR. GARY BRYANT: Good afternoon. You all must be doing something right. There’s not near as many people here, and so that means that people aren’t upset, I guess, and so they’re trusting you all to kind of -- They’re kind of trusting what’s going on.

My comments today -- Gary Bryant, President of the Alabama Charter Fishing Association, charter boat operator, and I also own a commercial permit and boat. As far as permits, what we’re for as an association, we want to support 50 going through without the charter boats, and I think that’s where you all are headed, and we want to continue our support with ELBs, and we also hope the ELB information will be able to be used to keep our buffer down. We were at the 9 percent this year, and we would like to see that continue low, as low as possible, and hopefully the information you’ll be getting from the ELBs will help us to maintain that 9 percent, or possibly even lower.

Moving forward, we would like to look at the possibility of amberjack, maybe the fractional bag limits, and we would like to look at that as an option and see how that would work, and we also support the historical captain and you all going forward with that, and I believe that’s final vote this time.

For my personal comments, I would personally support the EFP here in Mississippi on the redfish. I support them on that, and, on the commercial side, you had several things yesterday that you all were talking about, and I am a small operator, a relatively new operator, and I was glad to see you all put off the allocation battle, because, as a small commercial operator, I have trouble getting fish, and so I understand the recreational anglers want more access to fish, but, as a small commercial operator that does it on shares, I don’t have access to fish, and I don’t see an easy solution to that.

I listened to the comments and came up with stuff in my head, and thought I was going to come up here and make suggestions,
but, in talking to people on the social last night, it was like, well, that don’t work and that don’t work. It’s basically been a scenario where we’re taking from some people and giving to the others, and we’re creating a -- I guess we’re taxing the rich and we’re going to have welfare system for people like me that don’t own anything, and I don’t really want to support that, but I do support putting off this allocation battle until we get all the information in. Thank you for your time.

CHAIRMAN FRAZER: Thank you, Mr. Bryant. The next speaker is Bill Staff, followed by Chris Gardner.

MR. BILL STAFF: Bill Staff from the Charter Boat Sea Spray, owner and operator, and I’ve been fishing, charter fishing, and this will start my thirty-eighth year. I commercial fished in the early years, but I would like to thank the council, and some of the members are still here and some aren’t, for helping us get a seven-month fishery in the reef fishery. It’s really been huge to the businesses at home and Gulf-wide.

On the 50 Amendment, let the states take over purely recs, but keep us with the feds. I would like to see sector separation pursued on the four other fish that we have talked about. I think a good reason for this would be the May closure, and we all booked trips, on the pretense that we would have jacks in May, and now there’s a lot of people that have cancelled trips, because there is no amberjack, but I also know, if the jacks are in that bad shape, then let them spawn during May, because they do have a lot of eggs in them.

I can swallow the half a jack per person, if that’s what it takes, and it would especially, on a two-day trip, limit everybody to one, because we see a lot of people bringing two in, and it is too many. One is enough.

No reallocation on snapper at this point. I feel, if you take it from the commercial guys, the charter people would be next. If you do reallocate, the fishermen you take fish from should certainly be benefited, or compensated, fairly.

Guys, as you all know, and maybe you don’t, it is an ungodly amount of pressure in this Gulf of Mexico now. Everybody has got a big boat, and everybody has got a fast boat, and it is hard on the fishery, and there is no doubt. It’s just the weather doesn’t keep people from going, and distance doesn’t keep people from going. Everybody knows the tricks, and everybody knows everything, and so I just think that needs to be taken into effect.
I tuna fish, mainly, for a living, and I have seen the decline, big time, in the last twenty years, and I know we think that we have waited too late on cobia, and I don’t want to wait too late on tunas, if it’s not already too late, even the blackfin. They’re getting harder and harder to fish and to catch. I fish Green Canyon, which used to be the last frontier, and I do it in the winter, and I just came back from there, and it was horrible. There was no fish, and that’s not historically how it is this time of year.

I support the EFP for the red drum for Mississippi, if that’s a possibility, and I appreciate the time for you all letting me speak.

CHAIRMAN FRAZER: Thank you, Mr. Staff.

MR. STAFF: Thank you.

CHAIRMAN FRAZER: We have a question from Dr. Mickle.

DR. MICKLE: Thank you, Mr. Staff. I appreciate your testimony. You said earlier that you could sell trips, amberjack, one per vessel, and you can still sell a trip, and you have complete confidence?

MR. STAFF: Half a fish per person, yes, sir.

DR. MICKLE: If it was down to one fish per boat, and that’s my question. Could you sell a trip with one fish per boat?

MR. STAFF: Per day? No, sir.

DR. MICKLE: Okay. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Staff. The next speaker is Chris Gardner, followed by Mark Tryon.

MS. HEATHER GARDNER: Hi. My name is Heather Garner, and I get to speak for Chris today. He is on a trip, and I am speaking to you about replacing the historical captain permit with the standard federal charter permit. Today is a perfect example. He picked up two trips today, and so he was unable to come and speak. There seems to be a lot of restrictions on him with that, and he has missed school for the kids, their first day, spring break, last days, missed when we’re sick, and he’s tied to the boat. He loves his job, and we’re just asking that we can be considered for what everybody else has. Thank you.
CHAIRMAN FRAZER: Thank you, Ms. Gardner. We have a question from Dr. Crabtree.

DR. CRABTREE: What you would like to see is us take his historical captain permit and issue him a fully-transferable permit?

MS. GARDNER: Yes, please. That would be great. Thank you.

CHAIRMAN FRAZER: Thank you. The next speaker is Mark Tryon, followed by Greg Ball.

MR. MARK TRYON: I’m Mark Tryon, a commercial fisherman and recreational fisherman from Gulf Breeze, Florida. I guess, yesterday, you could some that some sanity finally prevailed, as further action on the reallocation amendment was delayed until August, and then the unfair proposals relating to estimated weights in 36B were rejected, and so that was good news, and I was pleased with that.

It seems to me that there is -- The vilification of the red snapper shareholders needs to stop. What have we done wrong? We invested in a legal business, and we’ve been successful, and we’ve been accountable, and we’re stewards of a successful fishery, and so I really don’t understand it, and it seems to be ongoing and, if anything, accelerating. I don’t know. Maybe I’m a little thin-skinned, but it’s upsetting to me.

The quota bank scheme, which would take quota away from existing shareholders, penalizes most heavily those who have invested money into red snapper shares. For me, over time, since the inception of the program, and I haven’t invested millions, but I have got probably $300,000 in red snapper shares, and so it just kind of doesn’t sit well with me that you would be taking away shares from people who have actually laid out money and taken a risk. Sometimes we forget there is risk involved here, plenty of risk.

I have got money invested in the grouper side of it, which I got into not as a speculator, but to cover bycatch, and the grouper fishing has been terrible in my area over off of Pensacola, and so I’m losing money on that part of my investment.

Anyway, as far as -- You have heard demand on the recreational side of what it is, and I think, lately, you’re starting to realize the demand is equally acute on the commercial side, as evidenced by the value of the fish, share prices, and the lease
prices, and so, once again, when we get back into this, at some point, reallocation discussion, please keep that in mind.

Basically, in the future, as a red snapper IFQ shareholder, and a grouper shareholder, I’m just hoping that we get fair, non-biased treatment from the council going forward on all issues, and not special treatment, but just fair treatment. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Tryon. We have a question from Dr. Shipp.

DR. SHIPP: Mr. Tryon, thank you for coming. I am just curious. How do you feel about the use-it-or-lose-it aspect of the ITQ system?

MR. TRYON: I would, initially, not be for that. I don’t think I would be for that. I would need to know more of the particulars, but you have certain situations where -- Let’s say you’re a fisherman, and you have a heart attack, and you’re not permanently out of the game, but you’re disabled for a fairly long time.

Once again, this is kind of like what I’m saying about what would the particulars be. I mean, would it be -- Or your boat sinks, or there’s a hurricane, a natural disaster or whatever, and it could take years to recover from either a physical ailment or a natural disaster, and so I don’t know exactly how to respond to that without knowing more about what the nuts-and-bolts of it would be.

CHAIRMAN FRAZER: Thank you, Mr. Tryon. Our next speaker would be Greg Ball, followed by Ryan Bradley.

MR. GREG BALL: Good evening. I am Greg Ball from Galveston, Texas, charterboat operator, and I have a couple of federally-permitted boats, a couple of state-water boats, and I’m President of the Galveston Professional Boatmen Association.

Our association supports Amendment 50 going through, and we just want to keep it like it is, keep the charter boats out of it, and we’re excited about the ELBs coming online and getting better data for all of us, and we don’t support, right now, reallocation, until we can get better data from all three sectors, and that’s all I’ve got. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Ball. The next speaker is Ryan Bradley, followed by Jim Zurbrick.
MR. RYAN BRADLEY: Good evening, council members. My name is Ryan Bradley, and I’m a federally-permitted commercial reef fisherman, and I’m the Executive Director of Mississippi Commercial Fisheries United, and it’s great to have you all here. I hope you have enjoyed your visit to the great state of Mississippi, and I hope that you’re eating some good seafood while you’re down here.

A couple of things that I wanted to talk about, and one was the 36B. Believe it or not, our group, and myself included, we were pretty big advocates for doing something with this 36B, but, the way I’ve seen it go on, and discussions that have taken place, I don’t think there is anything in that 36B that could do any good for anybody, and, at this point, I would like to go on the record to say that I think our recommendation would be to take that 36B and put it in the trashcan.

Now, if you want to do something good for the fishery, as a whole for the red snapper, I have a great idea, and I would like somebody to take it up and talk about it and champion it, and the idea is the discards in the recreational fishery is out of control, and the idea here is we should go to a real bag limit and give the recreational fishermen a bag. Work with the scientists to figure out what size bag it needs to be and put the fish in the bag, and they can keep as many fish that can fit in that bag, and we completely eliminate dead discards.

That is a real way to help grow this fishery that everybody can benefit from, and so I hope -- I would like to hear some discussions about that, because that is something that could help everybody here today, and so, without further ado, thank you all, and it’s been a pleasure seeing you all again today.

CHAIRMAN FRAZER: Thank you, Mr. Bradley. Mr. Bradley, we’ve got a question from Ms. Bosarge.

MS. BOSARGE: Not a question, but I just wanted to say to you and the other members -- You’re from Mississippi, and so I wanted to aim it at you, and thank you very much for the hospitality last night and all the great seafood provided by a lot of Mississippi fishermen, even though some of it may have been caught over off of Florida, as Dr. Crabtree likes to emphasize, but it was wonderful, and thank you.

MR. BRADLEY: I want to clarify that. We did have a Mississippi boat out of Pascagoula that is shrimping down in Florida, and they caught some nice pink shrimp, and they brought them back into Mississippi, and so, once they get here, they are
Mississippi, and so we hope that whoever came out enjoyed it, and I would like to thank the Ocean Conservancy and Share the Gulf and the Gulf of Mexico Reef Fish Shareholders Alliance for making that possible last night, and so thank them. Thank you, all.

CHAIRMAN FRAZER: Thank you, Ryan. The next speaker is Jim Zurbrick, followed by B.J. Burkett.

MR. JIM ZURBRICK: Thank you for allowing me to speak. I am Jim Zurbrick from Steinhatchee, Florida. I am a commercial fisherman, active commercial fisherman, and recreational. I was in the charter business for a long time, and I’m one of the directors for Fish for America USA.

Jason summed up the amberjack issue, and it seems to be pretty predominant among commercial fishermen that it hasn’t worked, and it’s not your fault, but everything you have thrown against the wall hasn’t stuck, and it’s not working. Amberjack is -- There is so much effort, and everybody -- It’s easy to catch, and, unlike red snapper, it hasn’t mass produced, and so I’m for a 500-pound amberjack limit. We have got three months of closure for the spawn, and then we get the 200 days, and I think John signified that, and I like the reduction as we get close, so we don’t go over.

That is what the commercial sector is able to do, by the way. The dealers report, and we can actually get so close to not going over, and we’re really doing our job commercially, staying within our quotas, and it really upsets me, and I don’t think we get enough respect for that. Everybody wants -- I know there’s a group that wants to find fault with us, and they didn’t like it, and they don’t like it. It’s kind of like the President right now, but it’s about the fish first and then the fishermen, but let’s be fair and honest.

When we look at allocation, reallocation, I am in the camp that we can’t use 1991 through 2006. I was restrained. I had both legs tied and both of my hands behind my back, and I couldn’t eat, and, because I starved to death -- That’s what happened, but a recreational fisherman got 365 days during that entire time, when we were really beating up the fishery pretty bad. We didn’t respond, and it’s not the individual recreational fisherman’s fault. It’s not his fault. It was the management, but, still, it doesn’t relieve the fact that it’s not fair to the commercial sector to reallocate based on years when we were restrained.
Also, state management, Amendment 50, oh, man, let’s get this over the hump here. You’re going to hear such an applause that you guys are going to have to put in earplugs, because this is really big. Leave the charter guys out, especially in Florida, because I know how they feel, but let’s move forward with this, and let’s give the state a chance. Size limits, and they have slot limits, and all kinds of things that can come out of this that could be very good.

By the way, you talk about reallocation, and do you realize that the recreational sector is decreasing, percentage-wise, of the population? It’s growing in numbers, but less young people are fishing, and we’re really -- We don’t have those new people coming up that are fishing, but the American consumers are increasing in percentage and numbers, and so we have a right to feed American consumers, and that’s a Fish for America -- That’s right out of their handbook, and so I thank you very much.

CHAIRMAN FRAZER: Thank you, Mr. Zurbrick. Our next speaker is B.J. Burkett, followed by Wayne Werner.

MR. B.J. BURKETT: My name is B.J. Burkett, and I’m from Panama City, Florida. I own and operate Hook‘em Up Charters. I also have a dual-permitted vessel, and I also own a commercial fishing vessel based out of Apalachicola, Florida.

The main reason I’m here today is to talk about the recreational amberjack. It has really bothered me over the last year, from what I have seen, from what the council has made their decisions by. A couple of years back, you all told us that changing from a thirty-inch size limit to a thirty-four, and that we would have a year-round fishery. You all failed us on that one, because that didn’t happen.

Then, this past year, you all did the calendar year change from January to starting now in August, and, well, that has failed us, too. You all swore that we would have a May season, and we’re not getting it, and that is killing our business in Panama City. I am just curious. How many times must you all fail before you all start listening to the historical stakeholders of the amberjack fishing?

The eastern Gulf has always caught the amberjack, and you all’s data shows that. We would really appreciate it if you all would start listening to us on what we would like to see regulation-wise. We would like to either see a split season, with a split quota, so we can still have a spring season, or a one fish for two person bag limit, or both, if that’s what it takes. We’re
losing lots of business in the springtime because of amberjack, and I’ve lost nine trips for May, and that’s not counting what I haven’t booked yet, because May is not here, and so we would really appreciate some thought into the amberjack, because you all have really let us down in that aspect.

The main issue here is we need the opportunity to be able to keep these fish. That’s all we need, is opportunity. If it’s half a fish a person, so be it. I can still sell a half a fish a person.

The last thing kind of beats on the 36B. There’s been a lot of back and forth on that, but, if you all really want to help the price of the leases and all that, and people having to pay $4.25 a pound to lease a snapper, and they can only sell it for $5.50, put a cap on what you can lease a fish for. Put it at half the value of the fish. That’s all I’ve got. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Burkett. The next speaker is Wayne Werner, followed by Ed Walker.

MR. WAYNE WERNER: Good afternoon, again. I’m Wayne Werner from Alachua, Florida. I guess I’m a bonified commercial fisherman, too. I’ve got two things to say. No to reallocation, and a 500-pound trip limit is good.

I think that’s about it for today, except for one thing, and I’ve got to bring it up. You are using these years from 1981 to 2006 as a line for the fishery, in the recreational reallocation, and the worst thing about that is that, from 1981 to 2003, the charter boats and headboats caught 90 percent of the red snappers. We went into the system, and that’s what NMFS paperwork says, 90 percent, and so, half the years, you’ve got them cut out. The other half, they probably caught 60 percent, and so, if you total that, they probably caught 80 percent of the total amount of fish, and you don’t even have them in your document.

I just don’t understand that. I just don’t understand how you cut out the people that caught the fish to try to give the fish to people you say that caught the fish, and that’s about all I have to say. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Werner. The next speaker is Ed Walker, followed by Steve Tomeny.

MR. ED WALKER: Thank you, Mr. Chairman. My name is Ed Walker, and I’m from Tarpon Springs, Florida. I’m a charter boat guy
and a commercial guy and a recreational guy. Just a couple of things that I would like to touch on today.

I would like to see you guys continue to try to find a way to have eligibility requirements for shareholders, and I know it’s difficult, and there is tricks to get around it, but I think it’s important. Outside speculators, if they are allowed to participate in this, run the prices up, to where like an honest, hardworking fisherman can’t compete for the opportunity to own a share. Trying to go against an investment group or something like that, which is happening in some stages of this, is -- You know, it’s not helping any real commercial fishermen get any closer. I know it’s tricky, but I would like to see the council try and continue to develop a program like that.

Similarly, I think you’ve heard it from a lot of the other commercial guys here, and red snapper allocation prices are getting out of reach of fishermen that don’t own shares. The people at my fish house asked me to bring that up here, and I think you all know it, and I don’t have a solution. I wish I did, and I think everybody does, but just be advised that $4.00, or $4.25, lease price has become kind of standard in bulk, and so we’ve got guys that just can’t afford it, and I guess a lot of places do, but the guys asked me to bring that up here and mention it to you again.

I agree with amberjack commercial trip limits, and I think that’s pretty universal in the industry now, except for maybe a couple of the guys, and I’m on the Reef Fish Advisory Panel, and, to answer your question yesterday, we have discussed that at the AP, and it was definitely a thumbs-up on that. I don’t remember the vote, if we even took a vote, but most of the guys in the house there support a 500-pound trip limit, and most of the guys that I’ve talked to agree with stepping it down as we get closer, just to avoid discards at the end and make it a non-target fishery anymore.

On the charter boat side, I support Amendment 50, but I can tell you that, myself and the guys that charter where I am in Florida, we don’t want to be included in the state management, in the for-hire part, and I am glad that you voted down the weight reporting thing that you were discussing yesterday. I don’t think -- The estimates for the weight on the commercial landings, and I don’t think you should make it a federal crime for a guy to be off on his estimate.

Federal penalties are steep, and to hit a guy up for miscalculating or something like that, or having too much ice in
his fish box -- If a mate puts too much ice in the middle and you put the fish on top, it looks like you have 1,000 pounds in there, and then you have a void of ice in the bottom, and you made a mistake, and so thank you very much for your time.

CHAIRMAN FRAZER: Ed, we’ve got a question from Mr. Dyskow.

MR. DYSKOW: Thank you for coming, Ed. A question. You’re not the first speaker to be frustrated over the lack of quota or the available quota or the cost of quota, but I haven’t heard a solution. You know, we really need to come up with a solution before we can help you, and have you got any ideas?

MR. WALKER: That’s a tough one. I wish I did, but, no I am merely -- I am a red snapper shareholder myself, and so I speak from both sides of it, but I don’t think anybody has -- I don’t think it’s wrong -- If somebody wants to lease a $4.00 share from you, then, in the system that they gave us, that’s how it was set up, and nobody is to blame for getting top dollar for something that they have, I don’t think, but I do not know a way to bring it down. My purpose was to report to you the frustration out there among the other commercial guys that don’t own it and let you kick it around, and I hope you have it done for us in a couple of months and get that figured out, but anything I can do to help.

CHAIRMAN FRAZER: Thanks, Ed. The next speaker is Steve Tomeny, followed by Scott Hickman.

MR. STEVE TOMENY: Good afternoon. I’m Steve Tomeny, and I have a charter and commercial fishing business in Port Fourchon, Louisiana. First, I think I would like to say that we would like to see Amendment 50 get on past tomorrow, and it’s time to do it. We would like to keep the federally-permitted charter boats under federal management and stay out of the state management, and I’ve been pretty consistent with that, if any of you have listened in the past. That was kind of my big thing that was I going to hit.

The weights on the fish, I believe there is no reason for that to be punitive. It’s very hard to weigh and estimate in the fishing boat, and I never was good at it.

The lease price thing, I have no real solution, but I -- Price fixing or putting caps kind of -- Then you start messing with the free market economy, and, at some point, if it gets too expensive for people to lease it, the shareholder that is doing the leasing is going to have to get on his boat and go fishing,
and so, eventually, something -- I think, like Buddy said, it will hit some equilibrium somewhere, but, as the lease price went up, the sale price of fish goes up, and so, for a lot of people that are leasing, the mark-up, or the amount of difference that they’re selling the fish and leasing the fish for, has kind of stayed the same, for some of them. Anyway, I don’t have a good answer for it either, but I would love to hear one.

The 500-pound amberjack trip limit, I think it’s a good thing, and I like what Jason Delacruz said, too. If you want to step in at some point, when half or a certain amount of it is caught, to slow it down even more, I would be for that, too, because it’s such a waste to throw back a big fish that you didn’t target, but you catch him, and sometimes you’re throwing one back, and sometimes they don’t make it when you throw them back, and it would be much easier to be able to retain it, and so I think that kind of covers it for me today. Thank you.

CHAIRMAN FRAZER: Thanks, Steve. We’ve got a question from Dr. Shipp.

DR. SHIPP: Steve, thanks for coming, and we’ve been hearing, over the past few years, a lot about the resurgence of the snapper population off of Florida, but you’re from Louisiana, and have you seen any major change, either up or down, in the last say five or ten years off of your area?

MR. TOMENY: It’s been up. I mean, especially over the ten years, it’s better. I know how hard we used to guard spots and be real careful about letting somebody catch you on it and all of that, and, kind of now, you go, okay, that’s just a spot that we catch a lot of snapper on, and it’s not as big of a deal as it used to be, and so, yes, they’re very plentiful for us.

CHAIRMAN FRAZER: Dr. Mickel.

DR. MICKLE: Steve, real quick, I know that you fish out of Louisiana, and we appreciate your perspective on amberjack for Louisiana, but I know you have a place in Mississippi, and so we claim you here in Mississippi, and so you’re a Mississippi boy, and could you provide -- I know you’re charter and commercial, and could you provide a perspective for amberjack from the charter side on what’s the smallest amount that you can sell a trip for, if you targeted them, and just give that amberjack perspective from the state that I don’t claim you for, but I want you to talk about?
MR. TOMENY: It has cost us a lot of spring trips, and I have these larger passenger boats that’s a little harder for people to get groups up, and so, when snapper is closed and amberjack is closed, it really limits what we can do, and we have to kind of sell a vermilion snapper or mangrove snapper type trip, and those trips aren’t as consistent, and I think the amberjack, in the spring, have always been something that you can really count on putting on the deck.

You can go out and catch your live bait, and so we are finding it harder to sell trips without it open right now, but we’re looking forward to having the August season, and, the way I think I understand it, we’ll start the quota over in August, I believe. If we were going to have May, this would have been the tail-end of the 2018, and so, anyway, it’s very important to us.

CHAIRMAN FRAZER: I think Dr. Mickle has another question for you.

DR. MICKLE: Super quick. Just I’ve heard a few comments that you can sell a trip on half a fish per person, and do you share that sentiment, or is that too low?

MR. TOMENY: I am not one of the ones that would be against that. We’ve always had these large groups, and, if you’ve got fifteen people, and they get to catch fourteen or sixteen of them and split them up -- We always split all the fish at the end of the day anyway, and so I could live with it. It might not sell trips, exactly, just for amberjack, but I could live with it. Thank you.

CHAIRMAN FRAZER: Thank you, Steve. The next speaker is Scott Hickman, followed by Ashford Rosenberg.

MR. SCOTT HICKMAN: Good afternoon, ladies and gentlemen and Mr. Chairman and esteemed members of the Gulf Council. I’m Captain Scott Hickman from Galveston, Texas, and I’m a commercial boat operator and a long-time charter boat operator.

First off, I would like to congratulate Dr. Frazer for becoming a Florida fish czar, and there is a lot of great leadership at this table, and I would like to congratulate these folks and their leadership on Amendment 40, the electronic logbook program for the charter/for-hire fleet, the incredible job that everybody has worked and done on Amendment 50 here and getting it to the completion process and leaving the charter/for-hire fleet out of Amendment 50.
As far as the golden crab EFP, I would like to say that I am personally against it. Having a lot of background in corals, serving on the Flower Garden Banks National Marine Sanctuary and being involved in the expansion of that sanctuary, which we’re ongoing, and we should have a final draft released in May on the expansion, and we should go to the Federal Register in June.

Corals are dear to my heart, and everybody here knows that you’ve got to have the habitat to have fish. More coral equals more fish, and less coral equals less fish, and so we’ve only got a small part of the Gulf of Mexico that has had multibeam surveys done on it. Opening the door for an activity, to where you’re going to be driving around the Gulf -- Eventually, after this EFP, if it passes, with full implementation, you are dumping these big steel cages out in the Gulf of Mexico on coral ecosystems that took thousands of years, in some areas, to grow.

You don’t just go back and grow 2,000-year corals in a week after they’re damaged, and so, from an essential fish habitat standpoint, from a standpoint of how delicate these ecosystems are, I think it’s a real poor decision to move forward with the EFP in its form without a lot more multibeam data throughout the Gulf and wrapping our heads around what will this do long-term to not only our fisheries, but to the coral ecosystems in the Gulf of Mexico.

As far as the Mississippi possible charter/for-hire EFP for red drum, the scientific harvest program, we would support that. There needs to be a lot more data coming out of federal waters on red drum, and, if the State of Mississippi thinks that would help them out on their science, to see what they’ve got for red drum, that would be a great thing, and using the charter boat fleet to do that.

Our industry, we would love to be able to help them do that, and we would support it. As far as greater amberjack size limit increases, or going to half a fish or a whole fish or all this other stuff, until the current greater amberjack size limit increase has been included in the stock assessment, the season adjustments and things like that -- We’re making these changes every six months or whatever, and, until we can have the data to really see what the fishery is doing, I think that that’s kind of a mistake. We need stay status quo, or where we’re at right now.

The Galveston Professional Boatmen’s Association, which I’m a founding member of, is a strong supporter of science-based management decisions made on some type of data, and you’ve got
to have data to make decisions. We keep flip-flopping on how we’re managing amberjacks, and we’re not going to get anything from it. We’re not going to understand what we’ve really got.

I do support a 500-pound commercial trip limit on amberjacks, and that could possibly help, and we could get better data from that, possibly, and so that’s all I’ve got to say today. I don’t support reallocation at this time of the commercial fishery, and I appreciate you all really thinking that through and taking action on it in August. Thank you very much.

