

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 269TH MEETING

4
5 FULL COUNCIL SESSION

6
7 Key West Marriott Beachside Hotel Key West, Florida

8
9 JUNE 20-21, 2018

10
11 **VOTING MEMBERS**

12 Kevin Anson (designee for Scott Bannon).....Alabama
13 Patrick Banks.....Louisiana
14 Leann Bosarge.....Mississippi
15 Doug Boyd.....Texas
16 Roy Crabtree.....NMFS
17 Dale Diaz.....Mississippi
18 Phil Dyskow.....Florida
19 Tom Frazer.....Florida
20 Johnny Greene.....Alabama
21 Martha Guyas (designee for Jessica McCawley).....Florida
22 Campo Matens.....Louisiana
23 Paul Mickle (designee for Joe Spraggins).....Mississippi
24 Robin Riechers.....Texas
25 John Sanchez.....Florida
26 Bob Shipp.....Alabama
27 Greg Stunz.....Texas
28 Ed Swindell.....Louisiana

29
30 **NON-VOTING MEMBERS**

31 Glenn Constant.....USFWS
32 Dave Donaldson.....GSMFC
33 Lt Mark Zanowicz.....USCG

34
35 **STAFF**

36 Steven Atran.....Senior Fishery Biologist
37 Matt Freeman.....Economist
38 Douglas Gregory.....Executive Director
39 Morgan Kilgour.....Fishery Biologist
40 Ava Lasseter.....Anthropologist
41 Mara Levy.....NOAA General Counsel
42 Emily Muehlstein.....Public Information Officer
43 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
44 Bernadine Roy.....Office Manager
45 Charlotte Schiaffo.....Administrative & Human Resources Assistant
46 Carrie Simmons.....Deputy Director

47
48 **OTHER PARTICIPANTS**

1 Carlos Alegria.....Corpus Christi, TX
2 Susan Boggs.....Orange Beach, AL
3 Shane Bonnot.....CCA, Lake Jackson, TX
4 Eric Brazer.....Reef Fish Shareholders Alliance
5 Dan Buckley.....Reef Fish Shareholders Alliance
6 Shannon Cass-Calay.....SEFSC
7 Jason Delacruz.....FL
8 Kendall Dix.....Gulf Restoration Network
9 Michael Drexler.....Ocean Conservancy, St. Petersburg, FL
10 Traci Floyd.....MDMR
11 Brad Gentner.....
12 Susan Gerhart.....NMFS
13 Buddy Guindon.....Galveston, TX
14 Dylan Hubbard.....FL
15 Mike Jennings.....Freeport, TX
16 Alison Johnson.....Oceana
17 Bill Kelly.....FKCFA
18 Scott Hickman.....Galveston, TX
19 Walter Hoppe.....USCG
20 Lawrence Marino.....LA
21 Bruce McCormack.....Lionfish International
22 Bart Niquet.....Lynn Haven, FL
23 Chris Niquet.....Panama City, FL
24 Captain Scott Pearce.....FL
25 Clay Porch.....SEFSC
26 Eric Raslich.....Key West, FL
27 Lance Robinson.....TX
28 Ashford Rosenberg.....Reef Fish Shareholders Alliance
29 Crystal Stein.....Woods Hole Group
30 Deidre Warner-Kramer.....Department of State
31 Abby Webster.....Freeport, TX
32 Wayne Werner.....Alachua, FL
33 Tom Wheatley.....Pew Charitable Trusts, Tampa, FL
34 Johnny Williams.....Galveston, TX
35 Jim Zurbrick.....Steinhatchee, FL

- - -

38

TABLE OF CONTENTS

1
2
3 Table of Contents.....3
4
5 Table of Motions.....4
6
7 Call to Order, Announcements, and Introductions.....7
8
9 Adoption of Agenda and Approval of Minutes.....9
10
11 Presentations.....9
12 Western and Central Atlantic Fishery Commission Overview...9
13 Florida Law Enforcement Presentation.....27
14 Six-Month Update on Lionfish Harvesting by Lionfish
15 International.....34
16
17 Public Comment.....38
18
19 Committee Reports.....71
20 Mackerel Committee Report.....71
21 Sustainable Fisheries Committee Report.....87
22 Reef Fish Committee Report.....107
23 Gulf SEDAR Committee Report.....137
24 Coral Committee Report.....139
25 Spiny Lobster Committee Report.....156
26 Ecosystem Committee Report.....161
27 Outreach and Education Committee Report.....161
28
29 Reef Fish AP, Shrimp AP, and SSC Appointments.....162
30
31 Supporting Agencies Updates.....164
32 Gulf States Marine Fisheries Commission.....164
33 U.S. Coast Guard.....164
34 U.S. Fish and Wildlife Service.....166
35
36 Other Business.....166
37 Remarks by Executive Director Gregory.....166
38
39 Adjournment.....167
40
41

- - -

TABLE OF MOTIONS

1
2
3 [PAGE 73](#): Motion to approve CMP Amendment 31 and that it be
4 forwarded to the Secretary of Commerce for review and
5 implementation, and deem the codified text as necessary and
6 appropriate, giving staff editorial license to make the
7 necessary changes in the document. The Council Chair is given
8 the authority to deem any changes to the codified text as
9 necessary and appropriate. [The motion carried on page 76.](#)

10
11 [PAGE 77](#): Motion in Action 2 to select Alternative 2 and
12 Alternative 3, Option 3a as preferred alternatives. [The motion](#)
13 [carried on page 83.](#)

14
15 [PAGE 95](#): Motion to approve Amendment 49, Modifications to the
16 Sea Turtle Release Gear and Framework Procedure for the Reef
17 Fish Fishery, and that it be forwarded to the Secretary of
18 Commerce for review and implementation, and deem the codified
19 text as necessary and appropriate, giving staff editorial
20 license to make the necessary changes in the document and
21 codified text. The Council Chair is given the authority to deem
22 any changes to the codified text as necessary and appropriate.
23 [The motion carried on page 97.](#)

24
25 [PAGE 98](#): Motion in Action 1 to remove Option 2d and to remove
26 Action 2 from the document. [The motion carried on page 98.](#)

27
28 [PAGE 108](#): Motion to direct staff to develop a framework action
29 to adjust the ACL for Gulf hogfish. [The motion carried on page](#)
30 [108.](#)

31
32 [PAGE 110](#): Motion to direct staff to begin a plan amendment to
33 establish status determination criteria, management reference
34 points, and catch levels for gray snapper. [The motion carried](#)
35 [on page 110.](#)

36
37 [PAGE 111](#): Motion to direct staff to begin working on a
38 framework action to adjust the catch levels for red snapper.
39 [The motion carried on page 111.](#)

40
41 [PAGE 111](#): Motion in Action 1 to change the preferred
42 alternative to Alternative 2. [The motion failed on page 116.](#)

43
44 [PAGE 118](#): Motion in Action 1 to remove the following sentence
45 in Alternatives 2 and 4: "The state management plan will end
46 when the separate private angling and federal for-hire ACLs
47 expire (currently 2022)." And to add this sentence: "The sunset
48 provision of 2022 in Amendment 45 is removed." [The motion](#)

1 [carried on page 120.](#)
2
3 [PAGE 120:](#) Motion in Action 2 to make Alternative 6 the
4 preferred alternative. [The motion carried on page 130.](#)
5
6 [PAGE 131:](#) Motion in Action 1 of the Texas amendment to make
7 Alternative 2, Options 2a through 2e and Option 2g the
8 preferred. [The motion carried on page 131.](#)
9
10 [PAGE 131:](#) Motion to direct staff to provide a side-by-side
11 evaluation of the existing Gulf Council allocation policy versus
12 the NMFS procedural directive in 01-119-01 and 01-119-02. [The](#)
13 [motion carried on page 132.](#)
14
15 [PAGE 133:](#) Motion in Action 1 to make Alternative 3 the
16 preferred alternative. [The motion carried on page 133.](#)
17
18 [PAGE 134:](#) Motion in Action 1 to make Alternative 4 the
19 preferred alternative. [The motion carried on page 135.](#)
20
21 [PAGE 142:](#) Motion in Action 5 to make Alternatives 2 and 3,
22 Option b the preferred. [The motion carried on page 146.](#)
23
24 [PAGE 147:](#) Motion to approve Amendment 9, Coral Habitat Areas
25 Considered for Management in the Gulf of Mexico, and that it be
26 forwarded to the Secretary of Commerce for review and
27 implementation, and deem the codified text as necessary and
28 appropriate, giving staff editorial license to make the
29 necessary changes in the document. The Council Chair is given
30 the authority to deem any changes to the codified text as
31 necessary and appropriate. [The motion carried on page 150.](#)
32
33 [PAGE 150:](#) Motion that the council requests that HMS implement
34 consistent regulations with those of Coral Amendment 9. [The](#)
35 [motion carried on page 151.](#)
36
37 [PAGE 153:](#) Motion to direct staff to develop a framework action
38 to evaluate the definition of fishing in coral HAPC areas with
39 regulations. [The motion carried on page 153.](#)
40
41 [PAGE 156:](#) Motion in Action 1 to make Alternative 2 the
42 preferred alternative. [The motion carried on page 156.](#)
43
44 [PAGE 156:](#) Motion in Action 2 to make Alternatives 2 and 3 the
45 preferred alternatives. [The motion carried on page 156.](#)
46
47 [PAGE 157:](#) Motion in Action 3 to make Alternative 1 the
48 preferred alternative and move Action 3 to Considered but

1 Rejected. [The motion carried on page 157.](#)
2
3 [PAGE 157:](#) Motion to move Action 4 to Considered but Rejected.
4 [The motion carried on page 157.](#)
5
6 [PAGE 158:](#) Motion in Action 5 to make Alternative 2 as amended
7 by the committee the preferred alternative. [The motion carried](#)
8 [on page 158.](#)
9
10 [PAGE 158:](#) Motion to approve Spiny Lobster Amendment 13 for
11 public hearings. [The motion carried on page 158.](#)
12
13 [PAGE 161:](#) Motion to adopt the council's outreach plan on the
14 use of venting tools and descending devices policy. [The motion](#)
15 [carried on page 161.](#)
16
17 [PAGE 162:](#) Motion to have staff work with GSMFC to develop a
18 meeting of scientists, agency personnel, and stakeholders to
19 develop an action plan that includes information dissemination
20 and science and monitoring needs that ensure the policy purpose
21 and objectives are both measurable and successful. [The motion](#)
22 [carried on page 162.](#)
23
24 - - -
25

1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened at the Key West Marriott Beachside Hotel, Key
3 West, Florida, Wednesday afternoon, June 20, 2018, and was
4 called to order by Chairman Leann Bosarge.

5
6 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**

7
8 **CHAIRMAN LEANN BOSARGE:** I am going to go ahead and read the
9 Chairman's opening statement, and then we'll take care of a few
10 items. Welcome to the 269th meeting of the Gulf Council. My
11 name is Leann Bosarge, Chair of the Council. If you have a cell
12 phone, pager, or similar device, we ask that you keep them on
13 silent or vibrating mode during the meeting. Also, in order for
14 all to be able to hear during the proceedings, we ask that you
15 please have any private conversations outside the meeting room.

16
17 The Gulf Council is one of eight regional councils established
18 in 1976 by the Fishery Conservation and Management Act, known
19 today as the Magnuson-Stevens Act. The council's purpose is to
20 serve as a deliberative body to advise the Secretary of Commerce
21 on fishery management measures in the federal waters of the Gulf
22 of Mexico. These measures help ensure that fishery resources in
23 the Gulf are sustained, while providing the best overall benefit
24 to the nation.

25
26 The council has seventeen voting members, eleven of whom are
27 appointed by the Secretary of Commerce and include individuals
28 from a range of geographical areas in the Gulf of Mexico with
29 experience in various aspects of fisheries.

30
31 The membership also includes the five state fishery managers
32 from each Gulf state and the Regional Administrator from NOAA's
33 Southeast Fisheries Service, as well as several non-voting
34 members.

35
36 Public input is a vital part of the council's deliberative
37 process, and comments, both oral and written, are accepted and
38 considered by the council throughout the process. Anyone
39 wishing to speak during public comment should sign in at the
40 registration kiosk located at the entrance to the meeting room.
41 We do accept only one registration per person. A digital
42 recording is used for the public record. Therefore, for the
43 purpose of voice identification, each person at the table is
44 requested to identify him or herself, starting on my left.

45
46 **MR. JOHNNY GREENE:** Johnny Greene, Alabama.

47
48 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine

1 Fisheries Commission.
2
3 **MR. KEVIN ANSON:** Kevin Anson, Alabama.
4
5 **DR. BOB SHIPP:** Bob Shipp, Alabama.
6
7 **MR. CAMPO MATENS:** Camp Matens, Louisiana.
8
9 **MR. PATRICK BANKS:** Patrick Banks, Louisiana.
10
11 **DR. TOM FRAZER:** Tom Frazer, Florida.
12
13 **MR. JOHN SANCHEZ:** John Sanchez, Florida.
14
15 **MR. PHIL DYSKOW:** Phil Dyskow, Florida.
16
17 **MS. MARTHA GUYAS:** Martha Guyas, Florida.
18
19 **MR. GLENN CONSTANT:** Glenn Constant, U.S. Fish and Wildlife
20 Service.
21
22 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.
23
24 **MS. SUSAN GERHART:** Susan Gerhart, NOAA Fisheries.
25
26 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.
27
28 **DR. CLAY PORCH:** Clay Porch, NOAA Fisheries.
29
30 **MR. ROBIN RIECHERS:** Robin Riechers, Texas.
31
32 **MR. DOUG BOYD:** Doug Boyd, Texas.
33
34 **DR. GREG STUNZ:** Greg Stunz, Texas.
35
36 **DR. PAUL MICKLE:** Paul Mickle, Mississippi.
37
38 **MR. DALE DIAZ:** Dale Diaz, Mississippi.
39
40 **LT. MARK ZANOWICZ:** Mark Zanowicz, U.S. Coast Guard.
41
42 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** Doug Gregory, council
43 staff.
44
45 **MR. ED SWINDELL:** I'm Ed Swindell, and I'm on the webinar, but I
46 am a council member from Louisiana. Thank you.
47
48 **CHAIRMAN BOSARGE:** Thank you, Mr. Swindell. We appreciate it.

1 A couple of announcements before we get started. First, I hear,
2 via the Facebook grapevine, that today is Martha's birthday, and
3 so Happy Birthday, Martha. We know you tried to keep it a
4 secret.

5
6 Then we have been celebrating three very special gentlemen this
7 week. We had a nice little party for them last night and said
8 all sorts of very sweet things about them, but I would like them
9 to formally come up to the front now, because we have a special
10 gift to honor all your years of service with the Gulf Council,
11 and so I would like Mr. Camp Matens, Mr. Johnny Greene, and Mr.
12 Doug Gregory to meet me in the front, please.

13
14 (Whereupon, a presentation was made to Mr. Matens, Mr. Greene,
15 and Mr. Gregory.)

16
17 **EXECUTIVE DIRECTOR GREGORY:** On behalf of all of us, we thank
18 you for last night. That was great. (Applause)

19
20 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

21
22 **CHAIRMAN BOSARGE:** All right. Now back to our formal agenda.
23 The agenda for Full Council can be found under Tab A, Number 3
24 and 4, and were there any changes or additions to the agenda
25 that needed to be made? All right. Seeing none, the agenda is
26 approved as presented.

27
28 The minutes from our last meeting, and that's Tab A, Number 4 --
29 Do we need to change "Mary" to "Mara" there as well? Okay.
30 Please note that it's "Mara Levy" anywhere it's stated, instead
31 of "Mary". With that change, were there any other amendments to
32 our minutes? Seeing none, the minutes are approved as amended.

33
34 That will bring us to our presentations, and we have several
35 today. The first presentation on our list will be a
36 Presentation on the Western and Central Atlantic Fishery
37 Commission, Overview and Strategic Reorientation Process, and so
38 Ms. Warner-Kramer, I believe, is with us, and, guys, this is
39 actually the U.S. Department of State Representative that you
40 always see on our agenda as a liaison, and so we are very
41 honored to have her with us today, and so, please, come forward.
42 Thank you for being here. We are excited to see you.

43
44 **PRESENTATIONS**

45 **WESTERN AND CENTRAL ATLANTIC FISHERY COMMISSION - OVERVIEW AND**
46 **STRATEGIC REORIENTATION PROCESS**

47
48 **MS. DEIDRE WARNER-KRAMER:** Thanks. I am really excited to be

1 here as well. I know that, technically, David Hogan, my
2 colleague, is your representative, and I am his designee, but
3 I'm not sure that either of us has come to a council meeting in
4 a long, long time, and so I'm happy to be here.

5
6 I wanted to do this presentation, but I know, also, technically,
7 we're on the agenda tomorrow to present the agency updates, and
8 so, when I finish this, I will throw out one related, but not
9 exactly the same, issue early, since I'm not going to be here
10 tomorrow.

11
12 Let me launch into this. I hope that folks have had a chance to
13 take a look at the one-page sort of information background
14 document that we also provided, which gives a little bit more
15 context, and apologies in advance to Dale, who has heard this
16 presentation once already, but we'll try to get through this and
17 see what we will be doing down in the Caribbean for the next
18 stretch of years that we can't even say.

19
20 Folks have probably seen this map before, because everybody
21 always likes to show it to demonstrate that, over the last
22 twenty-five years, the world has been covered with an alphabet
23 soup of different international organizations that are designed
24 to help countries get together and cooperate to manage all of
25 the shared marine fisheries that are out there.

26
27 A number of the ones that you will see here on this map are
28 science bodies, primarily, and some of them are for small
29 regions, or bilateral, including agreements and organizations
30 that we have just between us and Canada. Some of them are what
31 we call full-fledged regional fisheries management
32 organizations.

33
34 In this council, the one that you would have had the most
35 information and overlap with would be ICCAT, which manages the
36 tunas and highly-migratory species in the Atlantic, but these
37 are organizations that bring countries together so that they can
38 do the cooperative science to figure out how to manage the
39 resources and then actually develop and adopt binding
40 conservation and management measures that countries have to go
41 home and implement. They are legally bound to do it, and, if
42 they don't, the organizations also have some compliance tools in
43 place to try to correct the behavior of those members that
44 aren't doing what they're supposed to do.

45
46 Then the last cluster are a group of bodies that are under the
47 umbrella of the UN Food and Agricultural Organization, known as
48 FAO, for short. FAO is the global body that has the expertise

1 and the ability to bring countries together to really talk about
2 fisheries and aquaculture management issues at the global level,
3 and so, through FAO, countries develop binding international
4 treaties, like the Port State Measures Agreement, which is the
5 most recent one, but also a whole range of international
6 standards and guidelines that are negotiated to try to get all
7 of the countries of the world on a good standard for these
8 management issues.

9
10 One of those bodies that are underneath that FAO umbrella, and,
11 again, they are different than the RFMOs, the regional fisheries
12 management organizations, in that they don't actually develop
13 binding conservation and management measures. They sort of act
14 as a policy clearinghouse and a place to develop advice and best
15 practices.

16
17 One of them is in the Caribbean. One of them is the Western and
18 Central Atlantic Fisheries Commission, and so this is one of
19 these regional bodies, and it's been in place for quite some
20 time, and you can see its mandate area is the area that's in
21 blue on the map. It includes, essentially, all of the countries
22 that are in the wider Caribbean region, and that stretches up
23 the coast of the United States even into the Western Atlantic
24 off of Cape Hatteras and then down off of Brazil, right around
25 the corner from Recife, but it includes all of the Gulf of
26 Mexico, all of the Caribbean, and about half of that part of the
27 Atlantic Ocean.

28
29 You can see the countries that are members of this. The United
30 States is a member, and has been from the beginning, as are all
31 of the countries of Central America, the northern part of South
32 America, the islands of the Caribbean, and a number of distant-
33 water states, a couple of whom are there because they have
34 different territories or departments in the wider Caribbean,
35 like France and the Netherlands, and others, like the EU and
36 Japan, who have an interest because they have distant-water
37 vessels that are fishing there.

38
39 WECAFC is an area that is overlap with this council and also the
40 South Atlantic Council and the Caribbean Council. This just is
41 to show you that WECAFC is an organization that has a number of
42 moving parts. The main things to understand this about this are
43 that the members themselves meet every couple of years and
44 generally make the decisions, and they make decisions on how to
45 better cooperate, on what might be some best practices or
46 actions that they can take collectively, but, again, none of
47 this is binding, and so countries can decide that they want to
48 endorse some sort of best practice for the queen conch fishery

1 in this forum, but then they go home and they have no obligation
2 to actually implement what was agreed with other countries.

3
4 That, having been said, under the commission, there are a number
5 of working groups that have been increasingly active in recent
6 years and doing a lot of really good work of bringing countries
7 together that don't otherwise sit around the table at the same
8 time to talk about some serious issues where there needs to be
9 coordination, either because they deal with stocks that are
10 transboundary, that move in and out of the region -- Like you
11 can see there are queen conch and spiny lobster working groups,
12 and flyingfish as well, and they're also dealing with some
13 fisheries policies issues, like the management of FADs and
14 combatting IUU fishing and helping to get better data and
15 management of recreational fisheries.

16
17 The U.S. has been pretty active in a number of these, and
18 through the Regional Center here in Florida as well as the
19 Science Center, has been involved in helping provide data and do
20 the science cooperation, and the Caribbean Council has also been
21 very directly involved in some of these working groups, because
22 a lot of the specific fisheries issues that are being talked
23 about there with the other islands in the Caribbean are, of
24 course, very much right in their backyard.

25
26 The other important thing to know is that FAO itself, which is
27 both an international organization of members, but also has a
28 secretariat that provides a lot of technical assistance and
29 support, especially for a lot of the small island countries in
30 the wider Caribbean that are still working on building their
31 capacity to do these things.

32
33 WECAFC has been thinking, off and on for quite some time, about
34 how it might strengthen its functions and make some decisions
35 about, ten or fifteen years ago, to try to clarify its ability
36 to at least do this sort of advisory, non-binding cooperative
37 work, but, in the last few years, there's been an increasing
38 recognition that, especially for some of the key transboundary
39 stocks, like conch, like lobster, like flyingfish, there are
40 huge differences in the management measures and the degree to
41 which there is actual management of the fishery to begin with.

42
43 Data collection and all those sorts of things are really
44 different from region to region within this broader area, and
45 there is an increasing sense that it would be good and the right
46 thing to do for WECAFC somehow to evolve into an organization
47 that can get countries around the table to make some kind of
48 more binding commitments and to work more closely together on

1 core management issues, where there is a common interest.

2
3 There is now a process that's coming to its close that has taken
4 a look at a whole lot of the sort of baseline questions involved
5 in making that kind of decision to turn WECAFC from this
6 advisory cooperative body into something in the future that will
7 have a little bit more teeth, and that reorientation process, as
8 it's called, led to the meeting in 2016, which was the last full
9 meeting of the commission, to decide that, okay, we're ready to
10 really think hard about starting this process, which was a big
11 step, if you can believe it, but this has been slow, but there
12 are still a number of really important baseline questions that
13 we'll need to get worked out.

14
15 Whatever this new, more binding, more tooth-like mechanism will
16 involve, one of the key questions is what area of the ocean will
17 it cover? As we mentioned, the existing area that is under
18 WECAFC's management stretches from Hatteras down to Brazil, and
19 it includes all of the Gulf of Mexico and all of the wider
20 Caribbean, and so will whatever this new successor form of this
21 organization -- Will it have the same mandate, or will it have
22 some kind of other geographic scope?

23
24 Within that area, there are a lot of regions that are under
25 national jurisdiction, but there's also a big corner of it
26 that's out on the high seas, and so will this organization only
27 really be doing this kind of cooperative, binding management for
28 those high-seas areas or will it have any role for fisheries
29 within countries' exclusive economic zones, if they are sort of
30 transboundary or something like that?

31
32 The other key thing to keep in mind is that the shelf areas in
33 this part of the ocean are fairly narrow, and a lot of this is
34 deep-sea regions, and so, even where there are not specific
35 coastal fisheries that may be shared within countries, there may
36 be a stronger interest in taking a look at some of the deep-sea
37 regions, and, in particular, there are a number of seamount
38 areas that, once you get out into the Atlantic part, that might
39 need some special attention, and so this will be one of the key
40 questions first.

41
42 **CHAIRMAN BOSARGE:** I'm sorry, but, before we get too far into
43 it, tell me again the relationship between WECAFC and the FAO.
44 I'm sorry, but I missed it, and I think you said it, but I
45 missed it.

46
47 **MS. WARNER-KRAMER:** Under the FAO as a global body, it has a
48 whole bunch of regional organizations that kind of fall under

1 its broader umbrella that split up the world into sub-regions,
2 where they bring those particular countries that are the FAO
3 members together just to talk about the region, and so WECAFC is
4 one of these regional bodies under the FAO umbrella.

5
6 One of the other key questions will be, if we set aside the
7 geography and instead you focus on the stocks, which are the
8 particular fish stocks where there may be the desire to have
9 some kind of cooperative, binding management in place? Would it
10 be for everything within that region? Would it be, as I
11 mentioned, only those ones on the high seas or the deep-sea
12 stocks? Would it be only the ones that are transboundary, or
13 would it be some set of that?

14
15 You can see here, listed, these are the top twelve or fifteen or
16 something like that, the top numbers, in terms of catch, on
17 average, in this region. The graph there shows who is catching
18 it, and you can see that lavender color, which is the biggest
19 part of the area, is the U.S. We are, without a doubt, the
20 biggest single harvester in the region, but, even beyond what
21 we're catching directly, a lot of what is being caught by others
22 is coming to us and our market through imports, especially if
23 you look at things like conch.

24
25 One of the key questions for us will be -- All of the stocks
26 that are here are ones that we have interest in. Some of them
27 are really only fished within our own exclusive economic zone,
28 and so would we want any international body to have any kind of
29 specific role in that? Others of them are much more clearly
30 transboundary, or they migrate through parts of the region,
31 where the management that is taken by one country can have a
32 distinct effect on the fisheries that are available to others,
33 including ourselves, and so we will need to think that through
34 as well.

35
36 There are a couple of arcane legal issues, but I can highlight
37 them now, which is you have the regional fisheries management
38 organizations, like ICCAT, that are basically independent
39 bodies. The countries come together, and they negotiate an
40 international treaty that says we agree to cooperate and set up
41 this mechanism and here is the legal mandate, in terms of
42 geography and stocks and all the rules on how we'll behave.

43
44 There are others that still are kind of under that FAO umbrella,
45 but they're a middle ground between what WECAFC is right now and
46 a full-fledged independent RFMO, and then there are others
47 where, essentially, the broader organization acts as a
48 coordinating mechanism, but then they have sub-bodies within it

1 that are the ones that actually do the individual discussions
2 and decisions on different kinds of management measures, and so
3 we need to think about what form this eventual process will look
4 like.

5
6 Will it be an independent RFMO? Will it be a stronger
7 mechanism, but still under that FAO umbrella, or one other thing
8 is to note that there are sub-bodies already existing in that
9 region. You have ICCAT, which has responsibility for the
10 highly-migratory species in that entire area, but then you have
11 OSPESCA that brings together the Central American countries, and
12 you have the CRFM, which is the Caribbean Regional Fisheries
13 Mechanism, and that is the fish part of CARICOM, which brings
14 together basically the English-speaking countries in the broader
15 Caribbean.