CHAIRMAN FRAZER: Thank you, Scott. The next speaker is Ashford Rosenberg, followed by Jay Mullins.

MS. ASHFORD ROSENBERG: Good afternoon, council, and thank you for the opportunity to speak. My name is Ashford Rosenberg, and I’m with the Gulf of Mexico Reef Fish Shareholders Alliance. First, I would like to express thanks to the Reef Fish Committee for listening to the concerns of commercial fishermen and removing Action 4 from Amendment 36B. This action would punish hard-working, law-abiding commercial fishermen who already operate under a strict set of regulatory requirements.

We support the reduction of red grouper ACL, and we appreciate the council’s continued forward momentum on this issue. Landings have been declining, and commercial fishermen have been concerned about this stock. We appreciate the work of the SSC and the Science Center to recommend a reduced catch limit to the council. Please take final action on this framework tomorrow.

Regarding amberjacks, we agree that action needs to be taken to help this stock, and we support the reduced commercial trip limit with a quota threshold that would trigger a further trip limit reduction. For example, the trip limit could be set until 75 percent of the total quota is reached and then triggering another reduction in that trip limit until the total quota has been landed.

Lastly, we support the commercial shrimp fleet and the council’s discussions around providing them more access to their fishery without impacting the red snapper resource or commercial reef fish fishermen. Thank you for your time.

CHAIRMAN FRAZER: Thank you, Ms. Rosenberg. The next speaker is Jay Mullins, followed by Robert Jones.

MR. JAY MULLINS: Hello. I am Jay Mullins, and I own Grace Fisheries, the Fishing Vessel Blackjack II, and the
Resurrection. I came over and spoke to you all last time, over there in Alabama, about sustainability. By the grace of God, I guess I just got to go after that woman there, and this Skyler, for your red grouper assessment, tells me the only reason why I was catching so many fish was because I was fishing in the northern Gulf. Well, I just had recently got on my vessel and went 300 miles to the other end of the Gulf, and the results were exactly the same.

As I have said before, the people coming into the business, it’s impossible. Why our numbers are declining is very simple and basic. We have sixty-one longline endorsements, and, you guys or the government or whoever, how many are active? I come up longlining, and nobody will sell me one. I just offered, recently, three days ago, $150,000 for one that is sitting in a safe, and I can’t continue my livelihood, or pass on my gifts and talents, to the next person. What kind of sustainability is that to fishermen?

I had some federal agents show up to my home, and I got offered 200,000 pounds of red snapper quota, and they wanted $8.4 million cash. Come to find out, you can take $8.4 million cash and buy 200,000 pounds of red snapper quota and write it down as a gift. The term was money laundering. They were very surprised. Whoever instituted our IFQ program, you can write down “gift” when it says “price”, and I don’t need to go any further in that conversation.

We want to talk about sustainability, and why are we open fishing during our roe season? The only law that I can honestly, 100 percent, agree with was to shut us down during our roe season, February 15 to March 15, just how it always has been. Why did we open it back up? It worked. The only one that worked.

Third-world countries still follow this. Mexico shut down this year for two months, and we can’t even follow a third-world country, and we’re supposed to be the strongest nation in the world?

I have people I’m in contact with in Norway and Sweden and Greece, top-of-the-line fishing industries, that care for their fishermen, and we can’t even get help to rebuild our boats after we have natural disasters. What is that? It’s pure greed. Nobody gives a crap about us.

You know, there is so much unsustainability, and it’s sad. Nobody wants to listen to us, or maybe it’s just never been
brought to your attention, but the fishermen are the ones that need to be sustained in this. You know, you guys are in control of something that we have no control over. Mr. Crabtree, I appreciate the call, and I appreciate the conversation, but there’s no way that we’re the best-managed fishery in the world. That’s far from the case. Look at what’s going on out there.

I just went 300 miles to the south into the Gulf, down below the twenty-five line off Tortugas Bank, where there never was a red snapper, and I caught 8,500 pounds of fish in six days, and I did not keep one red snapper. I probably threw back 10,000 pounds, where there never was one.

CHAIRMAN FRAZER: Mr. Mullins, I’m going to have to ask you to wrap it up.

MR. MULLINS: Is somebody going to do something about our fishery? You know, everybody stands there, and it’s all good and great, but who cares about us? If I can’t pass on my gifts and talents to the next generation coming up, we’re dead. Use it or lose it, 100 percent. I know permits, longline endorsements, that are sitting in safes and permits, reef fish permits, sitting in safes. They have gone from $5,000 up to $20,000 now. What has been created? Somebody must take responsibility. I am so grateful that the Attorney General’s office is being represented here, and I’m so grateful for all of this. Does anybody have any questions?

CHAIRMAN FRAZER: Thank you. Our next speaker is Robert Jones, followed by Brad Gentner.

MR. ROBERT JONES: Good afternoon, council members. My name is Robert Jones, and I’m the Regional Director for the Environmental Defense Fund. I also serve on the U.S. Secretary of Commerce’s, Wilbur Ross, Marine Fish Advisory Committee.

I appreciate the opportunity to speak to you today as you consider final action on Amendment 50. While we vehemently oppose congressional efforts to remove red snapper from the Magnuson-Stevens Act, we have supported the development of state management under the conservation tenets of Magnuson and via the council process.

We believe that states may be best suited to manage millions of private anglers, especially as that sector experiences exponential growth. We are cautiously optimistic about the passage of Amendment 50 tomorrow in its current form, with caveats.
First, Amendment 50 should remain focused on private anglers only. Efforts to forcibly include the charter/for-hire component should continue to be opposed. That industry has been clear about their desires to remain under federal management, and sector separation is working to provide real conservation benefits and more stable access to the tens of thousands of Americans who fish with these captains every year.

Second, we continue to have strong concerns about the development of a common currency by which we evaluate various state’s harvest data with the federal data that is used to set the ACL. That gap that currently exists between these systems could create an opportunity for overages to go unseen, impede reliable stock assessments, and it could lead to exceeding the ACL and OFL, which would be a violation of federal law.

In committee, Dr. Crabtree stated that the state collaboration model should be completed by the end of the year. That’s good news, but that will leave little time to use a common currency to recalculate possible overages from the 2018 and 2019 EFP seasons to determine paybacks for 2020. We encourage NMFS to bring an all-hands-on-deck approach to resolving these differences between the FES and state surveys. The implications are far-reaching, as you know, beyond just the conversation about setting the ACL, but also dealing with the current conversation about reallocation.

In the interim, we encourage the five state fishery directors to consider incorporating an appropriate buffer to account for the uncertainty that may exist in that gap with the loss of the 20 percent buffer that was prompted by the Guindon v. Pritzker case, as that will go away with the passage of Amendment 50.

Switching topics quickly, we did want to extend a kudos to Kevin Anson and the Alabama DMR for their recent decision to require an offshore permit, in order to better define their universe of offshore anglers. This could play a big role in improving sampling efforts, and it may be a useful tool to boost compliance rates with Snapper Check.

Finally, we would like to congratulate Chairman Frazer on having just been appointed by Governor DeSantis as the first Chief Science Officer for the State of Florida. With the water quality challenges in your state, that was a smart move by the Governor, and we wish you the best. Thank you, and that concludes my remarks today.
CHAIRMAN FRAZER: Thank you, Robert. Kevin.

MR. ANSON: Just for clarification, Robert, and thanks for providing the kudos to us, but that is not final yet, and that’s just something that we have recommended, but thank you.

MR. JONES: Kudos, and we hope it passes. Thank you.

CHAIRMAN FRAZER: Thank you again, Robert. The next speaker is Brad Gentner, followed by Eric Brazer.

MR. BRAD GENTNER: I’m Brad Gentner from Gentner Consulting Group. I am usually here representing CCA. I am also here again representing CCA, but my comments today have nothing to do with the recreational sector. I was sort of completely flabbergasted yesterday that no one could answer Ed Swindell’s question about overcapacity. Neither staff nor NMFS could answer that question.

Overcapacity is the result of a race to fish, and it’s a public problem when you have an open-access resource. As you convert to a catch share, it becomes a private problem. Once you have an individual quota, who cares how big your boat is? Who cares how big your factor is to catch those fish, and so I just wanted to point out that, in your purpose and need, you eliminated the objective of managing or trying to control the derby fishery, because there is no derby fishery any longer. Without a derby fishery, you don’t have an overcapacity problem, not one that is a public problem anyhow, and no one had the definition for that.

Here, I also want to talk about 36B. I was really shocked at how little anybody cared about moving that through. There was almost no discussion, almost no interest, and my main business, outside of the work you see me do here, is advising nations on how to build incentive-compatible fishery management tools, and that includes catch shares and property-rights-based systems.

You have the power to fix these issues. These aren’t new issues. They aren’t issues that haven’t been studied, and they aren’t issues that don’t already have solutions in practice in the world, and you need to get those people in here to answer those questions.

You have heard all these people here today talk about lease rates being too high, and they don’t have the ability to get fish to cover bycatch, and all of these sorts of things, and those are solvable, and, instead, we have this thing called 36B that no one seems to be really interested in, and it certainly
doesn’t address those issues, and so I would just like to let
the council know that those issues and those solutions are
solvable, and those solutions are out there. They just need to
start asking the right questions. Thank you.

CHAIRMAN FRAZER: Thank you, Brad. The next speaker is Eric
Brazer, followed by Casey Streeter.

MR. ERIC BRAZER: Thank you very much, Mr. Chairman. I’m Eric
Brazer, Deputy Director of the Gulf of Mexico Reef Fish
Shareholders Alliance. Thank you for the opportunity to speak.
I too would like to congratulate you, Mr. Chair, on your new
role. We are very happy to continue to work with you.

I will jump right in. On Amendment 52, question one is what’s
the goal? Question two is what problem will reallocation
supposedly solve? Question three is what’s the point? Unless
and until these questions can be addressed, this continues to be
a solution, a solution, in search of a problem that will, in one
way or another, end up hurting one or more groups of fishermen.
With the Modern Fish Act results and the recalibration
reconciliation still years away, we’re still not quite sure why
this debate needs to be waged right now.

I was actually going to end there, but I’m going to say one more
thing. You know, there is a corporation out there that is
buying up red snapper shares. The corporation doesn’t own a
boat, and they have an agenda. You know who that corporation
is? It’s the Shareholders Alliance. We’re a non-profit
corporation, and our agenda, for the quota bank, is to reduce
discards and to help the next generation of fishermen.

That fish you ate last night, we helped that fisherman get
access to that allocation, and every one of you that enjoyed red
snapper last night benefitted from that access, and so let’s not
dismantle a working, successful system based on speculation,
fear, and hyperbole. Thank you.

CHAIRMAN FRAZER: Thank you, Eric. The next speaker is Casey
Streeter, followed by Johnny Williams.

MR. CASEY STREETER: I want to thank the council for having me
and listening. My name is Casey Streeter, and I’m a first-
generation fisherman, charter captain, shareholder, end-user
wholesaler and retailer, and I know everyone has pretty much
touched on everything that I wanted to speak about.

I am grateful that you guys tabled the reallocation talks for
right now. Dr. Crabtree had said something yesterday that stuck with me, and it’s about profitability of the fishery for the fisherman and having a profitable fishery that is easy to manage and is a success story.

Any taking away of allocation from our commercial sector actually takes the fish away from the American public, because we are the conduit to the American public, and this is an American fishery, and everyone has equal access and equal right to these fish, recreational and commercial, but, also, in my shop, I see recreational anglers that enjoy red snapper season, but they come, throughout the wintertime, to purchase red snapper at my fish market, when they have family or company in town, and so I think that, when you guys make these decisions, or talk about them, it’s important to recognize that these fish belong to everybody and the access, for most people, are not through a private boat, but through commercial access or retail or wholesale, whether they want to go to restaurant and the economic impact that my shop sees, or restaurants see, and they have to have access to imported fish, because they have restricted access to fish that would come off the docks, typically. In our area, we have issues with access to red snapper, and an emerging red snapper population.

For the for-hire side, we definitely want to see it stay with the federal, and I think that’s important, and we are grateful for what you guys do, and we do have an offshore illegal charter issue in our area, and I know Dylan Hubbard brought that up, and that is something that is definitely going on that needs to be looked at. I guess that’s probably about it, and so thank you, again.

CHAIRMAN FRAZER: Thank you, Casey. The next speaker is Johnny Williams, followed by Jim Green.

MR. JOHNNY WILLIAMS: Good afternoon. I’m Johnny Williams from Williams Partyboats, Incorporated. I’m a third-generation partyboat operator in Galveston, Texas. As you all probably all know, I was really pretty disappointed, because we did not get Amendment 42 through. I had high hopes that we would make some progress in that regard, but apparently that’s not the case.

What I’m here to address today is actually Amendment 50, and it may seem a little strange for me to be commenting on Amendment 50, because I’ve always said that I would like to see the recreational fishermen do whatever they think is right for them, but the reason I am commenting on it is because I am now concerned -- Since we didn’t get 42, or we’re not making any
progress on 42, I’m kind of concerned that we might get sucked in, in the partyboat and charter boat industry, into state management in Texas.

That being said, I was looking at some of the alternatives that we had in Table 2.3.8, and, basically, that’s just the allocation. Currently, the preferred alternative is 8, and, in that, Texas gets 6.2 percent of the catch for the recreational fishermen, and, if we get sucked in with the recreational fishermen, I would like for the recreational fishermen to be bringing more fish to the table in our state. Thus, I would like to see you all change the preferred alternative from the Preferred 8 to 5a plus 5d.

5a plus 5d includes the years 1986 through 2015, and they also have a component for biomass in there, and it’s 25 percent biomass and 75 percent for recreational trips. It only makes sense to include the biomass, in my opinion, because, over in Texas, we have different counties that have different rules and regulations, depending on the population of the deer, and you can be more liberal if you have a lot of deer in one county and not as liberal in another county, where the deer are very scarce, and so it’s not unheard of to use a component of biomass there.

If you look at 5a plus 5d, four out of five of the states, the only state excluded would be Florida, would either be marginally or quite a bit better off than they currently are with the preferred alternative, which is Alternative 8. I don’t understand how that actually got to be the preferred alternative in the first place, and it seems to me like, if you have four states that are going to benefit more from 5a plus 5d, that that would be an important consideration.

I mean, if I went to a job, and somebody said, hey, we’re either going to give you $20,000 a year or $30,000 a year, which would you prefer, and, if I was a rational person, I think I would choose the $30,000 a year, and that’s why I think the states, being rational, probably should choose 5a plus 5d, because, like I said, in every situation, except for the State of Florida, the states would be better off.

I mean, even if you walk up to a kid on the street that is five years old and said, do you want more candy or less candy, I suspect that they would suggest that they would like more candy, and so please consider 5a plus 5d.

Like I said, I asked one of the council members why that was the
preferred alternative and why Florida was getting such a large share of the fish, and the council member told me that, well, they’ve got a big coastline.

My response was, hey, Texas has got a big coastline too, and we’re hardly getting anything. Then they said, well, they thought that probably that would pass. Well, if four states are going to be in a better position than they are, with 5a plus 5d, than they currently are with the preferred alternative, it seems to like that’s twelve votes right there, and twelve beats four every day, and, even if Roy votes, it’s twelve to five, and so it looks like to me like it would pass anyway, and so please look at 5a plus 5d and consider that when you pass Amendment 50. Thank you very much.

CHAIRMAN FRAZER: Thank you, Mr. Williams. Our next speaker is Jim Green, followed by Dustin Trochesset.

MR. JIM GREEN: How are you doing? I’m Jim Green from the Destin Charter Boat Association. I’m from Florida, where we have all the anglers, apparently. When it comes to amberjacks, the DCBA has got some big heartburn over what’s going on right now and the lack of success we have had in the past few years, and we believe it’s time to take some measures to ensure the proposed seasons have an opportunity of being achieved.

The DCBA supports a one fish per two anglers, meaning three people could keep two, five people could keep three, and a minimum size limit reduction back to thirty. The thirty-four-inch fish didn’t work, and, while we support the August opening, so the western Gulf has the ability to access this fishery, changing it did nothing except shift the effort. All we did was move the deck chairs around.

Last April, we were here working on moving the opening date to August, and we said that this was going to happen, and now we’ve watched it come to fruition. I talked to staff a little bit, and I know that we have moved amberjack around a lot, and that creates a bias in the data, but, if we’re at a point where going to fractional bag limit won’t help extending these seasons to what we are proposing them to be, then maybe we need to look at that data as not being the best available, and maybe we need to go back to some data that we do consider not biased.

On logbooks, I’ve heard that we’re all pushing them back and doing the whole thing in October, and please make sure that happens. Please don’t push it back any further. We’re ready. Our fleet is ready for this.
Amendment 50, we support it going forward as it is, without the federally-permitted vessels in it, and we support the private recs getting something stable and something they want in place.

When it comes to reallocation, it’s hard to think that taking fish out of an accountable fishery and moving it into one that’s not is something that should be acceptable, and so I think that everybody should prove their stewardship before we start moving fish around.

The historical captain permits, please take final action, and please make that happen. It’s a very easy thing, and it’s a very small group of people, and it would help them out greatly. Thank you so much.

CHAIRMAN FRAZER: Thank you, Jim. The next speaker is Dustin Trochesset, followed by Bobby Kelly.

MR. DUSTIN TROCHESSET: Good afternoon. I’m Dustin Trochesset from here in Biloxi, third generation, Silver Dollar III. I’ve got a couple of things that I want to hit. A lot of people that I’ve talked to here in Mississippi -- I haven’t got any negative feedback from 50, and we like 50. We would like for the charter/for-hire -- We like it where we are. I think that’s a good thing.

Quickly, on the electronic logbooks, I know it’s coming online, and there is money issues, but we supported it, and our Reef Fish AP supported it, and accountability was our big thing, and, originally, it was a red snapper thing, and now it’s took off, and it’s every fish, and a lot more questions, especially the economic questions, and I’ve gotten a lot of pushback from people, especially around here, and people from other states, on the economic issues of how much are you charging for a trip and so on, and I think that if -- I don’t even think this council wanted that.

I think it came from somewhere else, and I would ask that you all really look into that before all the rules are set. If you stand a hard line, people are going to lie, and your information is going to be no good anyway, and so I just -- I think you all should look at that, some of the questions, because, at the meetings, it came up, when we were being so well informed about what was going on, and it came up a lot.

Now, to something that is very near and dear to me, and I know some of you all have heard some talk up here in the last hour or
so about an EFP for red drum here in Mississippi. We tried it a few years ago, whenever the public testimony was for sector separation, and we were at a different place down the road, and public testimony lasted forever, and not one person was against it.

We seemed to think that we had the council for it, because red drum has been closed for a long time, and no fish should be closed forever, and we have a unique situation, where we know there is red drum past our three miles, and we would like the chance to catch them past three miles, to prove that there is fish out there. There is no stock assessment, and we are a perfect place to do that. We really would like to fish outside of the three miles, to prove that there is fish, so we can move forward, because there is no reason why we haven’t spent any time investigating red drum.

I know they’re all over the Gulf, and there is no way you can tell me that they know that there’s a line three miles from Ship Island and they stay inside of it. Especially here in Mississippi, our fleet is completely for that. Thank you.

CHAIRMAN FRAZER: Thank you, Dustin. We’ve got a question for you from Mr. Diaz.

MR. DIAZ: I just wanted to ask you -- Dustin, is red drum -- Do you think that’s the most important fish to the charter industry for Mississippi?

MR. TROCHESSET: When we’re not snapper fishing, it’s our bread-and-butter. Snapper fishing is good to us, but we do have a lot of other months, of summer months, and that is our target. We don’t bottom fish, like anybody else, and we don’t chase tuna fish, and we don’t have rigs, and we don’t have the bottom to catch anything else on bottom fishing, and we’re trolling and catching -- Redfish is our target, yes.

CHAIRMAN FRAZER: We have another question from Dr. Mickle.

DR. MICKLE: This isn’t really a question, but it’s just clarification. The EFP that came through, it was submitted by the agency of DMR to the council as an EFP, and it actually passed the council, and it was disapproved by NOAA. That’s how it went down. Thank you.

CHAIRMAN FRAZER: Thank you, Dustin. The next speaker is Bobby Kelly, followed by Sepp Haukebo.
MR. BOBBY KELLY: Good afternoon, council. How are you all doing this morning? I’m Bobby Kelly, and I live in Orange Beach, Alabama. I’m a charter boat operator and commercial fisherman, or I guess next-generation commercial fisherman.

I got up a little early this morning to run my little charter fishing trip, so I could be here today to see all of you all’s beautiful faces. It was a little rough out there, and I got tossed around, but, first, I want to talk about amberjack.

Commercially, I think the 500-pound trip limit is responsible to the resource. You can kind of spread the fish out throughout the year. I still would like to see it closed in April and May for commercial also, because that’s when the fish is most beneficial -- It’s a beneficial time to the fish.

As far as on the charter/for-hire side, I believe, 100 percent wholeheartedly, that access sells a lot easier than a dead fish does, and so I would be in favor of a fractional bag limit. I was all upset, because we didn’t get the time in for the May season this year, and I saw the numbers in 2018, and we caught seven-hundred-thousand-some-odd pounds of amberjack in May of 2018, and so that’s a lot of fish.

I am for the historical permits getting turned into full permits. Most of these guys fish their butts off anyway, and just go ahead and give them the permit, or make it full active, fully transferable, whatever phrase you want to put on that.

Let’s go ahead and push 50 across the finish line. Hey, let these guys in Mississippi go harvest a red drum in the EFP. I am with them, and you shouldn’t close it forever. What else am I missing? I know I’ve got a little time here, and I’m going to use all three minutes today.

Push 50 across the finish line. I think you guys have done a real good job managing the states and mostly keeping the EFPs under the ACT, and so, as far as reallocation goes, let’s talk about that, and let’s have a serious conversation after that, when all -- When the recreational sector has stayed within their quotas. I think it’s wrong to take fish away from an accountable fisheries group and move it to an unaccountable fisheries group, even though I might be a beneficiary.

What else? I think there is -- You guys are still talking about more restrictions on the being within a certain weight, more restrictions on the commercial fishing limits, or for the call-ins and stuff like that, and, man, odds are, if I fished in the
night, I can’t even tell you what day it is, and asking me to be within a certain percentage on my landings, and so that’s about it. Enjoy your afternoon off, I guess. It’s nice to see you all get out of here this early. Thanks.

CHAIRMAN FRAZER: Thank you, Bobby. The next speaker is Sepp Haukebo, followed by Sara Griffin.

MR. SEPP HAUKEBO: Thank you, Dr. Frazer. My name is Sepp Haukebo, and I’m a recreational angler. Today, I will be speaking on my own behalf. Dale, Paul, Leann, and Dave, from this beautiful state with friendly people, and thanks for hosting.

I wanted to thank the council and the council staff for all you do. It’s a hard job, but you’re fighting the right fight. We all got into this line of work either by luck or hard work, because we love something about fishing, right, and so I wanted to provide some comments on the council’s five-year essential fish habitat review.

The human population in the Gulf is growing rapidly in great states like Mississippi that are beautiful, and folks are moving here, but the importance of — As that grows, the importance of protecting essential fish habitat is growing as well. I would say we’ve all heard about the recent red tide events in southwest Florida, and those have been going on for thousands of years, but they’ve gotten a lot worse.

There’s a lot of factors that led to the serious red tide last year, and it took place over decades of development that exacerbated these natural events, and so I would encourage the council to look closely at the results of the — The council and the staff to look closely at the results of the five-year EFH review and look at any opportunities to better inform proposed projects that come across the council’s EFH triggers. I appreciate everything you do. Thank you.

CHAIRMAN FRAZER: Thank you, Sepp. Our next speaker is Sara Griffin, followed by Clarence Seymour.

MS. SARA GRIFFIN: Hello. How are you all today? I just wanted to cover pretty much two things that people have already spoken about. My name is Sara Griffin, and I am a new operator and operator of a charter boat, Summer Hunter, out of Orange Beach, Alabama.

I do want to cover the amberjack. I believe a half a fish per
person, and, also, a spring and fall season would be beneficial
to our industry and our people, to make money. I try not to
base my trips on a certain fish, but it does help a lot of our
fisheries that do target certain fish or have those trips that
they have done for many years that they already base their
livelihood off of making money, and so I would like that.

I do like the way the snapper is going. The 9 percent is way
better than it was, and so I wish that would continue on as
well. I am in total support of the electronic logbooks, and so
I’m looking forward to working with you guys and helping figure
out all that kind of stuff.

I would like to cover maybe knowing the season a year in
advance, if that would ever be something that could possibly
happen, and hopefully the electronic logbooks would help, future
logs and stuff like that, where we could have it a year in
advance, so that people would know their charters they could
book, and you don’t have to call three months’ worth of charters
back and request -- Or let them know that we can’t catch or keep
certain types of fish. Last, just the historical captain
permits, let them do the standard, which is fair. Thank you.

CHAIRMAN FRAZER: Thank you, Sara. The next speaker is Clarence
Seymour.

MR. CLARENCE SEYMOUR: Thanks, everybody. I am Captain Clarence
Seymour from the Charter Boat Spray You Later here in Biloxi,
Mississippi. I made the last on the list. Somehow or other, it
didn’t go through, but I thank everybody for having me here and
you all coming to Mississippi, and I think it was an excellent
meeting, and I’m sorry I didn’t get to make it all.

I want to elaborate a little bit on what Dustin said, with the
Silver Dollar, and we’re pretty well looking for some type of
means -- What we’re asking for is a -- If it’s a special,
experimental program with our DMR and what have you, but the
three-mile boundary is a tough place for us, because we know the
-- We have everything in line for all pelagics, most of us,
where that goes, and so the red drum in Mississippi is very
important to our industry, being that, when -- I have probably
said it before, but they say, well, what we can we expect to
catch, and I say, well, we have around five edible fish around
here, and the red drum is first, always.

King mackerel, shark, cobia, and then Spanish mackerel, and that
pretty well is a five-species line right out of the door here,
and so that kind of helps everybody out. They’re not trying to
sell amberjacks, a half an amberjack, or a quarter of an amberjack, and we’re trying to catch for -- It’s mostly Mississippians that come straight down from Tupelo or wherever they come from, but they come straight down 49, and they’re here to have a good time and enjoy the water.

Of course, we do now have -- Putting red snapper back on the market here in Mississippi, which it’s very viable to our industry, for sure, and what else? Let me see.

The Amendment 50, I very well applaud you on getting this passed through, and, of course, we do not want to be part of Amendment 50, with the small fleet of for-hire in Mississippi, federally permitted.