16
17 OSPESCA and CRFM, within their own process, have an ability to
18 adopt these binding conservation and management measures, at
19 least within their own memberships, and so would WECAFC
20 essentially build off of these existing mechanisms, but act as
21 more of a kind of a coordinator between them? That will have
22 implications, in terms of how much money it costs and how
23 complicated it is, and so all of this we'll have to think about
24 as well.

25
26 These are all of the big questions that we are wrestling with
27 right now, but the reason that I have come to you to let you
28 know about this is that we're getting to the point now that
29 we're going to have start making at least some initial
30 decisions.

31
32 We know that the next meeting of the full commission is going to
33 happen sometime early next year, and, before that, sometime
34 later this year, there will be the final meeting on this
35 reorientation process, and we expect that, coming out of that,
36 there will be a final decision about whether to launch
37 negotiations on whatever this evolution and new mechanism will
38 be, and so the United States -- Before we do any of that, the
39 first thing that we at the State Department have to do, before
40 we launch an international negotiation on anything, is we have
41 to make a formal decision that we're going to start negotiations
42 on something.

43
44 We are going to be starting that process this summer, and what
45 that will mean is deciding whether we really want to do this.
46 Do we want to start these negotiations? As part of that
47 process, identifying are there any absolute these are things we
48 really want to see this process lead to and, also, these are the

1 things that we really definitely don't want to see this process
2 lead to and setting up sort of basic outlines of what our
3 policies and priorities will be for everything that's in between
4 those two.

5
6 Then, once we get that final authority and decision in place to
7 actually kick off the negotiations, we will have to go and sit
8 down with the other countries and see what they think and then
9 see what that process will turn into, and so, again, the initial
10 thinking within State, and in coordination with our partners in
11 NOAA, but also heavily influenced and informed by outreach with
12 our stakeholders who really understand what the priorities are
13 in this region, and that all is going to really be kicking off
14 in the next few months.

15
16 Then, by the beginning of next year, we're going to have to be
17 in a position to at least make a decision of do we want to do
18 this or not and what are sort of the initial boundaries of what
19 we're trying to do here, and then we'll start the negotiations.
20 I will be leading that negotiation process, and I don't even
21 know how long it will take, and I just went through a process in
22 ICCAT to just try to amend the existing agreement that
23 established it, just some small tweaks, and that was six years
24 of negotiations, and so this is probably going to be really
25 settling in for the long haul.

26
27 Once we do finally come to some agreement on what this will all
28 be among all the countries, it will take some time then for
29 everybody to go through their process for it to actually enter
30 into force, and so anything that is coming out of this is going
31 to be a ways down the road, but it will be very important, as we
32 go along, to essentially be checking in on what our priorities
33 are and what matters.

34
35 The other key thing is that there are a lot of other countries
36 in the region who have different views on this, and some have
37 been really out in front, saying we really want an independent,
38 binding RFMO and we want a little mini-ICCAT for this region,
39 because there are too many of these fisheries that are not in
40 good shape, and they are shared among countries, and we have
41 just learned that you can't go at it alone.

42
43 Then there are others who are saying, hold on, we kind of like
44 things the way they are, and we are not members of these other
45 kinds of RFMOs, and we're not familiar with that mechanism, and
46 is this going to cost us money, or does this mean that it has to
47 have some kind of influence on our own domestic laws, and so
48 it's not even clear to me right now that we're going to be able

1 to make that final decision come January or February of next
2 year.

3
4 Again, I wanted to come and make sure that the council was aware
5 of this and also see if there are any initial thoughts and
6 feedback at this point. If folks aren't ready, because you're
7 just thinking about this, everybody has my contact information,
8 and I would very much appreciate and welcome any feedback that
9 anybody might have on especially on the issues of whether there
10 are specific stocks or fisheries that the council or that you,
11 in your roles that bring you to the council, are aware of, where
12 you can say, yes, in fact, there are issues we have with making
13 sure that essentially the other countries in the region are held
14 to our high standards when it comes to management and there is a
15 clear connection between what is happening in one part of this
16 region and what we are interested in or if there are ones that
17 you would like to make sure that we put behind that fence, where
18 we say, no way, no how, we don't want you to do anything with
19 this.

20
21 The Gulf, we know, is kind of special in this regard compared to
22 the area of the Caribbean and the South Atlantic Council, in
23 that so much of what happens here in the Gulf is relatively
24 self-contained or is shared between us and Mexico, and there is
25 tiny little high-seas parts right in the middle, but it's not
26 really quite the same situation, and so it was very important to
27 get the views from the stakeholders from where you come from as
28 well.

29
30 That is my presentation, and, if there is time, I am happy to
31 take some questions. If not, I will be here for the rest of the
32 afternoon, and I can talk to folks in the margins, or, again,
33 anything you want to send me by email afterwards, if you have
34 comments or thoughts, and I would very much appreciate it, since
35 we're so early in this process now.

36
37 **CHAIRMAN BOSARGE:** Thank you. That's very informative. Is
38 there feedback or questions from council members? Ms. Guyas.

39
40 **MS. GUYAS:** Thanks for being here. I am from the State of
41 Florida, and yes to all of this. I mean, regardless of where
42 this ends up, there are a lot of stocks that are in Florida or
43 downstream from some of these other countries in the Caribbean,
44 and so this really peaks our interest.

45
46 Spiny lobster, which we talked about this morning, we know that
47 a lot of our recruits are coming from outside of the United
48 States, and so any way that we can be a resource and be helpful

1 to you -- I mean, let's chat, because there is a lot of things
2 that are in Florida that sound like they will be affected by
3 this process.

4

5 **CHAIRMAN BOSARGE:** Mr. Riechers.

6

7 **MR. RIECHERS:** You may have been in the room yesterday
8 afternoon, and I'm Robin Riechers, and I'm with Texas, as I
9 indicated earlier, but we had a short discussion yesterday
10 afternoon regarding lancha incursions on the Texas/Mexico
11 border.

12

13 You're nodding your head, and I'm sure you are aware of this.
14 Obviously, it's of particular concern to Texas, and, again, just
15 reiterating that point, and Roy can certainly help fill in some
16 of the discussion we had yesterday, and it's an ongoing issue,
17 and you know about it, I'm sure, but, whatever we could do and
18 any help we can give you in documenting that and helping you
19 have that conversation, we stand at the ready to do that with
20 you, and so please let us know what we can do for you.

21

22 **CHAIRMAN BOSARGE:** Dr. Frazer.

23

24 **DR. FRAZER:** Thank you. The regional organization that you
25 represent, the members are all FAO members as well, right? So
26 there's a lot of countries, obviously, that are missing from
27 that kind of region, and are they allowed to become members, I
28 guess, of the regional organization even if they're not a member
29 of the parent organization?

30

31 **MS. WARNER-KRAMER:** In this region, pretty much all of the
32 countries that are geographically adjacent to that area are FAO
33 members and are WECAFC members, plus, and so, again, this
34 actually gets into another issue that I didn't get into, but one
35 of the other questions, as this all moves forward, is what will
36 the membership be?

37

38 Will all of the countries who are currently part of this more
39 formal advisory process also want to join whatever the new thing
40 is, and will countries that aren't here now, but maybe have
41 interest in fishing in this region, want to come in? Not
42 countries, but like Taiwan, who is not in FAO, but certainly is
43 a member of a number of different RFMOs, because they have a
44 major high-seas fishing fleet that fishes actually, we know, in
45 this region, and so this will be one of the bigger things down
46 the road, is also who will be eligible for membership beyond the
47 question of who will actually want to join or not.

48

1 **CHAIRMAN BOSARGE:** Lieutenant Commander.

2
3 **LT. ZANOWICZ:** Thank you for the presentation. I just wanted to
4 echo Mr. Riechers' points about Mexican lancha incursions. It's
5 also, obviously, a big deal for us in the Coast Guard. Any
6 information we can provide you on that, please let us know, if
7 that would be helpful.

8
9 One other thing I wanted to mention too is, with the way that
10 lancha cases are currently run, the individuals we interdict are
11 prosecuted for Magnuson-Stevens Act violations, which is a civil
12 violation, and then they are repatriated back to Mexico, but,
13 because of that process and the fact that it's a civil
14 violation, the U.S. government can't actually directly prosecute
15 these individuals. We have to rely on the Mexican government.

16
17 We give them the case packages and have them prosecute, and,
18 obviously, based on the amount of activity we're still seeing
19 down there, it doesn't seem like that's too much of a deterrent
20 or having really any impact on that activity, and so anything, I
21 think, we can do in the future, and maybe this is a good
22 mechanism, this body we have, maybe that's a good mechanism in
23 the future to come to sort of an agreement with Mexico on maybe
24 how we can better combat this issue, and so I definitely think
25 there is potential there.

26
27 **MS. WARNER-KRAMER:** Thanks. Yes, the lancha issue is certainly
28 a big deal, and, as I'm sure you're well aware, it has led to --
29 Twice now, I think, the United States has identified Mexico for
30 basically not doing a good enough job to control these vessels,
31 and the fact that, even though we're midway through that
32 identification cycle and we have heard all sorts of assurances
33 from Mexico that they are trying to do all they can, the numbers
34 are ticking up.

35
36 We're the ones who, through our Coast Guard colleague who is
37 stationed in our office, has the joy and pleasure of delivering
38 those case packages to the Mexican Embassy on a regular basis,
39 and it is something that is a major concern, and so I think that
40 we're really interested in figuring out what more we can do
41 about that. It's something that we have a piece of, and our
42 colleagues in NOAA, of course, have a piece of it, because
43 they're the ones who are responsible for that identification
44 process, but also there has got to be some other ways to work
45 with it as well. We sit down with Mexico all the time, and they
46 take it seriously, but, at the end of the day, we're not seeing
47 what we want to see on the water, and so that's a problem.

48

1 **CHAIRMAN BOSARGE:** Okay. I am going to play devil's advocate
2 for a minute, because I saw white shrimp and brown shrimp on
3 your list, right, and so that's kind of my wheelhouse. That's
4 what we do, and that, obviously, is a big fishery nationally. I
5 mean, we're usually in the top-five in this country, as far as
6 production dollars, and so we're right up there with the best of
7 them.

8
9 Now, it's not a highly-migratory species by any stretch of the
10 imagination. All of that production is right here on the shelf.
11 As far as the shrimp moving, they move inshore and offshore and
12 that type of thing, but nothing on the high seas or anything
13 like that. I can see where maybe there is a little overlap when
14 you get to a border between the U.S. and Mexico, but, even then,
15 that's very minor, right?

16
17 If the U.S. was to go down this road -- I guess what I'm
18 wondering is, if they say, yes, we want to do this and we're
19 all-in, at that point, can we decide what species are in and
20 what species are not, or do we have to be all-in or all-out, and
21 what does that mean for our domestic fisheries?

22
23 Really, I guess the bigger question is what could I expect, as
24 somebody that operates in that fishery? I mean, we're talking
25 about -- I guess there is going to be leaders from the EU and
26 from parts of Africa and all over the place starting to talk
27 about what we're doing in managing our shrimp fishery here in
28 the U.S., and what happens logistically when you get into this?

29
30 **MS. WARNER-KRAMER:** If there is a decision to launch
31 negotiations on this, to becoming some kind of binding
32 organization, whether it's an independent one or still that
33 half-in and half-out FAO, it's a negotiation on an international
34 agreement, and so that means that every country that's around
35 the table will then have a view on what geographic scope they
36 want and what species scope they want.

37
38 From the U.S. perspective, our general view going in on this,
39 and our general view when we approach these sorts of
40 negotiations that we've done over the last twenty-five years to
41 set up these mechanisms is we don't set up RFMOs that have a
42 mandate that cover things that are exclusively within our
43 jurisdiction. That's not the point.

44
45 The point is to bring together countries that each have an
46 interest in it, because it straddles into their zone or because
47 their vessels all fish on it at the same time, and so we would
48 almost certainly go in with an attitude that things that are

1 exclusively fished within our waters that are not really
2 transboundary with any of the other countries in the region and
3 that don't range out into the high seas -- There is no point in
4 cooperating on it, because that is our jurisdiction, and those
5 are our resources, and we decide how to manage them.

6
7 There can be maybe information sharing when it comes to science.
8 If there are similar fisheries that connected and that kind of
9 thing, it can sometimes be helpful and part of the process, but
10 that's the logistics of it, going in. At the end of the day,
11 the U.S. position is the U.S. position, and we will need to sit
12 around a table with a couple dozen other countries and come to
13 some kind of final agreement.

14
15 We carry a lot of sway, and we're good at this, but sometimes,
16 at the end of the day, we don't get what we want, and then we
17 have another decision point, which is, okay, we were part of
18 negotiating this, but we don't like what came out of it, and are
19 we going to actually ratify it and join in or not, and so the
20 logistics of it, in terms of the point that you have raised
21 about can we carve stuff out right from the start, one of the
22 key things is, if there is a clear understanding that there are
23 certain geographic areas or certain stocks that we legitimately
24 don't want to be part of this process, then we would make sure
25 that that's part of our negotiating instructions and our
26 position going in, and we would do everything that we could to
27 keep them out.

28
29 If, at the end of the day, we're successful, then great. If, at
30 the end of the day, we're not successful, then we have a
31 decision to make. For the shrimp stocks in the Gulf, that's
32 definitely a key part of it, and I know for menhaden too,
33 probably, it's the same thing, and so that's important feedback,
34 and that's where having a real clear picture of that from
35 stakeholders like you is really important for us.

36
37 **CHAIRMAN BOSARGE:** One quick follow-up. You mentioned the cost.
38 Does that cost ever drill down to my level, or is this purely a
39 governmental cost?

40
41 **MS. WERNER-KRAMER:** In that our dues to international
42 organizations are paid by taxpayers, then, yes, but, at a real
43 practical level, no. It is a governmental cost. When we are
44 part of these kinds of intergovernmental organizations that
45 manage the fisheries, there is always a formula that is
46 negotiated upfront, along with everything else, on how the cost
47 of essentially running that organization are going to be shared.

48

1 Usually, for every one of them, there is a general rule that
2 there will be some percentage of it that will be kind of divvied
3 up evenly, and so each country pays a set fee, and then usually
4 there is a share of the cost that is keyed to some kind of use,
5 some kind of benefit from the resource, and so, oftentimes, it
6 will be something that will fluctuate with national catch levels
7 or coastline or processing, that kind of thing, and so this is
8 another important thing for the United States.

9
10 If you saw on that slide where we had that huge catch level, a
11 lot of that catch is from stuff that is taken exclusively within
12 our zone, and a lot of that is on stocks that aren't really
13 transboundary and they're not really shared, and so there are
14 other implications of making sure we get that species mandate
15 correct, so that we're not essentially paying for something that
16 we're not really getting any kind of international benefit on.

17
18 We ran into this in the northwest Atlantic. There is an
19 organization up there called NAFO, and that was created right
20 before the U.N. Commission on the Law of the Sea was negotiated,
21 and so it grew out of an organization that originally had a
22 mandate for fisheries starting at only twelve miles off of our
23 coast, and then we declared our 200-mile EEZ, and the funding
24 formula was still based on what we caught between twelve and
25 200, and we were having to pay for things like alewife and
26 butterfish that are not shared resources out on the high seas,
27 and we paid way too much as a result of that, and the U.S.
28 worked really hard to get that fixed, and I'm happy to say that
29 we finally did, and so, yes, that's an important piece, too.

30
31 **MR. GREENE:** Thank you. I have a question. This may be a
32 little bit off topic, but I think it's very paramount, and so,
33 recently, we were dealing with a species of fish in the Gulf of
34 Mexico that we also know is a big part of Mexico, and we were
35 trying to do a stock assessment on this, and, at the last
36 minute, Mexico pulls out, and we're kind of rearranging our
37 assessment schedule, and assessments are very, very critical to
38 the Gulf of Mexico and how we manage our fishery.

39
40 When, at the last minute, they just say, oops, can't help you,
41 it throws a big curve ball, and so I hear what you're talking
42 about with harvest and everything else, but what about the
43 science side of stuff? Is there a way that the State Department
44 and you guys can reach down and say, look, we need your
45 cooperation at this level, all the way into the science level,
46 to do that? Is that something that you guys can help us with?
47 Is there a path forward there?

1 **MS. WARNER-KRAMER:** Well, we can certainly try, and, again, we
2 have a very formal process, where we sit down with Mexico, U.S.
3 government to Mexican government, State Department and NOAA and
4 their equivalents on the Mexican side, to talk about shared
5 management issues, but there is also a separate process that
6 talks about science stuff and works on cooperation there.

7
8 That is one tool that we have. Sometimes we can also use things
9 that are happening in these sorts of international organizations
10 to try to leverage cooperation that we can't always get
11 bilaterally, and, whether there is any room to do that with
12 Mexico on these issues through this process, who knows, but,
13 also, the key thing is we talk with them, and it's something
14 that the State Department doesn't do alone.

15
16 We do it side-by-side with NOAA, both on the management side and
17 especially on the science side, and so, if this is something
18 that has come up recently and is something we want to be able to
19 raise to that government-to-government conversation, then it's
20 really great for us to know about that, and we can make sure
21 that that gets brought up. That meeting hasn't happened yet
22 this year, and so there's still time to make sure that we can
23 talk about that and see what kind of leverage we might have
24 there.

25
26 **MR. GREENE:** Thank you.

27
28 **CHAIRMAN BOSARGE:** I think -- Mr. Swindell, did you have a
29 question, sir?

30
31 **MR. SWINDELL:** Yes, I have a question. I am concerned about the
32 growing aquaculture in open waters. We are presently in and
33 approved a system to go into our Gulf waters, and I am concerned
34 about the escapement of -- If Mexico, particularly, or the
35 Caribbean gets into large-scale aquaculture and doesn't have a
36 good plan for good protection of those systems, and they may be
37 having fish that has a real detrimental effect on the northern
38 Gulf of Mexico, and that could be a real big problem, because
39 some of the lesser countries may not have good control, to make
40 certain that these fish can't escape, that the systems can't
41 break down and fish escape, and, if they're in deep water, Gulf
42 of Mexico waters, they could easily venture into our lands.

43
44 I think that if the State Department has any way to make certain
45 that we have concerns, and if there is any way that we could
46 deal with it to make certain that they are indeed controlling
47 the aquaculture systems that our put out in their waters,
48 particularly in the Gulf.

1
2 Look at the Gulf. It's just a bowl, and you consider the Gulf
3 of Mexico on our coast is basically a bowl that has very little
4 protection from where other fish will go, and so my sentiment is
5 just to hope that the State Department can help us definitely
6 control the aquaculture growth and make sure they are doing the
7 right thing for prevention. Thank you.

8
9 **MS. WARNER-KRAMER:** Thank you very much for raising that point,
10 and that's actually an important one that I didn't mention in my
11 outlay of some of the key decisions, but it is something that is
12 going to be on the table, and that, is whatever this new
13 mechanism will be, if it will cover only capture fisheries or if
14 it will have some role for coordinating on aquaculture, too.

15
16 Pretty much all of the RFMOs that exist already are focused on
17 capture fisheries. Even the ones that deal with salmon, where
18 there is lots of aquaculture, the actual mechanisms that are in
19 place are only dealing with the intercepts of those fish before
20 they can get in-stream or dealing with the capture fisheries
21 part of that, with one exception, and the one exception is that
22 there is a body in the Mediterranean, which was one of these FAO
23 advisory bodies, and they took the step to become one of these
24 more binding bodies, but that's sort of half in and half out.
25 It's still under the FAO umbrella, but they can adopt things
26 that are legally binding, and they don't just deal with the
27 capture fisheries in the Mediterranean. They also deal with
28 developing some cooperative mechanisms for aquaculture
29 management as well.

30
31 In the Caribbean, that may be something that would make sense,
32 and to do here too, and so that's another really important piece
33 of that. As a general rule, when it comes to international
34 cooperation on aquaculture, we really only talk about it in
35 terms of best practices and standards, because it's something
36 that is almost always exclusively within a national
37 jurisdiction.

38
39 It's not something where there is already a sort of tradition
40 and a legal expectation that there is international management
41 of that, but the reality is, of course, as you have noted, that,
42 with escapement and with other growth in aquaculture, including
43 out in the deeper water, that may be evolving, and I think this
44 is something that we're paying a lot of attention to with our
45 colleagues in NOAA, to try to figure out what more we need to be
46 doing internationally with other countries to try to manage that
47 better.

48

1 **CHAIRMAN BOSARGE:** Dr. Porch.

2
3 **DR. PORCH:** Thank you. Looking at your first bullet there, and
4 being fairly familiar with the Caribbean, particularly the
5 Caribbean Regional Fisheries Mechanism, there is really minimal
6 fisheries infrastructure there, and even less technical
7 capacity. In fact, I would be willing to bet that there are more
8 fisheries professionals in the State of Florida than the entire
9 rest of the Caribbean combined.

10
11 Then, on top of that, and to be polite about it, obviously,
12 fishery management objectives seldom drive decisions in a lot of
13 countries in the Caribbean, and so what's the plan, from the
14 U.S. perspective, knowing that you're going to face that sort of
15 situation?

16
17 Is the emphasis initially going to be more on trade-type issues,
18 or are we going to try and talk about more canonical fisheries
19 management objectives, like MSY, which almost nobody in the
20 Caribbean is thinking about at this point?

21
22 **MS. WARNER-KRAMER:** That is TBD, but the initial, quick answer
23 is it's about the fisheries issues, and, in particular, looking
24 at the sorts of baby steps that have been taken in the Caribbean
25 to try to move in the direction of side-spaced fisheries
26 management to the standard that we would consider that we would
27 want to see. There have been the sub-regional mechanisms that
28 have started to happen

29
30 Through OSPESCA, they developed, together, a pretty robust
31 management plan for spiny lobster that then those countries, at
32 least, are implementing jointly. In CRFM, in the eastern
33 Caribbean, there is a flyingfish management plan that's the same
34 thing, and so there are small steps that are moving forward on
35 this that are creating a culture and an expectation that this is
36 how you manage fisheries, but you are absolutely correct that
37 nobody does it because it's the right thing to do.

38
39 They do it because it's what protects their economic investment,
40 and it's what gives them access to markets, and so whatever
41 we're doing here through this negotiation to try to create an
42 international mechanism to have those decisions taken, it always
43 has to be backed up by other things, and, for us, we use our
44 market, and we have rules in place for spiny lobster that are
45 coming in that have raised the standard. The EU does the same,
46 from a slightly different perspective, and so none of this is
47 occurring in a vacuum.

48

1 The other key piece of it is that, right now, the focus in
2 WECAFC has really started to shift towards building capacity and
3 sharing experiences and trying to regionalize the work, because
4 you're right that there just aren't that many people in any
5 given country, but, if you get a few people from different
6 countries to work together, then you have a team that can
7 actually develop this kind of stuff, and so, whatever follows on
8 it, we'll need to have that as a key part of it, obviously, or
9 it's not going to get buy-in from the small island countries,
10 and, once you start creating a new organization, you create an
11 ability to have some assistance work that can be done
12 collaboratively within it, and so all of this is stuff that's
13 probably going to be in the mix as we move forward, but our
14 perspective will be absolutely towards creating an organization
15 that's based on management and based on science and aiming
16 towards MSY and sustainability down the road.

17
18 **CHAIRMAN BOSARGE:** Okay. Thank you. That was very informative.
19 One last question. If other members of the public want to give
20 you comment, is there like a portal for public comment, where
21 you're accepting that, or was this just for our information?

22
23 **MS. WARNER-KRAMER:** At this point, we're just reaching out
24 through the councils, but I think once we get to the point that
25 we're really starting to try to have all of these general issues
26 and points that are being raised to try to gel, then we will
27 almost certainly do a webinar or some more public comment
28 opportunities.

29
30 When that happens, it will be done probably through NOAA, since
31 they have the infrastructure that we don't, and we will
32 publicize that through the councils, if we can do that, to let
33 folks know when that will be happening. It's something that
34 will be, likely, still a few months from now, into the fall,
35 when we really look at start looking at finalizing our thinking
36 on this, on that first decision point about whether we actually
37 want to kick this off or not.

38
39 While I have the mic, there was one other thing that I was going
40 to say that I wanted to report-out on really quickly. Some of
41 you may be aware already, if you got the invitation to our
42 stakeholder call on Monday, but the FAO Committee on Fisheries,
43 which is the body that brings together all the countries of the
44 world to sort of set the agenda of things that we're trying to
45 work on on an international level for fisheries for the next two
46 years, is getting ready to meet again next month, in July, and
47 we -- As I said, we had a stakeholder call and an invitation
48 that went out, and I know somebody from the council staff was

1 able to join in on that, but there are a lot of issues that are
2 going to be discussed there.

3
4 Unlike a lot of past sessions of the Committee on Fisheries,
5 where there's been one or two kind of big things that we knew
6 that we were going to be working on, like finalizing the Port
7 State Measures Agreement or things like that, this one, the
8 agenda is much broader, and it is a little bit of everything,
9 but we will, of course, welcome any thoughts on that. If that
10 information, in terms of the website and all of the topics on
11 the agenda hasn't been shared, maybe we can do that, but,
12 otherwise, I will certainly be sharing back with the council any
13 important outcomes from that that may have implications for what
14 you guys are working on.

15
16 **CHAIRMAN BOSARGE:** Yes, and you actually sent out an invitation
17 to me to join in on that webinar, as the Chairman of the
18 Council, and, obviously, that was Monday, and so we were here in
19 this, but we did have staff listen in, and I believe one of the
20 things on your agenda had to do with the IUU fishing, and so I
21 am going to be anxious to see what went on during your meeting
22 and hopefully tune into the next one in July, and so thank you,
23 and it sounds like, if you ever want to come back, we have lots
24 of things to keep you busy, if you ever get bored, and so it was
25 lovely having you, and we hope to hear from you again soon.
26 Thanks.

27
28 All right, and so, next on our agenda, we're going to have our
29 Florida Law Enforcement Presentation, and I believe Captain
30 Pearce is going to present to us this afternoon. It's good to
31 have you back at the podium again, sir.

32
33 **FLORIDA LAW ENFORCEMENT PRESENTATION**

34
35 **CAPTAIN SCOTT PEARCE:** Yes, ma'am. Madam Chairman and the
36 council, thank you for inviting me to be here, so I can present
37 to you today. What I want to talk about today is basically,
38 within the State of Florida, our capabilities to conduct federal
39 fisheries patrols with the capabilities we have and the
40 platforms we have available, and so I would like to focus on our
41 offshore patrol vessel fleet, to start with, but I will talk a
42 little bit about what our regional officers can do, and then
43 we'll talk a little bit about case samplings and some of the
44 cases that have been made so far in the 2017/2018 patrol season.

45
46 The offshore patrol vessel program, we have multiple levels of
47 the vessels that we use in that program. We have our endurance
48 class vessel, which is -- We have two vessels that are endurance

1 class, which are capable of going out for extended-range patrols
2 for multiple days.

3
4 The eighty-five-foot Gulf Sentry that you see here is based out
5 of St. Petersburg, and that vessel has the capability to hold
6 3,000 gallons onboard, and it can conduct multiday patrols.
7 When I ran the boat, I think the most extended-range patrol we
8 did was two weeks, and so it typically runs with a crew of a
9 captain and three officers, and it patrols anywhere from nine
10 miles to a hundred-plus miles offshore.