Reallocation, I think that could be held back for a while, too. Let’s get Amendment 50 started and let the logbooks come on. As far as logbooks go, I have got part of the -- I am going to go ahead and get at least my vessel on the first pilot program with Bluefin, and I pretty well told them -- I said, our guys here in Mississippi, we want cheap, cheap, and cheap, so we can report. They were like, well, we understand that, and I said, well, we want cheap. We like free, but cheap is what it’s going to have to be.

They understand our pain, because we really only access the EEZ basically -- It’s going to be sixty-two days this year, and so it’s going to be a challenge to get everybody online, but I think they’re willing, as long as it’s cheap. Thank you all. I’m out of time, it looks like, and so we’re done for the day. Thank you.

CHAIRMAN FRAZER: Thank you, Clarence, and thanks to all the speakers for spending their time sharing their opinions and thoughts with the council. I really appreciate it. We’re going to go ahead and close out the public testimony part of the meeting, and we’re going to take a fifteen-minute break, and then we’re going to come back and try to knock out some of these committee reports.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: We’ll go into the Sustainable Fisheries Report.

COMMITTEE REPORTS
SUSTAINABLE FISHERIES COMMITTEE REPORT
MR. DIAZ: Thank you, Mr. Chairman. The Sustainable Fisheries Committee Report, the committee adopted the agenda and approved the minutes of the January 2019 meeting.

Presentation on Update on Deepwater Horizon Open Ocean Restoration Planning, Laurie Rounds and James Reinhart of NOAA gave a presentation on open restoration planning. Topics discussed included the Deepwater Horizon settlement, the Open Ocean Trustee Implementation Group, restoration planning, and fish restoration. Ms. Rounds noted that the programmatic restoration plan includes damage assessment, restoration, and governance. The implementation group’s restoration planning cycle and the restoration priorities were discussed.

Dr. Reinhardt discussed the types of projects under consideration. Some of the activities considered include barotrauma reduction in recreational reef fish fisheries, improvements to bycatch reduction devices in shrimp trawls, and bycatch reduction techniques in the pelagic longline fishery.

Committee members suggested that greater emphasis be placed on projects mitigating the dead zone in the Gulf, and the committee also noted that projects on descending devices should avoid duplicating the council’s efforts.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I had a discussion offline with the lady that presented to us, and she said that her group just was not the one -- The Open Ocean Trust was not the one to make any efforts towards mitigating the hypoxic zone, the dead zone, in the Gulf of Mexico, and that was very frustrating to me, just because we’ve had presentations from several different groups within the whole RESTORE Act process and the BP settlement funds, and I have yet to really pinpoint the one that will do something about this, and so I just maybe hope that, at some point in the future, staff can follow up and maybe help find the exact group and the people that have the funds that can actually look at doing something proactive with that, instead of some of the more reactive things that we’re doing with these billions of dollars, and get us a presentation on what is being done there.

I would really like to see, face-to-face, those people that are in charge of those monies, so that we can voice our concerns about how important that is to us as fishermen, and so I hope that maybe you will be able to bring us back some more information at a future date.
CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: The comment that I made about not duplicating efforts, I think probably the biggest challenge we have on the recreational fishing side right now, particularly with red snapper, is the reality or perception, and it doesn’t matter which it is, that discards are an extraordinary event right now with recreational anglers.

We have the tool right now to do the education and outreach, and the Education and Outreach Committee, with the Sea Grant money that many of the members have, they are starting that job. The reason I said that we don’t want to duplicate those efforts is we have an opportunity to take a big bite out of this problem.

For example, with the money they have, that they are willing to devote to this, and I won’t say required, but the money that is available to do that, outside of our normal budgeting process, they could literally give a venting tool or a descending device to every recreational red snapper fisherman, and we could provide the education, and we could provide the training, and we can provide the tool.

Then, if we really wanted to take a great big bite, we, as a council, could require that those tools are used, and so I want to get way outside of the box with this and take a big bite out of that problem, because, potentially, it’s the biggest problem we have on the recreational fishing side in federal waters.

Every meeting, this comes up, and let’s make it a little problem instead of a big problem, and so that was my intent, is don’t think small. I’m not telling you, but I’m telling -- The reason I made the comment is we don’t want to think small on this. We want to think big, because it’s our biggest problem, and so let’s take a big chunk out of it, and, fortunately, Emily is really up-to-speed on all of this stuff.

She is linked in with them, and we just need to make sure that we don’t think small, because the money is there, and it’s got to be spent, and let’s spend it wisely and really make this problem go away.

CHAIRMAN FRAZER: Thanks, Phil. Any other comments at this time? Okay, Dale.

MR. DIAZ: Replacement of Historical Captain Permits with Standard For-Hire Permits, the document considering the replacement of historical captain permits with standard federal
for-hire permits was revised to include council recommendations made during the January 2019 meeting.

Only historical captain permits valid as of October 25, 2018, which was the last day of the October council meeting, would be eligible for replacement with standard permits. A newly-issued standard for-hire permit will have the same permit passenger capacity as the historical captain permit it would replace.

In addition, historical captains may replace their historical captain permits with standard for-hire permits or decide to keep their historical captain permits. Outstanding letters of eligibility will be invalid as of the implementation date of this action.

Without opposition, the committee recommends, and I so move, to recommend the council approve the Replacement of Historical Captain Permits with Standard Federal Charter/Headboat Permits and that it be forwarded to the Secretary of Commerce for review and implementation and deem the revised codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.


MS. BOSARGE: Before we vote on that, I just wanted to have a conversation about these two permits that were mentioned as sitting out there, or, let’s see. They are the letters that have been submitted to be transferred into a historical captain permit, and so there would be these two historical captain permits. When we switch all these historical captain permits over to regular, standard permits, we know there is already going to be two more sitting out there as historical captain permits that will still need to be maintained in that fashion.

I just wondered, for expediency -- It seems much more efficient, if we know we have those two, to put them in with these. I mean, if they have turned this in, I have to assume that they are still following fisheries and are somehow involved in it, and not have them sitting out there and still have historical captain permits.

Yes, people maybe could turn in another letter between now and whenever this actually becomes a regulation, and that’s possible, but it might not happen, and then we wouldn’t have any of these on the books anymore, and we would be done with them.
It just seems expedient, to me, to roll those two into this, but I wanted some feedback on it.

CHAIRMAN FRAZER: Ms. Levy, do you want to comment on that?

MS. LEVY: I was waiting to hear the discussion. I mean, the only thing I will say is it’s also optional for the people that have it as to whether they want to make it a transferable historical captain permit, and so the rationale of putting the two people in here to get rid of them, to me, doesn’t seem to be the best rationale for doing it, because there is no guarantee that’s going to happen, and it also seems to be contrary to what the whole discussion was about doing this in the first place, but I was sort of waiting to see what the discussion was going to be, to see if anybody addressed that.

I will also note that, if you are going to do that, you’re not going to be able to take final action today, because the document does not contemplate that. The purpose and need is for the thirty-two individuals identified, and all the analysis goes towards the thirty-two permits that we have identified, and so it’s not impossible for you to do this, but the document would have to be revised, the codified text would have to be revised, and we would have to come back at the next meeting.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I would just like to hear some feedback on it. I mean, I have to believe that it wouldn’t be totally contrary to the purpose and need. If these individuals realized what was going on around this council table, then they’re somehow still involved in fisheries. If you’re not involved in fisheries anymore, you have got no reason to be listening in to our meetings and understand what’s going on here. You have better things to do with your time, surely, but I just -- It just seems like inefficiency and government waste when we leave these two permits sitting out there that we know are going to be historical captain permits as we’re going through this process right now.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Well, just a couple of things. I mean, the problem is because we’ve made it optional, like Mara said, and there is no knowing if this is going to go away or not, because they may decide -- Somebody may decide to keep their historical captain permit, but, when we started talking about this, the idea was that we had people who were fishing on a historical
captain permit, and we wanted to go ahead and let them have a regular permit.

In this case though, you’re talking about people who have just had this letter for all these years, and they didn’t come in to get a permit off of it until after the October 25, and I think that was the date, and so that’s the shift in the rationale, was that wanting to do something that affected the people who had already exercised the letter and gotten a permit.

I think you’re right, Leann, that probably the people who have cashed the letter in are paying attention to what’s going on, and so maybe they are involved in the fishery, but they aren’t dependent on this permit, because they have never come in to get the permit, and I think this letter was mailed out over a decade ago. I mean, this has been a good while now.

I don’t have strong feelings one way or another about it, although it does concern me that we would put this off for another meeting, but I leave it up to you as to what you want to do with it, but I do agree with Mara that expediency is not the best of rationales to do this.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: I mean, when we first started going down this road, and the lady the testified today about the issues her husband had, and they were hoping to get where they were on a level playing field with everybody else, and so I was -- I originally thought we were trying to do this to help folks that were actively fishing, so that they would have the same privileges as the other folks, and so I would be okay with going forward like we are today.

CHAIRMAN FRAZER: Is there any further discussion? Okay. This is a final action item, I believe, and there’s a committee motion on the board. If there is no further discussion, we will take a roll call vote for this. Okay. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.
EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

CHAIRMAN FRAZER: Thank you. Dale.

MR. DIAZ: Patrick has got something.

CHAIRMAN FRAZER: Excuse me. Patrick.

MR. BANKS: I’m sorry, but I would like to put it on record my appreciation to a former council member about the historical captain issue. Myron Fischer was the one who really pushed to have this done, and he provided all the background for the council to get this accomplished, and I think it’s a good thing for those historical captains, and so I just wanted to go on the record thanking Myron.

CHAIRMAN FRAZER: Thanks for those comments, Patrick. Dale.

MR. DIAZ: Selection of Allocation Review Triggers, staff discussed a revised draft letter including potential review triggers for Gulf allocations. Time-based triggers and public interest-based triggers would serve as the primary and secondary triggers, respectively.

Public-interest-based triggers would rely on the council’s public comment process. Committee members noted that the South Atlantic Council submitted a letter requesting the time interval for allocation review be reduced to seven years for mutton snapper, yellowtail snapper, and black grouper.

Without opposition, the committee recommends, and I so move, to change the time intervals on black grouper, mutton snapper, and yellowtail snapper allocations between the Gulf and South Atlantic Councils from ten years to seven years.

CHAIRMAN FRAZER: We have got a committee motion on the board.
Is there any further discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

MR. DIAZ: Committee members discussed the time interval suggested for the review of Gulf migratory group king mackerel. Without opposition, the committee recommends, and I so move, to change the time intervals on Gulf of Mexico group king mackerel allocations between the recreational and commercial sectors, zones and gear types from nine years to six years.

CHAIRMAN FRAZER: Okay. We’ve got a committee motion on the board. Is there any further discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

MR. DIAZ: Committee members discussed the role of indicator-based criteria for allocation review. A committee member suggested that greater emphasis should be placed on indicator-based triggers.

With one opposed, the committee recommends, and I so move, to approve the allocation review triggers letter, as revised, and submit it to National Marine Fisheries Service.

CHAIRMAN FRAZER: We have a committee motion on the board. Is there any further discussion of this motion? Kevin Anson.

MR. ANSON: Just, I guess going back to public testimony from Ken Haddad about whether or not there needs to be anything in the letter that would address, with more specificity, I guess, the process going forward and identifying who would be part of the review, to make sure that it kind of fits into the policy directive that came from Headquarters, and that would just be to identify the directors of both the Southeast Regional Office and Science Center, instead of staff, in the current letter, which is the last paragraph, and so I’m just wondering if there needs to be anything in there, again, just to address the concerns that -- More emphasis, again, in the intent of Headquarters to involve the director, and, I mean, Dr. Crabtree can comment and such.

I mean, I don’t necessarily think it’s much of a problem, but I just wanted to bring it up, as it was brought up in public testimony, to see if council members agree or have comment on that.

CHAIRMAN FRAZER: I am just taking a quick peek around the
table. Would somebody else like to weigh-in on that? I think we will probably, Kevin, leave it as it is, and so we’ll go ahead and deal with this motion right now. Again, we have a committee motion on the board. **If there’s no further discussion, is anybody opposed to the motion? Seeing no opposition, the motion carries.**

**MR. DIAZ:** The committee discussed information that would be required to conduct allocation reviews and suggested that a workgroup could assist in developing the methods and procedures for allocation reviews.

**Without opposition, the committee recommends, and I so move, to direct staff to contact SERO and Southeast Fisheries Science Center staff to convene an allocation review workgroup to identify criteria that would be appropriate for the species identified in the draft National Marine Fisheries Service allocation review triggers letter.**

**CHAIRMAN FRAZER:** We have another committee motion on the board. Is there any further discussion of this motion? Mr. Anson.

**MR. ANSON:** Just a repeat of my previous comment to the prior motion. Again, if there needs to be any further specificity for identifying who would participate or who would participate in direction, and then, also, a second issue would be whether or not there needs to be any timeline or a schedule for what type of product might be developed within a year, or three council meetings, or something like that, that a workgroup could come with a summary report, if that’s the pleasure of the council, or if they have any input on that, as to whether or not we need to try to continue this work and make sure it gets done, because, again, we’ve got -- The letter is going to go up that we’re going to be using time-based triggers, and so we need to start looking at that framework and such, because those triggers are going to start kicking in in a relatively short amount of time, and so we might want to set some fixed date or something on there that would help kind of keep us all on task to that.

**CHAIRMAN FRAZER:** I would like to have somebody do me the favor, actually, because I was not here for this discussion, to provide a little more insight into the discussion with regard to the workgroup. Could somebody do that? Go ahead, Kevin.

**MR. ANSON:** It was my motion, and so I will attempt to try to consolidate at least my thoughts from that discussion that was had, and so, again, we have these triggers and the policy letter, or the letter that addresses the policy that we just
approved, and it identifies how the council is going to proceed
with a review, but that only kind of sets the timetable for a
review to occur, but the policy directive that came from
Headquarters still wants -- It included other triggers that
could be used in evaluation of review, or I should restate that
as criteria which can be used in review of allocation.

That is kind of the purpose of the motion, was to kind of set
that ball in motion, if you will, so that staff, the Science
Center, council, and SERO office staff, can begin looking at
kind of a suite of options and criteria that can be used by the
council, not necessarily in application of any species or
allocation decision, but at least kind of developing a suite of
criteria that can be looked at, and then, also, more
specifically looking at the thresholds within those criteria as
to -- You know, if you did the criteria, and you came up with an
outcome, the threshold then would kind of trigger you to do
something in regards to allocation.

If you’re above this certain threshold, you wouldn’t do
anything. If you were below it, you would start allocation, and
you would do a more serious allocation review, and so that’s
kind of the intent of this, and, again, kind of referring to the
letter now, with the time-based triggers and identifying
specific years, that’s all that I was trying to do, was to try
to make sure that we kind of got our ducks in a row, if you
will, with trying to have these things waiting in the wings that
we can then go to, rather than trying to develop them after a
review has already been triggered, based on time.

CHAIRMAN FRAZER: Okay, and so I appreciate that, actually, and
I think one of the things that we did earlier in the meeting was
to solicit some advice, I guess, or some discussion, about the
Modern Fish Act, and, as part of that, I think that there was
going to be some discussion about allocation, in particular, and
so my preference would be, if it’s okay with the council, is to
go ahead and move this motion forward and benefit from that
discussion that I hope that we might have in June and then
perhaps revisit the timeline. Okay. Is there any further
discussion on this motion? Seeing none, is there any opposition
to the motion? No opposition, and the motion carries.

MR. DIAZ: Generic Amendment, Carryover of Unharvested Quota,
staff reviewed public comments received on the Generic Amendment
for Carryover Provisions and Framework Modifications. Dr.
Barbieri reviewed the SSC’s discussions and request to see new
simulations, which also examine the effects of quota overages,
along with underages and their combined effect on the rebuilding
plans for applicable species (greater amberjack, gray triggerfish, and red snapper).

The committee acknowledged that payback provisions from a quota overage typically apply to overfished species. Overfished species are presently excluded from carryover in Action 1, Preferred Alternative 2, Preferred Option 2b. Having a payback required for species in rebuilding plans that are also eligible for carryover was viewed favorably by the committee.

The Southeast Fisheries Science Center stated that simulations could be done for Gulf greater amberjack, gray triggerfish, and red snapper, to show the effects of both quota overages and underages and could be provided to the SSC by May 2019. Staff clarified language in the purpose and need, reviewed the rest of the document with the committee, and noted that the codified text is still outstanding. The committee agreed to refrain from any recommendations to the council until the requested simulations could be reviewed. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Diaz. Again, I think we will continue to try to move forward with some of these committee reports, if that’s okay, and, Mr. Banks, would you be willing? Okay, and so we will have the report from the Habitat Protection and Restoration Committee.

HABITAT PROTECTION/RESTORATION COMMITTEE REPORT

MR. BANKS: Sure, Mr. Chairman, and thank you. The report of the Habitat Protection and Restoration Committee that met this morning, the agenda and minutes of the October 2017 meeting were approved.

Then we heard a presentation from NOAA on the results of the council’s five-year essential fish habitat review. Mr. Dale from the Southeast Regional Office gave a presentation outlining the results of the council’s five-year EFH review. Mr. Dale indicated that the report is complete and noted that the applicable FMPs must be amended with this information for management and future consultation purposes. It was clearly expressed that recommendations of the SERO should be considered by the committee, and the committee should decide at a future meeting how best to incorporate the updated EFH information into council documents.

The committee inquired how protected species, such as Gulf sturgeon, may be incorporated into future EFH reviews. Mr. Dale
and Dr. Crabtree replied that, since Gulf sturgeon is covered under the Endangered Species Act, that NOAA’s Protected Resource Division would be the best avenue for working with states to identify critical habitat.

The committee expressed concern about a possible future directive looking to remove public EFH information for species that are no longer under management, since those EFH delineations would not be updated regularly. The committee recommended that EFH data should still be made available to the public, even if the species are no longer subject federal management. The committee additionally suggested that potential EFH may exists for some species beyond the current 100-fathom boundary and may be worth exploring. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Banks. Dr. Mickle.

DR. MICKLE: Thank you, Mr. Chair. At this point, I would like to just introduce a motion, and I sent it to council staff, and, if not, I can read it into the record, but my motion was to direct staff to incorporate into the FMP NMFS’s recommendations as they pertain to the five-year review of EFH, or essential fish habitat. If I get a second, I will expound.

CHAIRMAN FRAZER: It’s seconded by Mr. Banks. Let’s get it up on the board.

DR. MICKLE: So, at this point, it’s the recommendations, and we’ve all reviewed it, and, really, council staff just needs the incentive of a motion to move forward in a clear manner for the methodologies that we go forward.

CHAIRMAN FRAZER: Mr. Banks.

MR. BANKS: My only question, Paul, or maybe more to staff, is, is it better to incorporate these into each of the FMPs, or should we do a separate document that incorporates it as a generic action? Can we get a little bit of guidance on what may be the best way to handle this?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I think we would perhaps like the flexibility to try to figure that out and bring that back to you right now, if possible, to try to figure out the best path forward.
CHAIRMAN FRAZER: Patrick.

MR. BANKS: Well, my only concern is “into the FMP”, and, I mean, it doesn’t state which FMP.

CHAIRMAN FRAZER: Maybe I can make a suggestion here that, just parenthetically, after the “the FMP”, that you put an “s”, and so it’s “FMPs”, and give them the option.

MR. BANKS: As long as this will give them the option, that’s good.

CHAIRMAN FRAZER: Mara, do you have any reservations with that language?

MS. LEVY: No, and, even if you do a generic amendment, you would be amending all the applicable FMPs, and so it’s really about looking at which FMPs need to be amended and then the best way to go about doing that.

CHAIRMAN FRAZER: Thank you. Is there any further discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

I’m going to go, if it’s okay, to Data Collection, if Dr. Stunz is amenable to that. Okay. Thank you.

DATA COLLECTION COMMITTEE REPORT

DR. STUNZ: Thank you, Mr. Chairman. This is the Data Collection Committee Report for April 1, 2019. The agenda and minutes of the January 28, 2019 meeting were approved.

For-Hire Electronic Reporting Implementation Update, the committee received an update from Ms. Gerhart about the implementation of for-hire reporting requirements. Ms. Gerhart stated that implementation will occur in one phase that includes electronic logbook reporting, hail-out, and location reporting requirements. She expects the new requirements to be implemented in October 2019.

The committee stressed the need for efficient, effective, and validated implementation of for-hire reporting requirements, despite budget constraints associated with the survey validation and data integration.

Ms. Muehlstein presented summaries from the eight for-hire reporting workshops held throughout the Gulf states in early
2019. Members of the for-hire sector expressed concerns about survey requirements pertaining to economic inquiries, potential equipment failures or malfunctions while vessels were in storage or underway, deviations in landing timelines, requirements for inactive permits, species-specific catch recording, and trip types subject to reporting.

After deliberation, the committee decided further discussion would be required to address potential issues, and the committee will consider how to provide formal feedback to NMFS for consideration during the implementation process. I will stop there for a second, Mr. Chairman, if you don’t mind.

CHAIRMAN FRAZER: Yes.

DR. STUNZ: I am stopping in case the committee or anyone has something to say, but, if not, I have something to say regarding that. We had some discussions about providing the feedback back and forth between the council and the Regional Office and how that would go.

In terms of this Data Collection Committee, obviously, we had some discussion about a lot of the concerns that the industry was seeing, and, of course, this hasn’t been implemented yet, but -- So we don’t know exactly how valid some of those are or are not, and so I thought what would help for that is to have some open communication between us and the Science Center at each meeting, to really keep us closely informed about what’s happening and that kind of thing.

I have an idea of how to do that, which would basically be for, I guess, Sue or whoever in your group that would like to do this, is to present to the council at the next meeting, and I can make a motion on that, if we need to, of what I would need to make it clear, if that’s okay with you, Mr. Chairman.

CHAIRMAN FRAZER: Yes, go ahead.

DR. STUNZ: I sent that motion to staff, and I just sent it just a little while ago, and so I don’t know if you can pull that up. If not, I can read it.

CHAIRMAN FRAZER: We will give them a second to put it up on the board.

DR. STUNZ: If someone -- I will make the motion, and then we can have some discussion, and I’m happy to modify this, but I think you will see where I’m going with this. While she’s
putting that up there, I think this will help alleviate some of the concerns, after talking to some other council members and others, and, that way, everybody is just really on the same page, in terms of where we’re going with this, timelines for implementation and that kind of thing, as we move forward with this.

My motion is to have SERO, or I put in the Science Center, and I’m not sure which is appropriate, but either or, to develop a presentation for the June 2019 council meeting to explain and discuss specific data elements that would be required for reporting in the for-hire fleet. Additionally, this presentation should include updates on timelines for implementation and ways to solve the challenges to implementation that were discussed at the April 2019 meeting. Mr. Chairman, that’s my motion.

CHAIRMAN FRAZER: Is there a second for this motion? Seconded by Ms. Guyas. Is there any further discussion on this motion? Ms. Boggs.

MS. BOGGS: I don’t know that we need to change the motion, but I did have a question. One of the biggest questions is what is going to be required to be reported, and a lot of people have an issue with, I guess, the socioeconomic questions, and I wanted to see, and I don’t know if we need to add it to this motion, but I would like to request that -- Is there a way that we can see what’s going to be asked? I understand that it’s kind of out of our hands, but it would be nice to know exactly what it is that the captains are going to have to be reporting, and maybe we can go ahead and defuse some of their fears.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: To that point, Mr. Chairman. Susan, that’s exactly where I was going with this, and maybe I didn’t capture it that well, because I just wrote it just a few minutes ago, and so, if there’s something that is not clear -- I mean, I think that’s the intent. I also would say that what I’m really trying to avoid was what you brought up, is I don’t want this to completely get out of hands.

As I mentioned in the committee, we certainly don’t want to micromanage what’s going on here, but we also want to make sure we get what we’re asking for, and that was the intent, and so if they could just come back with us to provide some guidance, and the economics questions were exactly what I was referring to.
Now, if we need to modify this, or maybe, Sue, if it’s not clear to you or something, feel free to modify as necessary, but I just want to open a line of communication, so everything is on the table.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: We’re happy to do that, and we’re happy to update you on challenges to implementation. I mean, I have heard some people, a few people, bring up the socioeconomic questions, and I think all we’re asking right now is an estimate of how many gallons of fuel did you burn, what was the price of it, and what was the charge for the trip.

In my judgment, it will take less than sixty seconds for them to fill it out, but, if you think about it, every time we get into a complicated amendment, we hear that our economic analysis is not -- We hear complaints about it, and you’re not accurately reflecting the value of the fishery and all these kinds of things, and, when we get into allocation questions, questions always come up of the value of the different sectors and things, and so this is an opportunity to collect a little information to allow for better economic analysis.

I really don’t think the burden to report those is -- We’re just asking for them to give us an estimate of how many gallons they think they burned, what they think they paid, and I think it’s fairly simple.

CHAIRMAN FRAZER: Thank you, Dr. Crabtree. Ms. Guyas.

MS. GUYAS: I am definitely supportive of this, because, just in the last week, I’ve gotten a lot of phone calls, and apparently my name is being circulated as the one to call about this concept.

DR. CRABTREE: I will stop giving your name out.

MS. GUYAS: Somebody did. Actually, I think it might have been one of your staff, because it was like, hey, this really nice guy told me your name, and I’m like, all right. Anyway, there’s a lot of confusion around this, and I feel like, if people maybe better understood why we’re asking them some of these questions and for these specific data fields, maybe that will help alleviate some of the concerns here, and so I think this presentation maybe can help address some of that.

I know Emily has made a great impact with all the people that
came to those meetings, but clearly there is still work to be done here, in terms of like working with the industry and getting them comfortable with this, because, if this is going to go online in October, that’s going to come up quick, and so everything that we can do to alleviate concerns and get people comfortable with what they’re going to need to do, let’s do it.

CHAIRMAN FRAZER: Dr. Stunz and then Dr. Crabtree.

DR. STUNZ: To Martha and Roy’s points, that’s exactly why I made the motion, is that, Roy, I don’t -- I am not opposed to collecting more data, certainly, and I think the economics are important, but I just wanted to be able to get that out on the table and have some discussion about that, because, to me, that’s a perfectly valid reason for having these economic questions that you made, but I think those that are going to be entering this hearing that would feel better if they knew how it was working, and, right now, I think there’s just a little bit of unknowns about what they’re going to be expected to do, and this, hopefully, will clear that up, through some relatively easy presentation.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: I agree with you on that, and that’s why I think this is a good idea, and I support it. We also have done frequently asked questions and those types of things, which I don’t know if council members have that information or not, but we could certainly -- Carrie, if staff would follow-up with Sue, we can get that to you, and that would give you some talking points and things to use to respond to fishermen when they call.