11
12 In this season, with the Gulf Sentry, it was down in the yard
13 for a while, but, so far this season, they have conducted 224
14 hours of federal enforcement patrol, and forty-two of those
15 hours have been focused on red snapper enforcement, and forty-
16 eight hours have been focused on turtle excluding device
17 enforcement.

18
19 The next endurance class vessel we have is the Randall, and that
20 is based out of Marco Island, and these big vessels spent a
21 little bit of time in the yard every year, and so there is
22 always a period of time where things slow down, but, so far this
23 year, and they're up and running now, and they have conducted
24 167 hours of federal enforcement. Ten of those hours have been
25 focused on red snapper, and ninety-five of those hours have been
26 focusing on turtle excluder devices and shrimping enforcement,
27 and they also do extended patrols down into the Sanctuary, with
28 our other vessels near the Keys and out of Miami.

29
30 This is another endurance class vessel with the capability of
31 going out for multiple days at a time. They don't have quite
32 the extended range of the Gulf Sentry, but they can go out for
33 three to four days at a time, and up to maybe five days,
34 depending on how much they're moving.

35
36 The next vessel we come into is going to be more of our
37 intermediate class, the Guardian, which is not really set up to
38 do long, extended-range, overnight patrol, but it can do
39 overnight patrol, but there are just not any sleeping quarters
40 onboard. It's been down this year, and so they haven't been
41 able to use it, but the crew of that vessel -- You will see the
42 vessel on the bottom, and it's a twenty-nine-foot Intrepid, and
43 so they're so anxious to get out and do their job that they go
44 in that twenty-nine-foot Intrepid and conduct very similar
45 patrols that they were doing with the Guardian.

46
47 One of the most recent patrols they conducted, they started in
48 Carrabelle, and they left Carrabelle and went offshore and ran

1 into Panama City, and then they went offshore the next day and
2 ran into Destin, and then went all the way to Pensacola, and
3 then returned that trip doing the same thing coming back, and so
4 we do everything we can to get offshore and conduct these
5 patrols.

6
7 So far this year, with the Intrepid, they have conducted 160
8 hours of federal enforcement patrol, 140 of which have been
9 focusing on red snapper enforcement, and then twenty-eight hours
10 of that have been focused on turtle excluding devices. That's
11 not all they do. They're focusing on all other federal
12 fisheries as well, but those are our primary focuses, based on
13 our contract with NOAA.

14
15 The Offshore Patrol Vessel Vigilance, which is based out of
16 Destin, Florida, is another one of our class of vessels that can
17 do extended range, overnight patrol, but they're not capable of
18 having any sleeping quarters onboard, but, obviously, they can
19 handle inclement weather and have good range capability. It's a
20 thirty-nine-foot Boston Whaler boat, basically. It's a
21 government series Boston Whaler boat, but it is -- So far this
22 year, they have conducted 245 hours of federal enforcement
23 patrol, seventy-seven hours of which have been focusing on red
24 snapper enforcement and then fifty-one hours on turtle excluder
25 device and shrimping enforcement.

26
27 The Fincat, basically out of Crystal River, is one of our what
28 we call an intermediate class, and they typically do long-range
29 day patrols, but they can patrol all the way out to the Middle
30 Grounds with this vessel, if need be. So far this year, they
31 have conducted 255 hours of federal enforcement patrol, 216 of
32 those hours focusing on red snapper enforcement and twenty-seven
33 hours on turtle excluding device enforcement.

34
35 We also have another Fincat that is based out of Pensacola.
36 This vessel, so far this year, has conducted 120 hours of
37 federal enforcement patrol, seventy-three hours of which have
38 been red snapper enforcement and seven hours were focusing on
39 turtle excluder device and shrimping enforcement.

40
41 Coming down into the Keys, based out of Marathon, we have an
42 Interceptor 39. So far this year, they have conducted 148 hours
43 of federal enforcement, thirty-nine hours focusing on red
44 snapper enforcement and six hours focusing on turtle excluder
45 devices.

46
47 Then, down here in Key West, we have one of our newer vessels,
48 the Trident, which is a thirty-eight-footer. This year, they

1 have conducted 172 hours of federal enforcement, forty-two hours
2 of which have been focusing on red snapper enforcement and
3 thirty-two hours on turtle excluder device enforcement.

4
5 It's important to note that the vessels in Key West and Marathon
6 -- We have a Metal Shark in Miami, and we also have the Randall
7 out of Marco Island, and all of these vessels have worked
8 multiple details throughout the year, traveling down to the
9 Tortugas and working in the Sanctuary, working multiday patrols
10 to accomplish that mission as well, and so we spend as much time
11 out there in federal waters and handling that mission as we can.

12
13 Now, in total for the offshore vessel program, we have conducted
14 over 1,500 federal enforcement hours and patrol, and 639 of
15 those hours have been focusing on red snapper enforcement and
16 294 hours were focusing on turtle excluder device enforcement.
17 We had 109 turtle excluder device boardings, or shrimp boat
18 boardings, where TEDs were measured and inspected, and then we
19 had over 650 enforcement actions, whether that be citations,
20 federal citations or state citations written on federal cases,
21 or warnings.

22
23 That was our offshore vessel program, but just to give you an
24 idea that also regionally our day-to-day officers that go out
25 and patrol, conduct coastal patrols, are also focusing on the
26 federal mission. For our everyday officers that are focusing --
27 They are one-officer patrols or two-officer patrols, and
28 sometimes they do go out into federal waters, or sometimes they
29 are within state waters, but, a lot of times, in state waters,
30 they are still targeting vessels that are inbound from federal
31 waters, and so we still conduct that same federal enforcement
32 mission in those capacities.

33
34 We also have our dockside patrol hours that we conduct, and a
35 lot of that is based on -- We come across a lot of federal
36 violations or federal enforcement issues with that, and so, in
37 total, for our regional officers that are out there every day
38 working that coastal patrol, so far this year we've got over
39 3,000 hours of enforcement that is based on federal enforcement
40 while we're conducting the state mission, and so, not only do we
41 have an offshore vessel program that is heavily focused on that
42 federal mission, but we also are -- All of our officers are men
43 and women out there that are working for the regions and working
44 coastal patrol and are still focusing on that mission as well.

45
46 To give you some case examples, this is a case referencing a
47 longline vessel. When the officers boarded the vessel, they
48 found hooks that were baited on the vessel that were baited with

1 shark meat. The hooks that were actually on the gangions in the
2 water were baited with shark meat, reticulated moray, and there
3 was some red snapper and amberjack.

4
5 They found big tubs of amberjack fillets that were intended for
6 use for bait, and, overall, they had 1,159 baited hooks in the
7 water that were actively being fished, with another 195 hooks on
8 the vessel that were baited and ready to be fished.

9
10 Another case we had was the officers were approaching a vessel
11 and they saw somebody throw something overboard. They weren't
12 sure what it was, and so they caught up to the vessel and
13 stopped the vessel, and the captain went back to see if he could
14 identify what was thrown over.

15
16 When he found it, you see the top picture is a goliath grouper
17 that still had the hook in its mouth swimming in the water, and
18 so, when they recovered the goliath grouper, you can see where
19 they were actively working on filleting the fish as our officers
20 approached, and so, along with the goliath grouper onboard, they
21 found a big bag full of gag fillets, as well as several gag out
22 of season and red snapper out of season onboard, and so this was
23 a recreational vessel, and they were in the process of
24 essentially processing their catch, and I guess they were going
25 to hide it onboard and try to get it in.

26
27 The next one is an example of one of our vessels, one of our
28 Fincats, and they've been working really hard this past year,
29 and, when gray triggerfish was closed in federal waters, they
30 made multiple cases -- This is a small example of the cases they
31 have made for gray triggerfish, but these are three separate
32 cases. One is involving the possession of four out-of-season,
33 and another one was eight out-of-season, and another one was ten
34 out-of-season. Again, there were multiple cases when I was
35 going through all of their cases, and these are the best ones
36 that I thought I could pick, but there were probably ten or
37 twelve gray triggerfish cases they have made so far this year.

38
39 This is an example of one of our shrimp violations, one of our
40 shrimp boardings we had this year, and they were conducting a
41 turtle excluder device boarding, and they were measuring the
42 gear, and they -- In the double flap that covers the escape
43 route for a turtle when it hits the chute, one of the nets --
44 The double flap was completed tied shut, sewn shut, and so this
45 is one of your more extreme examples of a violation, when you're
46 looking at TED enforcement.

47
48 Along with this, they had some bar spacing issues, and they had

1 angle issues and some other measurement issues with the net, but
2 tying them shut is something that -- It's probably something I
3 hadn't seen in a while, but it was surprising that they were
4 able to get onboard without somebody trying to untie it, but it
5 was a very good case.

6
7 This is another longline vessel, in reference to multiple hooks.
8 When the officers boarded the boat, they counted 695 hooks that
9 were actually being fished, and they had another 226 hooks that
10 were rigged and ready to be fished onboard, and so there were
11 921 hooks ready to go, which were either being fished or onboard
12 ready to be fished, which is exceeding our 750 limit.

13
14 This was an amberjack case. When the officers got onboard, they
15 had six amberjack onboard, five of which were undersized, and,
16 also, when they checked the live well, there were several
17 undersized vermilion snapper in the live well that they were
18 using for bait.

19
20 This is a case that occurred down in this area. It was boarded
21 in federal waters, and the vessel coming in had seventy-one
22 wrung lobster tails onboard, and they were also out-of-season,
23 and they were thirty-five lobster over the bag limit, based on
24 the people they had on the vessel, and they also were in failure
25 to possess a federal permit allowing them to tail the lobster,
26 and so that's just another example of all of these different
27 things we encounter in federal enforcement.

28
29 A red snapper case, and they had five red snapper out-of-season,
30 four of which were undersized, and then we had this case, which
31 was involving three gag grouper that were out-of-season and then
32 six red grouper that were undersized, and these are just small
33 samples of things we're doing every day.

34
35 They are making cases every day, and there are a lot of other
36 cases that I would have loved to have presented today, but they
37 are still pending, and so I couldn't bring them up, but are
38 there any questions?

39
40 **CHAIRMAN BOSARGE:** Thank you for the presentation, sir. Council
41 members, did you have any questions for Captain Pearce? Yes,
42 sir, Mr. Banks.

43
44 **MR. BANKS:** Thank you, Captain, for that report. I am just
45 curious to know, and this is not specific to your offshore
46 program, but how many officers do you guys have in your entire
47 division? Do you know that?

48

1 **CAPTAIN PEARCE:** Great question. We're right at 800 sworn.
2 Then, of course, that includes our command staff, but we have
3 just under 800 that are in the field.

4

5 **MR. BANKS:** Okay. Thanks.

6

7 **CHAIRMAN BOSARGE:** Anybody else? Well, so I saw a lot of TED
8 enforcement, and I saw, unfortunately, that one violation, which
9 you're right that that's pretty rough, but, generally speaking,
10 how are we doing in the shrimp fleet? Are we doing fairly well?

11

12 **CAPTAIN PEARCE:** Yes, ma'am. Like I said, that was one of those
13 violations that I haven't seen in a long time, and so, for the
14 most part, they're doing really well. There were a handful of
15 them where there were bar spacing issues or angle issues.
16 Sometimes they're not so egregious, and so they're able to fix
17 it and repair it onboard, but, for the most part, they are doing
18 well.

19

20 **CHAIRMAN BOSARGE:** I'm glad to hear it. Thank you, sir. Mr.
21 Anson has a question for you.

22

23 **MR. ANSON:** Thank you for the presentation. I'm going to put
24 you on the spot a little bit, but how would you characterize the
25 number of violations that are occurring for red snapper during
26 the short federal seasons versus this last season, the season we
27 had last year?

28

29 **CAPTAIN PEARCE:** I'm not really sure how to answer that, and I
30 can't -- I wish I could crunch those numbers and get you that,
31 but I don't even have anything to compare it to. I can tell you
32 the way we look at red snapper in law enforcement is it's a
33 year-round harvest for us. We're looking for people -- A lot of
34 these cases are made out-of-season, and so, even though patrol
35 efforts ramp up during the seasons, we are making cases year-
36 round.

37

38 I don't know that I would say -- I mean, there always is an
39 elevated level of cases during the season, because more people
40 are out there and things like that, but I don't have the numbers
41 to give you a comparison right now. Sorry.

42

43 **CHAIRMAN BOSARGE:** All right. Thank you, sir. We appreciate
44 it. Next on our agenda, we are going to have a presentation
45 from Lionfish International. If you remember, the council asked
46 for this. This is a six-month update on lionfish harvesting by
47 Lionfish International, and so, Mr. McCormack, if you're in the
48 audience.

1 **SIX-MONTH UPDATE ON LIONFISH HARVESTING BY LIONFISH**
2 **INTERNATIONAL**

3
4 **EXECUTIVE DIRECTOR GREGORY:** This is Tab A, Number 9. All the
5 presentations are under Tab A, and they're on our website.
6

7 **MR. BRUCE MCCORMACK:** Thank you for having me. I will get this
8 out of the way pretty quickly. I know you guys are very busy
9 doing a lot of other things, which is very obvious, and so,
10 anyway, we started our testing and our research and development
11 tests and evaluation last fall.
12

13 We are about six months into it right now, and what we've done
14 is we had to basically -- We designed, engineered, and built
15 this system of systems. Anyway, the system of systems, which is
16 -- I think everybody would probably realize that the ROV, and
17 then there's a catch mechanism that goes onto the ROV, and, of
18 course, it's all run by computer.
19

20 We have had a certain amount of problems with our thruster
21 system, but we have really had our problems with our software,
22 which that doesn't surprise us at all, and so we have been in
23 the research and development tests and evaluation business since
24 1988, and so none of this comes with underwater vehicles, and so
25 we expected this.
26

27 Right now, we're down, and we are going to be down for about
28 thirty more days, and then we come back into the Gulf, and we
29 will be working out in about 150 feet of water, just on the
30 other side of the Middle Grounds and where we have found a huge
31 amount of lionfish.
32

33 The other lionfish that we have found in the shallower waters,
34 the fifty, sixty, and seventy feet, it's not as productive
35 there, and I have video to show you all, but the other part of
36 this testing is not just the ROV and the catching, but we also
37 have to design a vessel, or vessels, to go along with this to go
38 look into the future, and so we've been using a forty-foot
39 Stamas, and that was our first test vessel, and then, right now,
40 we're using a fifty-four-foot commercial boat, and we're running
41 all of these operations out of Pinellas County, starting in
42 Tierra Verde and now in Clearwater.
43

44 In probably 75 to 80 percent, we are right on time and within
45 budget and doing what we set out to do. What we're not on time
46 on is actually sucking in a lionfish, but we're redesigning our
47 thruster right now and our venturi effect, and that will be
48 ready, like I said, in about thirty days.

1
2 This is just an idea of the gear that we're using. I think you
3 saw that probably at the October 2 meeting. We have designed
4 the hardware, and we're doing the proof of concept software
5 design, and that's being tested. That is our biggest problem,
6 and so we work through that each and every day, actually. We
7 are using the gear that was approved by NOAA and the Gulf
8 Management Council.

9
10 We have conducted thirty-five days of at-sea testing. Most of
11 those days are eighteen to twenty-four-hour days. Some of them
12 are forty-eight-hour stints at-sea, and we have also been
13 training people for the future, and so we've got another seven
14 people, seven personnel, or two crews, completely trained up and
15 ready to start commercial harvesting.

16
17 The areas that we've been working in, we started off of Tierra
18 Verde, and we're working in relatively shallow water. We didn't
19 expect to do much there, and we didn't see a lot of fish. In
20 the last -- In April, we started fishing off of -- Trying to
21 harvest off of the Middle Grounds, and we found a huge amount of
22 lionfish in the Middle Grounds, plus we're taking video all the
23 time that we're doing this, and so you were mentioning earlier
24 about looking at the other biomass available when we're there,
25 and we have -- Like I said, we have miles of video that we can
26 share with you all if you would like to have it.

27
28 It's data, and we're improving on that data all the time. We're
29 just putting on a new doppler inertial platform onto the ROV,
30 which will give us -- We'll be within a square meter of where we
31 are all the time. As you can see up here, we intend to be
32 harvesting off the whole State of Florida, the Gulf of Mexico,
33 but, right now, we're doing it at the Middle Grounds and the
34 Elbow.

35
36 As I mentioned before, on the problems encountered, it's just a
37 matter of -- We have been in this project for less than a year,
38 and so, from the time you take a project to design and engineer
39 and build, that's what we've done, and then, of course, you have
40 to finance the project, and so you have to find people that like
41 to do this, and we're doing that, and we're a pretty well funded
42 project, and so we're looking forward to the next iteration of
43 this, which is actually we're buying a large boat that's being
44 built in Louisiana as our mother vessel, and then we have two
45 small forty-footers that we use as -- We actually tow them
46 offshore, and then they work the areas that we're working on.
47 If it's the Middle Grounds, you've got about 500 square miles
48 there, and so we'll be working the Middle Grounds back and forth

1 four or five days at a time, and so it's pretty aggressive
2 project.

3
4 Modifications we've made, mechanical modifications -- Like, as
5 things break, you fix them, and you do a little redesign. Like
6 I said, our biggest other problem was our software, and that
7 shouldn't come as any surprise to anybody, but, anyway, like I
8 said, that's all being done.

9
10 Our accomplishments to date is we have tested all the surface
11 vessels and sub-surface equipment and all the electronics. We
12 have a lot of electronics on these things, and so, like on our
13 video, if you're going to get -- Right now, the video shows
14 depth heading, where we are, and, of course, the bottom, and
15 we're adding -- Actually, in this down period, we're adding
16 another camera to it, and so we're getting a bigger-angle view
17 of what's out on the bottom. We have tested all the personnel
18 in this equipment, and we're making modifications.

19
20 I can show -- This is a long video, and these are all long
21 videos, because they are -- We're only making about a half-a-
22 knot, but you can see what we're looking at, and you can see
23 there is a lionfish right there, and then you can see this other
24 biomass, and so that's what I want to offer up to you all if you
25 have a need for this. Like I said, I can put it on YouTube or
26 some other way and get it to you all. Any questions?

27
28 **CHAIRMAN BOSARGE:** Council, did you have any questions for Mr.
29 McCormack? Yes, sir, Mr. Riechers.

30
31 **MR. RIECHERS:** Mr. McCormack, thank you for the presentation.
32 Early in the presentation, you mentioned a, as you were going to
33 move forward, a preference for the deeper water as opposed to
34 some shallower water. You didn't exactly tell us the why. Is
35 it just abundance of lionfish that you all detected or --

36
37 **MR. MCCORMACK:** Well, every time we -- Like I said, we started
38 in shallower water, and we knew that we weren't going to be
39 successful there, but we wanted to be close to the dock, to come
40 back and forth, but, when we moved into the deeper water, and I
41 say the deeper water as that 115 to 130, and there was certainly
42 more of an abundance of lionfish. Once we moved into 150 to
43 160, it really became apparent that there were larger fish as
44 well, and so what we really want to be concentrating on, when we
45 get into our mother vessel approach, is probably that 200 to
46 300, since the ROV doesn't care, and we carry lots of umbilical,
47 and so that's where we plan to be in about sixty days.

48

1 **CHAIRMAN BOSARGE:** All right. Any other questions? Thank you,
2 sir. We appreciate the presentation.

3
4 **MR. MCCORMACK:** Thank you.

5
6 **CHAIRMAN BOSARGE:** All right, and so we're scheduled for a
7 break, but, before we do that, I think Dr. Crabtree wanted to
8 give us an update.

9
10 **DR. CRABTREE:** I wanted to let all of you know that the
11 Secretary of Commerce today allocated \$200 million in disaster
12 funding that was appropriated by Congress some time ago, and
13 this is money to rebuild following Hurricanes Harvey, Irma, and
14 Maria, and there was also funding appropriated for disasters
15 that occurred on the west coast in Alaska, going back to 2014.

16
17 The amounts for our area were Florida was awarded or is eligible
18 for \$44,608,000, Puerto Rico is \$11,402,000, the U.S. Virgin
19 Islands is \$10,727,000, and Texas is \$13,945,000. Those amounts
20 were based on the extent of the commercial revenue losses that
21 were attributed to the hurricanes, and so we'll be working with
22 Florida and Texas to get grants out to those two states and
23 depend spend plans, and our hope is to have this money out the
24 door to the states before the end of this fiscal year, and this
25 money can be used for a variety of things, and I think direct
26 payments to fishermen, replacement of gear, and infrastructure.
27 There is no matching requirement, and it can be used for both
28 commercial, for-hire, and recreational fishing support, and so,
29 all-in-all, good news for these areas. Thank you.

30
31 **CHAIRMAN BOSARGE:** Thank you, sir. All right. Let's take our
32 regularly-scheduled break, but it's going to be a ten-minute
33 break and not a fifteen-minute break, so that we can start on
34 time, and so try and be back in here at 2:45 for public
35 testimony.

36
37 (Whereupon, a brief recess was taken.)

38
39 **CHAIRMAN BOSARGE:** I will read the Chair's statement, and then
40 we will get started. Good afternoon. Public input is a vital
41 part of the council's deliberative process, and comments, both
42 oral and written, are accepted and considered by the council
43 throughout the process.

44
45 The Sustainable Fisheries Act requires that all statements
46 include a brief description of the background and interest of
47 the person in the subject of the statement. All written
48 information shall include a statement of the source and date of

1 such information.

2
3 Oral or written communications provided to the council, its
4 members, or its staff, that relate to matters within the
5 council's purview are public in nature. Please give any written
6 comments to the staff, as well as all written comments will also
7 be posted on the council's website for viewing by council
8 members and the public, and it will be maintained by the council
9 as part of the permanent record.

10
11 Knowingly and willfully submitting false information to the
12 council is a violation of federal law. If you plan to speak and
13 haven't already done so, please sign in at the iPad registration
14 station located at the entrance to the meeting room. We accept
15 only one registration per person.

16
17 Each speaker is allowed three minutes for their testimony.
18 Please note the timer lights on the podium, as they will be
19 green for the first two minutes and yellow for the final minute
20 of testimony. At three minutes, the red light will blink, and a
21 buzzer may be enacted. Time allowed to dignitaries providing
22 testimony is extended at the discretion of the Chair, and our
23 first speaker tonight -- We do have one dignitary that I know
24 of, and Mr. Lawrence Marino, and so, Mr. Marino, if you're
25 ready, but he has promised me that he's going to keep it as
26 brief as possible. It's good to have you back, sir.

27

28

PUBLIC COMMENT

29

30 **MR. LAWRENCE MARINO:** Good afternoon. I am here on behalf of
31 Louisiana Attorney General Jeff Landry. As to the state
32 management amendment, Attorney General Landry urges the Full
33 Council to reject the Reef Fish Committee decision yesterday to
34 select Alternative 2 as the preferred under Action 1 and
35 Alternative 6 under Action 2.

36

37 This precluded state management of the for-hire component, even
38 though the for-hire fleets in several states, including
39 Louisiana, want to be included in state management, and even
40 though several states, including Louisiana, want it to maximize
41 their flexibility in managing for-hire fishing.

42

43 The committee also eliminating sun-setting of recreational
44 sector separation under Alternative 2, making that separation
45 permanent, and there was talk about the need to focus on private
46 angling as the component that needs fixing, because it has
47 exceeded its quotas, unlike for-hire, which has not.

48

1 Let's not forget what happened last year with the federal
2 angling season being extended by a factor of fourteen, and
3 that's obviously not going to happen again. The year before
4 that, the overage was much smaller, and, also, it was
5 attributable to the extension of the state waters that year for
6 three states. NMFS and the states now know how to take that
7 into account.

8
9 In fact, with the EFPs, followed up by state management and
10 state catch monitoring, there is far less likelihood of an
11 overage going forward, and, even if there is somehow an overage,
12 there will be payback, and so massive changes have been
13 implemented, and massive differences in circumstances exist,
14 indicating that private angling overages have been dealt with.

15
16 Alternative 3 would deny states and fleets that don't want state
17 management the right not to have it, but the three-year sunset
18 under Alternative 3 would have allowed a trial run to see how
19 state management of for-hire goes and hopefully persuade the
20 objecting for-hire fishermen that their states are capable and
21 trustworthy to manage them.

22
23 The EFPs are not a trial run of state for-hire management, since
24 that's excluded, and so a trial run is still appropriate, and,
25 while no one wants to go through all of this effort for a short-
26 term program if a permanent program could be done, this just
27 means the council would be taking smaller steps to make sure
28 this is done right and while provide assurances to those who
29 think that this is wrong that, if it does turn out to be
30 unacceptable, it will only be temporary.

31
32 This also avoids the supposed problem of what happens if sector
33 separation sunsets. Sector separation is a complex and
34 controversial subject that should be dealt with through thorough
35 and specific analysis and discussion of sector separation
36 amendments and not traded off in the understandable rush to get
37 state management done on time. Instead, sunseting state
38 management in three years allows this important issue the
39 analysis and time for discussion that it deserves.

40
41 Therefore, Attorney General Landry urges the council to reject
42 Alternative 2 as preferred and to replace it with Alternative 3
43 as preferred. Alternatively, the previous preferred,
44 Alternative 4, would also be appropriate, allowing each state
45 the right to choose.

46
47 Again, state management sunseting addresses the fears regarding
48 what would happen if sector separation sunsets, and those fears

1 are misplaced anyway. The state management amendment will still
2 set allocations under Action 2, and these can be stated as
3 separate allocations for private angling and for-hire, as the
4 alternatives other than 6 already do.

5
6 If sector separation sunsets, the states would simply continue
7 to manage their allocation delegation separately by component
8 under the state management amendment, and, if some states choose
9 not to accept delegation of for-hire, their allocation would
10 simply go into the default federal system, and access to that
11 allocation can be limited to for-hire permittees in non-
12 delegation states, or some other solution may be proposed.

13
14 This requires selecting an apportionment different from
15 Alternative 6 under Action 2, which was limited to private
16 angling. The committee agreed on percentages in Alternative 6
17 for private angling, and so obviously agreement is possibly as
18 to for-hire also.

19
20 Attorney General Landry recognized the need to bring this matter
21 to a close quickly and the difficulties the council has had with
22 apportionment. It is suggested that it is haste making waste to
23 preclude state management of the for-hire sector for states and
24 fleets that want it in a rush to get this done.

25
26 The next item I would like to address is the recreational red
27 snapper ACT buffer framework action for which the committee made
28 Alternative 3 the preferred. Attorney General Landry fully
29 supports this decision, which would appropriately reduce the
30 buffer on the for-hire component. However, there was discussion
31 suggesting that the Full Council may switch to Alternative 2 as
32 the preferred, which would still reduce the for-hire buffer, but
33 also increase the private angling buffer.

34
35 For the reasons already discussed, the private angling overages
36 of the past should be a thing of the past, and so the concerns
37 about the court case that led to the imposition of the 20
38 percent recreational buffer in the first place have been dealt
39 with. In fact, the EFPs themselves already eliminate the buffer
40 or allow the states to do so, and it doesn't have to be any
41 different under state management.

42
43 It is therefore inappropriate and unnecessary to increase the
44 buffer on the private angling now. Attorney General Landry
45 therefore urges the Full Council to accept the Reef Fish
46 Committee decision to select Alternative 2 as the preferred and
47 to reject any attempt to make Alternative 3 the preferred
48 instead.

1
2 Finally, Dr. Crabtree's motion failed to make the buffer
3 reduction contingent on the overall recreational quota not being
4 exceeded in the previous year. This was based on the fact that
5 Magnuson-Stevens did not separate the recreational component
6 sub-quotas. There should not be overages on the private angling
7 side going forward, but, regardless, this is the law, and
8 recognizing it in the framework action seems prudent to
9 maximizing the likelihood of the framework action being
10 approved. Attorney General Landry therefore urges the council
11 to reconsider Dr. Crabtree's motion and to pass it. Thank you.

12
13 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Ms. Alison
14 Johnson, followed by Mr. Dylan Hubbard.

15
16 **MS. ALISON JOHNSON:** Good afternoon, Madam Chair and Gulf
17 Council members and staff. I am Alison Johnson, and I'm the
18 Southeast Campaign Manager for Oceana. I just want to thank the
19 council for their initiative for Coral Amendment 9, in
20 particular Dr. Kilgour. She did a great job on the amendment,
21 and we are very excited to have been part of that.

22
23 Although we would have liked to have seen the council use the
24 full toolset available to them to protect deep-sea coral in the
25 Gulf, we still think that having the HAPCs is a positive step
26 forward, and we also urge the council to put fishing regulations
27 in all of these HAPCs when they vote later this week. Again, I
28 just want to say thank you for your initiative in taking the
29 step forward that you did to protect deep-sea coral in the Gulf.
30 Thank you very much.

31
32 **CHAIRMAN BOSARGE:** Thank you. Next, we have Mr. Dylan Hubbard,
33 followed by Mr. Jim Zurbrick.

34
35 **MR. DYLAN HUBBARD:** Hello. My name is Captain Dylan Hubbard,
36 and my family business has been fishing the central west coast
37 of Florida for over ninety years and four generations. We
38 operate six federally-permitted charter boats and headboats, and
39 I am here today representing my family business. I am also an
40 MREP graduate.

41
42 On the carryover provision, please continue pushing this forward
43 and working on it at every meeting. I know myself and all the
44 other charter and headboat operators in this room would be
45 overjoyed to be given back the red snapper quota that we've been
46 underfishing for the past three years.

47
48 We could fill as much quota as you could give, but we need the

1 days to do it, and this carryover provision could do just that.
2 Thank you for making some progress on this provision at this
3 meeting. The discussions were very healthy, but this needs to
4 continue at the August meeting and every subsequent meeting
5 until we reach final action and implementation.

6
7 Hogfish do not need a slot limit. The stock is healthy and not
8 overfished, nor experiencing overfishing, but, with the newly
9 increased size limit and now a significantly lower TAC, we could
10 see ACL closures becoming increasingly likely, with larger fish
11 being landed and less quota to fill.

12
13 The gray snapper stock assessment results from the SSC meeting
14 are very alarming. With the increasing stock that is very
15 prevalent, to see it deemed overfishing and experiencing
16 overfishing for thirty-plus years is very disheartening, and,
17 honestly, it was very hard to hear, and it made me lose a little
18 bit of sleep.

19
20 I am hopeful that, with the plan amendment that Dr. Crabtree
21 proposed, we could change the MSST and SPR to match the red
22 snapper FMP. Then we would have much more positive numbers
23 coming out of that assessment.

24
25 The state management for red snapper discussion yesterday was
26 awesome. I am very happy with the Preferred Alternative 2 in
27 Action 1. I would like to retain my federal permit's validity,
28 and why try to change something that has been working so well?
29 With electronic reporting coming up, we will see even more
30 accountability in the for-hire sector. I would love to see the
31 ACT modified for the for-hire sector in the red snapper fishery
32 while not affecting the private recreational sector. We
33 continue to underfish our ACL, due to the high ACT buffer. Give
34 us the days, and we will land the fish.

35
36 I attended the Outreach and Education Committee meeting, and it
37 was great to see all the effort to preserve our fishery and
38 enhance our fishing access by lowering dead discards. I would
39 like to see the flexibility continue and not focus on descending
40 or venting, but offering up both options, with increased
41 outreach and education and making sure that we're telling
42 everybody how we can increase the survivability of discarded
43 fish.

44
45 Venting works really well. We catch a lot of fish with venting
46 scars on their side from previously being vented. We do
47 seminars before we leave on the way out and throughout the trip
48 and venting outreach throughout the entire process, teaching

1 people how to do it properly.

2
3 The last thing, and I know I'm out of time, but I love the Fish
4 Rules app, and I think that would be very wise to move to the
5 Fish Rules app, and so thank you for that.

6
7 **CHAIRMAN BOSARGE:** All right, Mr. Hubbard. We have a question
8 from Captain Greene.

9
10 **MR. GREENE:** Hi, Dylan. Thanks for being here. You and I have
11 talked a bunch about barotrauma and descender devices, but we've
12 also talked about the integration of using low-speed reels
13 within the fishery. In your opinion, and in your fishery and
14 where you fish, a lot of grouper and a lot of long-range,
15 multiday trips, do you see any benefit in that? Do you still
16 think that could be part of the equation as well? It seems
17 like, if dropping them back down real slow is part of it, maybe
18 reeling them up real slow might help.

19
20 **MR. HUBBARD:** That's of my outreach. I do a live fishing
21 seminar every week on our Facebook Live and on YouTube, and it's
22 become pretty popular, and, last week, one of the big topics
23 that I talked about was venting and slowing down once you get
24 the fish hooked.

25
26 I myself am a huge proponent of those two-speed reels. I love
27 to be able to hook a fish in high gear, and then, once it's off
28 the bottom, switch to a low gear and continue to finesse that
29 fish to the surface, and so I agree that a low-speed reel would
30 definitely help decrease barotrauma. I prefer to use a high-
31 speed reel, but I know, once I get that fish up off the bottom
32 and it's hooked and it's away from the bottom, that I slow down,
33 and that's something that would be in that venting outreach,
34 barotrauma outreach, it would be important to educate people on
35 that fact.

36
37 Once you've got the fish up off the bottom, a lot of times you
38 have a chaffed leader, or your tackle is worn down, and slow
39 down. Slow down and finesse that fish up and let him acclimate
40 on his way to the surface. Then, besides just venting and
41 descending, you also have to be able to dehook that fish quickly
42 and properly and not using those long, needle-nosed pliers and
43 tearing up his gill rakers, but using a dehooker to get that
44 hook out of the fish quickly.

45
46 In my experience, you could -- You don't even have to vent or
47 descend a red snapper. As long as you get it out of the water
48 and get it back into the water in a short amount of time, like

1 fifteen seconds or less, those fish are very, very healthy, but,
2 the longer it's out of the water, its survivability decreases
3 exponentially, and I have seen that a lot with FWC being on our
4 boats doing the tagging research.

5
6 They lay that fish down on the ruler, and they tag it, and then
7 they vent it, and it's been out of the water for thirty or
8 forty-five seconds, and the amount of dead discards in that
9 process increases quite a bit, and it's frustrating to me,
10 because that data is all recorded and used in the stock
11 assessments, as far as I know, and that process is increasing
12 dead discards, but obviously it's important, and obviously it
13 needs to continue, and so a little bit of a double-edged sword.

14
15 **MR. GREENE:** Thank you. I tell my deckhands all the time that
16 that fish can hold his breath as long as you can, and that's how
17 long you have to release him.

18
19 **MR. HUBBARD:** Yes, and that's exactly what we do as well.

20
21 **CHAIRMAN BOSARGE:** I like that. Thank you, sir. Next, we have
22 Mr. Jim Zurbrick, followed by Mr. Tom Wheatley.

23
24 **MR. JIM ZURBRICK:** Thank you, council, for allowing me to speak
25 once again. When I first came to the council, I didn't have to
26 wear glasses, and so that's how long it's been. A little side
27 note here. As I was flying in from Tallahassee, as we got to
28 south Florida, I looked down out of that airplane window, in
29 that silver airline plane, and I saw Chief Osceola down on a
30 stump down there crying at what happened to south Florida, when
31 you look at it from the air and you see all the housing
32 developments. It's amazing with all the effort that we have in
33 this fishery down here, and so it's amazing.

34
35 I would like to talk about the coral amendment. I think that
36 the AP -- They came up with Alternative 4 being a compromise,
37 and that's what I would support when you move on this issue,
38 but, listen, we all know that the data for this coral amendment
39 -- There should have been more done, but, if we're going to move
40 on it, I think that's a good compromise. I don't know how much
41 more or how we could do it. That's not my job, but it just
42 seems that I have heard from a lot of folks that there might
43 have been a little bit more to sway that pendulum to where it
44 would be obvious of what we had to do.

45
46 The other thing is about cobia. I'm a commercial fisherman
47 there in Steinhatchee, and I don't catch a lot of cobia. I used
48 to do a lot more of them when I was in the spearfishing

1 commercial business, but this is not a commercial problem. Six-
2 hundred-and-some-odd-thousand pounds landed recreationally and
3 55,000 landed commercially, and that number is a good number. I
4 mean, you don't break the law on these trip tickets now, with
5 the tracking and everything that we have, and so I would ask
6 that we keep the size limit at thirty-three inches, because I
7 saw what happened to amberjack.

8
9 We closed the season quicker, which causes recreational unrest,
10 and then also -- But we can lower the bag limit, but not
11 commercially. I don't think in any way we are the problem, but,
12 the electric reels real quick, because Dylan had mentioned it,
13 I'm using twenty-four-volt now with my electric reels, so that I
14 do not bring up fish. There is nothing worse.

15
16 I had 690 head of red snapper before I went to that MREP
17 aquaculture meeting, and I never had one throwback. Because of
18 the thirteen-inch size limit, we don't have an incentive. We
19 get paid the same for thirteen inches or whether it's twenty-
20 three inches, but fish that I possibly wanted to throw back were
21 in good shape, because I've gone to that twenty-four-volt, and
22 so there is some things commercially that we're doing.

23
24 Hogfish, I was in the dive commercial business a long time, and
25 I used to harvest a lot of hogfish. If you look at my records,
26 a slot limit is terrible for spear fishermen. You don't get to
27 throw him back because he's a half-inch bigger. He's dead, but
28 keep this in mind, that this increased effort is coming from a
29 recreational fishery, because we're catching them.

30
31 This stock, I don't know how the assessment was drawn up, but I
32 do know that we are already locked into this number of 159,000,
33 but, going forward, I think you're going to be surprised at how
34 many hogfish are actually there out there when we do another
35 assessment later on, and thank you very much.

36
37 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Tom
38 Wheatley, followed by Mr. Carlos Alegria.

39
40 **MR. TOM WHEATLEY:** Good afternoon. My name is Tom Wheatley, and
41 I am representing the Pew Charitable Trusts. I live, work, and
42 fish out of Tampa, Florida. First, we would like to thank
43 Johnny and Camp. We have enjoyed working with you as you've
44 served on the council, and thank you for your service, and,
45 also, Doug, we wish you the best in your retirement. Thank you,
46 again, for your service to the council.

47
48 We would also like to thank the council for its years of work on

1 Coral Amendment 9. We urge you to strengthen and approve it at
2 this meeting. This has the potential to be the most important
3 action this council has ever taken to protect coral resources in
4 the Gulf of Mexico. Council staff, and Dr. Kilgour in
5 particular, have done excellent work.

6
7 The process by which we got to this point has been collaborative
8 and inclusive. Again, back in 2014, when this council convened
9 the foremost coral experts in the Gulf, these scientists
10 identified forty-seven unique sites that represent some of the
11 healthiest and the most diverse coral habitats in U.S. waters.
12 Then scientists and fishermen worked together to prioritize the
13 most valuable sites that also are at risk of damage from bottom-
14 tending fishing gear. Compromises have been made on all sides
15 to find win-win solutions that protect corals while trying to
16 minimize impacts to existing fisheries.

17
18 Stakeholders have also weighed-in showing broad public support
19 for protections of deep-sea corals. More than 16,000 people
20 signed on to a Pew alert, and more than 1,500 people wrote
21 individual comments in support of coral protections.

22
23 More than forty research cruises have been conducted in the Gulf
24 over the past decade. Scientists, using remote-operated
25 vehicles, have documented some damage to corals from fishing
26 gear in the Gulf. Fortunately, significant impact has not been
27 observed. However, elsewhere in the U.S. and around the world,
28 extensive damage from trawls and bottom longlines has been
29 documented in addition to coral bycatch being recorded in those
30 gear types.

31
32 Corals, as you know, are slow-growing and fragile animals. They
33 are easily damaged, and they take decades or more to recover, if
34 they even do. Waiting until there is ample evidence of damage
35 in these coral hotspots before implementing regulations is
36 simply backwards, and we believe this amendment recognizes the
37 fact and that it can provide ample protection for these sites.

38
39 For the first four actions in the amendment, and also Action 7,
40 we support the council's current preferred alternatives and
41 options. The two south Texas sites in Action 5 were among the
42 high-priority sites recommended jointly by the Coral SSC and the
43 Shrimp AP. Looking through public comments posted, there is
44 ample support for protecting these two areas with regulations
45 that prohibit bottom-contact gear, and so please choose Option b
46 for Action 5.

47
48 Similarly, regulations should also be added for deeper sites

1 considered in Action 6, as a precautionary measure to steer any
2 future fishing activity away from these important coral
3 communities. This is particular important as ocean conditions
4 change. Fish are moving to colder and deeper waters, and that
5 means that fishermen are going to follow the fish, putting these
6 deeper coral sites at risk. I will finish up quickly.

7
8 A proactive approach to protecting corals is in everyone's best
9 interest, especially considering the council staff's extra
10 effort to get the boundaries in the correct places and the
11 millions of tax dollars we have already spent researching these
12 areas that scientists say need protecting. Corals, as we know,
13 provide habitat and shelter for the very fish we catch and eat,
14 and just, again, approving this amendment would be a significant
15 step forward, and we thank you for letting us be a part of this
16 process.

17
18 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Carlos
19 Alegria, followed by Mr. Wayne Werner.

20
21 **MR. CARLOS ALEGRIA:** Madam Chairman, thank you guys for being
22 here. Think about it. We all left our families to come up
23 here, and it's wonderful. I left my family. My wife is still
24 mad at me, but she'll get over it.

25
26 You know, I'm here for the first time, and I've never been here
27 before, and I didn't know what to expect. I was invited by Eric
28 Brazer, and he said to come up here and think about and look at
29 what's going to happen. I've been a fisherman, and my dad
30 started it sixty-eight years ago, and my son is not in the
31 business. I want him to be here thirty years from now, but we
32 have to safeguard the resources, and that's what you all are
33 going to do. We have to take care of it. It's very important.

34
35 My grandkids are about to start driving, and I want them driving
36 my fish trucks. It's very important to me that we do the right
37 thing here and no finger pointing and none of this side or your
38 side or my side. That's not important. Mom told me this a long
39 time ago, that fingers like this don't do no work, but fingers
40 like this can work, and that's what we need to do.

41
42 Allocation, allocations to shareholders and this and that, and
43 these graphs are beautiful, and they are wonderful, and there is
44 a lot of pretty colors and everything, but, in the end, we've
45 got to put out boots on. We have to put our aprons on, because
46 we have to take that product that we are resourcing here and get
47 it to the general public or to the homes and not to be wasted
48 and not to be trophies. Trophies are okay, but, in the end, God

1 gave us this product, and we have to take care of it, and that's
2 why I'm here, and I was going to sing a song, but I can't.

3
4 They call me the Preacher Man in Corpus, because I go to church
5 on Sunday, and, if you ever go to my place, it will say "closed
6 on Sunday, because I go to church". I sing in the choir, and I
7 do all kinds of neat stuff, and my pastor was praying for me,
8 and he said not to cry, and I said that I won't, but I did.

9
10 I love the Gulf of Mexico more than anything, and sixty-eight
11 years ago my dad started this thing, and I'm almost through, but
12 my son is not here. He retired from the Army, and he called me
13 up last year, and he goes, can I make it? I said, yes, we can
14 make it, we can make it, we can make it. When he got here, I
15 had a receipt book and not even a computer. I told him, I said
16 that I've never seen more laptops in my life in one room, and
17 they are beautiful, too. I should have bought stock in Best
18 Buy. Thank you, guys. Thank you, all, for doing what you all
19 do and taking time out. I do thank you. Thank you so much.

20
21 **CHAIRMAN BOSARGE:** Thank you, sir. I think you made me cry, and
22 we're coming to Texas next, and so we'll see you again.

23
24 **MR. ALEGRIA:** Come to Corpus. That's my hometown, and I will
25 call the Mayor so that he can haul the red carpet out.

26
27 **CHAIRMAN BOSARGE:** Okay. Next, we have Mr. Wayne Werner,
28 followed by Mr. Bart Niquet.

29
30 **MR. WAYNE WERNER:** Good afternoon. My name is Wayne Werner,
31 owner and operator of the Fishing Vessel Sea Quest. You
32 definitely don't want to see me sing in the choir. I can
33 guarantee you that.

34
35 Well, I would like to talk about the corals. We all know there
36 is not enough science that has been done on this issue, and we
37 know it's going to go forward. Everybody is pretty well aware
38 of that, but the biggest thing that I'm worried about is you
39 make a big old square box instead of protecting the coral that
40 you want to protect.

41
42 We have a lot of bottom out there that is half mud and half
43 sand, and we fish a lot of it along the edges of these pristine
44 corals that you're talking about protecting, and we don't want
45 to be cut out of those spots, because, when we're anchoring, our
46 anchor is in the sand and mud, and that's why you don't find a
47 whole bunch of them out there, is because we're not putting them
48 in that stuff. Otherwise, the biggest report would be how many

1 anchors would be there, and so I just wanted to talk about that.
2
3 As far as reallocation, I always have to bring it up, because it
4 seems like that's all this council talks about. It doesn't have
5 state management though, and I don't know how it's going to
6 work. We're not sure if we're going to be able to count the
7 fish right. We're not sure about anything about it, but we want
8 to go ahead and move ahead with reallocation, even though we're
9 not sure how accountable every state is going to be.

10
11 To me, I think this is kind of wrong. You need to take steps at
12 a time. Do one thing and make it work before you do something
13 else that steps on other toes. We're having a lot harder time
14 facing our own bycatch issues, fishing in 300 or 350 feet of
15 water in the western zone of the Gulf of Mexico, and it seems
16 like about 60 percent of my harvest, directed fishing for other
17 species, is now snappers, because they are starting to be in the
18 deeper stuff more and more and more.

19
20 A couple more years, it might be 90 percent, at the rate it's
21 going, and we go out there and we fish, and whatever we throw
22 back is going to be counted. I'm fixing to take an observer
23 next month, and it's going to probably show about 60 percent,
24 and every one of those fish that end up going back overboard is
25 going to be dead. It doesn't matter how big he is. I just want
26 you all to think about this as you go forward. Thank you.

27
28 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Bart
29 Niquet, followed by Mr. Chris Niquet.

30
31 **MR. BART NIQUET:** Good afternoon. I am glad to be here again.
32 I'm glad that I could make it. Let's face it. I think it was
33 about four years ago that one of your own council members, when
34 he was running the SSC, stated that the TAC should be, for red
35 snapper, between sixteen and twenty-million pounds, at a
36 minimum. Is that correct, Dr. Shipp?

37
38 Now it sounds like you're trying to get around that somehow by
39 circumventing Magnuson and a federal judge and hiding the fact
40 that this new plan is just another attempt to more or less steal
41 fish from the commercial red snapper fishery to give to the
42 unmonitored and unreported recreational sector.

43
44 Once again, we hear about a possible increase this year for the
45 commercial TAC, followed by decreases in the following years,
46 and you got this increase in stock that you now have on the
47 backs of the commercial fishery, and this program, in its
48 origination, used to be considered and used all over the country

1 as a way to not manage a fishery.
2
3 Once we put the IFQ program in, now you are held up as leaders
4 in shining lights, but, once again, you can't keep micromanaging
5 it. Give us the TAC that we deserve and let the recreational
6 manage their own sector without input from ours.
7
8 Let any conclusions put forth by the SSC be endorsed by your
9 advisory panel, because let's face it. The SSC's facts are
10 about four or five years out of date. Get this fishery out of
11 politics. Thank you.
12
13 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Chris
14 Niquet, followed by Mr. Jason Delacruz.
15
16 **MR. CHRIS NIQUET:** My name is Chris Niquet from Panama City,
17 Florida. I've been involved in the fishery for approximately
18 forty years, and I'm going to talk to you about today about the
19 new entries. It suddenly keeps coming up on the council that
20 we've got to have new entries in the fishery, and we've got to
21 have new entries in the red snapper fishery. Well, I'm going to
22 ask you some questions. If you know the answer, please stop me.
23
24 In order to have new entries, you're going to have to have fish
25 come from somewhere. There is only so many to give out. By
26 January 3 of every year, my 100,000-plus are leased, every
27 pound. If you want new entries, you're going to have to
28 increase the TAC. Now, when they call you complaining that
29 there is just no allocation, that there just aren't any shares
30 available at any price -- I'm going to tell you what happened to
31 me Monday, a week ago.
32
33 A fellow called me in the afternoon from the Naples/Fort Myers
34 area, and he's a commercial fisherman, and he has 7,000 pounds
35 of snapper shares. He wanted to lease some more from me, and I
36 told him that I'm out. He said, well, I'll just buy some of
37 your shares, and you've got plenty. I said, okay, let's figure
38 out a price. He said that I will take 20,000 pounds of them at
39 thirty-dollars a pound.
40
41 I quickly replied, is that what you think they're worth? Well,
42 yes. I said, I will buy every one of yours for that. Then it
43 was, oh, no, you can't buy mine. Well, I want to buy yours, Mr.
44 Niquet. As Roy famously said a few years ago, this ten-dollar
45 bill is worth ten-dollars and not eight-dollars or seven. My
46 snapper are just as valuable as yours, sir. Well, I just don't
47 think it's fair. I said, well, you told me a fair price was
48 thirty, and I offered to buy them all.

1
2 Now, this January, when this TAC increase comes through, my
3 100,000-plus and all of my allocation will be on the table.
4 They will be for sale. Tell your people to call me, but they're
5 not going to be on sale. They're going to for sale, and, if
6 they don't know the difference, tell them not to call me. Thank
7 you very much for your time, as usual.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Jason
10 Delacruz, followed by Mr. Bill Kelly.

11
12 **MR. JASON DELACRUZ:** Good afternoon, council. Thank you for the
13 opportunity to talk. You've got to love Key West. It's the
14 only place you can come to the podium in a flowered shirt and
15 flip-flops, and so there's a lot to be said for that.

16
17 I want to thank Johnny and Camp and also Doug. You guys'
18 service has been great. It's been enjoyable to work with you
19 guys for the last ten years or so, and, really, you've done the
20 right thing. It's tough to do that job, and I don't think I
21 will ever do it, and I don't want to be there.

22
23 Real quick, on the coral amendment, a lot of people keep asking
24 me what do I think, what do I think, and I don't know why what I
25 think is that important, but I guess my thought is still the
26 same. I appreciate the fact that, when it comes to the Pulley
27 Ridge area, we were able to work around and come up with a
28 solution for historical access.

29
30 I would like that the rest of it would have been maintained that
31 way, and I think historical fishing access needs to be something
32 that is thought about. As my other colleague that was up here
33 earlier who advocated strongly for this said, we haven't
34 conclusively showed that we've caused that damage, but we also
35 show that we have some of the best corals, and so I kind of
36 think that speaks for itself, and we'll just leave it at that.
37 We'll let the chips fall where they may on this issue. It's
38 kind of at that point now.

39
40 I kind of have been blindsided by this hogfish thing, and this
41 is more personal and less about my business or about any one of
42 my businesses, but I think we have to come up with a way for us
43 to understand our data better, because, right now, we're knee-
44 jerking. Every time there is something new and there is this
45 massive change, and I know the law is there to do that, but we
46 automatically kick, and, the next thing you know, we're going to
47 have a closure, when we have a sector that we're collecting data
48 on that has such an ability to be anomalized with these massive

1 changes, and it's kind of freaking me out that we haven't come
2 up with that solution yet.

3
4 One of our challenges with the red snapper fishery is that we
5 change everything so fast right now on the recreational
6 component that we never get the rhythms down. I mean, at my
7 place, I see these incredible swings in the season openings, and
8 we're crazy busy and then it dies off, and, if we just had some
9 stability, and we need that, and I know we're working towards
10 that, and I really commend the council, and, unfortunately, I
11 missed a lot of the conversation yesterday, because I was
12 driving in, but I commend the fact that this group stood up and
13 actually made some momentum for not regional management, but
14 state management, the change of another name, and some people
15 made some good decisions, and I like that.

16
17 I like the solution orientation that we seem to be coming out
18 of, and I didn't know this council was going to do that, and I'm
19 really surprised and thankful, and so I guess I will stop
20 lecturing, like I like to do, and just say thank you very much,
21 guys.

22
23 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Bill
24 Kelly, followed by Mr. Dan Buckley.

25
26 **MR. BILL KELLY:** Bill Kelly, representing the Florida Keys
27 Commercial Fishermen's Association. Number one, on lobster, I
28 just got a bit of good news here. The Fish and Wildlife
29 Commission is meeting over in Sarasota, Florida, and this
30 morning they passed an executive order that would increase our
31 soak time by allowing us to throw our lobster traps in state
32 waters beginning the Saturday after the two-day mini-season.

33
34 I have already exchanged some texts with Dr. Crabtree here and
35 with Mara here, and we're trying to see what actions we might be
36 able to take to implement the same thing in the federal waters.
37 The executive order that was issued this morning would allow us
38 to engage that additional soak time on the upcoming season here,
39 and so we're very much looking forward to it. That action gives
40 us a little bit of a buffer here from the traditional hurricane-
41 prone months of September and October, and, as you all know, we
42 took a significant hit this last year.

43
44 We're also very supportive of the issues in Amendment 13. We've
45 had a great deal of involvement in that, working with the state
46 and the feds.

47
48 I want to express our thanks to law enforcement, especially

1 United States Coast Guard Station Key West and the Florida Fish
2 and Wildlife Conservation Commission. As you know, the
3 Carolinas shut down their shrimp fishery for a couple of months
4 here this year, and we had an influx of boats down there that
5 were -- Most likely, they were not familiar with the shrimp
6 lines down there, and there were some significant interactions
7 off Key West here and the Tortugas with our trap gear, and both
8 USCG Station Key West and FWC was quick to engage that and bring
9 that to their attention, and so we want to thank them for the
10 wonderful work that they do for us.

11
12 Interestingly enough, I saw the lionfish presentation earlier
13 on, and I just thought I would bring you up to speed, but we are
14 crushing lionfish in those wire-wood combination traps that we
15 have. We caught over 100,000 pounds last year.

16
17 We exhausted our patience, I suppose, in the lengthy permitting
18 process there, and so we opted to move on, but it's my
19 understanding that the Florida Fish and Wildlife Commission is
20 going to pursue a permit, but it would only be for one trap
21 design, and that's that wire and wood that we already know is a
22 gangbuster for harvesting lionfish.