You know, my experience with these sorts of things -- I look back at the VMS requirement, in particular, and it creates a lot of anxiety in the fleet, and there always are a lot of questions, and there are always things that no one anticipated and problems that come up, and so we’re just going to have to deal with that as best we can and adapt to the issues that come up, because we’re requiring people to do something they’ve never done before, and we’re requiring them to put equipment on the boat. That’s just part of the growing pains of getting through this.

The other thing I would ask of everyone is let’s be realistic with fishermen that they understand that it’s going to take time before this data is going to be useful for catch estimation, and this is a multi-year process of getting this program in place, and my worry is over-expectations that we’re going to come in
the next red snapper season and be using this to estimate
catches, and it’s going to take quite a while to do that, and
that’s not even taking into consideration the fact that we still
need a substantial amount of funds to get to where we need to be
with the program, and so we need to make sure people don’t have
unrealistic expectations.

Then we need to recognize that there are going to be unexpected,
unanticipated things that come up that we’re going to have to
deal with along the way, but we’re happy to get you all the
information and talking points and all those things that we can
to help you respond to your constituents.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: I agree wholeheartedly, and I can’t stress that
enough. At every outreach opportunity, we need to stress that
this is going to take time, and it’s not going to result in the
instant data that I would think the industry was hoping this was
leading toward. It’s going to take quite a bit of time to iron
out all the wrinkles, and just let them know this is going to be
an exercise that’s going to be worth it, but it’s going to take
time.

CHAIRMAN FRAZER: Mr. Banks.

MR. BANKS: I wanted to say a few of the things that Dr.
Crabtree did, but I think what’s going on here is that it’s now
facing this industry, and it had been so far in the future
before, and now they’re starting to pay attention, but it’s not
because we’ve done a poor job of explaining it.

I’ve got the FAQs that they put together, and I’ve been telling
the folks, but now a lot of them are waking up, and so I’m glad
that we’re going to have the presentation, but I don’t want to
make it sound like that we have not put the information together
and not made it available to this industry, because I know I
have, and I know it’s available if you go and look for it, and
the way our industry finds out some of this information is like
they did to Martha, and they call us, and we tell them the
information, and so the fact that I’m getting calls doesn’t, to
me, mean that we haven’t done a good outreach.

I don’t want to make it seem like that we have not done our job,
because we absolutely have, and the agency has put together fact
sheets, and we’ve talked a lot about this stuff, all around the
table, and we’ve talked about the need for socioeconomic data,
and so I just don’t want to make it seem like we’re getting
these calls and that means we haven’t done our job, because we have. Thank you.

CHAIRMAN FRAZER: I think those were all really good comments. Roy, I appreciate your willingness to work with your group to prepare a presentation, and there’s enough information here, I’m assuming, and we can follow-up with a formal request, and that will be good.

We have a motion on the board, and it’s been seconded. Is there any further discussion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Dr. Stunz.

DR. STUNZ: Thank you, Mr. Chairman. Continuing on with the report, the Commercial Fishing Unique Trip Identifiers, Dr. Gloeckner presented an overview on the challenges and potential benefits of developing unique trip identifiers for commercial fishing trips. A second Southeast Fisheries Science Center presentation outlining solutions for these implementation challenges was scheduled immediately afterwards, but was moved to the Shrimp Committee agenda, due to time constraints. Mr. Chairman, this concludes my report, but I do have a comment to follow-up.

CHAIRMAN FRAZER: Thank you, Dr. Stunz. Go ahead.

DR. STUNZ: Okay. If I can make a comment, and I don’t know if it’s here or Shrimp to talk about it, because it dealt with the one we moved, and so, Leann, I don’t know -- If you recall that presentation, it was a good example of just trying to get data collection where we need to be and all these challenges and things, and I think Dave Donaldson kind of pointed out that there were some solutions, but maybe it wasn’t quite as clear in that discussion, and so I wanted to just maybe ask Dave, and what do we need to do to begin to solve some of those issues, or do we have something place or not, or what do you recommend, because I know your shop has been involved with that.

MR. DONALDSON: Well, I guess just a little bit of history. This is not a new issue, and we’ve talked about it here at this council a number of times, and we’ve talked about it through GulfFIN, our data group, for probably fifteen-plus years, and so remember Joey Shepard, when he was with Louisiana, we were talking about it then, and that was -- He hasn’t been with Louisiana for a while, and so it’s not a new issue.

It’s something that we have been working on, and we haven’t solved it for lack of trying. We are trying to resolve it.
There is some frustration within NOAA Fisheries, and we’re looking at different approaches and ways to address it, so we can find solutions, and I think that’s what prompted this particular set of presentations, and so, in terms of how we move forward and the solution for it, I’m not sure. I think there was a suggestion that we create a workgroup to flesh this out. I mean, that’s something that we could potentially do, but, I mean, we’re already kind of doing that, and it’s not a formal workgroup, but it’s something that we’re working on.

After Mike Travis’s presentation this morning, I talked with several of the states on ways that we can move this forward, and so I am not sure what the council wants to do, if they want to create a formal charge to have the commission and the states and the Regional Office sit down and come up with solutions or -- That may be a better approach, because how we’ve been going about it in the past hasn’t really resolved anything, and so I will leave it there and let any states comment if they would like and leave it up to the council on how to proceed.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I guess I will weigh-in a little bit, since part of this presentation was in Shrimp, but I think that’s probably a good path forward, Dave, is to have the council give direction to have a workgroup meet that has the parties involved that you just mentioned, and I will let you speak to that again if we need to, and get this ball -- Get this back on track.

This is something that -- I don’t know how it will play out for shrimp. I don’t know, and I think there are some other issues there that we can work on, and I don’t know that the unique trip identifier is exactly what we need, but I think, if we loop the right people in, like Dr. Travis, who gave us that report, and make sure that he is there to contribute as well, that we can make some progress on this, but I do want to reiterate that this unique trip identifier -- I won’t say idea, because it’s been there for a long time, but the emphasis for this presentation actually came from our IFQ AP, and they passed a motion to please have the council look back into this again, so that they could have a unique trip identifier that will actually follow that trip from that hail-out at the beginning all the way back through the trip and the hail back in and the landings and the whole thing.

We get all their data, and I’m not an IFQ fisherman, but, the way they explained it to me is we get a confirmation number when we hail-out, and we get a different confirmation number when we
do our hail back in, and then you’re going to have your dealer reports, and then you’re going to have state trip tickets, and none of it though is -- You have to pull the information from so many different places that, when you get to trying to form an index, like a CPUE index, all of our CPUE indexes for our IFQ species, they are all truncated whenever the IFQs went into place, because we’re just really not able to piece all the data together in a way that is very usable for that, and so I think that is one place that, if we could manage to track a trip from beginning to end in an efficient manner, our data would be much more useful to us in the future.

CHAIRMAN FRAZER: Mr. Donaldson.

MR. DONALDSON: Thank you, Mr. Chairman, and, to that point, and this is a bigger issue than just shrimp. It was raised under the Shrimp Committee and Data Collection, but, as Ms. Bosarge pointed out, it is a bigger issue than -- It’s dealing with finfish and all commercial fisheries.

The system that has been developed for GulfFIN addresses that. It doesn’t address just shrimp, but it addresses all commercial fisheries, but it’s just a matter of getting the state licensing vessel data to be able to populate it and make sure that that system -- Work out the bugs in that system, and so I think maybe having a meeting with all the necessary parties might be the next step.

CHAIRMAN FRAZER: Dr. Hart.

DR. RICK HART: I agree with Dave. The real issue is being able to identify vessels and have like a cross-referenced table, so we know what vessel -- Say a vessel from Louisiana, we can reference that vessel number to the Coast Guard numbers. Right now, we don’t have that ability for a lot of these vessels, and so that’s really one of the main issues.

CHAIRMAN FRAZER: Kevin Anson.

MR. ANSON: I would just like to add that to get the groups reconvened, or the parties reconvened, to bring this matter up, and there might be some discussion as to those data elements, as to we’ve got to have these, these would be great to have, these we could definitely live without, although they’re included in this suite of data elements that would be requested or needed.

I guess just another point to maybe bring up is that, Leann, if you described it correctly, as far as the confirmation number
for hailing-out and hailing back in are two different confirmation numbers, that seems very problematic, when you’re trying to do data merging, and maybe that issue needs to be addressed as well, is to maybe try to fix that and spend some time internally to the various projects, to see if that can be done, if there’s improvements that can be done with data management, to help with trying to manage, because it’s just going to grow as we get this other data in and trying to match all these things together, and I would see that as relatively low-hanging fruit, is to just create a trip ID number, and then that trip ID, once they hail-out, is the same one that will come in when they go to hail-in. I mean, it just seems like it would be easy to fix that, but that’s just me.

CHAIRMAN FRAZER: Thanks, Kevin. I am just listening to the comments, and I think there is a lot of interest, obviously, in pulling the appropriate people together to make this happen. I am listening to Dave talk, and he clearly has been thinking about it and working on it for quite a while, and the Gulf States Marine Fisheries Commission might actually be the appropriate place to do that, to the degree that the council can facilitate that, and perhaps you need to let us know, but maybe we need a motion, and I’m not quite sure, here.

MR. DONALDSON: I don’t know. I mean, I don’t need a motion. I think that I understand what we need to do, but it’s just a matter of does the council need a motion for me to proceed, and I will do -- We will convene the group and report back to the council.

CHAIRMAN FRAZER: Well, I think that, if you’re willing to convene the group and report back, then I don’t think that a motion is necessary. Thank you, Dave. Give me just a second to figure out which committee report I want to work with next.

DR. STUNZ: Mr. Chairman, Ed Swindell has hand up.

CHAIRMAN FRAZER: I’m sorry. Mr. Swindell.

MR. SWINDELL: Under other items on the Data Collection Committee, one of the things that has been concerning me is the fact that we don’t have what we would all consider to be good, reliable data on the recreational fishing of any sort, and, as I heard, it seems to me, and I apologize if I’m mistaken, but I think, at one council meeting, we heard a report about MRIP, and the MRIP person that reported it said that we don’t do a good job of getting offshore data from the fisheries that is being done offshore.
That really upset me, to know that, and here we have a Data Collection Committee, and we now have the Modern Fisheries Act that says the biggest -- One of the biggest things within the Modern Fisheries Act is better data from the recreational community, and I think we need to give some charge to our Data Collection Committee, some way or another, to work on how are we going to improve better data collection from the recreational offshore fishing community.

You know, we’ve got to do it some way or another. We need to address it, and the law wants us to address it, and there is no doubt about it, and I think Phil brought it up today, or at some time during the meeting, about our need to do what the Modern Fisheries Act wants us to do. Well, let’s do it, and I’m concerned that we’re waiting for staff to tell us. Well, that’s not what we need. We need to do work in some direction, and, if we had a recreational -- Do we have a recreational fishery advisory panel, or is just red snapper recreational fishing? Do we have any way to get more quick information flowing about improvement in recreational data collection?

CHAIRMAN FRAZER: I am going to look to Dr. Simmons, but I believe that our recreational committee is restricted to red snapper at this point for private anglers.

MR. SWINDELL: Well, we need more than just the recreational red snapper. Recreational fishing in king mackerel and on and on and on. There needs to be some way or another, and we need to start looking at a pure data collection improvement in the recreational fishery, and the Modern Fisheries Act has asked us to do that, and I think we need to attack it. I think we need to give some sort of charge, one way or another, to our Data Collection Committee, which I have already talked to Greg some about, as to how are we going to get this done. What do we do from here on? How do we start moving on it? I don’t have a good answer, Mr. Chairman. I just want to see something happen.

CHAIRMAN FRAZER: Sure, and I’m going to go to Dr. Stunz, but I’m going to first point out that we also have a Reef Fish AP that has both a recreational, for-hire, and commercial composition, but go ahead, Dr. Stunz.

DR. STUNZ: Thank you, Mr. Chairman, and I will make this quick, because I guess right now may not be the most appropriate time to discuss it, but I think what Ed is talking too a little bit is something broader.
We have got a lot of data collection issues facing this council coming up, and, many times, we have a short thirty-minute or hour meeting, and then, of course, we come to the report like this, and there is really not, probably, enough time to discuss all of these issues that might be facing us, and I don’t have the solution, Carrie, but maybe to begin some discussions about -- Whether it’s light of this Modern Fish Act and being briefed to what that data collection component will look like, but maybe have some broader discussions, and maybe a sub-committee, and I don’t know what that would look like, to begin to discuss what are going to be the data collection or data committee challenges coming up in front of this council, so that we can be prepared for that and build our agendas accordingly and that kind of thing.

Now, I mean, that’s a very broad brush, and I don’t know about now, and it’s going to require some offline discussions, but, that way, we’re prepared to address some of what are the biggest challenges, so we can make sure that we’re ready for that.

CHAIRMAN FRAZER: I have in front of me the Modern Fish Act, and so one of the charges, I guess, in the Act is this, that recommendations considered shall include, and this is Item 2 in this particular section, evaluating whether the design of the Marine Recreational Information Program, for the purposes of stock assessment and the determination of stock management reference points, is compatible with the needs of in-season management of annual catch limits.

It would appear to me that there is already direction given in the Modern Fish Act for people to evaluate what type of data that we might need, and so I think that we would probably benefit from that information, and it may in fact, in my opinion, be beyond our scope of activities to decide what is the best type of data to be able to use, and that may fall more in the realm of a statistical group of some kind.

MR. SWINDELL: So do we just use the committee, or do we use NMFS and the Southeast Fisheries Science Center to help us, and our staff to help us, pull things together and to get things moving a little faster than what we’re doing? We keep working with recreational fishery data that is old and not necessarily reliable for what we’re trying to do in our fishery management plans. Thank you.

CHAIRMAN FRAZER: Sure, and I appreciate those concerns, Ed. Dr. Crabtree.
DR. CRABTREE: I understand those concerns, and let’s not lose
sight of how much has happened in the last five years on data
collection. We have LA Creel in place now, which addresses some
of the timeliness issues, and we have the Mississippi Tails ‘n
Scales, and we have Snapper Check, and we have the Florida GRFS
Program.

We are still grappling to deal with all the new data programs
and data that are coming in, and I think some of what the Modern
Fish Act is getting at with that language in there is the
timeliness issue, if you’re going to try and do in-season
management, and so we are well down the road of dealing with
those issues, in terms of these state programs that we have.

We have got the charter boat reporting program that we’re trying
to get in place, and we have, over the last decade, completely
revamped the Marine Recreational Information Program, MRIP, and
we’re still in the process of trying to transition and figuring
out how to transition to the new catch estimates that are coming
out of that.

I have not seen as many changes made to recreational data
collection in the last twenty years as I’ve seen in just the
past five years, and so there is a tremendous amount of things
going on, and I think it’s proving difficult for us to digest
how to incorporate all of that information into assessments and
into management, because we’re being hit with so many different
data sources, and we’re still struggling to figure out how this
data collection program ties into this one and how they relate,
and so there is a tremendous amount of things going on. Now, I
know there is a lot of interest in exploring use of cellphones
to report catches and all those kinds of things, but there has
been a tremendous amount of work going on.

CHAIRMAN FRAZER: Thank you, Dr. Crabtree. Mr. Swindell.

MR. SWINDELL: So, Roy, is that to say that we need to be
satisfied with where we are and that things are moving on and we
don’t need to push to do it even better and faster?

DR. CRABTREE: No, I think what we need to do now, at least in
part, is understand the programs that we’ve put in place. We
have talked about the calibrations and calibration models and
how to incorporate the state programs into the assessments, and
so there’s a lot of work going on, and I worry that we are going
to overload the system with so many new programs and new data
demands, and a lot of the recreational catch estimation issues
are pretty simple, but they require a lot of money to improve
them.

We could improve MRIP catch estimates by doing twice as many
dockside intercepts, and that would bring the precision
estimates down and help in a lot of ways. The problem is it
becomes very expensive, and so it’s just a complicated issue,
and I’m not suggesting that we need to be satisfied, but I just
don’t want the impression to be that we’re not doing anything,
because we’re actually doing a tremendous amount.


MS. BOSARGE: You know, I think, Ed, if you want to focus on
something around this table that, as far as data is concerned,
that could be helpful that I don’t think we’ve really gotten
into yet, but we’ll have to delve into at some point, is trying
to -- Maybe have a presentation from the Science Center where
they could give us -- They could frontload us and give us a
heads-up as to where they feel we may have some gaps when we get
ready to do the next stock assessment for red snapper with the
five essentially different data collection programs now in five
different states.

Is there any missing information somewhere that may actually
increase uncertainty in the stock assessment, things that are
actually fixable around this table? If the way something is
being asked in one state is actually going to cause a little bit
of a data gap, because we can’t mesh it with the way it’s being
asked by a different state, that is something that we might
tackle and decrease some of the uncertainty that would go into
our next assessment. That might be something that is a
productive conversation, as far as data collection, and so maybe
we could look at something like that in a Data Collection
Committee.

CHAIRMAN FRAZER: Mr. Banks.

MR. BANKS: I would also like to hear from them about what their
ideas are to address the timeliness issue for in-season quota
monitoring. What we found in LA Creel is it certainly helped us
with in-season quota monitoring, but it’s clear, from some of
our anglers and some of our commissioners, that even having the
data available eleven days after that fish was caught is not
timely enough, and so that makes it a little bit difficult.

I mean, they are certainly happy with the way that LA Creel is
going, and don’t misunderstand me, but they would certainly love
to know the landings quicker than eleven days, and one of the
ways we have tried to alleviate that is to recommend -- For other purposes as well, but the data is one example, or one reason, why we’ve recommended using three-day weekends, because it makes it easier for us to get the data we need to help them make in-season adjustments, but what that does is that cuts out the guy who works on the weekend and doesn’t work on the weekday, and so it’s not perfect for everybody.

I would like to hear from the Science Center, to know what they think we could do, because I don’t think a LA Creel type structure is doable for some of the states with many, many, many ports of entry, namely Florida, and so, in the absence of moving LA Creel into the entire Gulf -- I mean, what can we all do together to deal with this timeliness issue, and it may be -- It may help to hear from Paul and Kevin as well, to see if they think electronic reporting does that, because I think there is some opportunity in electronic reporting, but I think we have some good pilot cases going on, and it would be helpful to also hear from those states, to see if that could help us with the timeliness issue that the Modern Fish Act directs us to deal with.

CHAIRMAN FRAZER: Either Kevin or Paul, do you want to weigh-in on this? Go ahead, Paul.

DR. MICKLE: Sure, and electronic reporting has been a big success in Mississippi, for a lot of reasons that don’t really exist in other areas of the Gulf, but I don’t know if this is really the place to get into the details of it. I could likely do it, or we could come back and give a presentation of the timeliness of it.

I know that our fishery staff has the data at the end of the day, because we’re at mandatory reporting, and we have trip numbers, and we know when they go out, and we know when they come back, and we have a 95 percent compliance rate, and so there is very little -- The QA/QC is done -- Again, the number of trips each day is very small, comparatively so, and so, again, that’s one of the reasons why it works.

As far as our timelines of the data, our commissioners want it pretty much every Friday, or Monday, for that matter, and the program works that way, but, again, it’s a unique situation, because our state is very small, and we were very aggressive, when we launched our program, of making it mandatory, and we have the trip numbers, which no other state has, and so it makes on-the-water enforcement very easy, and we know where they’re landing.
Also, in my mind, and people can argue this, and that’s fine, and I will probably win the argument, but I really see Tails ‘n Scales as the only data system that can get at private landings right now, and I think that because every person has to make a trip number before they leave, whether it be a public dock or a private dock, and, when they’re on the water, they can be in violation when they don’t have that trip number, and they have to identify if they’re landing privately or publicly, and we have the ability to validate that at every step of the way, because of that trip number, and so bring on the arguments, but I consider Tails ‘n Scales the only system that can truly take on private landings through the validation process, which I haven’t seen, to this point, another program being able to do so. Maybe, I guess, deer hunting, and I don’t know, but, anyway.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Well, I will just kind of offer a final thought, but the trick with all of this is we can come up with all sorts of ideas to improve things, but, ultimately, you have to have the money to pay for it, or you can’t do it.

I have seen studies on what would it take to cut the processing time of MRIP in half and do one-month waves, and it can be done, but the problem is it costs a lot more money to do it that way, and we don’t have the money.

Our budgets are, at best, flat, and our cost of doing business is going up every year, and so that’s really the issue here, is what can we pay for, and we already, as we’ve seen with the electronic reporting program, have requirements and programs that we don’t have the funding we need to fully implement, and so that’s the art of all of this, is it’s trade-offs. If you want to spend more on timeliness, then it’s going to come out of some other area where you’re spending the money, and so the balance becomes is timeliness really worth that investment, if it comes at the expense of other programs, and so just keep that in mind.

CHAIRMAN FRAZER: I think we’ve had a fair amount of discussion here, and I guess I would try to close, actually, by saying a couple of things. I think that the need for better data collection is recognized by everybody around this table, and I understand that we’re often limited, with regard to the resources to implement certain data collection projects, I guess, but, at some point, by increasing the amount of data that
we have, we, ultimately, should reduce the uncertainty surrounding some of these estimates, and, when we do that, what will happen is that we’re going to potentially make more fish available to all of the sectors, and that should yield a net economic benefit.

At some point, perhaps through the Modern Fish Act, when people recognize that sometimes you have to invest money in order to make money, then that attitude will change, and so I think, from our perspective as a group here, I think we should look forward to what comes out of the Modern Fish Act and the recommendations that are made.

With regard to our own committee, I think it would be helpful, actually, perhaps in the Data Collection Committees moving forward, to hear how the individual state programs carried out their programs and what’s involved in the data collection efforts, so we can learn from each other and perhaps, at least in the Gulf region, make some contributions in that regard, and so, with that said, Dale, did you have something?

MR. DIAZ: I was just going to mention, if you decide to get people to do presentations, having attended the South Atlantic meeting a few times, every once in a while, they do a workshop, and they did have a very good workshop, where they invited people from around the country to come and talk about different data collection programs, and so we might not just limit ourselves to stuff that’s going on in the Gulf. If somebody is doing something somewhere else, and it could potentially be applied here in the Gulf, we might want to think about that, also. Thank you, Mr. Chair.

CHAIRMAN FRAZER: I think that’s a very good suggestion, and so I think we can move on from this discussion. Ed, I appreciate you bringing it up, and I think it was a very valuable one, but I think we’re going to probably end with particular discussion, and it’s five o’clock, and I think that we’ll recess for the day, and we’ll pick up the committee reports tomorrow morning, and so thank you again, and we’ll see you guys all at 8:30 in the morning.

(Whereupon, the meeting recessed on April 3, 2019.)

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April 4, 2019

THURSDAY MORNING SESSION
The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the IP Casino & Resort, Biloxi, Mississippi, Thursday morning, April 4, 2019, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: Good morning, everybody. We’ve got a couple of committee reports to finish up this morning, and so we’re going to start off with the Shrimp Committee Report and Ms. Bosarge.

SHRIMP COMMITTEE REPORT

MS. BOSARGE: Thank you. Good morning. The Shrimp Committee met on April 3, 2019, and the committee adopted the agenda and approved the minutes.

Review of the Updated Stock Assessments, Dr. Hart provided the committee with the updated stock assessments for pink, white, and brown shrimp. All stocks are healthy and are not overfished or undergoing overfishing.

The committee inquired about the downward trend in brown shrimp stock since 2010. Dr. Hart responded that they are working toward incorporating environmental parameters into future models, and this may help to explain the observed changes in stock size over time. Dr. Hart also reviewed catch per unit effort and noted that CPUE in 2017 was still high in all three stocks.

Effort in the juvenile red snapper zone, which is ten to thirty fathoms in Statistical Zones 10 through 21, was reduced by 67.03 percent from the baseline, slightly more than the 67 percent required reduction.

Biological Review of the Texas Closure, Dr. Masi reviewed the results from the Texas closure. For 2018 in Texas, inshore brown shrimp catch in May through August was below the historical average, and 51 percent of the catch during those months occurred in May. Offshore brown shrimp catch in May through August in Texas was also below the historical average. Brown shrimp catch increased after the Texas closure, particularly in the larger sizes. Staff noted that the Shrimp Advisory Panel recommended to continue the Texas closure in 2019.
With no opposition, the committee recommends, and I so move, to recommend to National Marine Fisheries Service that federal waters be closed out to 200 miles to run concurrent with the date that the State of Texas recommends for the 2019 Texas shrimp closure in the Texas Territorial Sea.

CHAIRMAN FRAZER: Okay, and so we’ve got a committee motion on the board. Is there any further discussion on this motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

MS. BOSARGE: Final Action: Shrimp Amendment 18: Evaluation of Shrimp Effort Threshold Reduction in the Area Monitored for Juvenile Red Snapper Bycatch, staff reviewed public comments on Shrimp Amendment 18. Staff then reviewed the council’s current preferred options and the Shrimp AP’s motions on the two actions.

The committee requested an updated purpose and need, which incorporated the Shrimp AP’s comment regarding optimal yield, be brought to the Full Council, and, Mr. Chairman, if we pause right there, I think staff has that proposed language with the change, adding optimal yield, and I will give them just a second to pull that up, because I know that the Full Council wanted to look at that.

CHAIRMAN FRAZER: Okay. We’ll wait to get that up on the board, so people have a chance to look at it.

MS. BOSARGE: Thank you. If you look in that second paragraph of the purpose and need, the part that’s in blue and underlined is what staff added, based on the conversation during committee, and so it would now read: The need for this action is to promote an economic stability and achievement of optimum yield in the federal Gulf shrimp fishery by reducing effort constraints and to equitably distribute the benefits from rebuilding while continuing to protect the Gulf red snapper stock.

They added those couple of words. Is there any discussion on the addition of the words? Is everyone okay with that and comfortable with that, because the next item will be final action on that. Okay. Thank you.

With no opposition, the committee recommends, and I so move, to recommend the council approve the Shrimp Amendment 18: Evaluation of Shrimp Effort Threshold Reduction in the Area Monitored for Juvenile Red Snapper Bycatch, and that it be forwarded to the Secretary of Commerce for review and
implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

CHAIRMAN FRAZER: Thank you, Leann. We have a committee motion on the board. Is there any further discussion of this motion? Seeing none, it’s a final action item, and so we’ll take a roll call vote on this. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

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EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

MS. BOSARGE: Summary of the Shrimp Advisory Panel Meeting, the staff reviewed the Shrimp Advisory Panel summary report. The AP discussed the updated stock assessments, renewal of federal Gulf of Mexico shrimp permits using the web-based system, and several items under Other Business.

The committee then discussed how to respond to the AP’s motion regarding the two artificial reef zones being proposed in federal waters off the coast of Mississippi. One suggestion was to encourage the Army Corps of Engineers to present relevant permits to the council. Another suggestion was to have the Army Corps of Engineers give a presentation to the council which discusses the permit process.
The committee noted that there was a thirty-day window for
public comments last summer on the permit that the AP had
discussed. Dr. Crabtree noted that the Army Corps has to make a
determination on the impacts on federally managed species from
proposed artificial reefs and that the council has expertise
which could be shared.