23
24 Yellowtail snapper, the South Atlantic Council, after another
25 closure this year, has realized that it's their issue and they
26 need to deal with it, and it looks like they are going to move
27 forward, and so we're very pleased to hear that as well. It's
28 causing significant negative economic impact on us.

29
30 Last, I want to say, to Doug Gregory, Campo Matens, and Captain
31 Johnny Greene, thank you so very much for your service to the
32 resource and for sustainability and for everything. I know it's
33 been a labor of love here and how much hard work it is to do
34 that in addition to your own regular jobs, et cetera, and so,
35 again, thank you, and it is a pleasure to have worked with all
36 of you over these years, and I appreciate it.

37
38 **CHAIRMAN BOSARGE:** Mr. Kelly, I think we have a couple of
39 questions for you. Dr. Frazer and then Mr. Sanchez.

40
41 **DR. FRAZER:** Thanks, Bill. You got 100,000 pounds of lionfish
42 last year, and where did they go?

43
44 **MR. KELLY:** It goes to consumers. We're fishing for consumers,
45 and that's what the commercial fishermen do, and 100,000 pounds
46 of lionfish, and we're fetching anywhere from \$5.50 to \$6.25 a
47 pound for it. We have one boat off the Pulley Ridge area that
48 harvested close to 30,000 pounds in last year's season, even

1 though we were closed for a couple of months because of Irma, as
2 bycatch in those wire-wood lobster traps.

3
4 **DR. FRAZER:** I will be a little more specific. Did you sell
5 them in Florida, or did they go outside of the state?

6
7 **MR. KELLY:** No, they go all over the United States, the New
8 England corridor in particular, and several major department
9 stores have approached us that they would like -- Actually,
10 under the permit request that we had, they wanted exclusive
11 rights to all of the lionfish that we would capture.

12
13 While we're doing a terrific job of getting them as bycatch, we
14 know that, because nobody has any better knowledge of the
15 geographical distribution and population densities than us,
16 because of the bycatch that we get in our lobster traps, 100,000
17 pounds is a drop in the bucket compared to what we could do if
18 it was a directed fishery.

19
20 **CHAIRMAN BOSARGE:** Mr. Sanchez.

21
22 **MR. SANCHEZ:** Bill, I just want to thank you for your role in
23 putting together that party yesterday. It was a really good
24 time, and it was very well done, and you were very funny.

25
26 **MR. KELLY:** Thank you, John, and I'll tell you what. It's a
27 pleasure to have had that opportunity with such a wonderful
28 group of people, not just here at the head table, but also in
29 this gallery as well.

30
31 **MR. DYSKOW:** I would echo what John just said, but I had a
32 question, and maybe you could refresh my memory. You gave us a
33 statistic last time you were up here about the ratio of bycatch
34 in your spiny lobster traps, and it was something to what? For
35 every spiny lobster, how many of these do you get?

36
37 **MR. KELLY:** I don't have that statistic up here right now. If I
38 said something, I would be lying.

39
40 **MR. DYSKOW:** I think you said nine-to-one. I just wondered if
41 there was any --

42
43 **MR. KELLY:** Again, I would be lying. What I can tell you is we
44 know that we've been very effective in what we're doing, because
45 there are certain areas where we thought that elimination might
46 not ever occur, but we have fishermen now that are, obviously,
47 going back to the same areas that are productive for lobster,
48 and they have annihilated lionfish. They're not there anymore,

1 and so our efforts have -- Although they are secondary, they are
2 paying off, and we're seeing reductions and actually
3 eliminations in certain areas. Thank you.

4
5 **CHAIRMAN BOSARGE:** Thank you, sir, and thanks again for
6 everything last night. Next, we have Mr. Dan Buckley, followed
7 by Mr. Eric Brazer.

8
9 **MR. DAN BUCKLEY:** Thank you. My name is Dan Buckley, and I'm
10 with the Gulf of Mexico Reef Fish Shareholders Alliance. First,
11 I would like to thank the council for all the hard work and the
12 debate that they've had this week. It's been absolutely great
13 to see the discussion going on, and it's greatly appreciated by
14 everyone here in attendance and those on the web.

15
16 I was really happy to see the progress being made on the
17 recreational document, the state management plan, and it was
18 great to see the council taking steps forward and not just
19 delaying, delaying, delaying. It's nice to see the document
20 moving forward as it sits now, and something needs to be done,
21 and so I'm happy to see that progress is being made.

22
23 As far as the reallocation goes, it's kind of troubling to not
24 see a purpose and need in the reallocation. If the council is
25 going to bring that up, it would sort of be nice to know why
26 it's being brought up and the reasons for it. What triggers are
27 the council going to use further in all fisheries for those
28 reallocation debates? What is going to trigger that action by
29 the council?

30
31 I feel it's kind of hard to have this discussion at this point
32 in time here, especially with the charter fleet and especially
33 some of the stakeholders in this fishery who weren't able to
34 attend. This is peak charter fishing season, especially in the
35 red snapper industry, and it's a long way to go for those on the
36 western side of the Gulf to be present here today. That was a
37 little bit troubling, that this is going forward right now.

38
39 I would like to thank Captain Johnny Greene and, of course, Doug
40 Gregory and Camp for all the work they've done over the years.
41 They have been absolutely wonderful for everything they've done
42 here, and it's sad to see them go, but thank you for everything
43 that you've done. Finally, I would like to congratulate Dr.
44 Simmons, and I look forward to working with her and staff in the
45 future for all the issues addressed by the council. Thank you.

46
47 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Eric
48 Brazer, followed by Ms. Ashford Rosenberg.

1
2 **MR. ERIC BRAZER:** Thank you, Madam Chair and council members and
3 staff. My name is Eric Brazer, and I'm the Deputy Director of
4 the Gulf of Mexico Reef Fish Shareholders Alliance. First off,
5 I want to congratulate Doug on his retirement. I don't want to
6 thank him for retiring. That would be awkward, but I do want to
7 thank Captain Greene and Camp for their service.
8 Congratulations to you all, and congratulations to Dr. Simmons.
9 We're looking forward to working with you.

10
11 I do want to briefly hit on reallocation. For those of you who
12 lived through Amendment 28, you remember just how controversial
13 these discussions can be, unfortunately, and that took four
14 years, or maybe five years, of your time, and it created a lot
15 of bad blood within the industry, but things are getting better,
16 and I think that's clear to everybody, and so, why you're
17 jumping into this now, we're still not quite sure.

18
19 You do have some EFPs that are advancing nicely, and you have
20 state management that appears to be making some significant
21 headway, including this week alone, and you have charter/for-
22 hire ELBs that the fleet are begging for, and so jumping into a
23 battle that picks winners and losers right now seems pretty
24 counterintuitive, but, if it is the will of the council, there
25 are a number of steps that need to happen upfront.

26
27 First, let's figure out how those NOAA policies and the council
28 policies compare, and so we look forward to seeing that analysis
29 whenever it's ready, but we can't lose sight of the fact that we
30 still need to figure out why an allocation review is necessary
31 in the first place.

32
33 There are some questions that need to be answered, including,
34 but not limited, to are we failing to meet the FMP goals and
35 objectives? Do these FMP goals and objectives need to be
36 updated? What is the process for updating the goals and
37 objectives? What has changed in the fishery? What are the
38 needs of the three sectors? We have three sectors now, instead
39 of two like before, and what do you need to consider when you
40 identify these triggers that Dan had mentioned? What types of
41 triggers are there? What other triggers have been used in other
42 regions? How have they been used, and what are some other
43 examples? What is the process to even determine these triggers?
44 What fisheries should be considered? Are we just talking about
45 red snapper, or are we talking about everything?

46
47 We firmly believe that, regardless of the answer to these
48 questions, the industry deserves the chance to provide input on

1 these questions, and we believe only then will you be able to
2 have a properly-informed purpose and need statement, and so, if
3 we're going to do this, let's stick to the process, and let's do
4 it right.

5
6 Briefly, I want to touch on corals. Jason said a lot of what I
7 was going to say, and hopefully you've read our comment letter
8 and you have heard our concerns about the lack of impact data
9 that have been used to make these decisions.

10
11 That being said, we sincerely appreciate the inclusion of the
12 alternatives that do reduce impacts on the commercial fleet,
13 including Action 1, Alternative 4, and Action 2, Alternative 5,
14 and so thank you very much for your time.

15
16 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Ms. Ashford
17 Rosenberg, followed by Ms. Susan Boggs.

18
19 **MS. ASHFORD ROSENBERG:** Good afternoon. Thank you for the
20 opportunity to speak. I do want to touch really briefly kind of
21 on something that was said before about the lack of stakeholders
22 present. I know for a fact that I signed up a full hour-and-a-
23 half after Eric and Dan, and I'm still right after them, and so
24 I think that does kind of show you that there is less
25 stakeholders here than normal, and so considering things that
26 are going to be very broad-reaching needs to be done in places
27 that everyone can come and weigh-in.

28
29 Also, congratulations to Camp and Captain Greene, and thank you
30 so much for your service, and congratulations to you, Doug, on
31 your retirement, and also to Dr. Simmons. We are really looking
32 forward to working with you.

33
34 I would also like to touch on a couple of things. Thank you for
35 a lot of the discussion about those NOAA policy directives
36 regarding reallocation review and triggers. Like Eric said, we
37 want to see what triggers need to be considered when we're
38 looking at allocation reviews. It will be useful procedurally,
39 and it will provide clear guidance when considering reallocation
40 reviews. Right now, why we're considering this is a little bit
41 unclear.

42
43 I also really appreciate you doing that comparison between the
44 current reallocation policy of the Gulf Council and the NOAA
45 policy. I think that will be very valuable, and so I thank you
46 for that.

47
48 Also, I would like to reiterate that there is a lot of moving

1 parts right now between the state EFPs and the state amendments.
2 They made a lot of good progress, but, with all these moving
3 parts, it will make reallocation discussions very tricky and
4 complicated.

5
6 I also want to touch on Amendment 49. Thank you for the
7 discussions regarding clarification on the language regarding
8 tool size. Guidance for both fishermen and law enforcement will
9 be very helpful and eliminate confusion. I do want to bring up
10 a point, again, that, according to the biological opinion, that
11 there are recreational takes in the private sector of endangered
12 sea turtles and whales, and I would like to respectfully ask the
13 council to consider another amendment to possibly look at some
14 gear requirements in the private angler sector that could also
15 reduce sea turtle takes and protect these endangered species,
16 and that's it for me. Thank you for your time.

17
18 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Ms. Susan
19 Boggs, followed by Mr. Shane Bonnot.

20
21 **MS. SUSAN BOGGS:** Good afternoon, Madam Chair. My name is Susan
22 Boggs with Reel Surprise Charters and SanRoc Cay Marina in
23 Orange Beach, Alabama. Randy and I would like to first thank
24 Doug, Captain Johnny, and Camp for their service over these last
25 nine or ten years, however long, and bless you all. We both
26 look forward to working with Dr. Simmons and the new council
27 members as they are appointed.

28
29 For the modification to the Gulf cobia size and possession, I
30 support a size increase as proposed in Action 1. I have spoken
31 to several captains, and they are kind of all over the board on
32 the thirty-six inch. One said forty-five inch, and so I do
33 think the increase is necessary. For Action 2, I support
34 Alternative 3, Option 3a. Thank you for your time.

35
36 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Mr. Shane
37 Bonnot, followed by Mr. Brad Gentner.

38
39 **MR. SHANE BONNOT:** Good afternoon, Madam Chair and council
40 members. My name is Shane Bonnot, and I'm from Lake Jackson,
41 Texas. I work for CCA Texas, and I'm happy to be here in Key
42 West with you all.

43
44 I wanted to talk about a few topics this afternoon during my
45 time. First, I will talk about release mortality and descending
46 devices. Our recreational fishing community is supportive of
47 efforts to promote awareness and the use of tools to reduce
48 mortality. While we would prefer the use of descending devices,

1 we don't want to prescribe what kind of tool is utilized at this
2 point, as research suggests that proper venting is equally
3 effective at reducing mortality.

4
5 Ultimately, we think these devices should be a requirement on
6 all vessels, and, as pointed out by council members yesterday,
7 there seems to be something amiss with the SSC report on the
8 levels of discard mortality and those results, if the
9 recreational discard mortality was reduced or avoided
10 altogether, and so we look forward to the continued analysis on
11 the impact of the use of descending devices and venting.

12
13 Regardless of that, I want you to know that CCA National and CCA
14 Texas have and will continue to reach out to our membership to
15 educate them on the importance of this issue. We have dedicated
16 spots in our *Tide Magazine* and our *Currents Magazine*,
17 respectively, to educate our members on descending devices and
18 release mortality.

19
20 Also, we have partnered with Harte Research Institute at A&M
21 Corpus Christi and Shimano to develop a website called "Release
22 Sense", where there is videos and tips and best practices and
23 research, all aimed at improving survival rates of released
24 fish.

25
26 Real quickly, on state amendments, we would like for each state
27 to be able to determine what works best for themselves with
28 regards to the exclusion or inclusion of the charter/for-hire in
29 these state amendments. There certainly seems to be an eastern
30 and western Gulf split with regard to how they want to manage
31 the recreational fishery, and perhaps therein lies the answer.

32
33 Florida and Alabama want to exclude the charter/for-hire
34 component from the state amendments, and the western Gulf
35 clearly desires to have the option to leave them in, and there
36 was a lot of conversation on this issue yesterday. The truth of
37 the matter is that we're not all the same across the Gulf, and
38 we shouldn't have to be treated the same. Just because
39 something may be difficult or complicated, it doesn't mean that
40 we shouldn't strive to give the states an opportunity to do
41 what's best for them.

42
43 Moving on to turtle mortality, we need some proof to back up the
44 comment that we have heard with regards to mortality coming from
45 recreational anglers. I implore you to review and fact check
46 the notion that hook-and-line recreational anglers kill more
47 turtles than the commercial fishery. That number in the comment
48 that was reported came from the 2005 biological opinion and that

1 we could find a reference to that number in the opinion. In
2 fact, we found the quite opposite.

3
4 In comparison, it was nearly twice the take from combined
5 commercial longlines when compared to recreational hook-and-
6 line, and so we want -- As with descending devices, the
7 recreational community is willing to do whatever is necessary to
8 reduce these interactions, and we want to do that, and so we
9 urge the council, and we urge the department, to further look
10 into this, and we will be happy to educate our members on how to
11 reduce those interactions.

12
13 Finally, under Amendment 31, we support the removal of Atlantic
14 cobia from the CMP FMP and shifting that authority to the
15 states, and, with regard to bag and size restrictions that were
16 discussed, we think it's important to have that analysis back,
17 but, generally speaking, it makes sense to -- If you increase
18 from a thirty-three to a thirty-six-inch fish, if you only have
19 50 percent maturity at thirty-three inches, you would have much
20 more mature at thirty-six, and so you would get some return on
21 that, and we could see how the reduction in the bag limit to one
22 fish per person and two per vessel would also have impacts, and
23 so we look forward to that analysis in August. With that, I
24 will stop. Thank you.

25
26 **CHAIRMAN BOSARGE:** Okay. We have a question from Mr. Dyskow.

27
28 **MR. DYSKOW:** Thank you, Shane. I should probably know the
29 answer to this, but trust me that I don't. Does CCA have a
30 position on Amendment 9, the coral amendment?

31
32 **MR. BONNOT:** We don't oppose the amendment. We appreciate the
33 fragile nature of those deepwater corals in that ecosystem, and
34 we understand and would like to see them protected. There are
35 some concerns within CCA, however, that prohibitions like these
36 in the future could spread to other areas, and so that
37 discussion has been had, but we don't oppose that amendment as
38 it is.

39
40 **CHAIRMAN BOSARGE:** Shane, I was glad to hear you talk about the
41 sea turtle release gear. If you could get with your members and
42 maybe get some more feedback from them and see if they would be
43 willing to maybe entertain the idea of carrying some of that
44 gear onboard, and it's really long-lived -- Most turtles are
45 fairly long-lived, and some of them don't even reproduce until
46 they are ten or fifteen or twenty years old for the first time,
47 and so that would be amazing, if you could just see if you have
48 some buy-in from them or not and how they feel and maybe give us

1 another update next time.

2
3 **MR. BONNOT:** We would be happy to, and we would be happy to --
4 We also need to understand the interaction within the
5 recreational fishing community, and so we need to study that as
6 well, and so that would be something great that we could put
7 forward to our membership, and so thank you.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. All right. Next, we have
10 Mr. Brad Gentner, followed by Mr. Kendall Dix.

11
12 **MR. BRAD GENTNER:** Thanks for giving me the opportunity to
13 comment today. Again, I also want to thank the council members
14 that are coming off the council, Johnny Greene and Camp Matens,
15 and thank them for their support and their sacrifice to be here
16 and serve in what is an important process.

17
18 I want to talk about allocation, and I want to thank the council
19 for taking up the issue of allocation and moving forward with
20 examining the NMFS policy on allocation. I think what you will
21 find as you make that examination of the council policy that has
22 been proposed for years is that it is completely subsumed within
23 that NMFS policy.

24
25 What the NMFS policy offers us is a transparent and adaptive way
26 to regularly look at allocation in a way that is participatory.
27 What that policy says is you're not going to do allocation this
28 way. You're going to sit down as a group and decide what
29 triggers an allocation analysis and what factors you will
30 consider, and so that solidifies it and turns it from a fight
31 into something like a stock assessment, where we look at inputs
32 to the process from the data side and decide what we need to do
33 coming out on the action side, and that's what is desperately
34 needed in allocation.

35
36 We're not afraid of what those results will be, and we're not
37 afraid of this process. We want this process to go forward, and
38 we want to be participatory, and we want all the stakeholders to
39 give their input.

40
41 The NMFS policy lists a whole bunch of triggers, and it lists a
42 whole bunch of factors, and we don't have to take any of them,
43 or we can take all of them, and so the advice is there, and we
44 would urge the council members and council staff to make
45 themselves familiar with those two policies that are mentioned
46 in the document, because we aren't meeting our goals and
47 objectives in the FMP, and the scoping document presented at
48 this council meeting says so, and it says which goals and

1 objectives we are completely missing the boat on, and we need to
2 do better. We owe the American public better, because they are
3 the owners of this resource.

4
5 I just want to reiterate that, that this is a process and that
6 we want to initiate this process. We want to keep moving
7 forward with developing a policy that ends up, at the end of the
8 day, with a way that we can transparently look at these
9 allocations and set them in a way that's fair to all users and,
10 at the end of the day, the owners of the resource. That's all I
11 have for today.

12
13 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Kendall
14 Dix, followed by Mr. Johnny Williams.

15
16 **MR. KENDALL DIX:** Thank you, Gulf Council, for the opportunity
17 to address you today. My name is Kendall Dix, and I am with
18 Gulf Restoration Network. Founded in 1994, we are committed to
19 uniting and empowering people to protect and restore the natural
20 resources of the Gulf. We have more than 22,000 supporters,
21 concentrated mostly in the five Gulf states.

22
23 We represent a wide variety of people, but I work a lot with
24 chefs and restaurants and fishers, who are all interested in
25 protecting fish and fish habitat. We applaud the council for
26 taking this historic action to protect deep-sea corals. This
27 essential habitat, as you know, is extremely rare, and it offers
28 a lot of potential breakthroughs in biomedical advances. It's
29 sort of like maybe seagrass cure cancer or something, and it's
30 that sort of like equivalent. It's habitat and sort of the
31 opportunity for scientific advancements.

32
33 While we would prefer to see restrictions on all twenty-three
34 sites, the preferred alternatives do offer critical advances for
35 fragile corals that are so slow-growing that it would take
36 basically untold time for them to recover, if at all. That is
37 why we understand the importance of protecting these corals
38 before they are damaged. We just can't afford for something
39 that is so rare to be damaged before we even understand it.

40
41 Having attended two of the coral hearings and seen the response
42 to our calls for action, it's clear to me that there is broad
43 public support for Coral Amendment 9. During Oceans Week, we
44 created an online petition that gathered actually 65,000
45 signatures, and nearly 5,000 of those signatures were coming
46 from residents from the Gulf states. I brought a copy of the
47 petition and a thumb drive that I would like to submit to the
48 Gulf Council, if that's possible.

1
2 Our supporters and the commercial fishers that I heard from at
3 the coral hearing in Mississippi have been impressed with the
4 council's efforts to minimize the effects on existing fishing
5 areas and support the amendment. This is an example of what can
6 be done when we can find common ground. Thank you, guys, for
7 your hard work, and thank you for hopefully passing Coral
8 Amendment 9.

9
10 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Johnny
11 Williams, followed by Mr. Buddy Guindon.

12
13 **MR. JOHNNY WILLIAMS:** Good afternoon. I'm Johnny Williams from
14 Williams Partyboats in Galveston, Texas. I'm a third-generation
15 partyboat operator out of Galveston. First, I would like to ask
16 the council to do away with the sunset on sector separation.

17
18 When I first got involved with the council back in the late
19 1980s, I wrote a letter, and one of the points that I brought
20 out is that we really should have three sectors and not two. I
21 pointed out that, even though we take recreational fishermen
22 out, we do this for a living, and so we fall into a different
23 category, and I'm glad to see that we finally made some progress
24 in that direction, and I hope that we can do away with the
25 sunset and make it a permanent situation.

26
27 Also, I applaud the council for giving the private recreational
28 fishermen the opportunity to be under state management. It's
29 something it seems like that they want and desire. I hope that,
30 if it works out well for the private recreational fishermen,
31 that we can do this on a permanent basis as well. It seems
32 like, to me, that that's what they really want, and I think
33 Texas is doing all they can to accommodate the purely-
34 recreational fishermen in the State of Texas, and I continue to
35 support that.

36
37 I implore the council to go forward with Amendment 42 and
38 Amendment 41, when it's ready. I think we're ready with
39 Amendment 42. When I was at the first ad hoc for-hire sector
40 meeting, it was brought up by -- The motion was made by Captain
41 Bob Zales, who all of you all know, that we should have a
42 bifurcation of the group and that the two don't have the same
43 catch histories and stuff like that, and that's why we
44 ultimately divided into 41 and 42 with the ad hoc group. Like I
45 said, I think we're ready with 42, and I wish we could proceed
46 with that as quickly as possible.

47
48 I also think that we should do away or actually reduce the

1 buffer. We do have really good reporting in the partyboat
2 sector, or the headboat, whichever you prefer to call it, sector
3 of the for-hire sector, and I think that we should be able to
4 reduce the buffer somewhat, taking that into account.

5
6 I also want to thank Camp for his diligence here on the council.
7 I know there is a lot of hard work involved, and I would like to
8 thank you for your service. Johnny, I would like to thank you.
9 I think you represented our industry very, very well, and I
10 thank you for your service.

11
12 Doug, you have been having to deal with me since the late 1980s.
13 I remember, in Amendment 1 -- Man, it was a travesty. You all
14 had a lot of issues that weren't correct in there, and, every
15 time I would find an error, I would call Doug up and say, hey,
16 Doug, what about this and this is wrong, and Doug got to the
17 point where I think he was getting tired of listening to me, but
18 he understood where I was coming from, and he knew that I was
19 right, and we became great friends. As a matter of fact, when -
20 - I guess I can talk a second longer. You all let a
21 representative do it.

22
23 Anyway, when Doug applied for Sea Grant, I wrote a letter of
24 support for him, and he got the position in spite of that, but,
25 anyway, Doug, we're going to miss you a lot. Thank you very
26 much, and we've done it all together. We worked on Amendment 1,
27 and we sang karaoke together, and we walked the streets of New
28 Orleans together, and thanks so much for your service. God
29 bless you. Thank you.

30
31 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Buddy
32 Guindon, followed by Mr. Scott Hickman.

33
34 **MR. BUDDY GUINDON:** Good afternoon. Buddy Guindon here. The
35 Shareholders Alliance has submitted a letter that I wish you all
36 would read, especially the reallocation parts, just to get a
37 good understanding of maybe a process that you should go through
38 on the way through this problem.

39
40 Speaking to the corals, it's going to be very important for the
41 industry, the fishing industry, to have the support of the
42 council in keeping us in our historical fishing grounds. I sit
43 on the Flower Garden Banks Marine Sanctuary Advisory Council,
44 and we have done a whole heck of a lot of work looking at the
45 films that show miles and miles of nothing and maybe a spaghetti
46 coral or something that is out in the middle of nowhere, and the
47 coral caps, the areas that really need to be protected, we're
48 doing that.

1
2 We have set those boundaries, and we worked with law enforcement
3 on how to get the smallest boundaries, so we get the most access
4 to these historical fishing grounds, and, as a member of that
5 Flower Garden Banks Sanctuary Advisory Council, I have
6 recommended that they follow the council's advice on this and
7 not try to make up our own recommendations, because I think this
8 is where fisheries should be managed, right here, and the coral
9 should be managed over there, but keeping us having access.

10
11 I listened to the young man from Pew up here say to protect them
12 from going out and getting into these stocks of fish that we
13 haven't really addressed yet, and that's crazy. Why would -- If
14 we can get the technology to get out there, and there is a stock
15 of fish, why would we restrict that without 100 percent
16 knowledge that we would do some damage if we prosecuted that
17 fishery, and so I know that, in the past, you have said that
18 we're going to let them fish near historical fishing grounds,
19 and let's make sure we don't block the access to the new
20 historical fishing grounds that lay in 3,000 to 6,000 feet of
21 water that we know there are fish stocks there.

22
23 I too have had some interactions with Mr. Camp there, and we
24 have actually bumped heads a couple of times since he's been
25 here, but I think, in the long run, we ended up pretty good
26 friends, and I appreciate that, and I appreciate your service.
27 Johnny Greene, of course, is always on the team, and he's a
28 hard-working guy, and you've done us proud in the commercial
29 industry and in your industry.

30
31 You taught me some things, Doug Gregory, things that a young,
32 hard-headed man like me didn't understand, and so I think you
33 know what I'm talking about, and I appreciate it. Thanks a lot.

34
35 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Scott
36 Hickman, followed by Ms. Crystal.

37
38 **MR. SCOTT HICKMAN:** Good afternoon, Madam Chair and esteemed
39 members of the Gulf Council. I would like to first start off --
40 Like what Buddy said, we've got some great folks that are
41 leaving the council. Camp, you're a funny guy, and you've done
42 a great job, and we appreciate your service. Johnny, your
43 charter fleet in the Gulf of Mexico owes you a debt of gratitude
44 for your hard work for the charter boat fleet. Thank you for
45 all you've done.

46
47 Doug, you've done a great job as well, and we're going to miss
48 you. I hear Steven Atran is going to retire, and I think Steven

1 probably -- He's a real soft-spoken guy, but he probably has the
2 best work ethic of anybody I have ever seen. I know how hard
3 that guy works and what he does for the fishery and this
4 council, and I think all the rest of the staff could look up to
5 him, and he sets a bar, and he's done a great job as well.

6
7 Like Buddy said, Flower Garden Banks, we came to a final action
8 on our expansion, and it will go to D.C. next, and I wanted to
9 thank Morgan Kilgour for all her help from the council in
10 working with our Sanctuary Advisory Council on getting that
11 product done and getting some compromises that were hard to get
12 done.

13
14 I am a founding member of the Charter Fishermen's Association
15 and a charter boat and commercial vessel owner/operator out of
16 Galveston. Also, I'm a founding member of the new Galveston
17 Professional Boatmen's Association, and I talked to our guys
18 before I came here, and they want the for-hire out of the state
19 management amendment. They want to be managed by the federal
20 agency.