With no opposition, the committee recommends, and I so move, to
invite the U.S. Army Corps of Engineers to an upcoming council
meeting to discuss the impacts and overlaps of the permits which
come before the Corps for approval and management of fisheries
in federal waters.

CHAIRMAN FRAZER: We will put that committee motion on the board
real quick. We have the committee motion on the board. Is
there any further discussion on this motion? Go ahead, Mr.
Swindell.

MR. SWINDELL: I was just wondering if we should say in federal
waters of the Gulf of Mexico, or do we just want to use “federal
waters” and that’s good?

CHAIRMAN FRAZER: I think what we can do is we can specify that
in the letter, and we’ll make it explicit, if you’re okay with
that. Roy.

DR. CRABTREE: Carrie, we can provide you with some contact
names of people at the Mobile District.

CHAIRMAN FRAZER: Paul.

DR. MICKLE: I wasn’t on the committee, and so I will talk now,
but, really, it’s just housekeeping. When we say to discuss
impacts and overlaps, is the letter going to say, hey, come and
just sit and let’s talk, or are you going to formally request a
presentation or -- It seems pretty pointed, and there’s a charge
here for what we want to discuss, but how will that actually
play out, and I certainly -- The Corps has strengths and
weaknesses, and their strengths are, when you give them
something, they dial in on it, and they provide what the charge
is, and so I just wonder what exactly that charge is. Is it a
discussion or a presentation or any other sort of thing that the
committee and the council deems appropriate in this situation?
Thank you.

CHAIRMAN FRAZER: I think the intent, Paul, would be to request
from the Corps that they provide a presentation that gives some
insight into their process and how it might interact with the
federal fisheries management process. We’ll try to make sure that’s explicit in there, what we’re asking for. Kevin.

Mr. Anson: Dr. Crabtree mentioned the Mobile District, but, as I recall, I think the Jacksonville District has jurisdiction up to the Florida/Alabama line in the Gulf of Mexico, and so you might want to reach out to them too, or confirm that, at least, because they do operate slightly differently as to how they process their permits. Thank you.

Chairman Frazier: Thank you, Kevin. We’ll make sure to do that. Is there any further discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

Ms. Bosarge: Unique Identifier and Related Issues in the Gulf Shrimp Fishery Data, Dr. Travis provided a presentation regarding unique identifier and related issues in the Gulf shrimp fishery landings data. Dr. Travis discussed several issues, such as an inability to accurately identify vessels, dealers, and fishermen/businesses across states, as well as inaccurate or missing size data.

These issues have had multiple implications, such as an inability to use recent years of landings data for the Amendment 18 analysis and annual economic reports, be responsive to the council’s request for an economic analysis of the Texas closure, and reduced accuracy in the stock assessments.

Suggestions to address these issues included requesting the council to apply current federal dealer and electronic dealer reporting requirements to Gulf shrimp dealers, improved coordination between Fisheries Information Network (FIN) partners to improve data quality, and encourage FIN partners to move towards a data management system comparable to the Atlantic Coastal Cooperative Statistics Program (ACCSP). Mr. Chairman, this concludes my report.

Chairman Frazier: Thank you, Ms. Bosarge. I think we’re going to move right into the Administrative and Budget Committee Report and Mr. Boyd.

Administrative/Budget Committee Report

Mr. Boyd: Thank you, Mr. Chairman. The Administrative/Budget Committee met on April 1. The committee adopted the agenda and approved the minutes of the January 2019 meeting as written.
Agenda Item IV, Review of 2019 Budgeted Activities and 2019 Anticipated Budget, Dr. Simmons reviewed the meeting activities for work planned in 2019. Ms. Guyas inquired if the current plan included sufficient budget allocation to send a council member to every SEDAR assessment meeting. Staff indicated that the proposed draft budget did not include these costs.

The committee and staff recalled that this practice had occurred several years ago, but had not been so in recent time. The committee discussed that the selection process for council member attendance at SEDAR stock assessment meetings would be at the discretion of the Council Chair.

The committee recommends, and I so move, to include funding in the budget to allow for a council member attendee at SEDAR meetings.

CHAIRMAN FRAZER: We’ve got a committee motion the board. Is there any further discussion on this motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Mr. Boyd.

MR. BOYD: Ms. Hager presented the 2018-funded budget, 2018 expenditures, and a proposed draft 2019 budget based on estimated funding level to 2018. Based on the staff proposed 2019 activities, current staffing level, and demographics, personnel costs and benefits for 2019 are budgeted to be lower than 2018. Travel and council member compensation may be revised based on the previous committee motion.

Equipment and supply costs reflect planned replacements and upgrades. Significant savings in operating costs for rent and leased equipment are also anticipated in 2019. Staff intends to bring the amended 2019 budget to the council for review and approval later this year, once final funding levels are known. The committee recommends, and I so move, to accept the 2019 proposed budget as amended.

CHAIRMAN FRAZER: Okay, and so we have another committee motion on the board. Any further discussion on the motion? Seeing none, is there any opposition? Dale, did you have a comment?

MR. DIAZ: I don’t know if this is specific to the budget, but I did want to mention something that might impact the budget. I do know that there’s a habitat workshop that’s being worked out that’s going to happen at the end of this year, and I went to a habitat workshop a couple of years ago, when I was the chair of the Habitat Committee, and I think it might be worthwhile if the
chair or the vice chair of the Habitat Committee would attend that workshop, just to give them an idea of what’s going on in other parts of the country and see what is being worked on and maybe help them figure out a clear path for our Habitat Committee on this council. If there is money in the budget, and we could send the chair or the vice chair of the Habitat Committee to that meeting, I would just suggest that it would be worthwhile.

CHAIRMAN FRAZER: Who is running that meeting, Dale?

MR. DIAZ: That’s the habitat workshop that was discussed on the CCC call last week.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I think this is like an internal process for the staffs to get together and come up with the best practices, but I too have the same question about whether council members are going to attend, and so I think we should bring that up at the May CCC meeting, because that meeting is not scheduled until August.

MR. DIAZ: Thank you.

CHAIRMAN FRAZER: Okay. Any further discussion on this motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Mr. Boyd.

MR. BOYD: There was no further activity, and that would conclude my report, Mr. Chairman.

CHAIRMAN FRAZER: Thank you. Mr. Boyd, do you want to go ahead and announce the Officer of the Year?

ANNOUNCEMENT OF 2018 LAW ENFORCEMENT OFFICER OF THE YEAR

MR. BOYD: Sure. In closed session, this council reviewed the candidates for the Law Enforcement Officer of the Year and selected a law enforcement officer.

That officer is Lieutenant Jason Marlow from Florida. Lieutenant Marlow is a twenty-year veteran of the FWC, and some of the noted characteristics that were in his profile was that he rose quickly to a level of leadership, and he is a great mentor to fellow officers.

It was said that he has an unprecedented work ethic, and he has
coordinated the JEA program, and he has cultivated a great working relationship with NOAA, and he has captained and crewed the offshore patrol vessels. In 2018, he completed 1,039 hours of offshore patrol, exceeded the JEA contract by 300 hours, issued 200 citations and 192 warnings, and he targeted red snapper enforcement and TED details. Mr. Chairman, we will -- I am assuming that we will make that award at the Florida meeting in June.

CHAIRMAN FRAZER: All right. Thank you, Mr. Boyd. That’s great, and I will look forward to that. I think, at this point, we have one remaining committee report, and so, Martha, if you’re ready, we’ll move right into Reef Fish.

COMMITTEE REPORTS (CONTINUED)
REEF FISH COMMITTEE REPORT

MS. GUYAS: I’m ready. The agenda was adopted, along with the minutes from the January 2019 Committee meeting. SERO staff reviewed 2018 and preliminary 2019 commercial landings for Gulf greater amberjack and gray triggerfish. Slight overages for both species will result in a payback of the overages. Gray triggerfish is still open, while greater amberjack is closed.

Recreational landings of greater amberjack in the fall season harvested 101.8 percent of the annual catch target, and the recreational sector will not reopen for its spring season. Gag and red grouper landings for 2018 were under their annual catch limits (ACLs), while gray triggerfish exceeded the ACL by 89.1 percent. Because gray triggerfish is not overfished, there is no recreational payback for 2019. However, the fishery will close May 11, 2019, to prevent an overage.

The 2018 landings of hogfish were 49.7 percent of the ACL, lane snapper were at 111.1 percent, mutton snapper were at 113 percent, and vermilion snapper were at 101 percent. Because lane snapper landings exceeded the overfishing limit in 2018, in-season monitoring and subsequent projections will determine if the fishing season should be closed early in 2019 to prevent an ACL overage. In-season monitoring and projections will also be for mutton snapper in 2019.

Presentation on 2019 For-Hire Red Snapper Season, the for-hire component landed 101 percent of its ACT in 2018, with a 20 percent buffer between the ACT and ACL. For 2019 only, the buffer for the for-hire component will be reduced to 9 percent, corresponding to a 2019 fishing season of June 1 through August 2.
The private angling component remains managed under the exempted fishing permits for 2019, with paybacks for Alabama and Florida for overages in 2018. The ACLs for both recreational components increased in 2019, with the quota increase resulting from the SEDAR 52 stock assessment.

Committee members expressed interest in reducing the buffer on the for-hire component permanently and asked about a path forward for that action. SERO noted that the recreational components are linked by Section 407(d) of the Magnuson-Stevens Act, and the recreational sector must stay under the recreational ACL. Keeping the private angling component under its portion of the ACL is key to meeting that requirement.

Final Action on Draft Amendment 50, State Management Program for Recreational Red Snapper and Individual State Amendments, staff reviewed the actions and preferred alternatives in the program amendment for state management. Prior to transmitting the amendment for Secretarial review, NMFS staff noted the coordinates for the twenty and thirty-five-fathom federal water closures off Alabama and Florida, and the additional information about the state data collection programs will be added.

Without opposition, the committee recommends, and I so move, to recommend the council approve Amendment 50A: State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation.

CHAIRMAN FRAZER: We’ve got a committee motion on the board. is there any further discussion of this motion? Dr. Simmons just reminded me that there was some codified text that was sent around, and does anybody want to see that at this point? Mara.

MS. LEVY: We could look at it now, or you have a separate motion for the codified text at the end, and we could look at it then, too.

CHAIRMAN FRAZER: Okay. I think we’ll just wait until the end for this. Again, I just want to make sure there is no further discussion on this motion. Seeing none, this is a roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

MS. GUYAS: The committee reviewed the actions and preferred alternatives in the individual state amendments. Without opposition, the committee recommends, and I so move, to recommend the council approve the Amendment 50B: Louisiana State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation.

CHAIRMAN FRAZER: Okay. We’re going to walk through these one at a time, and they will all be roll call votes. I will ask, is there any further discussion on this particular motion? Seeing none, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

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CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

CHAIRMAN FRAZER: All right. Martha.

MS. GUYAS: Without opposition, the committee recommends, and I so move, to recommend the council approve the Amendment 50F: Texas State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation.

CHAIRMAN FRAZER: Okay. We’ll get that up on the board, real quick. We’ve got a committee motion on the board. Any further discussion of this motion? Seeing none, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: Without opposition, the committee recommends, and I so move, to recommend the council approve the Amendment 50E: Florida State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation.
CHAIRMAN FRAZER: We will wait to put that on the board. Okay. We've got a committee motion on the board. Is there any further discussion on the motion? Seeing none, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: Without opposition, the committee recommends, and I so move, to recommend the council approve the Amendment 50D: Alabama State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation.

CHAIRMAN FRAZER: We’ll put that on the board. We’ve got a committee motion on the board. Any further discussion on the motion? Seeing none, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: Without opposition, the committee recommends, and I so move, to recommend the council approve Amendment 50C: Mississippi State Management Program for Recreational Red Snapper, and that it be forwarded to the Secretary of Commerce for review and implementation.

CHAIRMAN FRAZER: Okay. We’ll put that motion on the board. It looks like we’re good to go. Is there any further discussion on this motion? Seeing none, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.
EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

CHAIRMAN FRAZER: Ms. Guyas.
MS. GUYAS: Ms. Levy reviewed the codified text reflecting the actions of all six amendments and I will make the motion. If we need to talk about the text more, we can, but I will just put it up there.

Without opposition, the committee recommends, and I so move, to recommend the council deem the codified text for the state management amendments, 50A through 50F, as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

CHAIRMAN FRAZER: While they’re putting that up on the board, Ms. Levy.

MS. LEVY: I believe you all got a revised version of the codified text, and so I thought I would just point out the changes, if we could put the revised version up, so you can look at it.

CHAIRMAN FRAZER: Sure. We’ll give staff just a minute to do that.

MS. LEVY: This was to address Leann’s comments and concerns, and so just with a caveat that we did this fairly quickly, and so, when we go back to the office, we may end up tweaking it some. If there are substantive changes, we’ll send it back to the Chair. If it’s just wordsmithing, but it’s the same thing, we probably won’t.

On page 7 -- We made changes to the three sections that are currently in there, the size limit, season, and bag limit sections, and so we changed the last sentence of each of those, and so this one would now say that a person subject to the private angling bag limit under an active delegation of state management must be in compliance with the fishing license/permit requirements of the state in which they intend to land the fish and may not possess red snapper in the Gulf EEZ when the state season is closed.

It opens it up a little bit, because where they intend to land is an open question, but, to the extent that they have to then, if stopped, say where they intend to land and be in compliance with the licensing or permits requirements of that state, then they would be telling law enforcement that this is where we land and show that they are in compliance, or not, potentially, and
then they would be subject to that state’s regulations, and so they wouldn’t be allowed to be in the EEZ if that state’s waters are closed.

If you scroll down to the size limit section, there is a similar sentence that we added to that as well, and it starts on page 7 and goes to page 8, and it’s essentially the same, saying that the person has to be in compliance with the permit requirements of the state in which they intend to land the fish and may not possess red snapper in the Gulf EEZ that are smaller than may be possessed in that state, and we kept the overall language that nothing can be under fourteen inches, no matter what.

Then, in the bag and possession limit section, which is lower down on that page, it’s similar language that you have to be in compliance with the fishing license or permit requirements of the state in which you intend to land and may not possess more red snapper in the Gulf EEZ than may be possessed in that state, and so trying to link it that way.

CHAIRMAN FRAZER: Thank you, Ms. Levy. Ms. Bosarge, are you good with those? All right. Lieutenant.

LT. ZANOWICZ: Thank you, Mr. Chairman. I just have a question regarding this then. For example, in Florida, I know, over sixty-five, they don’t need to have a state license, and so how would you know to apply Florida’s regulations for those individuals?

MS. LEVY: If, per chance, you came across someone in the EEZ who had red snapper onboard, the question would be where do you intend to land. If they intend to land in Florida, and they’re over sixty-five and they don’t need a license, fine, but then they need to be in compliance with Florida’s bag limit, season, and size limit, is what that’s trying to do. It is opening up for them to declare wherever they want to declare, but they have to be in compliance with that state’s licensing requirements.

CHAIRMAN FRAZER: Lieutenant.

LT. ZANOWICZ: Thanks for the clarification. I just want to make sure that I understand all of this. When doing a boarding of a vessel in federal waters, we’ll be checking -- We’ll be asking where that vessel intends to land, checking state licenses to make sure they have a license for that state, making sure that state season is open, and then checking the applicable delegated state regulations for bag limits and size limits for that state, and is that all correct?
CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: I think that’s correct. It increases the burden to know or to be aware of what each state’s requirements are. How feasible that is on the water, I don’t know, but it’s the only way to link it, the way that Leann was saying, to somehow kind of make it so that you at least have that hook if you can get the information.

CHAIRMAN FRAZER: Lieutenant.

LT. ZANOWICZ: Thanks for that clarification. Just, obviously, this makes it a little more confusing for enforcement than what it was earlier in the meeting, where it sounded like it was default federal regulations that were based on state regulations, and so this will definitely be confusing for enforcement. Again, I don’t think it’s insurmountable, but -- I understand it’s kind of just a tradeoff inherent in the amendment, but I definitely wanted to bring that to the council’s attention, that there could be some potential for confusion and possible non-compliance as well.

CHAIRMAN FRAZER: Okay. Does anybody have any further comments or discussion on the codified text? Seeing none, we’ll return to the motion. Is there any further discussion on the motion specifically? Seeing none, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair.

CHAIRMAN FRAZER: Excuse me. Go ahead, Mara.

MS. LEVY: You could certainly do another roll call if you want. I’m not sure that you need to, meaning that you’ve approved the amendments for a roll call, and you could do this, probably, just by voice, but it’s up to you.

CHAIRMAN FRAZER: I think, while we’re all geared up, we’ll go ahead and finish with a roll call vote. I’m going to do this one right, Mara.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.
EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously. I would just like to be the first one to say congratulations, council, and congratulations, Dr. Lasseter and the IPT. She’s been working on this since 2012.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Yes, this is great, and I’m glad to see that it all came together and passed unanimously. A lot of people worked a long time, and I want to thank all of our staff, Ava and Lauren and Sue and Mara and everyone else who worked so hard on this. It was years getting there, but we got it done.

CHAIRMAN FRAZER: Yes, and thank you, everybody. It was a lot of work. All right. Mr. Diaz.

MR. DIAZ: I want to chime in and concur with the staff and the IPT and Ava, but I think I might have mentioned Patrick at the last meeting, but, Patrick, I want to commend you. In June, three years ago, you got this started, and it seemed like a pretty good uphill battle, because regional management had failed just shortly before that, and I think a lot of folks were skeptical about whether or not we could work through this, but I do want to thank you for having the foresight to bring this up and push us in this direction. Having said that, that’s in the past, and we expect some more fresh, new ideas from you very soon. Thank you, Patrick.

CHAIRMAN FRAZER: All right. Ms. Guyas.

MS. GUYAS: Final Action: Red Grouper Framework Action to Modify Annual Catch Limits and Annual Catch Targets, staff reviewed the action and the council’s preferred alternative, which is identical to that specified in the emergency rule being finalized by NMFS.
The preferred alternative reduces the ACLs and ACTs for recreational and commercial red grouper based on the 2017 combined landings and amounts to approximately a 61 percent reduction in the stock ACL. This reduction would remain in place until a future action by the council. The results of the SEDAR 61 stock assessment on red grouper will be available for review by the council at its October meeting in Galveston. Public comments were generally in favor of the council’s preferred alternative, but there were some dissenting opinions.

Without opposition, the committee recommends, and I so move, to recommend the council approve the Red Grouper Framework Action to Modify Annual Catch Limits and Annual Catch Targets and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

CHAIRMAN FRAZER: Okay. We’ve got a committee motion on the board. Is there any further discussion on this motion? Seeing none, this is our final roll call vote for the Reef Fish Committee. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
MR. ROBINSON: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
MR. SWINDELL: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
MR. DIAZ: Yes.
EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
MS. BOSARGE: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
MR. DUGAS: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
MR. BOYD: Yes.
EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
MR. DYSKOW: Yes.
EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
DR. SHIPP: Yes.
EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
MS. GUYAS: Yes.
EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
DR. STUNZ: Yes.
EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
DR. CRABTREE: Yes.
EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.
CHAIRMAN FRAZER: Yes.
EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.
CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: Draft Framework Action to Modify Greater Amberjack Commercial Trip Limits, council staff reviewed the draft framework action to modify the Gulf greater amberjack commercial trip limit. Of the five alternatives presented, the committee selected Alternative 4 as the preferred.

Without opposition, the committee recommends, and I so move, in Action 1, to make Alternative 4 the preferred alternative. Alternative 4 is reduce the commercial trip limit to 500 pounds gutted weight.

CHAIRMAN FRAZER: We’re going to get that -- It looks like it’s up on the board. It’s a committee motion. Is there any further discussion on this motion? Ms. Boggs.

MS. BOGGS: I don’t know if this is the appropriate time, if we need to vote on this motion, but there was a lot of comment yesterday about the 500-pound trip limit and then a reduction when they reached a certain point, and would that be a separate motion to introduce that as an alternative?

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: To that point, I had been thinking about that too, Ms. Boggs, and I wonder if we could add an Alternative 6 to this document that could be introducing a step-down option once the fishery reaches 75 percent of the ACL and step it down to 250 pounds, or if that needs to be in a completely separate action, and so I would ask that question of staff. What would be the best way to accomplish that step-down?

CHAIRMAN FRAZER: Ms. Levy, can you provide some guidance here?

MS. LEVY: I guess you could add it as an alternative here. I mean, it all deals with trip limits, and so it seems reasonable, but you should probably vote on your other motion first.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: If Ms. Boggs doesn’t mind, I will take a stab at a motion. If you will help me a little bit, I would appreciate it.

CHAIRMAN FRAZER: Hold on. I think we’re going to have to -- Hold on real quick. We’re going to sort this out. Ryan.
MR. RYAN RINDONE: Can you guys not offer a substitute motion?

MS. LEVY: But this is to make one of them a preferred, and so either vote that down or up, and then you can do something to add an alternative.

MR. DIAZ: But what I am considering is this could be a preferred, and then we could have another preferred that would go along and work in tandem with this one, is the way I was considering doing it.

CHAIRMAN FRAZER: Okay. I think I understand, and I think that can work, and so, I guess at this point, is there any further discussion on the motion on the board? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Mr. Diaz, do you want to do that now?

MR. DIAZ: Yes, I can take a stab at it. I would like to make a motion to add an Alternative 6 to create a step-down provision that would be implemented when 75 percent of the ACL is projected to be harvested. The trip limit would be reduced to 250 pounds per trip. That probably needs some wordsmithing, and so any help would be appreciated.

CHAIRMAN FRAZER: I’m going to just re-read it. The motion on the board is, in Action 1, to add an alternative that creates a step-down provision that would be implemented when 75 percent of the ACL is projected to be harvested. The trip limit would be reduced to 250 pounds per trip. Mr. Rindone is suggesting that we add “gutted weight” to the poundage. That’s a nice suggestion. Thank you, Ryan. Dr. Crabtree.

DR. CRABTREE: One thing to think about -- One problem with these step-downs is you could, in theory, get to a situation where you are very close to the end of the fishing year, and you probably weren’t going to catch it anyway, but you did catch the 75, and you stepped the quota down, and so it could result in leaving fish on the table, and so one way to get at that would be to say -- To put a time certain, and so, if you hit it before you’re in the last two months of the fishing year, you step it down, but, if you get to the last quarter or something like that, then you leave it alone. I think that’s something that staff could kind of think about as they develop the option, and we could talk about that next time.

CHAIRMAN FRAZER: Mr. Rindone.

MR. RINDONE: Thank you, Mr. Chair. Our current season
projections, based on the different options for the trip limits, show that, with a 500-pound trip limit, the season would be about 161 days long, which is six months, and so, if we kept it at 500 pounds, the season would close after six months, and so, if there was a step-down, it would happen well before the last couple months of the year, based on the information we have so far.

CHAIRMAN FRAZER: Thank you, Mr. Rindone. Ms. Guyas.

MS. GUYAS: Just in the committee, we talked about potentially taking this final in June, and I just want to make sure that adding this action doesn’t complicate that or extend that timeline.

CHAIRMAN FRAZER: Dr. Crabtree, do you see any problems with that?

DR. CRABTREE: I would defer to staff, but, if staff can get it in there and analyzed, I don’t see a problem.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I guess my question would be, and maybe Sue or Ryan knows this, but are the projections done for the commercial fishery on the ACT or on the ACL for this fishery, because it looks like there is a difference, there is a buffer, there.

MS. GERHART: I know that there is a buffer, yes, and it seems that it is on the ACT.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: It would probably be better to change the motion then to when 75 percent of the ACT is projected to be harvested. Are you okay with that, Ms. Boggs?

CHAIRMAN FRAZER: Okay. We’ll make that friendly amendment. Is there any further discussion? Mr. Swindell.

MR. SWINDELL: I guess I would have a little concern that how are you going to get this information out to the people that are involved in harvesting this resource at the time? It’s going to be a problematic thing, I believe. At the beginning of the season, they will know what they can harvest, and, here, all of a sudden, one day, we’re going to change it, change the limit that they can get, and you believe that they are going to have
to abide by it, and, otherwise, they’re going to be in violation?

I really question the ability to do it that quickly and have it reasonably with the amount of people that are involved in the fishery. I don’t think it’s practical to do it, and I don’t really see the big need to do it. I mean, suppose this happens in the last ten days of the season. I just don’t know that the -- If you’re worried about overharvesting, then you ought to shorten the days to start with, rather than to let it go on. Thank you.

CHAIRMAN FRAZER: Mr. Diaz, to that point.

MR. DIAZ: Thank you, Mr. Swindell, and, as far as notifying people, I share your concerns, and I know that’s always difficult to do, but we did have several people at public testimony, commercial fishermen, say that they thought that this was a good idea, and the reason I like the idea is this is something that could potentially help with dead discards.

The longer that they have some fish that they could potentially keep, if they happen to have a fish that they reel in that would not survive if they put it back, this is a way to help with our dead discard problems in this fishery, and so that’s kind of my motivation for following through on that, and, like I said, we did hear several people at public testimony that said that they thought that this would work good in their fishery. Thank you.

CHAIRMAN FRAZER: Dr. Crabtree and then Martha.

DR. CRABTREE: We do a lot of these step-downs in the South Atlantic, and they are kind of administratively burdensome, and we project that 75 percent is going to be caught at some point, because we have to get the step-down to the Federal Register, and then you’ve got to give people notice that the quota -- That it’s going to step down, and you send out a Fishery Bulletin, and then you find out more than you thought was actually already caught, and then, by the time you notify -- I have seen situations where we step down the trip limit and then the fishery shut down four days later.

It can get burdensome, and it can get confusing on people, and it can result in changing a lot of things fast, and so I don’t really have any objection to it, and you can do it, but it has been kind of a pain in the neck in the South Atlantic, where we do this on fishery after fishery, and, a lot of times, by the time you get to the point where you’re stepping it down, there’s
not much left, and it doesn’t really gain you a whole lot anyway, and so it’s up to you guys, but I’m not a huge fan of these things.

CHAIRMAN FRAZER: Is there any further discussion? Ms. Levy.

MS. LEVY: Well, I’m just wondering if you’re interested in looking at any other percentages, meaning, if you want this in the document and analyzed and ready to take final action in June, would you be interested in a step-down that would happen at 50 percent, so that you could see sort of what the impact of that is, rather than just only one of 75 percent?

CHAIRMAN FRAZER: Kevin, to that point?

MR. ANSON: Kind of sort of, but not really.