21
22 We would like to see two cobia per vessel. We have a problem
23 with cobia, and it's becoming more and more obvious every year.
24 Sector separation, we want to do away with the sunset provision,
25 and we want to make it permanent. As far as the ACT amendment,
26 we would like to see Alternative 3 moved forward, and, as far as
27 turtle gear, I can't remember not having turtle gear on my
28 charter boat or commercial boat.

29
30 I've got a whole compartment stacked with this stuff. Charlie
31 Bergman comes every year, and we get the fleet together, and we
32 have cold beer on the dock, and he goes over any new stuff. He
33 goes up and down the coast. If we implement some recreational
34 stuff, Charlie can put on workshops for these guys. If it saves
35 some sea turtles, that's a great thing, but the charter boat and
36 commercial fleets have had the sea turtle gear for as long as I
37 can remember, and I think, from the recreational side, they
38 should have some accountability with sea turtles as well.

39
40 I know my wife sure loves them. She walks the beach every
41 spring looking for nests, and she goes and reports them, and
42 she's a sea turtle lover, and so let's keep more sea turtles out
43 there for my wife. That's about it. You all have a great day
44 and thank you.

45
46 **CHAIRMAN BOSARGE:** We have a question from Captain Greene.

47
48 **MR. GREENE:** Thank you, Scott. I appreciate the kind words. On

1 the size limit on cobia, in the western Gulf, what size limit,
2 if we were to go to an increase, would you guys feel would be --

3
4 **MR. HICKMAN:** Texas is already at thirty-seven inches, and so we
5 have to follow the more restrictive of the regulations, and so,
6 to land that fish in Texas, it has to be thirty-seven inches. I
7 have tagged cobia for Dr. Jim Franks out of Mississippi for a
8 long, long, long time, and I used to kill about 200-plus big
9 cobia every year, and I keep records. The last few years, I've
10 been killing about forty or fifty a year, and so my numbers are
11 substantially down.

12
13 In fact, I think, my last four trips, I didn't put a legal cobia
14 on the boat. I am not seeing the small ones. We're still
15 catching some pretty nice ones, but, overall -- A lot of you all
16 know that I do a lot of research work with Benny Gallaway's
17 team.

18
19 I do a lot of biological sampling trips all over the western
20 Gulf, a lot in the west delta off of Louisiana, where there is
21 no fishermen, no boats, virgin stuff, west and east of Cameron
22 Block, all through there, and we would go four to five days
23 without seeing a cobia last year, and that's some of the best
24 cobia fishing in the Gulf.

25
26 Cobia has a problem, and we need to do something about it and
27 get ahead of this. Don't get like red snapper, where we get too
28 far down the road and it's so hard to come back. Let's get
29 ahead of it on the cobia thing now, and that would be great.

30
31 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Ms. Crystal,
32 followed by Mr. Mike Jennings.

33
34 **MS. CRYSTAL STEIN:** My name is Crystal Stein. I flubbed on the
35 tablet, which is coincidental, considering we're the tech
36 company behind the electronic reporting tablets. I work with
37 Woods Hole Group, which was previously CLS America. I just
38 wanted to give kind of an update as to what we've been up to for
39 the last two years and say thank you for allowing us, Doug
40 specifically, to set up at each meeting.

41
42 For the last two years, we have been outfitting vessels around
43 the Gulf with electronic tablets, VMS-based for real-time
44 satellite reporting. As of last week, Lynn Stokes through
45 Southern Methodist University, our statistician, gave us updated
46 information regarding the project to date. Total trips taken in
47 the last two years is 17,500. The total caught per species for
48 red snapper is over 100,000. For vermilion snapper, it's

1 154,000, and so this is data we have collected from over 200
2 captains around the Gulf, and those are the vessels we have
3 updated to date.

4
5 Currently, we were just cleared, and we're working in
6 conjunction with the Gulf Seafood Institute, to outfit an
7 additional 200 vessels in Alabama, Florida, and Mississippi, and
8 so I also want to say thank you to all of the charter captains
9 who have participated in this project of data collection.
10 That's it. Thank you.

11
12 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Mr. Mike
13 Jennings, followed by Ms. Abby Webster.

14
15 **MR. MIKE JENNINGS:** My name is Mike Jennings, and I own two
16 federally-permitted charter boats in Freeport, Texas, and I'm
17 the managing partner of Gulf Coast Marina in Surfside Beach,
18 Texas.

19
20 I would start off on the ACT discussion, and we would like to
21 see the council continue to move forward and work towards a
22 little better access on the charter boat side. We have got
23 these EFPs on the recreational side, and there was some
24 discussion yesterday by the council about some inequities, and I
25 don't know that we would call them inequities, but it's just a
26 product of what these buffers have done to us, and we would like
27 to see the council move forward, and I would like to ask that we
28 heed the warnings of yesterday of whether we could get one of
29 those preferreds past the SSC, et cetera, and I would hate to
30 see something done that is just thrown back at the floor of this
31 council because we did something we felt like we wanted to, yet
32 we knew we couldn't get passed.

33
34 One of the issues that I think we're going to see out of this is
35 an excuse, moving into the reallocation discussion, that,
36 because the charter/for-hire sector has fallen twenty-something
37 percent under its ACT a couple of years, three years in a row,
38 that they are somehow -- The fact that they are under-allocated
39 in days to fish is a justification for them being over-allocated
40 in pounds of fish, and that's going to be said with a straight
41 face and used as a justification for that reallocation
42 discussion.

43
44 On Amendment 50A, with the alternatives that were chosen by the
45 committee yesterday, we're in full support of it, but leave the
46 charter boats out it, with the added issue on the removal of the
47 sunset being attached to that amendment. I am absolutely in
48 full support of it, and I would ask the council to move forward

1 on that.

2
3 Cobia, we support the -- Our charter boat association supports
4 the reduction to the two fish per vessel. We think that's a
5 great move, and we would like to see, on cobia, something be
6 proactive for a change, rather than reactive, and the discussion
7 or the points that Captain Hickman made just a few moments ago
8 up here are what we're seeing across the board, even in Texas.

9
10 I know we're getting a little bit of a different stock from down
11 south, and we see these little shots of fish, and we were seeing
12 them about the time that everybody in the central Gulf was
13 wondering where they all went, which was kind of confusing this
14 year, but they came, and then they quit coming, and we caught
15 the few, it seems like, that were worth putting in a boat, and
16 we're not seeing the come since then. There is a problem there,
17 and we need to address it.

18
19 I've got a mess of notes here, and I can't read about half of
20 them, and that's about the only topics that I wanted to touch on
21 today, other than I would like to take a moment to thank Camp
22 for your service, and I guess the only advantage I could see of
23 you getting off this council is that maybe you and I can find an
24 opportunity to sit in that duck blind together this winter. We
25 keep talking about it, and we're never allowed to do it.
26 Johnny, you have represented our industry with the utmost of
27 dignity and fairness, and we really do appreciate it. We're
28 going to miss you.

29
30 Doug, we have -- There's not a person in this room behind me or
31 sitting at that table who hasn't reached out to you and relied
32 on you or needed you for something at one time or another, and
33 you have always been courteous and helpful, and you've always
34 been willing to work with anyone that came across and needed
35 your help, and we thank you for your service, and you're going
36 to be sorely missed, my friend. Thank you.

37
38 **CHAIRMAN BOSARGE:** Mr. Jennings, we have a question from Mr.
39 Diaz.

40
41 **MR. DIAZ:** Captain Jennings, thank you for coming, first off. I
42 know it's a long trip for you. I've got a couple of questions
43 for you. As far as size limit on cobia, do you have any
44 thoughts on that? Then I've got one more question for you.

45
46 **MR. JENNINGS:** Like Scott said earlier, Texas is thirty-seven
47 inches, and so we already have to adhere to that to land those
48 fish in Texas, and so an increase in the size limit, from my

1 perspective, if that was what was needed, or the council felt
2 was needed, to kind of slow down this train wreck that we think
3 we see coming, I don't think there would be much of a pushback
4 from us.

5
6 **MR. DIAZ:** I've got one more question for you. A charter boat
7 fisherman in Mississippi brought up to me that, in his business,
8 he nets the smaller cobia, but he gaffs the bigger cobia, but
9 our conversation did not go to when he pulls out to gaff fish,
10 and do you all net the smaller cobia, and at what breaking point
11 would you think that most people would gaff them? I know I'm
12 asking you questions that it's probably hard to answer, but I
13 would appreciate any information that you have.

14
15 **MR. JENNINGS:** I have netted the smaller ones in the past, and I
16 carry -- I hate nets on boats. There is just no place to store
17 them, and they're in the way, but I keep one stowed, and I have
18 in the past. I've gotten to the point, over the last few years,
19 to where I stand up and look over the transom, and, if it's not
20 obviously something that I want to put in the box, we just don't
21 even put them in the boat, if we can get away with it.

22
23 I am not tail-pinching cobia just to take one back to the dock.
24 I am trying to make them obvious and solid keepers that I know
25 are not even going to come close to falling under the minimum
26 size length or I just turn them loose, and that's been my
27 approach.

28
29 At what breaking point that would be, I don't know. I think
30 that's an individual thing that we just depend on from one
31 person to the next. There's a lot of people that are going to
32 net every one of them and tail pinch them, and then there's guys
33 that if it ain't forty-five pounds that he's not even trying to
34 put a hook in it.

35
36 **MR. DIAZ:** Thank you, Captain Jennings.

37
38 **MR. JENNINGS:** Yes, sir. Thank you.

39
40 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Ms. Abby
41 Webster.

42
43 **MS. ABBY WEBSTER:** I am Abby Webster, and I own and operate a
44 charter boat out of Freeport, Texas. I also run a waterfront
45 seafood restaurant, and I am the current Executive Director for
46 the Charter Fishermen's Association.

47
48 In reference to modifying the ACT for the red snapper, I ask

1 that you continue working towards a solution that provides the
2 best access for the charter/for-hire sector while staying under
3 the ACT.

4
5 I'm in support of Amendment 50A, with the preferreds that were
6 picked yesterday in committee, along with the removal of the
7 sunset on Amendment 40, once it's passed, and, in reference to
8 the cobia size and possession, I'm in support of the two per
9 boat. Thank you.

10
11 **CHAIRMAN BOSARGE:** Thank you, ma'am. All right, council. That
12 concludes public testimony, and we are early, and so guess what?
13 We're going to keep working, but I'm going to give you a quick
14 bathroom break, and so take about fifteen minutes, and then
15 we're going to come back and hit it again.

16
17 (Whereupon, a brief recess was taken.)

18
19 **CHAIRMAN BOSARGE:** We're going to knock out one or two of these
20 committee reports, just to leave us a little breathing room
21 tomorrow, and so, if Dr. Frazer is ready, we're going to pick up
22 with the Mackerel Committee Report.

23
24 **COMMITTEE REPORTS**
25 **MACKEREL COMMITTEE REPORT**

26
27 **DR. FRAZER:** This is the Mackerel Committee Report. We will
28 start off with CMP Amendment 31. The staff reviewed CMP
29 Amendment 31, Tab C, Number 5, which addresses the South
30 Atlantic Fishery Management Council's request to withdraw the
31 Atlantic migratory group of cobia, Atlantic cobia, from the
32 joint fishery management plan for coastal migratory pelagic
33 resources, CMP FMP.

34
35 The South Atlantic Fishery Management Council and the Gulf of
36 Mexico Fishery Management Council have selected Preferred
37 Alternative 2 to remove Atlantic cobia only from the CMP FMP and
38 allow the Atlantic States Marine Fisheries Commission to manage
39 Atlantic cobia in state, and, in the absence of federal
40 management, federal waters.

41
42 Since this FMP is jointly managed by the South Atlantic and Gulf
43 Councils, the two councils must concur on a preferred
44 alternative for CMP Amendment 31 to go forward. At their June
45 2018 meeting, the South Atlantic Fishery Management Council
46 voted to transmit CMP Amendment 31 to the Secretary of Commerce
47 for implementation.

48

1 The Gulf and Atlantic cobia stock identification data and review
2 workshops have reviewed the available data for both migratory
3 groups and did not support moving the current stock boundary
4 from the Florida/Georgia state line. The data did show a
5 transition zone between approximately Brunswick, Georgia and
6 Cape Canaveral, Florida, in which cobia from the Atlantic and
7 Gulf stocks may interact. The joint cooperator technical
8 review, which will include SSC members from both the Gulf
9 Council and South Atlantic Council, will be held in early August
10 of 2018.

11
12 The committee asked what impacts may result from the council
13 deferring action on CMP Amendment 31 until the August council
14 meeting, after the completion of the joint cooperator technical
15 review. Staff replied that delaying implementation of the
16 proposed regulations would delay the date at which the ASMFC's
17 regulations would become effective from the beginning of 2019 to
18 sometime later in that year. The committee chose to defer a
19 decision on CMP Amendment 31 until the Full Council session,
20 after receiving public comment.

21
22 **CHAIRMAN BOSARGE:** All right. Captain Greene.

23
24 **MR. GREENE:** Well, I've thought about this a bunch, and I have
25 tried to make a lot of sense out of what to do with this and how
26 to do it, and it seems pretty apparent that we need to do
27 something here.

28
29 I know that the Atlantic States Marine Fisheries Commission
30 needs time to -- That there is a timing issue that is involved
31 here, and I think it's my intent to go ahead and try to push
32 this on through, to get this out of our way to be within the
33 bounds of the timing that we need to do for the Atlantic States
34 and the South Atlantic Fishery Council and everything else, to
35 kind of follow in with that.

36
37 I normally have all of my stuff together and have motions ready,
38 and I don't have one, and so I'm not exactly sure how to word
39 it, and, if somebody wants to jump in and help me, but I think
40 we need to go ahead and do this, as much as I've kind of gone
41 back and forth with it, and I've kind of even fought against it.
42 I think that, at this time, it's probably in our best interest
43 to go ahead and move this on forward.

44
45 **CHAIRMAN BOSARGE:** Dr. Frazer.

46
47 **DR. FRAZER:** I think all we need to do is make sure that our
48 intent here is to concur with the South Atlantic's decision to

1 accept that preferred alternative and move the document forward
2 to the Secretary of Commerce.

3

4 **CHAIRMAN BOSARGE:** Mr. Rindone, do we have preferreds, or, Dr.
5 Frazer, do we have preferreds on every action item?
6

7 **MR. RYAN RINDONE:** There is just one action item, and you guys
8 do have concurrent preferreds on that. You have both selected
9 Alternative 2.

10

11 **CHAIRMAN BOSARGE:** So we would need our motion to bless this and
12 send it to the Secretary for implementation?
13

14 **MR. RINDONE:** Yes, ma'am.

15

16 **CHAIRMAN BOSARGE:** Okay. So, if somebody wants to make that
17 motion, I am sure that staff could help us get that verbiage on
18 the screen. Dr. Frazer.
19

20 **DR. FRAZER:** I'm happy to make that motion.
21

22 **CHAIRMAN BOSARGE:** Dr. Simmons.
23

24 **DR. CARRIE SIMMONS:** I was just wondering. During committee,
25 did you review the proposed text? Did you need to look at that?
26 It's available, and I didn't know if there were any questions.
27

28 **CHAIRMAN BOSARGE:** Dr. Crabtree.
29

30 **DR. CRABTREE:** I wasn't here at the committee meeting, and so I
31 don't know if you all talked about that or not, but I would be
32 happy to talk about some of the key features of it, and it is in
33 your briefing book under Tab C-5(a).
34

35 Mostly, what it does is it removes the Atlantic stock, which is
36 the Georgia/Florida line north, from the FMP. It doesn't affect
37 the Gulf at all, and I am quite sure that the boundary is not
38 going to be moved, and any movement of the boundary would
39 require a plan amendment, and it would require your approval.
40

41 In addition to the removal of it under the Magnuson-Stevens
42 regulations, further down into it, you will get to the Part 692
43 regulations, and those are regulations that are implemented
44 under the authority of the Atlantic Coastal States Act, and so,
45 in those regulations -- The reason there is some urgency to get
46 this done before the beginning of next year's fishing year is it
47 has provisions that establish the default size limits and bag
48 limits and trip limits and things, but, most importantly, it has

1 a provision in there that says vessels landing in a particular
2 state have to comply with the more restrictive of the two
3 regulations, which means they have to comply with the
4 regulations of the state where they're landing, and we don't
5 have that now, and it's kind of a loophole and a problem that we
6 have under the way the fishery is being managed now.

7
8 The other thing that those regulations do is it provides for the
9 commercial quota of 50,000 pounds and gives the closure
10 authority when that is reached, and it establishes a commercial
11 trip limit of two per person and six per vessel, and so I think
12 that I agree with Johnny that this is the right thing to do.

13
14 We have invested an awful lot of time on the east coast with the
15 commission and the council working on this, and I think it's
16 going to be a much better management structure than what we have
17 now.

18
19 In particular, one of the problems that we've had is that
20 Virginia is a major cobia player, and I think it's the highest
21 landings of any state over there, many times, and Virginia is
22 not a member of the South Atlantic Fishery Management Council,
23 and that's been a real problem, because the anglers in Virginia
24 have kind of felt disenfranchised in a lot of this, and so
25 Virginia has a seat on the Snapper Grouper Committee, but, when
26 it comes down to final action at Full Council, they don't have a
27 vote, and so I agree with us moving forward with this, and I
28 think it's the right thing to do.

29
30 I think the only thing that you need to add to the motion, if we
31 could see that again, is we need to also indicate that we're
32 choosing Alternative 2 as the preferred alternative, because I
33 don't think we have ever selected a preferred. You did select a
34 preferred at the last meeting? Okay. Then this is good.

35
36 **CHAIRMAN BOSARGE:** Thank you for that discussion. Do we have a
37 second to the motion? It's seconded. All right. Is there
38 further discussion on the motion on the board? If there is no
39 further discussion, then Mr. Gregory will lead us through our
40 roll call vote.

41
42 **EXECUTIVE DIRECTOR GREGORY:** Dr. Frazer.

43
44 **DR. FRAZER:** Yes.

45
46 **EXECUTIVE DIRECTOR GREGORY:** Captain Greene.

47
48 **CAPTAIN GREENE:** Yes.

1
2 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.
3
4 **MR. BOYD:** Yes.
5
6 **EXECUTIVE DIRECTOR GREGORY:** Dr. Mickle.
7
8 **DR. MICKLE:** Yes.
9
10 **EXECUTIVE DIRECTOR GREGORY:** Dr. Shipp.
11
12 **DR. SHIPP:** Yes.
13
14 **EXECUTIVE DIRECTOR GREGORY:** Mr. Dyskow.
15
16 **MR. DYSKOW:** Yes.
17
18 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.
19
20 **DR. CRABTREE:** Yes.
21
22 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.
23
24 **MR. SWINDELL:** If I can vote, then yes. I thought that I
25 couldn't vote.
26
27 **EXECUTIVE DIRECTOR GREGORY:** That's right. My mistake. Mr.
28 Matens. I will come back to him. Mr. Banks.
29
30 **MR. BANKS:** Yes.
31
32 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
33
34 **MR. ANSON:** Yes.
35
36 **EXECUTIVE DIRECTOR GREGORY:** Ms. Guyas.
37
38 **MS. GUYAS:** No.
39
40 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
41
42 **MR. DIAZ:** Yes.
43
44 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.
45
46 **MR. RIECHERS:** Yes.
47
48 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.

1
2 **DR. STUNZ:** Yes.
3
4 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
5
6 **MR. SANCHEZ:** Yes.
7
8 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.
9
10 **CHAIRMAN BOSARGE:** Yes.
11
12 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.
13
14 **MR. MATENS:** Yes.
15
16 **EXECUTIVE DIRECTOR GREGORY:** It's fifteen yes and one no and one
17 absent. The motion passes.
18
19 **CHAIRMAN BOSARGE:** **All right, and so the motion carries.** Would
20 you like to proceed on with your committee report, Dr. Frazer?
21
22 **DR. FRAZER:** Yes, I would. Moving on to CMP Framework Amendment
23 7, staff presented the one-page Gulf cobia handout, Tab C,
24 Number 6(a), which the council had requested be developed at the
25 April 2018 council meeting. The committee liked the handout and
26 the information it presented, but requested that a figure which
27 details recent landings also be added.
28
29 In Action 1, NMFS staff recommended clarifying that the document
30 only applies to the Gulf jurisdictional area, and that the South
31 Atlantic Fishery Management Council would need to take separate,
32 but commensurate, action for the east coast of Florida if they
33 so desired.
34
35 The committee asked whether the data could support identifying
36 at what size or age a given proportion say, for example 85
37 percent, of Gulf cobia are sexually mature. Staff indicated
38 that the data did not currently support such an explicit
39 determination. However, generally speaking, larger fish would
40 be more likely to be mature. The Southeast Fisheries Science
41 added that larger fish likely contribute disproportionately to
42 reproductive output and subsequent recruitment.
43
44 Committee members discussed public comments received, noting
45 that larger cobia, anecdotally, those larger than a forty-five-
46 inch fork length from tournaments, have been less common in the
47 last few years.
48

1 Discussion of a slot limit brought forth questions about release
2 methods for larger fish, which are typically gaffed at the side
3 of the boat. The Florida FWC noted that their management
4 changes for cobia left the size limit alone and instead reduced
5 the possession limit to one fish per person with a vessel limit
6 of two fish, whichever is less.

7
8 Staff noted that the biological data available at this time
9 provide little insight into the decline in landings. The
10 committee requested that any size limit analysis also look at
11 the size frequency of discards going back as far in time as
12 practical to try and get a better idea of the size range and
13 frequency distribution of the fish with which anglers are
14 interacting.

15
16 Staff continued with a review of Action 2, which examines
17 changes to the possession limits for Gulf cobia in the council's
18 jurisdictional area. Staff added that a vessel limit has been
19 included in the proposed management changes, since the Florida
20 FWC recently changed their possession limit for Gulf cobia
21 caught in state waters.

22
23 **The committee recommends, and I so move, in Action 2, to select**
24 **Alternative 2 and Alternative 3, Option 3a as preferred**
25 **alternatives. Alternative 2 reads to decrease the per person**
26 **recreational and commercial possession limit for Gulf cobia to**
27 **one fish per day. Alternative 3 is create a recreational and**
28 **commercial daily vessel limit for Gulf cobia. Anglers may not**
29 **exceed the per person possession limit. Option 3a is the**
30 **recreational and commercial daily vessel limit for cobia is two**
31 **fish.**

32
33 **CHAIRMAN BOSARGE:** Okay. We have a committee motion. Is there
34 discussion on the motion? Mr. Banks.

35
36 **MR. BANKS:** We certainly heard from a lot of folks around the
37 Gulf, and it sounds like folks feel like there is some problems
38 with cobia, but I spoke to a few fishermen in my state who don't
39 feel like there is a problem. I was a little bit -- I was not
40 on the committee, and so I wasn't part of this motion, but I was
41 a little concerned that it just didn't feel like we had enough
42 information to go ahead and pick preferreds at this time, but I
43 did have our staff pull some data from Louisiana, and that data
44 seems to suggest that we could be seeing a problem, based on
45 landings of recreational and commercial.

46
47 It's not super clear, but at least there is some indication that
48 landings have gone down quite a bit more than what the decrease

1 in trips recently would suggest that it should, and so I'm a
2 little conflicted.

3
4 My data seems to suggest a problem, but the fishermen that I
5 talked to -- None of the seven that I spoke to really quickly
6 while you all were having all this conversation, and I was
7 texting with folks, and they all, and these are avid fishermen,
8 three of which are charter fishermen, think we have a problem in
9 Louisiana, and so I guess I'm at the point where I'm not so sure
10 that I'm comfortable to pick a preferred yet on this without
11 some more analysis, and I wanted to ask if there was any
12 additional analysis being planned from NOAA or the staff.

13
14 **CHAIRMAN BOSARGE:** Mr. Rindone.

15
16 **MR. RINDONE:** Thank you, Madam Chair. Yes, we intend to bring
17 size and possession limit analyses back to the council at the
18 next meeting, and so we just ran out of time to have those
19 completed before this one.

20
21 **CHAIRMAN BOSARGE:** Mr. Greene.

22
23 **MR. GREENE:** Patrick, I had a lot of charter boats thank me for
24 being up here, and I think they're about to be mad at me, but
25 let me be honest with you. Yellowfin tuna have been really hard
26 to come by this year, extremely hard, the worst year I have ever
27 seen in my life.

28
29 If that was the case and I was running a charter boat in
30 Louisiana and I thought I could go in there and catch a few
31 cobia, I wouldn't tell you that there was a problem for any
32 amount of money in this world, and so I'm just being honest with
33 you. I think there is an issue. Those fish migrate up the east
34 coast and up the west coast, and they kind of meet in Louisiana,
35 and it should be the ultimate playground for cobia, and it has
36 been for a long time.

37
38 The truth of the matter is that snapper fishing hasn't been that
39 good for some of those guys in Louisiana that I have talked to,
40 and the tuna fishing hasn't been real good, and taking cobia
41 away from them hurts, and it would hurt me if I was in the
42 middle of it, and it does. It affects me, as I catch cobia too,
43 but I haven't had any of them to catch either, and so go with
44 your gut on this one, but --

45
46 **CHAIRMAN BOSARGE:** All right. I've got a few people in line
47 here. Mr. Gregory.