CHAIRMAN FRAZER: Perfect. We’ll go with it.

MR. ANSON: Okay. I wonder, administratively, Mara -- I mean, this is a question to you, Mara, and, Roy, of course you can chime in, but would you have the ability to just set a season, if you will, or set a time that you would reach maybe 50 percent or 75 percent of the quota and then just, at that date, set it up, in the first Federal Register notice, that, hey, after this point, it will go down to a 250-pound trip limit, but, prior to that date, it would be a 500-pound trip limit, because, as Ryan pointed out, with a 500-pound trip limit, you can get a six-month season, and so you could maybe project three or four months of that six months at 500 pounds, and then, after that date, going down to the 250 pounds, and it sounds like there’s enough months left in the year that they would still remain open and still be able to utilize -- Harvest the rest of the pounds and not leave any on the table, necessarily.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: I think you could do that. I guess you could, at the beginning of the season, project when you think they would catch 75 percent, and so announce the season is going to open, and the trip limit will step down on this date, but then I would say there is a high probability that you will be wrong about when they catch that much of it.

CHAIRMAN FRAZER: To that point, Kevin?

MR. ANSON: I think we’ve done that one other time since I’ve been on the council, that we’ve been wrong. Kidding.
DR. CRABTREE: But I am just saying that, the longer out you project, the higher the likelihood that they may have caught the whole quota by the time you step it down, or they may be way below, and you step it down, and then they can’t even catch the quota, and it sounds like, from what Ryan said, right now, that’s not likely, but that’s the problem with projecting. Normally, in the South Atlantic, when we’ve done these step-downs, we try to give them like a few days’ notice that, effective X day, the quota will be stepped down.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I am not so worried about this, and so I was going to bring up that this happens all the time in the South Atlantic, and one of the fisheries where it occurs is Spanish mackerel, and the scenario that Roy is talking about, where it gets a little hairy, happens in that fishery, but it’s a targeted fishery.

When the fishing is hot, like people are jumping in all over the place, and so that is a situation where, yes, things can get caught quickly and things can get hairy quickly, but the way that we have this set up, where we’re starting with 500 pounds, that’s kind of a bycatch limit from the start, and so I think it’s going to be a little bit of a different situation than with Spanish mackerel in the Atlantic, where the trip limits are dropping down and down quickly, and so I’m comfortable with this, and let’s look at it, and I think this might be the way to go.

CHAIRMAN FRAZER: Is there any further discussion on the motion? Kevin Anson.

MR. ANSON: I guess, going back to my comment, depending upon how strictly you read this, you could do it the way that it was originally described when the motion was made, or you could do it the way that I had proposed, generally the same, or do you not see it that way?

Again, I am looking at the beginning of the season and setting a date when you would transition to 250, and this could read that you’re going to actually monitor it, and then, as Roy described, try to -- As you are monitoring the landing in-season, then you would kind of identify when that date would be and then try to get the notice out at that time, and so, if that’s not the case, if you don’t see it that way, then I will make a motion then to add a motion that would more line up with what I was trying to
CHAIRMAN FRAZER: To that point, Dr. Crabtree?

DR. CRABTREE: The way this is written, I am reading this that we’re going to monitor the quota, and then, when we’re very close to having caught 75 percent of it, we’re going to announce a trip limit reduction. If you want something else, you better add that into it now.

CHAIRMAN FRAZER: Kevin, would you like to make a substitute motion then?

MR. ANSON: Not necessarily. I mean, I don’t want to preempt everyone else, if they feel like this is something they’re passionate about or want, but I would just go ahead, if you don’t mind, and go with the motion and see how it goes, and then I will speak after that.

CHAIRMAN FRAZER: Okay. Mr. Swindell.

MR. SWINDELL: We lowered to 500 pounds from what? What were we on at the beginning of this discussion? Was it 1,500 pounds?

CHAIRMAN FRAZER: It was 1,500 pounds.

MR. SWINDELL: So, already, we’re lowering this to 500 pounds, and I guess we feel that, from the data collection, that we have an accurate data collection of this, which it seems to be that we don’t necessarily agree with the data sometimes, and we’re going to have the data collected fast enough that we can make good decisions with it, and I think we’re lowering it quite a bit, one-third of what the limit was before, and now we’re looking at doing another 25 percent reduction, or another 50 percent reduction, at the end of the harvest, and I just don’t see it, Mr. Chairman. I’m sorry. I will vote against this thing.


MS. BOGGS: After the comments yesterday, I was looking, and you all did this with red grouper, I believe, in 2005, and, to Kevin’s point, it was a certain limit would take effect, and, if by this date, it hadn’t been landed, then it would step down to another percentage, and maybe we look at it that way, is add a - - As Dr. Crabtree said, a time certain where you step it down.

CHAIRMAN FRAZER: Mr. Sanchez.
MR. SANCHEZ: I speak in support of this. We heard testimony that wanted this. The whole goal was to stretch out the season and address discards, and I think this adds a little tail-end of a potential buffer to do that, and maybe do that well. We don’t know until we get into it, because we don’t know how effort is going to change, but I think it’s a good starting point, and it’s in line with what the industry folks have requested.

CHAIRMAN FRAZER: Dr. Mickle.

DR. MICKLE: It’s interesting to see, and I like this motion, because it allows the step-down approach to be initiated upon catch rate of the season. The other scenario of setting it all up prior to the season obviously adds uncertainty, and Roy confirmed that with his comments, and let’s get this in the document, and we’ll hear from the fishermen about it.

We have an alternative, and this is an additional alternative. If we want to add another motion for Kevin’s scenario of pre-dating the entire season, as well as a step-down, that’s fine to get input on it, but, again, it’s going to slow the document down, and my question is, is there a giant rush to do this, which I think there is. My other point that I want to make is our record on amberjack ain’t that good, and so I say we look at it real close, and I’m interested to see what this analysis would show. Thank you.

CHAIRMAN FRAZER: I think there’s a couple of things going on here. I do think there is some urgency to consider what’s going on, and I do think we want to make sure that we don’t -- If we want to move this forward in a timely manner, we don’t want to have too many alternatives, but certainly there is no harm in putting this in the document and getting the analysis done, and so I’m going to try to move this particular motion forward. Is there any opposition to the motion? One opposed. The motion carries. Kevin Anson.

MR. ANSON: Thank you, Mr. Chair. I am trying to send it right now. It is short, but I am sending it to staff right now. While they’re getting it on the board, I will just talk to it and address Dr. Mickle’s comments.

I agree there is some uncertainty there, and I also agree that we have not done a very good job with managing the fishery, and I agree that the fishery is still probably a little bit in peril, and so trying to align Dr. Crabtree’s comments relative to the timing, administratively, to implement a change in the
trip weight in-season, while you’re trying to monitor those seasons, with a season that could be caught within six months, is a challenge as well, and so my motion, as I was sitting and listening to the discussion and everything, and realizing that we do have all these issues relative to amberjack, is to maybe think a little bit differently and just try something and do some analysis on an alternative.

I also recognize that we’re on a little bit of a time fuse on this, to try to get something implemented for next year, and so I will just put it out there as an opportunity for us to look at and maybe try to do something a little different, and that’s all.

CHAIRMAN FRAZER: Dr. Mickle.

DR. MICKLE: Thank you, Kevin. I appreciate that. Really, we haven’t gotten into the data, and I have no idea how steady the catch is in this fishery from the commercial side, and so it seems like we’re kind of talking at real high altitudes of uncertainty, because we haven’t looked at the numbers yet, and that makes me nervous.

I have uncertainty about the uncertainty, and so let’s go ahead and get in the weeds on this and see the analysis that staff comes up with and let the fishermen comment about which option they like best, because these -- Both of these motions will radically influence the way they fish, in my opinion, but, again, I want to hear that from them and also move forward on looking at the numbers, and so I agree with everything you said, Kevin. Thank you.

CHAIRMAN FRAZER: Before we have any further discussion, is there a second to this motion? It’s seconded by Ms. Boggs. Any further discussion? Ms. Bosarge.

MS. BOSARGE: I guess maybe Sue will have to answer this, because Roy stepped out. If we don’t take final action on this in June, if we add these -- I have a feeling, when we add these and we get the document back in June, we’re going to say that we’re going to need some more information on whether this is going to work or not, and we’re going to want some more analysis. If we do that, and we don’t take final action until August, will this be implemented in time? Does that still give you enough time?

CHAIRMAN FRAZER: Ms. Gerhart.
MS. GERHART: In time meaning by January 1? I would say no.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Okay. Then I -- There is not a whole lot of those fishermen left in the room right now, but I did see a couple of them shake their head no, that this probably isn’t going to be very efficient for them. We have a pretty decent data collection program on the commercial side, and we get their data in a timely fashion, and we can see when they hit a certain percentage and do a step-down, rather than setting a date before they ever start fishing as to when we’re going to do this, and I just don’t know that that meshes very well with the way that they fish, and so I’m not sure, at this point, that I’m wanting to add this alternative in there.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: I would agree with that. I think this is going to slow down the likelihood of getting this implemented by time we would like it to do. We are getting hung up looking at trees instead of the forest, and there is a very reliable data collection in commercial, and so I think you’ll be able to pretty much hone-in on that 75 percent in a meaningful time, barring some unforeseen calamity, and this will work, rather than trying to chase a date that you’re throwing out ahead of the unknown.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: In talking about slowing it down, I have a notation made that, during committee, one of the council members requested the AP to have an opportunity to review this. Is that even going to be viable prior to June?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: It says in the report that we’re going to try to convene them by probably a conference call, just to look at this one action, and we’ll do our best. The problem is whether we can get this analysis done and in the document in time for them to look at it and to also go to the council meeting, and so, the more that we add to it, the more unlikely that would be to occur.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I was just going to note that one of the people
yesterday, in public testimony, did mention that the Reef Fish AP has at least already discussed reducing the trip limit in general, and so, at some point, if this doesn’t work out, and we aren’t able to get the Reef Fish AP together, I think we at least need to figure out when that was and try to capture that information in the amendment, but there’s been some discussion of this already by that group, or at least a former iteration of that group.

CHAIRMAN FRAZER: Ms. Gerhart.

MS. GERHART: Thank you. I just wanted to remind the council that we did have something very similar to this for king mackerel previously, and we did do it during the season. We watched it, and the Science Center gave us a projection at the appropriate time of when the step-down should occur, but the council did get rid of that eventually.

CHAIRMAN FRAZER: Thank you. Is there any further comments or discussion? Okay. I think there’s a fair number of opinions on this particular one. All those in favor of the motion, signify by raising your hand, three in favor; all those opposed. The motion fails. Ms. Guyas.

MS. GUYAS: The committee then tasked staff to include west Florida harvest-per-trip data from 2016 through 2018 in the document and to convene the Reef Fish Advisory Panel to provide feedback on this document before presenting the final draft at the June 2019 council meeting.


MS. BOSARGE: While we’re on amberjack, I just wanted to throw one thing out, kind of on the record, for Dr. Cass-Calay to maybe follow-up on. When we did our last amberjack assessment -- I was actually at the SSC when they reviewed it, and it was very in-depth, but we do have some areas where we would love to have a little bit more information, research-wise, and I just wanted to mention that one of those areas was on -- We had a lot of discussion when we did our last recreational amberjack amendment, and we talked about the peak spawn, spawning season and peak spawn, and there was a study done, actually by Dr. Benny Gallaway, and he’s in the audience right now, if you want to follow-up with him in a little bit. He did a study, and it was actually a study from BOEM or BSEE, and so the government entity that houses the oil industry and regulates them, but he did a lot of work in the western Gulf,
sampling I think like over a two-year period, and, in his work, there is some data on amberjack and how many of those fish were spawning when captured, and I think that could be something that could supplement part of our research database that may be a little more sparse, and so maybe if we could reach out to BOEM or BSEE and see if they would see if they would share some of that information with us.

CHAIRMAN FRAZER: Dr. Calay.

DR. SHANNON CALAY: Thank you. I will reach out, and, if there is information that we need to consider that requires a change, for example, to the stock assessment, we can add that into the terms of reference.

CHAIRMAN FRAZER: Thank you. Ms. Guyas.

MS. GUYAS: The Western and Central Atlantic Fisheries Commission (WECAFC) is one of the regional fisheries bodies established under the UN Food and Agriculture Organization (FAO), which serves only in an advisory role.

At its last biennial meeting in 2016, WECAFC agreed to revise its framework to enable it to develop binding conservation and management measures, and its members met last week to discuss this strategic reorientation.

Members recommended addressing core issues including: scientific functions, data collection and information systems, technology transfer, capacity building, trade-related issues such as traceability and catch certification of fisheries products, conservation and management measures, co-management, and combating illegal and underreported fishing in the region, while having flexibility to respond to new and emerging needs.

A broad convention area and a regulatory area outside national EEZs where binding measures can be implemented was recommended, including selected straddling, highly migratory, or transboundary stocks within the EEZ without prejudice of the sovereign rights of the member states.

Members agreed that duplicate regulations should be avoided. Regional cooperation should continue through existing regional fishery bodies. Discussions will continue to flesh out these recommendations and a roadmap at the next WECAFC meeting, which the United States is planning to host in July in Miami or Fort Lauderdale. The SERO will look into the procedure for council attendance at this meeting in July.
Draft Reef Fish Amendment 52, Red Snapper Reallocation, staff presented the revised purpose and need. Without opposition, the committee recommends, and I so move, to amend the purpose and need to read: To review, evaluate, and modify, as appropriate.

CHAIRMAN FRAZER: We have got a committee motion on the board. Is there any further discussion on this motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

MS. GUYAS: Staff then reviewed the alternatives in Action 1 and discussed why red snapper landings data from 1979 to 1980 had not been included in Alternative 2. Red snapper landings data prior to 1986 are inconsistent with post-1986 landings data, due to a shift the assignment of commercial landings between the Gulf and South Atlantic from the Miami-Dade/Monroe County line to U.S. 1 in the Florida Keys.

The committee discussed overages in red snapper landings and how inclusion of historical landings when overages occurred may be viewed as rewarding a particular sector. The committee stated that reallocation considerations need not be limited to historical landings, since the sectors operate and have been managed differently.

The committee then noted that, given the number of ongoing developments related to reallocation of red snapper, such as the Modern Fish Act and data recalibration issues, they may have better insight later in the year regarding the alternatives and how to proceed.

By a vote of nine to four, the committee recommends, and I so move, to postpone further consideration on Amendment 52 until August 2019.

CHAIRMAN FRAZER: Okay. We will put that motion on the board. We have a committee motion. Is there any further discussion on the motion? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Just a question from the staff perspective. If this motion carries, then staff would not do any work on this until -- They would make a few minor modifications to the purpose and need and then put this on the August council meeting agenda, and is that correct?

CHAIRMAN FRAZER: That’s correct, but I think we should have some discussion at the June meeting having to deal with
allocation issues. Ms. Boggs.

MS. BOGGS: When do we intend, or when does the staff intend, to give us a report on the Modern Fish Act, since it’s kind of holding this up?

CHAIRMAN FRAZER: We have made a request to Sam Rauch’s office to try to get a presentation in June, but we haven’t gotten confirmation of that yet, but we’ll keep everybody posted on that. Is there any further discussion? Mr. Swindell.

MR. SWINDELL: As I have stated before, I don’t really see any need to postpone any further consideration until August. I don’t see that as a necessity. I think that we ought to have every option available to us, as much as we can, to help our fishery resources and to reach the meaning of the Act to utilize the resources as much as we can. Thank you.

CHAIRMAN FRAZER: Thank you. Is there any further discussion? Seeing none, this one was a mix in committee, and we’ll raise hands. All those in favor of the motion, signify by raising your hand, thirteen in favor; all those opposed, two opposed. The motion carries. Ms. Guyas.

MS. GUYAS: Draft Amendment 36B, Modifications to Commercial IFQ Programs, staff reviewed the amendment’s purpose and need and the goals of the IFQ programs, including those added by the council at previous meetings. Discussing the current program goals, the committee noted that the IFQ programs provide the opportunity for a year-round fishery.

Without opposition, the committee recommends, and I so move, to add a statement in Draft Amendment 36B that indicates the elimination of derby fishing as a program goal has been met.

CHAIRMAN FRAZER: Okay. We’ve got a committee motion on the board. Is there any further discussion of that motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Ms. Guyas.

MS. GUYAS: Staff reviewed the actions in the amendment. The committee expressed interest in receiving presentations on industry-led quota banks. Staff presented data on the differences between estimated and actual landed weights. Agent Tyer indicated that, from NOAA OLE’s perspective, discrepancies between the estimated and actual landed weights were not a significant issue. The committee discussed the accuracy of estimated weights in advanced landing notifications.
By a vote of nine to six, the committee recommends, and I so move, to move Action 4 to Considered but Rejected. Action 4 is the accuracy of estimated weights in advance landing notifications.

CHAIRMAN FRAZER: We’ve got that committee motion on the board. Is there any further discussion? Mr. Anson.

MR. ANSON: We were all at the table when we discussed it on Tuesday, and I find it, I guess, slightly ironic that we just passed some reduction in trip limits and using weight to monitor amberjack, but, when we talk about getting a little bit more tighter on the reporting, because of some potential issues that could exist, some loopholes that are currently in the system in regards to the fishermen allocation and the dealer reporting of red snapper, that it seems to be much more of a problem, because the violations are essentially the same, the structure at least.

If you go over your amberjack trip limit, there is a reporting violation and if you were to report under or over your 10 or 20 percent limit on the red snapper reports, and so it’s just -- You know, I see it as trying to close a loophole that exists, because there might be situations where a dealer has the shares and also has the vessels that transfers that allocation to the vessels, and so there is not that independence, as was common during public testimony that one is watching the other.

Dealers may actually own the vessels, and captains are reporting on behalf of the vessel, but then the dealer is then turning in a report, and so that’s all -- Again, the state fisheries guys have some concerns, and they are certainly on the dock a lot and see some things, and so it was just -- The motion was added in there originally to try to, again, kind of close a potential loophole.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: Some of the testimony I’ve heard, and some of the conversation I’ve heard, is the offenders are known, and so you need to look for that, but, again, this is estimation, and I can no more estimate how many pieces of candy are in that jar than I could how many pounds of fish I have on a boat, and I will just reiterate that, during the headboat EFP, there were issues when, if it’s rough, and the boat is rocking, and you miscount your fish, as long as you’ve got the fish in your account, and you’re not, in that case, over your limit, I don’t understand what the problem is, but an estimation is just that. It’s an estimation,
and trying to make these guys try to estimate these fish within a percentage I think is just ridiculous.

CHAIRMAN FRAZER: Is there any further discussion? Let me just kind of recap this a little bit in my own mind. I appreciate the tension, right, and there’s always a struggle on part of the committee, or the council, excuse me, to make sure that we’re doing our best to hold people accountable and do the right thing.

At the same time, there’s a recognition that people are working, and we’re trying not to burden them, and it’s a bit of a tradeoff there, and so I appreciate all the comments around the table, and it’s not a perfect system, but we’ll do the best that we can, and so, with that said, we’ll go ahead. Mr. Swindell.

MR. SWINDELL: It goes back to data. As Greg has constantly worked on, it’s trying to improve our knowledge of data and get data more reliable, and I think what Susan is pointing out is that this data is not reliable. We are trying to make a decision on it, and we don’t have good data, and so I don’t know how to improve it. I really don’t. You’re asking these people to estimate what it is they caught, and they’re not doing a good job at it, and so I agree with Susan that I don’t think it’s good data for us to try to use to make a decision with.

CHAIRMAN FRAZER: Ms. Bosarge and then Mr. Diaz.

MS. BOSARGE: There is an estimation that happens at sea, right, and so you’re out at sea, and sometimes you haven’t even finished fishing yet, because we require you to send this estimation in three hours before you get to the dock.

You’ve got a basket of fish, and you’re trying to estimate how many pounds are in that basket, or you’ve got a box of fish, and you’re trying to estimate how many pounds are in that box, but, when you get to the dock, where you’re not on a boat that’s rocking and rolling and you actually have a scale, that is what actually goes into the system, is what you landed, and that is pretty damned accurate, and it’s got a lot of checks and balances to it, and law enforcement is at the dock, a lot of times, watching that.

I guess that’s what frustrates me about this, is are we worried about the data, because, if we are, then we need to put some other sampling protocols in, or are we worried about the enforcement piece, because this piece is enforcement, and it’s just like on the recreational side, where you have intercepts at
the dock and you separate the biological and data piece from the enforcement piece.

If you get there and you’re intercepting it for the biological parameters and for the landing, you’re not writing them tickets right there, too. We’ve had that discussion, but you have to separate those two things, and so this frustrates me, because you want to have an estimation of weight, but then you want to penalize somebody for that and change it to enforcement, change it from data collection to enforcement, and I think those two things have to be separate, and I think you have to understand that it is an estimation before the man has finished fishing, and that he is at-sea, in an environment that is not conducive to getting you an accurate weight, to that degree.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: Thank you, Mr. Chair. I want to start this by saying that my experience, working with a lot of commercial fishermen over many years, is that the vast majority of commercial fishermen are very honest, hardworking people, and they will not knowingly violate the rules, and I’m talking about a very high percentage.

However, there are a percentage of people that will violate rules, and the story that was told to me by a law enforcement officer that gives me pause with this is there is a particular person that calls in notifications, and his regular notification call is for 500 pounds. When law enforcement shows up, he unloads 2,000 pounds, and it’s happened several times. When law enforcement doesn’t show up, 500 pounds is what is reported, and so that’s just one instance, and law enforcement had several instances that they talked about.

This might not be the best way to handle this problem, and there is more than one way to deal with an issue, and maybe the path we’re on is not the one. Going around the table, I see there’s a lot of problems with it.

I do also think that high lease fees is a motivator for people right now, and I don’t know that high lease fees has caused one person to try to try to circumvent this rule, but, with a four-dollar-a-pound lease fee, I mean, that’s a pretty big motivation, and I don’t know that that has caused that, but it would be a pretty big motivator, but I just wanted to bring that law enforcement story out.

That is a story that a law enforcement person told me, and I
know that’s real, and I think it’s probably a very small percentage of the people, like I said earlier, but that’s one thing that just makes this particular issue something that concerns me. Thank you.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Just a comment on the enforcement versus the data. I think, for any of the programs, any of the species we regulate, we want the best data we have available, and, oftentimes, there’s an enforcement component about it. We talked about that with the recreational red snapper.

Where was the enforcement? It was on the water. I mean, we’ve got to have the enforcement in order for us to get the data, and so they go hand-in-hand, and they should be separate, in the sense that you don’t do biological activities with enforcement, but, in order for the program to work and function the way you want it to, there needs to be equal science and equal enforcement, to help make sure that, one, they’re operating efficiently, and so that’s all this is trying to do, was to keep some sort of buffer on there, as Dale described, and that’s one instance of what could happen when you’ve got, granted, a small number of folks that might be doing this, but it’s a number that could add up.

As Dale mentioned, this isn’t small potatoes. There’s an account, and everybody has got an account, and they’re going to be tracked against what’s in their balance, and so that’s -- They have got to have fairly accurate landings on at least the last trip, when they close out the account, or, if they go over 10 percent, then they’re in trouble, and so, I mean, they’re already working -- At least on their last trip, they’re already working within a limit that’s 10 percent over what they are allowed to turn in, and so they at least have to be fairly accurate on that last trip, and so all this is trying to do is make them fairly accurate on all the trips, so that the program has a little bit more integrity and the data that we have, that we’re looking at and analyzing, has more integrity.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Just one more question. We saw the number of trips that go both over and under, and so we knew there was no malicious intent in trying to underreport, because there is just as many people that overreport by 10 to 20 percent as there are underreport.
When you get a citation for this, because it seems like there’s whole lot of people out there that are in this boat, that are having this same problem, those people are no longer eligible for our APs?

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: Pardon my ignorance, but, when they are over and/or under, are they cited and fined, and how right is that? Again, it’s an estimation.

CHAIRMAN FRAZER: At present, there is not a citation for an estimated weight.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: But when this becomes a regulation on the books, yes, they’re going to get fined. They’re going to get cited and fined. It will be the same thing when we turn it around on the for-hire industry and we require you all to tell us about how many fish you have, and I’m sure the next step coming is, well, we need that in pounds. We really kind of need to know how many pounds you’re landing, right, because we want to keep up with this in-season and start doing this in-season monitoring eventually, and so you’re going to be trying to eyeball all these fish and come up with an estimated weight, and then we’re going to fine you when you get to the dock when you are 10 percent off.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: It depends on the situation. I asked NOAA OLE, Cynthia, to kind of guide me into what the fine would be, and it just depends on the situation. It depends on how egregious it is, what the intention was, and did it appear to be intentional, as far as the violation or not, according to the officer in the field, and so, I mean -- But, again, as I mentioned, we just did a trip limit in pounds for greater amberjack, and it’s the same situation there.

It's only over in that instance, because there is no reporting requirement in advance, but, if you were to come in with 1,505 pounds of greater amberjack now, you potentially are in -- You’re in violation, but it’s up to the officer to determine whether or not it’s a simple mistake or what have you, and so there is some flexibility on the ground that the officer has, as far as whether or not they go forward with an actual violation and start that process.
CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: I just have to say that now we’re dealing with opinions to go along with estimations.

CHAIRMAN FRAZER: Okay, and so we’re going to try to keep the conversation on track a little bit here, and there is certainly strong opinions on both sides of this, and I think that we’ve heard -- We will have one more from Mr. Boyd.

MR. BOYD: Thank you, Mr. Chairman. I don’t want to go too long on this, but I do have several comments that I would like to make. One is I don’t think we’re as worried about what’s coming off the boat as what is staying on the boat. That’s the question that law enforcement has, and Dale alluded to that, where there is, at certain times, more fish left on the boat than there are coming off the boat.

The other thing is we have heard testimony from NOAA Law Enforcement that they don’t think there’s a problem. They have ten to twenty officers in the Gulf, something like that, maybe twenty-five officers, and there are several hundred state officers who do these dockside intercepts and who actually count the fish coming off of the boats, and I think we need to pay attention to that, and I would like to ask the council, before we do away with this action, to have state law enforcement come and give us a presentation on what they think. We have heard three times now from NOAA Law Enforcement their opinions, and I would like to hear something from the states.

The other thing is that, when someone violates this law, they are killing fish, number one, and those fish, if they stay on the boat and go someplace else, they are probably black-market. They are going to somebody’s restaurant or someplace else and being sold into commerce, and the allocation for that particular person is not reduced, and so they can do this again and again, and they can extend the amount of fish that they catch for a long time, if they continue to do it and they’re not caught.