48

1 **EXECUTIVE DIRECTOR GREGORY:** I just wanted to ask if there is
2 any concern or any -- Is it frequent that a boat would stay out
3 for more than one day and one fish per day -- If they say it's a
4 three-day trip and they would have three fish per person, and is
5 that any concern at all or a potential loophole?
6

7 **CHAIRMAN BOSARGE:** To that point, Mr. Greene?
8

9 **MR. GREENE:** Any time that you're gone on a multiday trip, more
10 than two days, for example the three-day trip that I run, I
11 can't keep but a two-day limit of anything. Even though I'm
12 gone for three days, I can only keep a two-day limit, and so
13 that's the issue with that. If they're gone for more than two
14 days, they can only keep a two-day limit.
15

16 **CHAIRMAN BOSARGE:** All right. Next, I have Dr. Shipp.
17

18 **DR. SHIPP:** I just want to offer that I think that this is the
19 closest thing to an emergency that I've seen in a long time. I
20 was waiting to hear testimony today, and it confirmed what our
21 suspicions were, and I think Johnny can verify that the charter
22 fleet -- Time after time, they go out and get none at all, and
23 that's really, really unusual, and so I think we need to do
24 everything we can to move this along as fast as we can.
25

26 **CHAIRMAN BOSARGE:** Mr. Anson.
27

28 **MR. ANSON:** To follow-up on what Captain Greene said, I believe
29 that only applies for federally-permitted vessels that have two
30 captain and crew onboard too for the two-day limit. For private
31 recreational, it would only be the one-day limit, no matter how
32 many days they went out, but, I guess, Ryan, in that analysis,
33 the size limit analysis, I was unaware of Texas's size of
34 thirty-seven inches, and I just wanted to see if you were going
35 to include that and make sure it wasn't like thirty-four and
36 thirty-six and thirty-eight and you would skip over that because
37 of the consistency issue, and it might be helpful, at least, for
38 one state to do that.
39

40 **CHAIRMAN BOSARGE:** Mr. Rindone.
41

42 **MR. RINDONE:** Thank you, Madam Chair. Texas's size limit is
43 thirty-seven inches total length and not thirty-seven inches
44 fork length, and so it's probably a fraction of an inch off of
45 what the fork length measurement would be, and I don't have the
46 meristics in front of me to know exactly what the conversion is
47 though.
48

1 **CHAIRMAN BOSARGE:** Mr. Riechers.
2
3 **MR. RIECHERS:** When we set our total lengths, we're trying to
4 match the minimum size at fork length, and so, obviously, it can
5 depend on which paper you were looking at for the difference
6 between the two, but we tried to match that.
7
8 **CHAIRMAN BOSARGE:** Dr. Crabtree, go ahead.
9
10 **DR. CRABTREE:** Just that I've heard enough that I'm in agreement
11 with Johnny and Bob and others that we need to do something, and
12 I am likely going to support reduction of the bag limit and
13 increasing the size limit, but I do think there is sense in
14 waiting until we have an analysis that we can look at to show
15 how much reduction we might expect to see from some of those at
16 the next meeting, but I've seen enough to convince me that we
17 ought to do something.
18
19 **CHAIRMAN BOSARGE:** Mr. Riechers.
20
21 **MR. RIECHERS:** I want to go back, Ryan, because you said you
22 were going to bring the analysis back, and so remind me of where
23 we stand then. You were going to bring that back with the hopes
24 that we would vote at the next meeting on this? Were we going
25 to do hearings between now and then or how would this transpire,
26 from a logistical perspective?
27
28 **MR. RINDONE:** Our hopes are just that we provide the best
29 information to you guys. How you guys vote on it is up to you,
30 but we're going to bring those analyses to you in August, and
31 you can go final on it in August, and so this is in the options
32 stage right now, where you guys just tell us that these
33 alternatives make sense or they don't, and, if they don't, tell
34 us what to change.
35
36 The conversation that we've heard so far suggests that, given
37 the information that we have so far and that we've presented,
38 that we're maybe not hitting the nail square on the head, but
39 we're in the right neighborhood, and so, when we bring those
40 size and possession limit analyses back to you guys, we can
41 tweak things some more and still go final if it's within the
42 range of things presented.
43
44 **CHAIRMAN BOSARGE:** To that point, Mr. Riechers?
45
46 **MR. RIECHERS:** Kind of getting at the point of Patrick, I guess,
47 to some degree, and I certainly understand what Bob and Johnny
48 said, to some degree, I think we're all probably comfortable

1 with these as preferreds, but it is a little out of the ordinary
2 for us to, without the data in front of us, to actually pick
3 those as preferreds.

4
5 We don't have a lot of other options to throw out on the table
6 here, given where we're at with two fish and trying to reduce
7 that bag limit, and so I don't know that there's a lot of
8 different suites of alternatives we would come up with. I think
9 we're there on the suites of alternatives, but I certainly could
10 support the notion of waiting until we get that analysis in
11 front of us to go ahead and pick those preferreds.

12
13 **CHAIRMAN BOSARGE:** Mr. Anson.

14
15 **MR. ANSON:** I guess, in a normal situation, where we had some
16 time, I would agree with that comment, Robin, and Patrick's
17 comment, but maybe leaving this particular action item with the
18 preferred in there would kind of stir some additional interest
19 or peak everyone's interest.

20
21 We've had a lot of comments of folks that say that there is a
22 problem, and so I think we have some broad support for doing
23 something, but it's the specifics. The devil is in the details,
24 I think, and so, when we come back to the August meeting, we
25 will have some analysis to look at the size limit and bag limit
26 and what the impacts actually are, and I'm just wondering if,
27 instead of final action, we could notice it for final action in
28 August, but if we were to delay to October, for whatever reason,
29 administratively, we would still not -- You would still have
30 time, the agency would still have time, to go ahead and
31 implement that by the end of February, do you think? Would four
32 months be enough to get that on the books, because they start
33 showing up in western -- No? You don't think so?

34
35 **DR. CRABTREE:** It's difficult to predict with any certainty, and
36 we do have the holidays, when the Federal Register closes and
37 the people are out. All I can tell you is we will do our best.

38
39 **CHAIRMAN BOSARGE:** Ryan, I had a question. The way that we have
40 the document structured right now, sometimes we have sub-
41 alternatives for recreational and commercial. In this one, we
42 just kind of wrote it all into the alternative, and I did hear
43 some public testimony tonight that the commercial guys were
44 asking for something a little different than the recreational.

45
46 I don't know that I am inclined to do that, but, if the document
47 could be structured so that that is an option, that would be
48 nice. I am inclined to do the same for both at this point, but

1 you never know what you might hear. Ms. Gerhart.

2
3 **MS. GERHART:** Just relative to that, remember that there is no
4 commercial permit for cobia, and so distinguishing who is a
5 commercial fisherman and a recreational fisherman is very
6 difficult, particularly at sea. You don't know until the person
7 comes back and sells the fish that they're actually a commercial
8 fisherman, and so that's one of the difficulties with doing
9 something different.

10
11 **CHAIRMAN BOSARGE:** Mr. Gregory.

12
13 **EXECUTIVE DIRECTOR GREGORY:** This change in a good fishery would
14 take time to have an effect on the population. It won't happen
15 immediately. It's not a major change. We're getting a stock
16 assessment, at least an update or a standard, next year on
17 cobia.

18
19 If you feel like there's an emergency, maybe you should consider
20 closing the fishery until we get a stock assessment, if that's
21 even possible, because, if people aren't catching the fish now,
22 changing the bag limit is not going to have a big impact, and I
23 don't know what is required to enact an emergency, if we have
24 the data for that, but, if that's the feeling, and I just wanted
25 to throw that out there for consideration.

26
27 **CHAIRMAN BOSARGE:** Mr. Diaz.

28
29 **MR. DIAZ:** I just want to -- I was the one that made the motion
30 that's on the board right there, and I agree with Robin.
31 Generally, before we make these decisions, it's a lot better to
32 have size limit and bag limit analyses, but I just wanted to put
33 that motion out there to try to spur some public testimony at
34 this meeting. If we wait until August to take final action on
35 this and the size limit, I'm okay with that, and I just wanted
36 to put that on the record. Thank you.

37
38 **CHAIRMAN BOSARGE:** Okay. If we do think that we're going to
39 take final action on this at our next meeting, it would be my
40 suggestion that we do pick preferreds and show that to the
41 public, so that they can see it. That tends to get people
42 motivated to scream at us or tell us they like it, and so, if
43 that's our intention, we probably want to go that route, rather
44 than pick preferreds and go final at the next meeting. All
45 right. Mr. Riechers.

46
47 **MR. RIECHERS:** You said you didn't have the info to present, and
48 so I'm guessing it's not even available in a tracked form. I

1 mean, I have you looked at any bag limit analysis associated
2 with this to understand the percent reduction? I mean, I am
3 kind of like Doug Gregory here. I can't believe it's going to
4 be a lot, if we're already at two and we're moving to one, but
5 have you had any inkling of looking at that?

6
7 **CHAIRMAN BOSARGE:** Mr. Rindone.

8
9 **MR. RINDONE:** We haven't looked at a completed analysis yet, and
10 so, at this point, it would just be conjecture.

11
12 **CHAIRMAN BOSARGE:** All right. Any further discussion on the
13 committee motion on the board? **The motion is, in Action 2, to**
14 **select Alternative 2 and Alternative 3, Option 3a as preferred**
15 **alternatives. Alternative 2 is to decrease the per person**
16 **recreational and commercial possession limit for Gulf cobia to**
17 **one fish per day. Alternative 3 is create a recreational and**
18 **commercial daily vessel limit for Gulf cobia. Anglers may not**
19 **exceed the per person possession limit. Option 3a is the**
20 **recreational and commercial daily vessel limit for cobia is two**
21 **fish. All those in favor, signify by saying aye; all those**
22 **opposed same sign. The motion carries. Dr. Frazer, did you**
23 have some more in your committee report?

24
25 **DR. FRAZER:** Just one or two sentences.

26
27 **CHAIRMAN BOSARGE:** Go ahead.

28
29 **DR. FRAZER:** The council has requested that the Southeast
30 Fisheries Science Center update catch per unit effort indices
31 for Gulf cobia. Staff anticipates that requested information
32 will be available by the next SSC and council meetings. Madam
33 Chair, this concludes my report.

34
35 **CHAIRMAN BOSARGE:** All right. While we're in this, is there any
36 inclination by the group to go back and look at the minimum size
37 limits and pick a preferred on that one? Mr. Matens.

38
39 **MR. MATENS:** Thank you, Madam Chair. I speak to that. My
40 personal experience, limited as it may be, in tournaments that I
41 go to and what I've been doing is that so few fish are being
42 landed that something like this I don't think is going to make a
43 significant difference. Boats are coming in with one or zero,
44 and so, from my perspective, looking at the size limit I think
45 has value.

46
47 **CHAIRMAN BOSARGE:** It does have value? Okay. All right. Mr.
48 Dyskow.

1
2 **MR. DYSKOW:** Thank you, Madam Chair. From a recreational
3 fisherman perspective, I am a little concerned if that minimum
4 length gets too large, simply from a safety factor of bringing a
5 large fish in a boat in a net. I fish out of a twenty-four-foot
6 bay boat, and many times by myself. If it went much beyond
7 thirty-six, I would be slightly -- I would be uncomfortable
8 bringing that fish in the boat in a net by myself, and I don't
9 even have a gaff on my boat, but it would probably motivate me
10 to have one if the slot limit went to say thirty-seven inches or
11 higher.

12
13 **CHAIRMAN BOSARGE:** Mr. Matens.

14
15 **MR. MATENS:** To that point, thank you. I fish for these things,
16 and anybody that brings -- I have a small boat, and anybody that
17 brings a cobia in a net onto the deck that thinks they're going
18 to measure it is delusional. These darned things are as mean as
19 a snake, and I don't put a fish onboard unless I know with a
20 certainty that it's a legal fish. Surely the discard mortality
21 for gaffed fish isn't very high.

22
23 **CHAIRMAN BOSARGE:** All right. Any further discussion on the
24 minimum size limit? Ms. Guyas and then Dr. Frazer.

25
26 **MS. GUYAS:** This is just to remind everybody, and it was in the
27 committee report, but the commission decided against doing
28 something with the size limit on cobia. We got a lot of
29 testimony that we've talked about here with release mortality
30 and trying to measure these things and all that, and I am going
31 to support that here.

32
33 I am looking at just some rough graphs of what comes out of
34 Florida, and it looks like -- Well, let me back up and remind
35 everybody of kind of what I talked about in committee. In the
36 Panhandle, we have this sight fishery, where people are -- They
37 can kind of pick their cobia, and, in west central Florida, it's
38 not that way.

39
40 It's not generally a sight fishery, and they're operating in two
41 different ways, and so I am looking at the breakdown of what's
42 coming from state and federal for those different regions, and
43 it looks like most of those recreational landings are coming
44 from state waters, which means that, if we do a size limit
45 change, it's really not going to be helpful, at least on
46 Florida's end, and this is where a lot of these fish are being
47 caught. It looks like most of the commercial fish are coming
48 out of federal waters, off of west central, but, again, this is

1 a recreational-dominated fishery.

2
3 If we're trying to do something with the size limit, to get
4 something out of it, you're not going to get much help from
5 Florida on this, because we have already considered this
6 question and decided to stay where we are, and so, once we get
7 an assessment, then I think we would definitely entertain that
8 question. Let's look at the size limit and figure out which way
9 we want to go and if that's a measure we want to take, but, at
10 this time, I would advocate for no action on the size limit.

11
12 **CHAIRMAN BOSARGE:** Ms. Guyas, when you all were looking at that,
13 did you happen to have that graph that we looked at that showed
14 -- Dr. Porch told us that a three-year-old fish, generally
15 speaking, is usually a mature fish, sexually mature, or at least
16 50 percent sexually mature, and you told us something about
17 sexual maturity at three years old. When we looked at that
18 graph, a thirty-three-inch fish, female fish, is only about two
19 years old.

20
21 **MS. GUYAS:** Yes, we had similar data, and, actually, the first
22 time we took this to our commissioners, we were recommending a
23 size limit increase, and we had heard support for that from the
24 Panhandle, but we hadn't heard much from west central Florida at
25 that point.

26
27 Once the commission approved that draft change, and they hadn't
28 finalized it yet, but, once that was out there, then we got a
29 lot of public feedback from west central Florida that they were
30 describing how they were fishing and these differences, and they
31 are not -- They don't necessarily regularly encounter those
32 bigger fish, and so this was going to be a problem for them, and
33 that's just the way that their fishery is operating, because
34 they are not sight fishing for big fish.

35
36 They are reeling up what comes up, and so it's difficult to
37 compare them, because the fisheries are operating differently,
38 and so, ultimately, the commission decided to just keep the size
39 limit the same.

40
41 **CHAIRMAN BOSARGE:** All right. I've got a whole host of people.
42 Dr. Frazer.

43
44 **DR. FRAZER:** I was going to say a lot of what Martha said, but,
45 if we want to just put an alternative out there for people to
46 weigh-in on, and I think the possession limit parallels what
47 Florida has in place, we could make the preferred essentially no
48 action, or keep the limit at thirty-three, for purposes of

1 discussion, until we get to the August meeting with more
2 analyses.

3

4 **CHAIRMAN BOSARGE:** Dr. Crabtree.

5

6 **DR. CRABTREE:** I would just leave it without any preferred for
7 right now. I mean, I'm fine with raising the size limit, but,
8 until we see some analysis to indicate what is the size
9 composition of the catch and what impact it's going to have, I
10 think it's hard for us to choose one, and so I think we could
11 just come back to this at the next meeting.

12

13 **CHAIRMAN BOSARGE:** I see Mr. Rindone with his hand up back
14 there.

15

16 **MR. RINDONE:** Thank you, Madam Chair. Yes, we are going to
17 bring those size limit analyses back to you guys. In
18 preparation for being able to take final action on this document
19 in August, we will analyze the alternatives that are presented,
20 unless you guys add additional alternatives for that potential
21 increase for the size limit.

22

23 Right now, we would be analyzing up to a forty-two-inch increase
24 in the size limit, and so, if you wanted to consider something
25 beyond that, let us know, and we can add it in there and analyze
26 that as well. If there is somewhere in between the status quo
27 and the largest thing that we have analyzed, any of those will
28 be contained within the analysis that's been done, and you could
29 select something like that.

30

31 **CHAIRMAN BOSARGE:** Okay. Does anybody want any minimum size
32 limit that might be above forty-two? If you do, speak now or
33 forever hold your peace. Mr. Greene.

34

35 **MR. GREENE:** The only reason I had brought up forty-five inches
36 yesterday is because that was a minimum standard in a
37 tournament, and I am not advocating for something that big, but
38 I am just letting you know that's where that number came from.
39 I believe it's one of those Outcast world championship cobia
40 tournaments, and they will not weigh a fish that doesn't lay
41 down on their board and meet forty-five inches, which I think is
42 a good thing to do for a tournament group that wants to promote
43 that type of stuff, and I don't have any problem with it,
44 because they're not in a situation of, well, is he big enough to
45 keep or not, and it's one of those deals. Typically, in a
46 tournament situation, you're looking at your better anglers and
47 all, and that's the only reason that I threw forty-five inches
48 out there yesterday.

1
2 **CHAIRMAN BOSARGE:** All right. Any further discussion on that
3 action in the document? Seeing none, I think that concluded
4 your committee report, and that takes us through that document.
5 Those were the only two actions, right, Mr. Rindone?
6

7 **MR. RINDONE:** Yes.
8

9 **CHAIRMAN BOSARGE:** Yes. All right. What time is it? 5:17.
10 How about I let you all out thirteen minutes early? We're
11 scheduled to go until 5:30. We are going to recess for the day,
12 and we will pick back up tomorrow morning at 8:30. See you
13 then.
14

15 (Whereupon, the meeting recessed on June 20, 2018.)
16

17 - - -
18

19 June 21, 2018
20

21 THURSDAY MORNING SESSION
22

23 - - -
24

25 The Full Council of the Gulf of Mexico Fishery Management
26 Council reconvened at the Key West Marriott Beachside Hotel, Key
27 West, Florida, Thursday morning, June 21, 2018, and was called
28 to order by Chairman Leann Bosarge.
29

30 **CHAIRMAN BOSARGE:** If you will get your coffee and head to the
31 table, we're going to get started. Dr. Mickle, if you are
32 ready, I will let you run through your Sustainable Fisheries
33 Committee Report.
34

35 **SUSTAINABLE FISHERIES COMMITTEE REPORT**
36

37 **DR. MICKLE:** Thank you, Madam Chair. The agenda was adopted
38 with the deletion of an item to review the proposed aquaculture
39 bill, which has not yet been introduced in Congress. The
40 minutes of the April 17, 2018 committee meeting were approved
41 with the correction of "Mary Levy" to "Mara Levy".
42

43 Final Action Amendment 49, Modifications to the Sea Turtle
44 Release Gear and Framework Procedure for the Reef Fish Fishery,
45 Tab E, Number 4, staff reviewed public comments from the webinar
46 and written comments received on this amendment.
47

48 The committee asked if private anglers had to carry any of the

1 release gear. Staff stated they didn't think so, unless the
2 Gulf states had additional regulations. The first action in the
3 amendment considers including three new types of approved sea
4 turtle and protected species release gear. It also sets a
5 minimum length for a currently required gear for commercial and
6 charter vessel/headboats with federal reef fish permits.

7
8 The second action would modify the framework procedure to allow
9 new gears to be approved for use without a full plan amendment
10 in the future. Staff pointed out changes in the purpose and
11 need and in various places throughout the amendment.

12
13 A discussion of the proposed rule identified the number of times
14 "approximately" is used, which could cause confusion for law
15 enforcement. NOAA GC stated the purpose of "approximately" was
16 to provide flexibility to fishermen who may have difficulty
17 finding particular gear types from different manufacturers
18 throughout the Gulf. Further, many fishermen build some of the
19 release gears on their own. Staff suggested providing a path
20 forward for these concerns identified in the proposed rule by
21 the Full Council session.

22
23 **CHAIRMAN BOSARGE:** Do we need to pause there for just a second?

24
25 **DR. MICKLE:** Sure.

26
27 **CHAIRMAN BOSARGE:** Dr. Simmons.

28
29 **DR. SIMMONS:** Thank you, Madam Chair. Yes, we could we talk
30 about that proposed rule a little bit now, if we could? I
31 believe I sent some highlighted text to Bernie and Charlotte
32 this morning, and they are going to be sending it out to
33 everyone here soon. It's the same as what is in the briefing
34 book, but we just tried to highlight the places that
35 "approximately" occurred where there was not a range.

36
37 It does occur several times in the proposed rule. Our
38 suggestion is, in many of the places where "approximately" is
39 used, we would like to go back -- When there is a range and
40 "approximately" is used, we would like to go back and discuss
41 with the Science Center staff and the regulation writers if we
42 could just take the word "approximately" out and put a range in.
43 However, in addition to that, there are still six other places
44 in the proposed rule where "approximately" occurs, and, at this
45 time, I would like to go through those, if I could, and they
46 start on page 13.

47
48 The first one is in regard to a blade length. What we would

1 like to do, in addition to going back to -- There is the range,
2 but then, in regard to the handle length there, "approximately
3 one inch in diameter", what we would like to do is go back and,
4 again, work with the Science Center and the regulation writers
5 to see if that is in fact important to have that information in
6 the proposed rule or if we can remove it or if there is a
7 biological reason.

8
9 The next page would be page 14, the dehooker handle, and so
10 "approximately one inch in diameter", and that's for the handle,
11 and so we also need to go back, again, and is that necessary to
12 be in the proposed rule. The next page would be page 16, the
13 bolt cutter blade, the four inches, the long blade. Again, is
14 that necessary? Is there a reason biologically for the sea
15 turtle?

16
17 The next page is page 17, the monofilament line cutters, and
18 "approximately seven-and-one-half inches in length", and then
19 the next one is page 18. That is the size of the block of wood,
20 and then the last one is page 19, the hank of rope.

21
22 I guess what I'm asking is, if the council is comfortable, staff
23 can work with the Science Center and Regional Office staff and
24 the regulation writers and try to clean up this proposed rule
25 and send that back to the Chair and Vice Chair. If there are
26 more changes than these, of course, we would have to bring it
27 back to the council in August for final approval, and so we just
28 need to know what path forward and if that's okay with you.

29
30 **CHAIRMAN BOSARGE:** Dr. Mickle.

31
32 **DR. MICKLE:** We're at the point where we're at final. Is the
33 council comfortable with the wording how it is, or do we want to
34 go back and do a little more housecleaning? That's as clear and
35 simple as it gets. Thank you.

36
37 **CHAIRMAN BOSARGE:** Mr. Greene.

38
39 **MR. GREENE:** I think they've done a great job with this, going
40 back through it, because a lot of the stuff that was in here was
41 just kind of -- I know some of it was vague, and maybe by
42 intent, but it's one of those things that -- Because, when you
43 talk about a hank of rope, it could be defined a lot of
44 different ways, but, by going in here and putting approximately
45 two to -- May be folded to create a hank or a looped bundle of
46 rope. Any size soft-braided rope approximately three-
47 sixteenths-inch diameter, approximately two to four inches, and
48 I think that this certainly speaks to what the concerns were,

1 and I think that this will absolutely suffice for the concerns
2 that I had. I think it will absolutely suffice for the concerns
3 that I had the way it is now, the way that they have highlighted
4 this stuff on pages 13, 14, 16, 17, and 18. It certainly
5 satisfies anything that I had.

6

7 **CHAIRMAN BOSARGE:** Dr. Simmons.

8

9 **DR. SIMMONS:** I guess what we were suggesting, if you agree, is
10 to take final action, but allow staff to continue to work on
11 this. Where it says "approximately" and there is a range, see
12 if it's appropriate to put a range there. When there is
13 "approximately" and there's not a range, to see if it's
14 appropriate to put a minimum or some other number there or
15 remove it from the text if there is no biological or safety
16 reason to have it in the text.

17

18 Then we would take that back and give it to the Chair and the
19 Vice Chair to review again for approval before we transmitted
20 the amendment, and that would be my suggestion, or we could
21 bring it back again in August to everyone review it.

22

23 **CHAIRMAN BOSARGE:** Mr. Riechers.

24

25 **MR. RIECHERS:** Mara, I would just ask this question to you.
26 Given the reasons why we now review all of the Code of Federal
27 Regulations, do we think we are stepping into that gray area of
28 not reviewing them if we leave you all with this authority?
29 That would be Question 1. Then I guess Question 2 is,
30 procedurally, upon implementation, if it was brought back at the
31 next meeting, what does that do to how this is actually used in
32 the fishery, meaning when it gets implemented, et cetera, and is
33 it really going to make that much of a difference is what I'm
34 getting at, and the answer to one may really the solve the whole
35 issue, but the answer to two would tell us whether it really
36 makes a difference and whether we see it again the next meeting
37 or whether we really need to get it implemented between now and
38 the next meeting.

39

40 **CHAIRMAN BOSARGE:** Ms. Levy.

41

42 **MS. LEVY:** Well, I think it's fine if you still think that there
43 is an issue here that you want staff to review. I mean, if
44 you've looked at the "approximately" language and are okay with
45 the way it's written, that is great, and we can just deem it and
46 move along.

47

48 If you have looked at the language and you think that you still

1 want to staff to review whether it's appropriate to make these
2 minor changes related to the term and the measurements, I think,
3 as long as you're doing that with awareness and you're giving --
4 With the acknowledgment that staff will send anything back to
5 the Chair and/or Vice Chair to re-look at with respect to that,
6 if you're comfortable doing that, then I think that's okay. I
7 don't think it necessarily has to come back to the Full Council.

8
9 If you're not comfortable doing that, then you would delay, and
10 the whole thing would come back, and, in terms of timing, I am
11 not sure about -- I guess I'm not sure about the urgency. I
12 think the whole purpose of this was to give the fishermen some
13 more flexibility and make it consistent with the new gear types
14 that the Science Center had identified for having onboard, and
15 so, in that sense, the delay would affect those who have to have
16 this gear, but, in terms of other types of urgency, I don't know
17 if NMFS or council staff has anything else that they want to say
18 with respect to that.

19
20 **CHAIRMAN BOSARGE:** I was looking at you, Robin.

21
22 **MR. RIECHERS:** I guess I was waiting to see if the council -- I
23 mean, any suggestions or clarifications on urgency or timing?

24
25 **DR. SIMMONS:** No, but I just think we want to get this in place
26 for the fishermen, just to provide the flexibility. I do think
27 we want to get it right, and so I don't think one council
28 meeting is going to make a big difference, and so I think, if
29 there's enough concern, that we should get it correct before we
30 take final action.

31
32 **MR. RIECHERS:** To clarify, these aren't my concerns, and so they
33 were really raised by Johnny, and certainly some by Dale and
34 others, and so I can go either way here, but I just wanted to
35 procedurally see what we were really up against from the
36 perspective of whether or not -- Given that we're supposed to
37 review those Code of Federal Regulations, because of some things
38 that have happened in the past, and then, secondly, just whether
39 it really makes a difference whether we bring it back or not.

40
41 **CHAIRMAN BOSARGE:** Dr. Mickle.

42
43 **DR. MICKLE:** I guess, as Chairman, I'm just trying to keep the
44 eye on the prize, and it sounded like Mr. Greene was okay with
45 the text, and that's what he shared, and so we're bringing up
46 the concerns on going back and getting this right or if we're
47 all okay with it. I mean, it sounds like everyone that has
48 talked so far seems okay with it. Am I wrong on that, thinking

1 that?

2
3 **CHAIRMAN BOSARGE:** I think he's good with the places where it
4 has a range, and I think his recommendations for the ones where
5 it doesn't -- Rather than say "approximately", he was saying, if
6 it's possible to replace it with a word like "minimum" or
7 "maximum", depending on the context of what we're looking at,
8 something like that that still is flexible, but is a little more
9 easily enforceable for law enforcement.

10
11 There is not as much gray area, when you say "minimum" or
12 "maximum" or something like that. I think he probably did want
13 a little tweaking still to happen, and so that's where we're at.
14 Are we good with that tweaking happening, and it would have to
15 be reviewed by the Chair, which I am assuming you would bring
16 this back to us to review and implement before the next council
17 meeting, and so I'm assuming that would be me and the Vice
18 Chair, or do you want them to bring it back -- Do you want it
19 back on the agenda on the next meeting to look at any changes
20 that may have been made and then bless it and send it up then?
21 That's the question. Dr. Mickle.

22
23 **DR. MICKLE:** I guess at this point I think that option would be
24 best. I don't think it would take a lot of time at the next
25 meeting. It would go on the agenda, and we have already seen
26 where these little tiny words would go in, and I don't think it
27 would slow down August, and we would get it right.

28
29 **CHAIRMAN BOSARGE:** Captain Greene.

30
31 **MR. GREENE:** To be clear, I am absolutely fine with the changes
32 that have been made. I have been through the document, and I've
33 looked at it, and I have absolutely no issue with it whatsoever.
34 If you all want to defer to the next meeting, that's strictly up
35 to you guys, but, as far as I'm concerned, with the changes that
36 have been made and understanding what they are going to do, I
37 have no problem sending it final now.