It seems to me that if a commercial fisherman is out there and he, all of sudden, realizes that he needs more quota and wants to call in and get it put in his account before he gets there, he has to have an account. He has to know how many fish he’s got and how much additional quota he needs if he is going to call somebody and lease it. He is probably doing this anyway.

As far as penalties, nobody has established any penalties for
this. One of my ideas would be that, if there is a -- Let’s assume we do a 20 percent, and a person misses it a bunch of times and we find out about it, and why not have them offload, for the next year, with a law enforcement officer there present, and that’s one way to do it without a fine. Thank you, sir.

CHAIRMAN FRAZER: Okay. I think we’re still early on in this document, even though it’s been around for a long time, and, if I think that there is additional considerations of how to deal with the problem, then we have some time to reformulate, perhaps, another action that would bear on this issue, but let’s see how this particular motion bears out today, and I think I will bring the discussion to a close, and we will vote on it. All those in favor of the motion, signify by raising your hands, seven in favor; all those opposed, eight opposed. The motion fails. Ms. Guyas.

MS. GUYAS: SSC Summary Report, the SSC reviewed the gray snapper projections update, which evaluated projections at F26 percent SPR, F30 percent SPR, and F40 percent SPR. Because the SEDAR 51 stock assessment could not freely estimate FMSY, the SSC previously recommended F30 percent SPR.

Based on the updated projections, which use the actual 2016 and 2017 landings and assume the ACL was caught in 2018, each FMSY proxy did not result in a stock that was overfished or experiencing overfishing as of 2018.

The SSC limited the projections time period for each proxy to three years, due to the uncertainty inherent in projections. The SSC affirmed that the projections for each proxy were done appropriately and in accordance with the best scientific information available. The SSC still recommended an FMSY proxy of F30 percent SPR for gray snapper.

NOAA General Counsel clarified that the resultant respective OFL and ABC corresponding to the FMSY proxies reviewed by the SSC would become the codified OFL and ABC once an FMSY proxy is specified in Amendment 51. I will pause there, because Mara’s hand is up.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Well, I guess I just want to clarify my comments. I don’t know, and “codified”, to me, isn’t the right term, because we don’t codify those, which means we don’t put them in the regulations, but what I was clarifying was that the SSC’s ABC recommendations were actual recommendations that would apply,
based on the MSY proxy chosen, and so I just wanted to be clear that those were actual ABC recommendations, catch level recommendations, because the motion from the SSC was not super clear on that point.

CHAIRMAN FRAZER: Okay. Ms. Levy, did you want to suggest an alternative wording of this?

MS. LEVY: Not right now, no, but I just wanted to clarify, on the record, that I wasn’t talking about codifying OFLs and ABCs or anything like that.


MS. GUYAS: The SSC discussed new operating procedures, which would see the SSC Chair assign topics to members who would serve as discussion leaders, resulting in more efficient discussions.

The Southeast Fisheries Science Center and council staff will be working on a stock assessment summary report with the critical information from the stock assessment for rapid digestion of information by most readers, an effort lauded by the SSC.

The SSC provided feedback and suggested edits on the fishery management plan objectives for the six FMPs. The SSC will begin reviewing an alternative ABC control rule. Updates on NOAA RESTORE work were provided to the SSC, covering ecosystem modeling for fishery management and a red snapper management strategy evaluation tool, and it may be valuable for the council to review also. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. Mr. Boyd.

MR. BOYD: I don’t think I need to make a motion on this, but I wanted to ask if we could -- If staff could ask the head of the Law Enforcement Committee to come to the next meeting and give us the reasoning behind their motions to do the 20 percent or 10 percent or whatever it is, or 50 percent, and tell us the reasons they would like to have that, and I would like to hear that from them, and I can put that in the form of a motion, if I need to.

CHAIRMAN FRAZER: Dr. Simmons, do you want a motion for that, or is that enough direction for the staff?

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I think I understand, and so the percentages you’re referring to are the percentages that are currently presented in the Amendment 36B
presentation that was laid out, as far as the estimated weights under and over, based on those pounds? Are those the percentages that you’re speaking of?

MR. BOYD: What we just voted on a minute ago.

EXECUTIVE DIRECTOR SIMMONS: Based on the current options in Amendment 36B. Yes, I think we can do that.

MR. BOYD: Do we need a motion, or can you just ask the head of the Law Enforcement Committee to come and give us a report?

EXECUTIVE DIRECTOR SIMMONS: I think we can ask them to give a report. I have to ask Dr. Lasseter where those percentages originated from, if that was an IPT proposal or if it actually came from law enforcement, but we can certainly dig into that some more and bring you -- Ask them to provide a presentation with staff or something like that, sure.

MR. BOYD: Okay. Well, I’m not asking them to recommend a percentage or to support one of these percentages that’s in this draft amendment. I am just asking them to report on what they see as the activities that are happening and their reasons for their motions that have come forward.

CHAIRMAN FRAZER: Is that okay with you, Dr. Simmons?

EXECUTIVE DIRECTOR SIMMONS: It’s okay with me. Is it okay with the council members?

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Mr. Boyd clarified his request. Thank you.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: If we’re going to bring something like that to the council, I would also like a summary of the dollars involved in the fines when this becomes a regulation, and I want the dollars federally, because you can get a federal fine, and that can also be supplemented by state fines, and I want to see exactly how much it’s going to cost, if it’s a per-pound fine somewhere, if it’s not in the standard, and I know we have an outline that they go by for federal fines, but, if there’s going to be a per-pound fine, and we don’t know how much it is, well, give us a range. I want to know.

CHAIRMAN FRAZER: Dr. Crabtree, can I ask a question? Would
those fines be discretionary, or is there a standard formula? With regard to Leann’s question about the fines and the monetary value of the fines, I guess, are those fines discretionary, or is there a standard procedure for that?

**MS. LEVY:** Well, there’s a penalty schedule. Cynthia Fenyk is here, and she might be able to answer, or we can go back and look at it, and I don’t know how all of the enforcement fines shake out, but we could certainly look at it and see what information we could provide.

**CHAIRMAN FRAZER:** Okay, and so I guess what I’m hearing around the table at this point is that we’re going to direct staff to have a presentation by the Law Enforcement Technical Committee, and is that correct? Dr. Lasseter.

**DR. LASSETER:** Would it be acceptable if we just reach out to the LETC and allow them to select a person that’s maybe accessible and could come to the meeting, rather than being the head, but let them decide amongst themselves who is able to travel to the meeting, and we will be in Florida for the next meeting, and perhaps it would be the Florida representative that would be most convenient, but, if we could have that leeway, that would be helpful.

**CHAIRMAN FRAZER:** Mr. Boyd.

**MR. BOYD:** I think I would feel more comfortable if it was the chairman of the committee. That’s just my preference.

**CHAIRMAN FRAZER:** All right. We can make the request that the chairman of the committee come, but, at the same time, I guess there is additional information that we’re looking for during that June meeting that has to do with the penalty schedules, the federal penalty schedules, and possibly what the state penalties might be as well. Mr. Boyd.

**MR. BOYD:** Mr. Chairman, I am not trying to stop anybody from coming that has to have a substitute, but I just think that it would be better to have the chairman of the committee. That way, the chairman of the committee can poll all of the states and collect the data that he needs to give the report.

**CHAIRMAN FRAZER:** Sure. We can make a request for the chairman of the committee, but, as our discretion, he may indicate somebody else in his place. Is there any other further discussion on this? Okay. Seeing none, we will probably -- Dr. Shipp.
DR. SHIPP: I don’t want to leave 36B, and is that your intent, Mr. Chair, to leave 36B, because I have a few comments that I would like to make regarding it.

CHAIRMAN FRAZER: Okay. Now is the time, for sure.

DR. SHIPP: 36B is replete with comments on trying to get new entrants, or smaller commercial operations, into the system, and, yet, it really does not offer any alternatives that are particularly effective in moving in that direction, and so I would like to request that staff provide the council with some additional options, including the use-it-or-lose-it proposals that we’ve heard before, as well as some other ideas on how we can have quota shares available to new entrants in the fishery.

CHAIRMAN FRAZER: Okay, and so I’m going to let Mr. Dyskow make a quick comment, and then I’m going to Dr. Lasseter.

MR. DYSKOW: The two areas that we’re concerned about are not only additional quota for new entrants, but also quota to address the discard issue, and so those are the two buckets that we’ve been discussing over and over again, but, yet, we fully distribute all of the quota, and so there is no quota hold-back for a bank or whatever, and so, if we currently are utilizing all of the quota, then how do we address that issue?

That is, I think, the key thing that Dr. Shipp is saying, and there is two buckets we want to address. One is how do we reduce discards by making some additional quota available and how do we address new entrants or people that are outsiders looking in and trying to get into this fishery?

CHAIRMAN FRAZER: Dr. Lasseter.

DR. LASSETER: I guess we’ll start with these three, the new entrants, small participants, and this idea of addressing the discards in the eastern Gulf. There are sections in the document that have potential characteristics for how you guys want to define those. We are trying to get a sense of who are you looking for and how would you want to define those people, and then we could flesh out some alternatives.

Do you want to allow -- Do you want to base it on recent landings histories, and I would have to call up the documents to look at all these different alternatives, but we do have a lot of different potential ways that you could approach this, and, if you could give us some guidance on which of those potential
characteristics you would like to pursue, we could more -- We could bring you some information on those.

As for where the quota would come from, there is an action in that that would allow you to establish -- To decide what would be a threshold. Below that threshold of quota, the shares could still be -- The allocation would be distributed based on existing shareholders. Above that threshold, you could use that quota for addressing these three groups, and you could add different thresholds, but we do have an action that would address this.

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Thank you. I don’t want to beat the subject to death, but I just want to make sure that I understood what you said, because what I have heard from people that are active in this fishery, that are currently struggling with the quota, they would like to see maybe 80 percent of the quota distributed to shareholders, and I’m just throwing that number out there, and I don’t know what the number should be, but, just for example purposes, let’s say we distribute 80 percent of the quota to shareholders, the people that are part of the alliance that have quota, and then 20 percent would go into a NMFS quota bank that could be used to address these and potentially other issues, and that’s an example of what we’re looking for. The numbers aren’t right, and the methodology might be right, and I can’t defend it, but that’s an example of what we’re looking for.

CHAIRMAN FRAZER: Dr. Lasseter.

DR. LASSETER: If you would like to make a motion to add that as an alternative that would fit into this particular action. Currently, we provided you the thresholds of the quota at the time that the programs were approved, and we could easily add another alternative here that says 80 percent, and 80 percent is the threshold then, and then the top 20 percent would go into this quota bank.

CHAIRMAN FRAZER: Dr. Simmons and then Dr. Shipp.

EXECUTIVE DIRECTOR SIMMONS: I think what we’re trying to get at is maybe when the projections are increasing or changing for red snapper, have some threshold where above some value a percentage would go to those new entrants, potentially. Is that what we’re proposing here?

MR. DYSKOW: I don’t know where it should go. It might go back
to the original shareholders, but there is a -- There would be a reserve account, and call it what you want, to address these issues we have, like the discards, like new entrants, or outsiders that want to enter the fishery, or the shares might go back to the original shareholders, but, right now, we have no ability to address any of these things, and the only way it’s addressed is if those shareholders are willing to lease their allocation, and, right now, that’s in excess of four-dollars per pound, which is challenging to use it as a tool to address these issues, and I personally don’t want to make a motion at this time, but I would like that concept to be part of the next discussion on 36B and get some feedback from people that are more qualified than I am to make that motion.

CHAIRMAN FRAZER: Dr. Shipp.

DR. SHIPP: I just want to follow up on that. My intent is to just open this issue up for further discussion. Again, I go back to the use-it-or-lose-it concept. When this program first was initiated, the fishermen were wholeheartedly in favor of use-it-or-lose-it. Since then, the program has morphed, and we have people holding shares that are not commercial fishermen. My goal is to have these shares in the hands of bonified commercial fishermen, to the extent possible, and I think that issue warrants a much wider discussion of what are we going to do with the quota shares.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: I think, at this point, I think we’ve had some discussion, and I don’t think that it necessarily has a pointy end to it, but I think it’s a topic that needs to be discussed in greater detail.

We have knocked a number of things off of our plate at this particular meeting, and what I’m hoping that we can do at the June meeting is to schedule some discussion time, and we’re often reacting to specific documents in this meeting, but we will schedule some time, and I’ll get with Carrie and staff, to have an open discussion, but a structured discussion, related to some of these issues in 36B as well as the reallocation issues, and I think that will be very helpful in moving us forward, unless there are any objections to that way of operating. Okay. Seeing none, we’ve got a couple of other items here. If we can, we can go to the liaison reports. Sorry. Patrick.

MR. BANKS: I just wanted to ask about this crew size issue with dually-permitted boats. We heard a lot about that in public
testimony at the last meeting, and we didn’t hear a peep about
it at this meeting, for some reason, and I have gotten some
calls in Louisiana from dually-permitted boats who are
struggling with the crew size issue, and I was wondering if -- I
am not asking to start something right now, but, at the next
meeting, can we at least have something on the agenda to discuss
that issue?

CHAIRMAN FRAZER: Yes, we can put something on the agenda.
Thank you, Patrick. Greg.

DR. STUNZ: Thank you, Mr. Chairman, and maybe I missed it, but
did we finalize this exempted fishing permit out of committee,
or is there going to be any more discussion on that? I just had
a few minor things, but I don’t know if we’re taking that up or
not.

CHAIRMAN FRAZER: Roy, do you want to comment on where we want
to go with that?

DR. CRABTREE: The golden crab?

CHAIRMAN FRAZER: Correct.

DR. CRABTREE: I believe we -- Didn’t we pass a motion in Full
Council on that?

CHAIRMAN FRAZER: We did do that. The question, I guess, is
whether or not there’s an ability to comment at any point moving
forward.

DR. STUNZ: Sorry. I forgot that was in part of the Full
Council yesterday.

DR. CRABTREE: I think, if you want to comment, this is your
chance, because we may issue it, or we may make a final
determination, let’s say, before the next council meeting.

CHAIRMAN FRAZER: Okay, Roy. Given that statement, Dr. Stunz
and then Mr. Dyskow.

DR. STUNZ: Well, thanks, Roy, and I do want to make a brief
comment, and I should have done it yesterday, I guess, but I
hadn’t done my due diligence, and then, after some public
testimony and other things as well -- But I know it’s up to your
shop, Roy, to do this, but I was having a little bit of second
thoughts, in a sense, just to get this on the record, and I
don’t know how many hours we talked around this committee about
coral amendments and dropping gear on these very sensitive, thousand-year-old habitats and that sort of thing, but sort of this EFP, we’re just going to kind of do that with big traps, that seem big, at least, in my mind, and I’m not that sure, but connected with ropes and then grappling hooks to re-locate them.

At least in my mind, Roy, when the damage is done, it’s done. I mean, there’s no going back to fix some of those deepwater coral, and I know they’re going to try to drop it in these open-water bottoms, but that seems a little skeptical to me in 2,000 feet of water. It’s just bringing up some concerns that I would have, and then are storms going to move these around in a linked group of traps moving in a storm or something like that, and that’s going to really cause some damage, and so I had to do some research on my own in the meantime, just to figure it out.

I see that like the highest abundance of these golden crabs happen to be in these rocky outcrop areas, and so I don’t -- I mean, maybe they’re going to try to avoid that, but that’s where the highest abundance occurs, and so, obviously, if you want to catch those, you’re probably going to move to the areas of highest abundance, and so that’s a little bit of a concern that I would have.

Then, as I was researching it, I found it kind of ironic, when I looked at some of the ROV video from NOAA ships, and I was just trying to figure out what a golden crab even looked like, and it shows all the golden crabs crawling over rocks, and in the background are all these deepwater corals.

Anyway, it just sort of brought up that I hope we’re not really jumping the gun, or this is really controlled, and we’re not doing some damage that’s going to be too late to repair, and so I just wanted to get that on the record, is at least that I have some more concerns than I did a few days ago.

CHAIRMAN FRAZER: Thank you, Dr. Stunz. Mr. Dyskow.

MR. DYSKOW: Thank you, Mr. Chair. Just a similar concern to Greg’s. This has been well thought out, and it’s a small-scale exempted fishing permit of 250 traps, and so the concern isn’t necessarily this as much as what is the next step, because this idea may not scale up very well. Just to your point, where are they going to -- If they are successful, what’s the next step, and we haven’t even talked about that, but, just because 250 traps in a very defined area aren’t a problem, what is the next step?
I know, on the east coast, these guys have a much larger operation, and so are we talking 5,000 traps, 10,000 traps, and I don’t know, but, whatever it is, that’s where the concern is. It’s where does this go from here?

CHAIRMAN FRAZER: I think that’s a legitimate question. Roy, do you want to address that?

DR. CRABTREE: Well, I mean, we would come to that if the EFP was approved and see, one, if it’s an economically-viable fishery to begin with, and then, if the council wants to have a fishery for golden crabs in the Gulf, we would need to develop a golden crab FMP.

Now, in the South Atlantic, we’ve had a viable golden crab fishery for over twenty years, and I don’t know when the FMP went into place, but longer than I’ve been involved in this. What we’ve done over there is we have designated an allowable fishing area, and it’s broken up into some zones, and so they have done a great deal of work, in the South Atlantic, of identifying areas where they believe the corals are and then areas where it’s okay to fish, and they have kind of zoned it out in that way, and it seems to be pretty effective. We revisit it periodically and juggle the zones, but that is the approach, and so I would think, if this goes anywhere, that would be the kind of approach we would want to take over here, but the next step would be for the council to develop an FMP, if this is going to go anywhere and develop into a full-fledged fishery.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: When that was being developed in the South Atlantic, we didn’t know much, I guess, about the biology or how many people, and, of course, it was kind of like the gold rush. People thought there was crabs, and let’s get in it, and there were people that probably didn’t have the right equipment, and I don’t mean gear, but just boats, that probably weren’t suited, and so we quickly realized that, oh, we need to do a limited entry program until we sort out the biology, so they don’t wear these things out, and maybe they take forever to reproduce and this and that, and so I would say we have the benefit of all of those experiences in the South Atlantic twenty years ago that you could bring here, and, obviously, if this is something that looks like, okay, it’s feasible to proceed with, then we probably, from the jump, should limit entry and make this a very small universe of people, to avoid these impacts with corals and
all these things and address that, but at least we’re not starting from nowhere. There is some history of information on the South Atlantic that could be very useful.

CHAIRMAN FRAZER: I think that there is certainly two questions, and one has to do with the viability of the fishery and the other one has to do with the potential degradation or disturbance of the habitat, and, after the exempted fishing permit, I think, moving forward, you would want to have some information on both of those things, and so one of the things that we might consider is trying to get some information from the fishers themselves, some documentation that they are in fact not having an adverse impact on the environment. I don’t know quite how to do that, but, if you could encourage that, I think that would be a very good thing. Is there any more discussion on the golden crab EFP? Okay.

Seeing none, we’re going to move forward, and we will hit the liaison reports, and so, in no particular order, and, Tim, do you want to do the South Atlantic Council Report?

SUPPORTING AGENCIES UPDATES
SOUTH ATLANTIC COUNCIL LIAISON

MR. GRINER: Sure. Thank you, Mr. Chairman. First, I wanted to commend your council and your staff for such a well-run and efficient meeting, a four-day meeting. We can’t seem to get in line with four-day meetings, but I do think you guys do a great job, and you have a great staff. I also wanted to extend a heartfelt thanks for all the hospitality. It’s always nice to come down here and be with you guys.

I also wanted to thank you for your consideration on altering your time criteria, to help us out a little bit, and switch the black grouper and mutton and yellowtail to seven years. That was a big help for us.

There is a report in here of some of the things we’re working on, and so I won’t touch on everything, but just a couple of highlights. We are going to have a whopping five-day recreational red snapper season, and so that’s something that, even though it’s only five days, people are pretty excited about it.

On the commercial side, we are going to get a seventy-five-pound trip limit until we blow through a whopping 125,000 pounds, but it is better than nothing, and it does help us with our bycatch issues as well, because we do have some bycatch with red
snapper, especially in our shallow-water grouper fishery, and so that will help us out quite a bit.

While I’m thinking about groupers, we’re continuing to have problems with our red grouper, and so we have -- We are working on an amendment to extend our spawning closures for red grouper for an additional month off of the Carolinas, and that’s where we seem to be not aligning our season with the completion of the spawn for that fish, and so we’re going to extend that for another month, and so it will close January, February, March, April, and May now. In addition to that, we’re going to drop the commercial trip limit down to 200 pounds, and so it truly will be just a bycatch fishery, and we do catch them while we’re scamp fishing, and so we need something there.

The other thing that has kind of come up that is kind of new for us in the South Atlantic is we’re starting to have a lot more directed effort with commercial spearfishing, and our bottom is a little bit different, and so our fish are concentrated on very small areas, and we’re concerned that we’re having such explosive growth in the spearfishing that it’s starting to be a little bit detrimental to these small areas, where it’s actually altering the behavior of the fish.

They are leaving, and so we’re going to start taking a harder look at spearfishing, and I don’t know exactly where it will go or what we’ll end up doing, but those are just a couple of highlights of things that we’re working on right now, and, again, thank you for having me.

CHAIRMAN FRAZER: Thank you, Tim. I think we have a question from Mr. Diaz.

MR. DIAZ: Thank you for coming, Tim. You all have started a new process to figure out your staff’s workload, and just how do you think that’s going over there, and I just wanted to ask you if you could comment on that real quickly.

MR. GRINER: Certainly. It’s kind of an -- It’s a neat little process that they’ve come up with. It’s actually sort of a -- I guess it’s called a Survey Monkey, and so we do a little survey, and everybody fills it out, and you kind of rank and prioritize what amendments are most important, and it’s a rough ranking, but it just -- It’s really just as simple as a bar. You move the bar to whether you’re at the far end of the bar or the middle or the end of the bar, and that kind of helps the council look at what is everybody really, really interested in. From there, we can rank and prioritize and lay out what the staff
really needs to start focusing on.

CHAIRMAN FRAZER: Kevin Anson.

MR. ANSON: Thanks, Tim. Thanks for coming and seeing you two
meetings in a row, and so we appreciate it, but I think this is
for Dr. Crabtree, a question. In the report, it showed the red
snapper season on the east coast, in the South Atlantic, and it
listed the recreational season in numbers of fish. Can you
refresh my memory as to why the numbers of fish are used in the
Atlantic?

DR. CRABTREE: Well, we set the ACL in the Atlantic in numbers
of fish, and we have had a lot of discussions over there about
this, but, essentially, it was to avoid the additional
uncertainties thrown in by using weight conversions for it, and
so, right now, that’s the basis for the ACL, is numbers of fish.

CHAIRMAN FRAZER: Is there any other questions, anything
directed to Tim? Mr. Swindell.

MR. SWINDELL: Thank you for coming, and I was just reading your
report here about the recreational and the commercial catches
for red snapper, and you have no minimum size limit, and I find
that very unusual. Any particular reason why you are able to
eliminate the minimum size limit, or is there a benefit that you
see to doing that?

MR. GRINER: I think there is a benefit to it, and, for us,
again -- The reason that we have not had a red snapper season is
because our discards are greater than our quota, and so, by
eliminating that minimum size, we are taking care of the
discards, and so it’s basically no discards during the season.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: The assessment over there has generally had a
higher release mortality rate used than in the Gulf of Mexico,
and I guess the thought has been the fishing is taking place in
deeper water than it is here. The big difference between the
South Atlantic is I think the estimate of MSY in the South
Atlantic right now is on the order of 700,000 or 800,000 pounds,
whereas, in the Gulf, we’re harvesting fifteen-million pounds,
and so the Gulf stock is way more productive than the South
Atlantic stock.

CHAIRMAN FRAZER: Mr. Swindell.
MR. SWINDELL: Roy, thank you. I’m just looking at it and wondering -- Over time, we have all talked about eliminating the minimum size limit and increasing the recreational catch from two to three, to try to help attack the issue of discarding fish, which the vast majority, even using venting tools, you still have too much discarding going on. I think it would be easier to manage and so forth, but I don’t think we’re going to go there any time soon, but I just thought -- That was the reason for even asking the question. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Swindell. Okay. Tim, again, thank you for being here.

MR. GRINER: Thank you, Mr. Chairman.

CHAIRMAN FRAZER: At this time, I would like to give an opportunity to the NOAA Office of Law Enforcement, and I believe Charles Tyer is here. Come on up.

NOAA OFFICE OF LAW ENFORCEMENT

MR. CHARLES TYER: Thank you, all, very much for your dedication and your service to the living marine resources. I really appreciate it. I am Charles Tyer. Again, I’m with NOAA Fisheries Office of Law Enforcement, and staff is bringing up our report.

Our report is a first-quarter report, and the second-quarter report is delayed, due to the government shutdown, and the report will be sent to the entire council, if it hasn’t already. However, the report is for our entire Southeast Division, which is this council, the Caribbean Council, and the South Atlantic Council, and so I’ll just focus on the Gulf of Mexico part of the report.

Our efforts, law enforcement efforts, during this quarter was divided between patrols, meetings, and outreach, and, if you scroll down just a little bit, there’s a chart, and it will -- Our offshore patrols, there were, in fact, twenty-one of those that allowed face-to-face interaction between our officers and the fishing public.

There were thirty-four documented outreach instances, and this includes phone calls, dockside visits, trade shows, things of that nature, and then there were ten meetings, council meetings, and it could be workshop meetings and those types of meetings, where we have that interaction. That’s just to give you an overview of our efforts were divided.
For the Gulf Council, this chart shows it broken down by state and the number of incidents or cases or investigations that we had, and the numbers are there, and, obviously, there is no need for me to reach each number, but, for this quarter, this kind of shows you our -- Not kind of, but it shows you the breakdown of the exact number of cases. Florida west on the chart is west coast, the Gulf side of Florida.

These cases are incidents where the Marine Sanctuaries Act, the Marine Mammal Protection Act, Lacey Act, HMS violations, ESA violations, and they’re all together in that chart. In fact, if you scroll down just a little, there is a colored chart that will break it down even further, to show you, for example, the largest number of our cases are Magnuson Act cases.

Just a couple of highlights, and we use our knowledge, skills, abilities, and tools to assist in federal disasters when they occur, and the top highlight there is just an example. In this case, it was Hurricane Florence, and we sent our officers and vessels and tools to assist in those floods at that time.

The next example is a sanctuary grounding case in the Florida Keys National Marine Sanctuary. That vessel had 3,000 gallons of diesel fuel onboard, and we worked with the Coast Guard to have that offloaded.

There is another Florida Keys National Marine Sanctuary example there of just a possible historical anchor that someone had drug up on their fishing vessel, and so these are kind of to give you some highlights of things we do other than just going out and writing tickets kind of thing. There is a myriad of things that we do.

On page 11, I will just highlight quickly that we do a lot of -- You all are likely very familiar with IUU, illegal, unreported, and unregulated fishing, and we do a lot of port inspections for that type of activity, and we put a lot of effort toward IUU, and just below that is outreach.

This report will give you examples of some outreach events. The first one is Charleston, and so that’s not going to affect the Gulf Council here, and just below that is another example of some outreach, the Endangered Species Act, where we sent our officers and their vessel with a team of our guys to Texas to conduct TED patrols with Texas Parks and Wildlife state officers. The weather, in that case, turned out pretty bad for us, and we didn’t get as much accomplished as we wanted, but it
happens, right? That will conclude my report, as far as my actual report, and the entire report is there for anyone to read, and I will gladly entertain any questions.

CHAIRMAN FRAZER: Thank you, Mr. Tyer. Are there any questions? I’ve got a real quick one. In your first table, you had thirteen incidents in the Florida region involving marine mammals, and is there a pattern to those incidents?

MR. TYER: Yes, sir. During that quarter, we had a high number of complaints regarding dolphin feeding, dolphin feeding/harassment, in some particular marinas or areas in Florida, on the Gulf side of Florida, and that’s why -- We went out and did an extensive patrol and made a lot of contacts with individuals, and some were educational, and there were some violations found, and that’s why they were shown on this chart.

CHAIRMAN FRAZER: Thank you. Any other questions? Thank you, Mr. Tyer, for being here.

MR. TYER: You’re welcome.

CHAIRMAN FRAZER: All right. Next on the list would be Gulf States Marine Fisheries Commission and Dave Donaldson.

GULF STATES MARINE FISHERIES COMMISSION

MR. DONALDSON: Thank you, Mr. Chairman. I had a couple of items that I wanted to mention, but they came up during the discussions during this week, and so I don’t have anything else to add.

CHAIRMAN FRAZER: Excellent report, Mr. Donaldson. Excellent. Moving right along, Coast Guard and Lieutenant Zanowicz.

U.S. COAST GUARD

LT. ZANOWICZ: Thank you, Mr. Chairman, and I just have an accompanying picture for the presentation as well. I don’t have a full presentation this time, but just a picture and a few talking points.

As always, the Coast Guard is continuing to see a lot of activity on the U.S./Mexico Maritime Boundary Line off the coast of south Texas. For Fiscal Year 2019, our current fiscal year, as of the end of March, we had fifty lanchas interdicted. At this same point in Fiscal Year 2018, we had thirty-three interdictions. We set a record month in January, with fifteen
interdictions, and then we immediately broke that record the following month, in February, with sixteen interdictions.

The total for the last fiscal year, which was a record year for us, we had sixty lanchas interdicted by the end of the year, and, as of about 9:40 p.m. last night, we just interdicted our fifty-first lancha for Fiscal Year 2019, and we’re only slightly over halfway through the year, and so we’re definitely interdicting at much quicker rates than in previous years. Our number of detections have also remained comparable to previous years, and so we’re definitely not seeing any decrease in activity.

This picture here was taken a few weeks ago at Station South Padre Island, and it shows the lanchas being held at the station at that time, and this is actually the overflow storage, and so our main holding yard is over to the left, and so we were actually storing them on the road to the main holding yard.

As I mentioned, obviously, this certainly indicates that we’re not seeing any apparent decrease in activity on the maritime boundary line. However, we have devoted more resources to the problem this year, which likely has some correlation with the increased interdictions.

Additionally, we partnered with Customs & Border Patrol to utilize the capability of one of their prototype assets during this testing phase earlier this year, which also contributed significantly to the increase in detections and interdictions.

In addition to activity on the Maritime Boundary Line, our Operations Analysis Branch is currently working on an update to the lancha economic impact analysis, which some of you may remember was originally published in 2014. This update is going to focus strictly on the number of lancha incursions, as opposed to the previous one, which also had estimates of total catch and estimates of the dollar figures that the lancha problem was estimated to have an impact.

As mentioned in previous updates, once complete, this updated analysis, along with the pounds and type of catch recovered from interdicted lanchas, will be routed to NOAA Southeast Region for potential use in future red snapper stock assessments, and that concludes my update, pending any questions.

CHAIRMAN FRAZER: Thank you. It looks like we have several questions, and I will start with Greg Stunz and then John Sanchez.
DR. STUNZ: Thank you for the report. That was good, and I was just curious as to why, in that follow-up report, you’re not going to include catches, or is that just because you feel like you kind of got that from the other report?

LT. ZANOWICZ: The previous report that the Coast Guard published, the feedback we received on that was that, as an enforcement agency, it wasn’t appropriate for us to include total catch estimates and ascribe a dollar figure to the lancha problem, and so, as a result of that feedback, this report is focusing strictly on number of incursions, which, according to the feedback that we received, seems to be within our purview as an enforcement agency and then relying on NOAA Southeast Region to incorporate the catch assessments into the stock assessment.

CHAIRMAN FRAZER: A quick follow-up, Greg?

DR. STUNZ: Just a quick follow-up. I mean, I understand maybe the report of you all modeling that and estimating how many it is as a part of the fishery, but I think it’s still very important to know the average fish that are onboard these vessels that you’re capturing or whatever.

CHAIRMAN FRAZER: Lieutenant.

LT. ZANOWICZ: Yes, absolutely, and so, every time we interdict a lancha, we will take off all the fish and lay them out and count them and measure the weights and record that data, and that is part of the data that we will be providing to NOAA Southeast Region, and so we are capturing data on how much catch we’re recovering from them.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: Dr. Stunz hit on kind of what I wanted to ask, and I am just curious. Who dissuaded from this information, because it’s very important for us, I think, to know how much fish are actually coming from these interdictions.

CHAIRMAN FRAZER: Lieutenant.

LT. ZANOWICZ: Sorry, but I missed that question.

MR. SANCHEZ: I guess you have been dissuaded from providing these kinds of landings estimates from these interdictions, and I am curious as to who kind of dissuaded the Coast Guard from reporting these figures.
LT. ZANOWICZ: That occurred before my time in this position. My understanding was the feedback we received was from NOAA itself, and I don’t know if that was NOAA Headquarters or where it would be in NOAA, and, again, the intent is for the stock assessment to still incorporate lancha data. It’s just the Coast Guard is not going to be providing total catch estimates of lancha data, because, according to what we’ve been told, that’s outside of our role as an enforcement agency.

CHAIRMAN FRAZER: Do we have any additional questions? Shannon.

DR. CALAY: Thank you very much. It is very critical that we receive that information in a timely fashion, because we will have to consider how to create a catch estimate from the data that we receive, and so I just wanted to make sure that -- You did say that you would be sending it to the Southeast Regional Office. It would be good, also, to make sure that there’s a communication with the Science Center, since we would typically be the body responsible for creating a catch estimate, unless SERO plans to do that, which is -- Thank you.

CHAIRMAN FRAZER: Lieutenant.

LT. ZANOWICZ: Sorry. I guess I was just kind of using the term colloquially. My understanding was that the Southeast Fisheries Science Center was a part of the Southeast Regional Office, but we’ll definitely work with the appropriate NOAA entity when we provide that data.

CHAIRMAN FRAZER: Dave Donaldson.

MR. DONALDSON: Lieutenant, I understand that it’s outside of your purview about developing catch estimates, but would you be able to provide like average number of fish encountered per lancha or something, just so we have an idea of the magnitude?

LT. ZANOWICZ: Yes, I can absolutely do that. At previous meetings, you might remember that I did present on total pounds of catch and type of catch recovered per year, and so incorporating an average that we recover, say over several years or over the current year, is definitely something I can do at a future meeting.

CHAIRMAN FRAZER: Kevin Anson.

MR. ANSON: Just to go back and touch upon some of those conversations, Lieutenant, I think, at the time, you had
mentioned that you were getting weights, but you weren’t getting measurements of the individual fish, and is that correct?

LT. ZANOWICZ: That’s correct, and so we weigh the total catch, and, prior to, I want to say roughly a year ago, the catch was being weighed as one unit, all the catch on the lancha, and then we were counting the red snapper and the sharks separately, or whatever other kinds of species there were, and so we would have total number of red snapper, total number of other species, and then total catch weight.

About a year ago, we started separating the catch and weighing them separately, and so we will have, going ahead, separate weights for total weight of red snapper, total counts of red snapper, and, again, the same for other species.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I just wanted to remind the council that you sent a letter asking the Coast Guard to do that for the Science Center so that it could be input into the stock assessments at a future date.

CHAIRMAN FRAZER: Okay. Are there any further questions for Lieutenant Zanowicz? All right. Thank you, Lieutenant, for being here. Next on the list is U.S. Fish and Wildlife Service and Glenn Constant.

U.S. FISH AND WILDLIFE SERVICE

MR. CONSTANT: No report, Mr. Chair, but I just did have a mention. We recently got a new Regional Director in the region, and I used to sit here as a designee for Cindy Dohner, and she retired, and so Leo Miranda took over a few months ago, and so I just wanted to mention that, for the record. That’s it.

OTHER BUSINESS

NOI TO USE NEW GEAR TYPE IN THE GULF OF MEXICO TO COLLECT LIONFISH

CHAIRMAN FRAZER: Thanks for that update. All right, and so I don’t believe we have a representative from the Department of State, and so we will move on to Other Business. It’s about 11:30, and I’m going to try to power through, if that’s all right with everybody here.

The first on the list is the presentation of a new gear type to collect lionfish in the Gulf of Mexico, and we have a short
video, if we could load that up. The reason is that I guess we
have to make a decision, certainly by the June meeting, whether
or not this is an allowable gear type, I guess, and so, rather
than get there at June and just put everybody on the spot, at
least they can see what’s going on and be prepared to ask some
questions at that point, but, still, June is getting pretty
close to the deadline, and we have ninety days to make a
decision on that.

(Whereupon, a video was shown.)

CHAIRMAN FRAZER: All right, and so, again, I just wanted to
make sure that people had a visual. In the briefing materials,
there is a letter from the company that would like to do this,
Atlantic Lionshare, and so you can go back and review the letter
in the briefing materials, and we can discuss it at the June
meeting. Ms. Levy.

MS. LEVY: I guess they have given you their notice, right, and
so, after ninety days, if there is nothing to prohibit it, they
can move forward, and so -- I don’t know that there will be,
but, if there is some strong objection and wanting to prohibit
it, if you wait until June, there is going to be a time when
it’s probably not prohibited, is all I’m saying. It’s going to
be too late to do it before the ninety days.

CHAIRMAN FRAZER: Mr. Swindell.

MR. SWINDELL: What I’m wondering is whether or not -- This
equipment appears to be floating in the sea, maybe hanging by
cables or something, but does it ever attach? Does it ever sit
on the bottom or anything? I mean, it definitely -- Or is part
of it sitting on the bottom and regulating it, and I just don’t
know what the full mechanism of this thing is, and it’s only
doing -- I guess it’s a directed fishery, and you’ve got to see
the lionfish in order to catch it, and that’s going to be a lot
to do. Thank you.

CHAIRMAN FRAZER: Ms. Gerhart.

MS. GERHART: We were contacted by this group to find out what
they needed to do to be able to use it, and we saw something
similar to this, and Mr. Bruce McCormick came, and he had a
remotely-operated vehicle, where he was suctioning the lionfish,
and this is very similar. It’s a remotely-operated vehicle from
a vessel at the surface, and it has a tether, and it comes down,
and, instead of, however, being completely suction, it has the
spear, and there are a couple of laser beams that allow them to
judge the distance from the fish.

They need to be between two and four feet from the fish, and then it spears it, and then the spear pulls it back into the ROV. When they are full in the ROV, they come back to the surface, and they empty it out, but there’s a person at the surface on the vessel that is controlling that remotely-operated vehicle, and so it doesn’t sit on the bottom. It is tethered to the boat, but it’s moving around.

CHAIRMAN FRAZER: Tim.

MR. GRINER: Do you have an update on how Bruce did, or is he still operating? Whatever happened to that?

CHAIRMAN FRAZER: Ms. Gerhart.

MS. GERHART: I have heard from him occasionally, I don’t think in a while, and I know he was trying to do some testing still, but I don’t think he was actually out in the open yet testing this. To follow-up on that, this group has been using this in the Bahamas successfully.

CHAIRMAN FRAZER: I just want to circle back to Mara real quick. I appreciate the counsel there, and, if there are some strong objections, they need to be voiced sooner than later. My question, at this point, is when is the time stamp on this? It’s ninety days from -- When did they make this request? Was it March 18?

EXECUTIVE DIRECTOR SIMMONS: March 18, 2019.

CHAIRMAN FRAZER: Okay, and so I think we will just barely squeak in under that, but I’m not sure -- Unless there is some serious objections, we’ll probably just let it roll through. Kevin.

MR. ANSON: There was some discussion, I think last time that they brought this forward, or the previous, Mr. McCormick, and so, if the gear is approved for the harvest of lionfish and the sale, there is -- Anyone can go out and acquire this type of gear, as long as it meets the specifications that you might outline, and they don’t need a permit or anything for sale of lionfish, since it’s not a managed species, and is that correct?

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Last time, with the other proposal, there was a lot
of discussion about the council either recommending that it be prohibited or approved, right, and so added to the list of fisheries and approved gear, and, ultimately, the council decided not to make a recommendation about prohibiting or approval, and so, ultimately, the agency would need to decide, and what happened was the agency decided not to add it to the list of gears at this time, but, basically, that meant that the person who gave the notice was allowed to go out and use it after the ninety days, and so, in the same way, if you add it to the list of fisheries as an approved gear, then anybody in I guess what we would call a non-FMP lionfish fishery, this would be an approved gear under that fishery.

We don’t have that now in the table, but we would add it, and then you’re right that anybody with this particular gear, however it was described, would be able to use it. If we do nothing, then this particular person or group that gave notice would be able to use their gear after the ninety days, but it wouldn’t be an approved gear for some lionfish fishery.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mara, just for clarification, again, if the council did want to disallow it, what is the process, again? They would make a motion for that, and I would notify the applicants, and then that’s it?

MS. LEVY: Well, so, I think we would have to do a couple of things. The council could vote for the -- Ask the agency to publish an emergency rule to prohibit the gear, because, right now, it’s not prohibited, and so, if you want to prohibit it, we have to find a way to prohibit it. We have to add it to a list of prohibited gear, and so that would require some sort of council action, and the regulations contemplate that the agency could take emergency action to prohibit it while the council develops some other prohibition, general prohibition.

CHAIRMAN FRAZER: Is there any additional discussion? Kevin.

MR. ANSON: I don’t mind the gear so much, but I guess I’m just looking at a way that, if more people want to get involved, as to how to keep track of them or regulate them or give them guidance and that type of thing, and so I don’t necessarily want to stop this particular group, but, programmatically or such, if we need to, we might want to, if we’re going to contemplate going to some sort of FMP which specifies it’s just for lionfish and maybe identifies a couple of different gears or something, and I don’t know, and that’s kind of what I’m trying to
reconcile, is what would be, long-term, what will be the best vehicle to handle this request as well as future requests that might come up.

CHAIRMAN FRAZER: Sure, and I appreciate that, and I guess, if we just let it roll forward, then it doesn’t give a blank slate for anybody else to come into the fishery. What I don’t understand at this point is whether or not there will be any data generated or information collected that would allow us in the future to evaluate that, and that’s a bit of a concern, I guess. Ms. Guyas.

MS. GUYAS: If this individual, or the other individual, is going to be selling the lionfish that they harvest, at least in Florida, they’re going to have to have a commercial license, and they’re going to have to write up trip tickets, and so we already have this happening with other gears, and so there’s that, but, I mean, I don’t know that I really want to do a lionfish FMP for the Gulf of Mexico. Mara and Roy clearly want to jump in on that as well.

CHAIRMAN FRAZER: I am going to first go to Dr. Stunz and then Dr. Crabtree.

DR. STUNZ: I mean, I would support this device. Also, Kevin, if this helps, the barriers to entry here are pretty high. Those devices, those ROVs, you’re probably looking at no less than $150,000 and then whatever modifications and R&D and the vessel that you need to operate that off of, and it’s not something that -- It’s pretty expensive to get into.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: We are looking at possibly allowing some gears as non-FMP gear for lionfish, and I don’t think an FMP is appropriate, because that’s generally for conservation, and this isn’t -- We don’t want to conserve lionfish.

I think our main concern with this is we don’t want habitat damage, and we don’t want a lot of bycatch, but this gear, to me, appears to be pretty bycatch free, and so, at any rate, I don’t think the FMP route is appropriate, but we are looking at the potential for modifications to the list of allowable gear for a non-FMP lionfish fishery.
FMP, and I agree that we don’t need to do that, necessarily, but, to the extent that we have a lot of interest from various folks, various stakeholders and just private citizens that are concerned about the environment and concerned about lionfish and what it would do to the environment, it’s to -- How to promote this and make sure that the public is aware that these type of activities are going on and that there are potential solutions that are -- That people are offering and such, and that there is an avenue, through some process that can be identified, and that’s more outreach, I guess, and an FMP, certainly, would -- As we work toward one, if we were to do one, that would certainly bring a lot of interest and such, and outreach, but that’s all. If there’s a way -- If you don’t have a lionfish page, potentially, on the EFP portion of your website, maybe to have something like that, and, again, just get the word out.

CHAIRMAN FRAZER: Okay. What’s the pleasure of the committee here? Does anybody have any strong objections at this time? Seeing none, we’ll revisit this at the June meeting, briefly, but I think we’re probably going to let it roll. Okay. We may or may not revisit it, unless somebody brings some strong objections to the table. All right, and so we had two other items of business, and I think we’ll go -- Martha, you had blackfin tuna?

BLACKFIN TUNA DISCUSSION

MS. GUYAS: Yes, and so I wanted to let folks know, particularly fishermen that are either in the room or listening to the meeting, that our agency has gotten a lot of comments, really over the past several years, about blackfin tuna, particularly in the Keys and southeast Florida, and people feel like they are catching fewer and smaller blackfin tuna, and there is people taking large quantities of them at the same time, because it is an unregulated fishery, which, in Florida, means that you can either have two fish or a hundred pounds, whichever is greater, and so that’s a lot of fish per person, and that’s recreationally.

Anyway, we’re going to be hosting some public workshops on this topic, to get feedback from people and observations, and the first one is coming up on April 8 in Destin, and there’s also one in St. Pete on April 16, and then we’ve got a couple in the Keys, one in Key West on May 7 and then Islamorada on May 8. If you go to our website, you can find more information, or just contact me, and I can forward it to you, but we also have an online portal, where people can submit comments, and that’s at myfwc.com/saltwatercomments, and so that’s all I’ve got on that.
CHAIRMAN FRAZER: All right. Thank you, Martha. Any comments or questions? Susan Boggs.

MS. BOGGS: I just wanted to comment too that, before I came to this meeting, I had a couple of captains that reached out to me and said, specifically, there was an issue with the blackfin as well as the yellowfin tuna off of Alabama.

CHAIRMAN FRAZER: Okay, and so you’re going to report back after those meetings, Martha?

MS. GUYAS: I can. I think our plan is that we’ll have these public meetings, and this will probably come before our commission, and I think maybe like this summer, and that would be the soonest, and then they will figure out what, if anything, they would like to do, and so just to remind everybody that blackfin tuna is not regulated by NOAA HMS, and so the state has the ability to regulate in state and adjacent federal waters.

CHAIRMAN FRAZER: Thank you for that update. Another item on -- Shannon, I’m sorry.

DR. CALAY: But I do believe that blacktip is included in the list of small tuna species managed by ICCAT.

CHAIRMAN FRAZER: A clarification. Did you mean blackfin?

DR. CALAY: Blackfin and yellowfin.

CHAIRMAN FRAZER: Okay. Thank you for that clarification. Dale, you wanted to talk a little bit about the ACT for the charter/for-hire sector in red snapper?

CHARTER/FOR-HIRE ACT DISCUSSION

MR. DIAZ: What I would like to happen, and hopefully we can just discuss this and put it on the agenda, but I would like to get the staff to take the document that we passed last year and update it and bring it to us at the June meeting, where we can review that document and discuss it at the June meeting for potentially doing something else to eliminate the problem with the ACT for the charter/for-hire. If we can just put that on the meeting, that would be great. If it takes a motion, just let me know, and I will do that.

CHAIRMAN FRAZER: Dr. Simmons.
EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I think a motion would be great for us, if you could.

MR. DIAZ: I had sent you a motion, I think a couple of days ago, Ms. Roy.

CHAIRMAN FRAZER: Dale, do you want to read that?

MR. DIAZ: Sure. It says to start a document to fix the for-hire component buffer between its ACT and ACL at 9 percent, based on the council’s ACL/ACT control rule. Actually, have staff re-run that rule and make sure that 9 percent is still accurate and update that document. I would like this to happen in June, and I could add to start a document to bring to the June meeting. There you go. That’s my motion, Mr. Chair.

CHAIRMAN FRAZER: Before we get into discussion, do we have a second for this motion? Susan Boggs seconded. Is there discussion? Susan.

MS. BOGGS: Dale, do we need to add red snapper somewhere in there?

MR. DIAZ: Yes, ma’am, we do. Thank you, Susan. I guess between “components” and “buffer”, add “red snapper”. Thank you, Susan.

CHAIRMAN FRAZER: Susan.

MS. BOGGS: I am wordsmithing, and so meaning to modify the for-hire red snapper component’s buffer, and maybe that would be better, to put the “red snapper” with the “for-hire”, so we know who we’re working with here.

MR. DIAZ: That’s fine.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Mara, in our other documents, generally favor is given for multiple alternatives, and this makes it look like there is just going to be one alternative, staying at the status quo, for this coming year at least.

CHAIRMAN FRAZER: Mr. Diaz, to that point?

MR. DIAZ: I believe the document that they brought to us had other alternatives in it, and I’m pretty sure. I haven’t looked at it in quite a while, but I believe it had some other
alternatives in it, and so if they would just update that
document and bring it back to us in an updated form, and so what
I would hope to do is I would hope that we would at least look
at this and address this before the charter/for-hire season next
year, which they generally start fishing on June 1, and so, if
we can at least take it up in June and look at it, and, if we’ve
got any problems, deal with it. Then, from the June meeting, if
it moves forward, we could figure out what kind of timeline to
move it forward. Thank you.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Just be aware -- I mean, you’re going to have to
look at this in the context of the overall recreational quota
and the overall recreational harvest, and so, in order to do
this in a defensible way, you may have to get into the private
component buffer and how we’re dealing with that, and a lot of
it is going to depend on how the states do this year.

The other complication with all of this is going to be the
calibrations and the rest of it, and so I’m sympathetic to the
desire to keep this buffer -- I guess it’s at 9 percent now, but
it’s a complicated issue, and we’re going to have to be careful
with it.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: To that point, Dale, and I’m going to support your
motion, and I want to get these discussions out on the table,
because I certainly am a proponent of reducing buffers, and so
don’t get me wrong, but, at the same time, we have a lot of
things happening with -- We’ve got the data reporting looming
here, and it looks like it will be after this season, but the
following year, and that’s certainly going to incentivize at
least some people to maximize that catch, and I guess that won’t
matter whether there is a buffer or not, essentially, but
there’s a lot of moving parts here, but I think this does open
the door to begin discussing that and at least -- I am more than
a little concerned, sort of, about a race for the fish in this
industry when documenting your catch becomes advantageous.
Anyway, I just want to make sure we sort of get that on the
record.

CHAIRMAN FRAZER: Thank you, Dr. Stunz. Dale.

MR. DIAZ: Thank you, Dr. Stunz and Dr. Crabtree, and I have
those same concerns, and my intention here is definitely not to
disadvantage or harm anyone, and I just want us to look at this
and try to come up with the most -- With the fairest outcome
that we can, and I think the points that you all raised are very
valid, and we need to work through those, and so thank you.

CHAIRMAN FRAZER: Is there any further discussion on the motion?
Seeing none, is there any opposition to the motion? The motion
carries. At this point, I want to know if there is any other
business to take care of. Mr. Swindell.

MR. SWINDELL: You mentioned a while ago, or Carrie mentioned,
about writing a letter to the Coast Guard about asking for
reporting to the Southeast Science Center, and does that need a
motion, or can you do that just -- I would like to have it done
and about fishery reporting too, the Southeast Science Center,
the fish that they’re getting anywhere in the Gulf, not just the
Texas area, but anywhere in the Gulf that they catch fish, they
ought to report it at least to the Southeast Science Center.

CHAIRMAN FRAZER: I am going to kick this over to Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I was trying
to find -- Maybe Ava can find it in the file, when we sent the
letter, but I believe the request was for the interdictions --
It was to the Coast Guard, and it was for the interdictions of
red snapper and the estimated sizes of those fish by year that
were interdicted goes to the Science Center, so that they can
include that in the assessment, because, before, the size of the
fish was not available, and maybe somebody back there could pull
up the date that we sent that letter, but we have sent that.
Regarding other interdictions, I don’t think that letter
addressed those.

CHAIRMAN FRAZER: Lieutenant.

LT. ZANOWICZ: Thank you, Mr. Chairman. Part of the Coast
Guard’s response to that letter was a presentation that I did at
a previous meeting, which included the catch we have recovered
from lanchas as well as the weight. As I mentioned in my
update, we are planning on going ahead to continue weighing the
catch we recover from the lanchas and continue counting the
number of fish.

What I will say though is that anything beyond that is putting a
burden on the Coast Guard and is probably outside of what we
perceive as being expected of us, and so, if there’s an intent
to provide more details beyond that information, we would be
asking for support from another agency to do that, and I’m
thinking specifically of measuring individual fish or any other
data that might be needed.

Then, just in response to -- In terms of interdictions from other areas of the Gulf, aside from the southwest border, any time we have a fisheries case, unless we’re partnered with another agency, for example NOAA or a state agency, at which point we might turn it over to them, but, if it’s specifically the Coast Guard, we do a full case package, including the total number of catch that was recovered in that case package, and we send it to NOAA for prosecution, and so that data is being transmitted to them already.

On the southwest border, it’s a little different, because we’re talking about foreign citizens, and so those case packages don’t go to NOAA for prosecution. Those case packages get sent through our Headquarters to the Mexican Embassy, and we rely on Mexico to prosecute those individuals.

CHAIRMAN FRAZER: Ed, is that sufficient information for you? All right. Is there any further -- John Froeschke.

DR. FROESCHKE: I found the letter. We sent it last July 17, and I can -- I will send it to Carrie, if you guys want to look at it.

CHAIRMAN FRAZER: Thank you. Is there any other business? All right. Seeing none, can I get a motion to adjourn the meeting? It’s moved and seconded. You guys have a nice, safe travel home.

(Whereupon, the meeting adjourned on April 4, 2019.)