38
39 **CHAIRMAN BOSARGE:** Mara.

40
41 **MS. LEVY:** I just need to clarify. Johnny, when you say the
42 changes that have been made, I don't think we made any changes.
43 We highlighted where the "approximately" shows up in ranges and
44 not ranges, but there haven't been any changes yet, and so I
45 guess I'm trying to clarify if you are okay with the way it is
46 written now, meaning where it says "approximately" in those
47 places that don't have ranges, or are you still looking for
48 staff to make changes in those areas? If people are okay with

1 the way it's written now, we don't have to make any changes. We
2 can just take final action and propose the rule, and so I'm
3 trying to clarify that.

4
5 **MR. GREENE:** I am absolutely, positively, 100 percent fine with
6 the way it is at this particular moment. With what I have
7 reviewed, everything on here is absolutely 100 percent fine with
8 me.

9
10 **CHAIRMAN BOSARGE:** All right. Mr. Anson.

11
12 **MR. ANSON:** To kind of address the question or provide my
13 opinion as to what we should do at this point, I think, because
14 of the discussion we've had with the word "approximately" and
15 the issue that it creates for enforcement and compliance, I
16 think we ought to let staff go and insert -- You know, get back
17 and discuss and come back in the August meeting with what they
18 would suggest as a replacement, and then we have a chance to
19 review it.

20
21 It's probably going to be very benign. Dr. Mickle said to just
22 have it on the agenda and it won't take very long, but it will
23 just give us one more chance to look at it and make sure it's
24 okay. It shouldn't be a problem, but that's what I suggest.

25
26 **CHAIRMAN BOSARGE:** All right. Yes, ma'am, Ms. Gerhart.

27
28 **MS. GERHART:** I would just like to point out that if we go the
29 route where staff makes the changes and sends it to the Chair
30 and Vice Chair for review, or review and re-deeming, that if
31 they find that those changes are more substantial than they
32 expected or something like that, they can just say, no, we're
33 not going to re-deem it and we need to bring it in August, and
34 so that's kind of a compromise position there.

35
36 **CHAIRMAN BOSARGE:** That sounds fairly reasonable, but we have
37 kind of had discussion back and forth here, and so, for those of
38 you who haven't spoken up, let's try and come to a consensus
39 here.

40
41 **DR. STUNZ:** I may be the lone one out, but I am fine with them
42 making the changes and sending it to you guys, so we can move
43 this forward. I mean, if there are some that really feel
44 strongly about bringing it back and looking at it as a committee
45 again, I'm not necessarily opposed to that, but my preference
46 would be to just let's move on with it.

47
48 **CHAIRMAN BOSARGE:** Lieutenant Commander, did you have your hand

1 up, sir?

2
3 **LT. ZANOWICZ:** Thank you. I guess I'm kind of confused. In the
4 areas where there is a range in this document, is the intent to
5 remove the word "approximately" and put in a minimum and maximum
6 range? Where you have like "approximately two to four inches",
7 to me, that's still pretty ambiguous for law enforcement. Does
8 that mean that one-and-a-half inches is okay or five inches is
9 okay or four-and-a-half inches? Really, anywhere where you can
10 get rid of "approximately" and just put an exact measurement,
11 either minimum or maximum or just a minimum, would be helpful
12 for us.

13
14 **CHAIRMAN BOSARGE:** Ms. Gerhart.

15
16 **MS. GERHART:** That's our intention, and so, in this case, we
17 might just remove "approximately" and leave it two to four
18 inches, but the reason we didn't do that already and bring it
19 back to you that way is because we want to make sure we maintain
20 the flexibility, and so it might end up being one-and-a-half to
21 four-and-a-half, to allow that flexibility that the
22 "approximately" was supposed to get.

23
24 **CHAIRMAN BOSARGE:** Okay. I think the toughest part about this
25 conversation is that Johnny actually uses this gear, right, and
26 so Johnny is the one that, at the current moment, that could
27 probably give us the most feedback as to whether that is going
28 to work or not. He is on the water with that gear, and Johnny
29 won't be here anymore at the next meeting, but, anyway. Dr.
30 Frazer.

31
32 **DR. FRAZER:** Having said that, I guess I have all the confidence
33 in the staff that we would make commonsense changes to this
34 document. If it's going to come back to the Chair and the Vice
35 Chair before August, which Johnny will still be here, and you
36 guys approve that, then I'm happy to move this along for final
37 action today.

38
39 **CHAIRMAN BOSARGE:** Okay. If that is the route that you're going
40 to go -- Did we make a motion in your committee report to bless
41 it?

42
43 **DR. MICKLE:** No.

44
45 **CHAIRMAN BOSARGE:** No. Okay. If that is the route that you
46 would like to proceed upon, we will need a motion, which is our
47 long paragraph motion, to bless this for final action and
48 implementation. Dr. Stunz.

1
2 **DR. STUNZ:** I will make that motion, if they can put the text up
3 there, because I don't remember what all the verbiage is about
4 forwarding along and all of that.
5

6 **CHAIRMAN BOSARGE:** Okay. Staff, if you wouldn't mind pulling
7 that language for our motion. Beautiful. We'll just insert the
8 name of the document in there, and we have a second from Mr.
9 Greene. We will give staff just a second to get this on the
10 board. Dr. Simmons.

11
12 **DR. SIMMONS:** Thank you, Madam Chair. I think, to be completely
13 clear, could we also add "giving staff editorial license to make
14 the necessary changes in the document and codified text"? Is
15 that appropriate?
16

17 **CHAIRMAN BOSARGE:** I think that's fine if you want to spell it
18 out in this case. We have a motion on the board to approve
19 Amendment 49, Modifications to the Sea Turtle Release Gear and
20 Framework Procedure for the Reef Fish Fishery, and that it be
21 forwarded to the Secretary of Commerce for review and
22 implementation and deem the codified text as necessary and
23 appropriate, giving staff editorial license to make the
24 necessary changes in the document and codified text. The
25 Council Chair is given the authority to deem any changes to the
26 codified text as necessary and appropriate.
27

28 Obviously, I would get with the Vice Chair to have a second set
29 of eyes on that. We have a motion, and we have a second for the
30 motion. Is there any discussion on the motion? It will be a
31 roll call vote, but is there any discussion on the motion? All
32 right. Mr. Gregory, if you will lead us through the roll call
33 vote.
34

35 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.

36
37 **DR. STUNZ:** Yes.

38
39 **EXECUTIVE DIRECTOR GREGORY:** Mr. Dyskow.

40
41 **MR. DYSKOW:** Yes.

42
43 **EXECUTIVE DIRECTOR GREGORY:** Dr. Mickle.

44
45 **DR. MICKLE:** Yes.

46
47 **EXECUTIVE DIRECTOR GREGORY:** Ms. Guyas.
48

1 MS. GUYAS: Yes.
2
3 EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.
4
5 MR. BOYD: Yes.
6
7 EXECUTIVE DIRECTOR GREGORY: Mr. Matens.
8
9 MR. MATENS: Yes.
10
11 EXECUTIVE DIRECTOR GREGORY: Mr. Banks.
12
13 MR. BANKS: Yes.
14
15 EXECUTIVE DIRECTOR GREGORY: Captain Greene.
16
17 MR. GREENE: Yes.
18
19 EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.
20
21 DR. CRABTREE: Yes.
22
23 EXECUTIVE DIRECTOR GREGORY: Dr. Shipp.
24
25 DR. SHIPP: Yes.
26
27 EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.
28
29 MR. SANCHEZ: Yes.
30
31 EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.
32
33 MR. DIAZ: Yes.
34
35 EXECUTIVE DIRECTOR GREGORY: Mr. Anson.
36
37 MR. ANSON: Yes.
38
39 EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.
40
41 MR. RIECHERS: Yes.
42
43 EXECUTIVE DIRECTOR GREGORY: Dr. Frazer.
44
45 DR. FRAZER: Yes.
46
47 EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.
48

1 **CHAIRMAN BOSARGE:** Yes.
2
3 **EXECUTIVE DIRECTOR GREGORY:** The motion passes unanimously.
4
5 **CHAIRMAN BOSARGE:** All right. Dr. Mickle, would you like to
6 carry on, please, sir?
7
8 **DR. MICKLE:** Draft Generic Amendment, Carryover of Unharvested
9 Quota, Tab E, Number 6, staff reviewed the revised purpose and
10 need based on the council's previously discussed intent to apply
11 such a provision when landings uncertainty and/or management
12 limitations resulted in some portion of the ACL going
13 unharvested after the season was closed. Also, the council
14 expressed a desire for the carryover provision to operate in an
15 automated fashion, to the extent practicable.
16
17 In reviewing Action 1, the committee asked about the feasibility
18 of Option 2f in Alternative 2, which would exclude those stocks
19 which are managed concurrently with another fishery management
20 council. Staff replied that not excluding those stocks would
21 require concurrence from the South Atlantic Council, and perhaps
22 also that council's SSC, which would delay the application of
23 the carryover. The committee noted that the South Atlantic
24 Fishery Management Council is also looking into a carryover
25 provision for their ABC Control Rule.
26
27 Under Action 2, the committee asked why the grouper-tilefish IFQ
28 program was still managed under an ACT and not an ACL. Staff
29 replied that the grouper-tilefish IFQ program includes stock
30 complexes, like the deepwater and shallow-water grouper
31 complexes.
32
33 Because it is possible for one species within the complex to
34 experience some degree of overharvest in a year and not the
35 other species in the complex, a small buffer exists between the
36 ACT and the ACL. SERO staff added that the buffers were
37 necessary in order to implement the multi-use shares.
38
39 In Action 3, staff noted that, if the ABC was set equal to the
40 OFL, and the ACL was also set equal to the ABC and OFL, NMFS may
41 presume that overfishing will occur, unless it can be
42 demonstrated why overfishing will not occur. To avoid this, the
43 council could set a fixed buffer between the ABC and OFL when
44 the carryover provision is applied. If the council selects one
45 of the alternatives in Action 3, they would need to do so based
46 on the need to prevent overfishing.
47
48 The committee discussed the inclusion of stock components

1 managed under IFQ programs in the document. Some committee
2 members thought that the combination of no season restrictions
3 and the ability to lease shares that were not being landed
4 within a fishing year made the IFQ program-managed fisheries
5 unique when compared to non-IFQ fisheries. The committee
6 thought that pulling stock components managed with IFQ programs
7 out of this amendment and addressing them later would be most
8 appropriate.

9
10 **Without opposition, the committee recommends, and I so move, in**
11 **Action 1, to remove Option 2d and to remove Action 2 from the**
12 **document.**

13
14 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
15 discussion on the motion? **Seeing none, is there any opposition**
16 **to the motion? No opposition, and the motion carries.**

17
18 **DR. MICKLE:** The committee also recommended rewording
19 Alternative 2, Option 2c as appropriate, given the removal of
20 IFQ program-managed fisheries from the document. Lastly, the
21 committee asked about the timeline for this amendment.

22
23 Staff noted that the next step would be to bring a public
24 hearing draft to the council in August and then hold public
25 hearings via webinar. The council would then have the
26 opportunity to take final action on the amendment in October.
27 Once submitted to NMFS and the Secretary of Commerce for
28 implementation, the NMFS review process would take approximately
29 six months, followed by the SSC working to incorporate the
30 carryover provision into the council's ABC control rule in
31 approximately the spring of 2019.

32
33 **CHAIRMAN BOSARGE:** Ms. Levy.

34
35 **MS. LEVY:** It was mentioned -- We talked about this yesterday,
36 and it was mentioned in the report about Action 3 that talks
37 about establishing the fixed buffer between the ABC and the
38 overfishing limit, and there were two options, 99 and 98
39 percent, and then there was another option that was to be
40 specified, or potentially more options about what an appropriate
41 buffer should be.

42
43 I don't think -- We can't leave it "XX" forever, and there has
44 to be something there, but I guess my question, maybe to staff,
45 is, is this something that the SSC should be weighing-in on, in
46 terms of giving the council some guidance about what an
47 appropriate standard buffer might be? I mean, I don't know that
48 there is. Maybe it depends on the stock, but that gets

1 complicated.

2
3 I don't know if the council has any ideas about what they think
4 an appropriate buffer would be, but, given that the need is to
5 prevent overfishing, we're going to have to talk about what that
6 means, right, and how much do we think we need between an ABC
7 and ACL and the OFL to prevent overfishing, and I guess we
8 haven't really talked about it at all, and, if the path is to
9 try and move forward to taking final action, then we're going to
10 have to address this at some point.

11
12 **CHAIRMAN BOSARGE:** Mr. Rindone.

13
14 **MR. RINDONE:** Thank you, Madam Chair. The council and the SSC
15 had requested that the Science Center produce simulations of how
16 doing a carryover would impact something like the red snapper
17 rebuilding schedule, and, ultimately, the short version of what
18 came out of that was everything that wasn't caught in the
19 previous year could be caught in the following year without
20 impacting something like the rebuilding schedule.

21
22 In the absence of a rebuilding schedule, the same could be done
23 without impacting the health of the fish stock, given the
24 information that's known at the time. With respect to setting
25 the ACL equal to the ABC and that equal to the OFL, if that
26 happens as a function of carrying over what wasn't caught in the
27 previous year, based on the simulations that the council was
28 provided, there would not be presumed to be a negative impact on
29 the biological health of the stock as a result of that carryover
30 for ACL equals ABC equals OFL.

31
32 The idea behind providing some sort of buffer between the OFL
33 and the ABC serves as just a small bit of insurance, more than
34 anything else, and also to deal with -- Not to deal with, but to
35 address the statute that says that if the OFL is caught then it
36 can be presumed that overfishing is occurring, carryover or not.

37
38 **CHAIRMAN BOSARGE:** Mara.

39
40 **MS. LEVY:** Right, and so I'm not necessarily talking about
41 affecting the health of the stock. I am talking about the
42 mandate to prevent overfishing, and so I guess I'm not -- I
43 apologize for not knowing this, but I don't know if, in the
44 document, we identify which stocks have ABCs set equal to ACL.

45
46 It might be helpful to know that, because, I mean, those are the
47 stocks where you are going to essentially have that equal, and,
48 if the carryover then goes all the way up to the OFL, then

1 you're going to have all three equal, and then what's the
2 guarantee that we're not going to undergo overfishing for that
3 year?
4

5 That is kind of what I'm getting at, that maybe we need a little
6 more information about that and then deciding whether there are
7 any other alternatives for an appropriate buffer between the ABC
8 and the OFL.
9

10 **CHAIRMAN BOSARGE:** Yes, I see what you're getting at, Mara, and,
11 Ryan, maybe when you bring it back to us, you could show us
12 something like that. For stocks that are consistently under,
13 obviously that would probably be a minimal risk, if you're
14 carrying something forward, but, if you're in a situation where
15 you're in a stock that sometimes you end up at 110 percent of
16 landings and sometimes you end up at 85 and you carry something
17 forward, then yes, but I think that would help us make a more
18 informed decision of what we may want that to be, but somebody
19 else had their hand -- Clay, did you have your hand up? No?
20 Mr. Anson.
21

22 **MR. ANSON:** Mara, if we go through the process and the SSC
23 reviews -- Or we go with the amendment, I guess, and then the
24 SSC develops OFL and ABCs and there is this carryover provision
25 and they know beforehand that the potential exists that the
26 fishery may not reach its maximum, and so, the following year,
27 there would be some pounds added, and then those pounds could be
28 added and we would get into a situation, potentially, if the ABC
29 and the OFL was very close to one another, that that carryover
30 did push us over the OFL, but isn't -- I know the language in
31 Magnuson may not roll down to what each individual SSC develops
32 in regards to a specific stock, but, by de facto, that has
33 already been reviewed and has been approved.
34

35 I mean, the SSC has already said that it's okay to have
36 carryover, and, if it doesn't impact the fishery negatively,
37 then, de facto, if it exceeds the ABC by what was allowed in the
38 carryover -- Or the OFL by the carryover, then there should be
39 no, I guess, penalty or no revision or classification for being
40 overfished.
41

42 **MS. LEVY:** You can't exceed the OFL in any case. We're not
43 going to be able to set an ABC or an ACL that exceeds the OFL.
44 You have to prevent overfishing, and so I am not saying -- Yes,
45 clearly the SSC can take into account that there will be
46 carryover and, therefore, their recommendation is the ABC that
47 they've given you, meaning that's the maximum that you can
48 catch, or that ABC plus any carryover up to the OFL, but what I

1 am saying is, regardless of what the SSC says you're allowed to
2 harvest in a year, we still have to prevent overfishing.

3
4 If you get into a situation where you have increased the ABC
5 such that it equals the OFL and you have a stock where the ACL
6 equals the ABC, like red snapper, all of those are equal, and
7 how are we ensuring, in that year, that we are not going to
8 exceed the OFL, because that is the statutory obligation,
9 regardless of what the ABC recommendation is, and so we have to
10 think about whether there is some buffer that we have to
11 maintain between the overfishing limit and the allowable catch
12 in order to be able to say that we do not expect overfishing to
13 be occurring even if we do this carryover, and I'm just trying
14 to get at we need to talk about what that appropriate buffer
15 might be.

16
17 **CHAIRMAN BOSARGE:** Mr. Gregory.

18
19 **EXECUTIVE DIRECTOR GREGORY:** It seems to me that that would be
20 part of the SSC decision process in deciding what to carry over
21 and how much. My question would be -- Let's say we had a large
22 carryover. Could not the SSC recommend changing the OFL,
23 increasing the OFL, reducing it by a buffer for the new ABC and
24 possibly the new ABC being higher than the old OFL? Could that
25 be part of the process of doing this, or is that not allowed?

26
27 **MS. LEVY:** Well, certainly, but the whole point of this was to
28 have an automated process. You can always go back and update
29 your assessment and put in the new landings and get new
30 projections. I mean, we've done that with red snapper.

31
32 That requires a process that this was supposed to avoid. This
33 was setting up a process whereby you have this in your control
34 rule and the SSC, when they make their ABC recommendations, say
35 these are our ABC recommendations, but we acknowledge, and we
36 are okay with, a carryover for years in which there is an
37 underage. Then you don't go back to them. You just carry it
38 over, and so I think that was the purpose of doing it this way,
39 and certainly you can do it the other way, but this way was
40 supposed to make things more efficient, I think was the issue.

41
42 **CHAIRMAN BOSARGE:** Dr. Crabtree.

43
44 **DR. CRABTREE:** To this point, what we have normally done in the
45 past in these situations is we would rerun the projections,
46 right? Well, if you rerun the projections, you get a new OFL,
47 and so that's one way of doing it. The trouble with that way of
48 doing is it takes time. The Center has got to rerun the

1 projections, and it's got to go back to the SSC, and it's got to
2 come to the council, and the council changes the TAC, and, in
3 the case of something like red snapper, where potentially the
4 season is always by us, and so we were trying to find some more
5 automated way to do it.

6
7 The trouble here is you carry over, and that means it adds to
8 the ABC, and the ABC goes up, but, if there is not much room
9 between the ABC and the OFL, it can't go up much, or you're
10 bumping up against the OFL, and I don't know, and maybe Clay
11 could think about it, but I don't know of an automated way to
12 know how much you would adjust the OFL up.

13
14 It makes sense to me that if you don't catch the fish one year
15 than the biomass is higher the following year, and that means
16 the OFL would be higher, but it might not be -- It's likely not
17 to be as high as the amount you didn't catch, plus you're now
18 going to catch more fish the next year, and so I'm not sure how
19 you correct that, and I understand Mara's concern that we can't
20 deliberately and knowingly plan to go over the OFL, but I'm just
21 not sure how you could automate that change, which means that
22 the amount we can carry over is going to be limited when we have
23 these small buffers. Clay is going to straighten us out.

24
25 **CHAIRMAN BOSARGE:** Dr. Porch.

26
27 **DR. PORCH:** Thank you, Chair. Yes, essentially, you can't avoid
28 this situation. When you have an underage one year, you are
29 underfishing. Then, when you pile it on the next year,
30 technically, you are going to be overfishing, and, yes, the OFL
31 probably would creep up a little bit, because you didn't take it
32 in the first year, but it may not creep up enough to compensate
33 for the degree of underage.

34
35 The gist of it is, if you were measuring overfishing on a two-
36 year average basis, it would work out, underfishing one year and
37 overfishing the other, but, if you're doing it on an annual
38 basis, yes, technically you would be overfishing in the second
39 year.

40
41 Having said that, that tool that we showed you for analyzing
42 discards -- Granted, it's preliminary at this point, but it's
43 exactly designed so that not only ourselves but council staff
44 could actually easily update the projections, and so, if you
45 wanted to go that route, we're trying to make it easier, so it
46 won't be such a time-consuming process.

47
48 Other than that, I think the only other solution would be if you

1 could, and I don't know if you could legally do that, but
2 measure overfishing on a two or three-year running average or
3 something.

4
5 **DR. CRABTREE:** I mean, I think we could look at that, and I
6 think, if this tool was reviewed and ready, it could be that,
7 okay, we have an underage and we're going to carry it over, but,
8 instead of just saying that we carry it over, we plug it into
9 the tool and pop the number out and then that's what we carry
10 over, and then the tool, I guess, Clay, would estimate a new
11 OFL, because it's essentially updating the projections.

12
13 **DR. PORCH:** It can be set up to do that.

14
15 **DR. CRABTREE:** That might be a more sophisticated way to do it.
16 I don't know -- When I asked about this, we were months away
17 from being there, but it was the end of the year or something
18 like that, but I think that's something we could continue to
19 watch, but that would be a more sophisticated way to do this,
20 and it could be automated in the sense that Regional Office
21 staff could just punch the number in and some pre-agreed this is
22 how it works -- Punch them in and here is the new numbers. Then
23 we go to the Federal Register and say here is the overage and
24 here is the new numbers and here is the quota for this year.

25
26 **CHAIRMAN BOSARGE:** Okay. Dr. Porch.

27
28 **DR. PORCH:** Roy has that exactly right. The other thing to go
29 think about though is if we start going to the interim analysis,
30 where we're actually directly linking the ABC to the trends in
31 the indices, and I'm not sure how this would fit in, because
32 you're actually looking directly at the abundance and then,
33 whatever your last measure was, you will increase or decrease
34 catch in response to that, and so that would be regardless of
35 whether you under caught one year or not.

36
37 **CHAIRMAN BOSARGE:** Okay. So, lots of good discussion, and it
38 sounds like we have some other options at our disposal.
39 Currently, though, we do have a document on the board, and I am
40 being slightly sarcastic, but a lot of this conversation
41 revolved around red snapper, but this is not a document only for
42 red snapper, right, and I think there probably are some other
43 species where there is a decent buffer between ABC and OFL where
44 this could apply and probably be useful to some of our
45 fishermen, and so I definitely want to continue to look into
46 those options that Dr. Crabtree and Dr. Porch were speaking to,
47 but I think, at the moment, we probably want to find a number
48 that we feel comfortable with putting in that Option 2c for some

1 of these other stocks that there is a wide enough buffer between
2 ABC and OFL that this could apply and have a carry-forward.

3
4 Right now, she has it -- I say "she", but the IPT has it pretty
5 tight, 99 percent and 98 percent, and so do you all want to see
6 a 97 percent as your lower limit, or do you want to see a 95
7 percent? Are you comfortable with just 98 and 99? Mr. Rindone.

8
9 **MR. RINDONE:** Thank you, Madam Chair. I was just going to say
10 that you guys could just delete Option 2c also. That's within
11 your toolbox to be able to do.

12
13 **CHAIRMAN BOSARGE:** Let's come to a decision. Mara.

14
15 **MS. LEVY:** Well, I mean, I still feel like -- I ultimately want
16 a decision, but I still feel like the basis for the decision has
17 to be some sort of analysis or determination or justification
18 for how it's preventing overfishing, and so I guess I am
19 welcoming the discussion about what an appropriate other option
20 should be and how that is going to prevent overfishing in a year
21 of a carryover, but I also feel like, if the council doesn't
22 have enough information to make that decision or have that
23 discussion, that maybe we need to think about what information
24 we need to get you.

25
26 What I'm saying is I would prefer that we give you what
27 information you may need or have advice about it and not just
28 sort of pick something out of the air, and these two options are
29 fine, except, again, the reason they were put in there was based
30 on the fact of the buffers that you already have, and so it had
31 nothing to do with actually a decision about not preventing
32 overfishing.

33
34 It had to do with the fact that, if you picked this, you could
35 carry over for any one of the stocks, but that, to me, is we
36 have to have more discussion about still being at 99 percent of
37 the OFL for all of these stocks is still going to prevent
38 overfishing. I don't know what we need to do, and I don't know
39 if you have any thoughts about what type of information you
40 want, but I'm just going to make that suggestion.

41
42 **CHAIRMAN BOSARGE:** Mr. Rindone, can you get us out of this
43 conundrum, please, sir?

44
45 **MR. RINDONE:** I will try. Staff can provide a table of the
46 stocks that have their ACL equal to the ABC and also provide
47 additional discussion about the simulation that the Science
48 Center ran, although just for red snapper, and Dr. Porch can

1 correct me if I'm wrong, but it would apply in general to any
2 species that is having a carryover. If the yield is not caught
3 in Year X, it can be caught in full without buffer in Year X-
4 plus-one. However, we are constrained to the OFL, and so, at a
5 maximum, the ABC in a carryover year cannot equal the OFL
6 already determined in the past for that year.

7
8 In effect, even with a carryover applying in Year X-plus-one,
9 the OFL itself is not to be exceeded. Therefore, overfishing
10 would, at least in principle, not be exceeded unless the OFL is
11 caught, and so, by providing some kind of buffer, even one as
12 arbitrary as 1 percent, it's providing an additional management
13 uncertainty buffer applied as part of this control rule to
14 prevent overfishing, but all of those fish could be caught
15 without causing any sort of harm to the stock, which is what we
16 consider overfishing, in principle, to be.

17
18 **CHAIRMAN BOSARGE:** Mr. Riechers.

19
20 **MR. RIECHERS:** Ryan, what I'm hearing from Mara and Dr. Crabtree
21 and Clay was that when you roll those over, because it's not
22 necessarily a pound-for-pound tradeoff, there is then greater
23 risk about the previously set OFL, realizing that they were all
24 previously set, and so the question is whether you can consider
25 that a static point in time and the OFL still stands or whether
26 you have to, as you roll and account for the new catches, you
27 have to also create a new overfishing limit. At least that's
28 what I am hearing.

29
30 **CHAIRMAN BOSARGE:** Dr. Crabtree.

31
32 **DR. CRABTREE:** Yes, I think, in a perfect world, that is what
33 you would do, and I am hopeful that this tool they're working on
34 would let us do that, but it's just, right now, without going
35 through a bunch of steps, I am not sure quite how to do that.

36
37 I mean, we can explore what flexibility we might have in terms
38 of averaging things, but that's complicated, and it's not clear
39 to me what we can and can't do there, and I don't think we will
40 resolve that today.

41
42 **CHAIRMAN BOSARGE:** All right. Mr. Rindone, if you will bring us
43 back the analysis that you just spoke of, I think that will be
44 very helpful. Also show us some quotas, percentage of ACLs,
45 that we're usually hitting, and that's going to tell us how
46 close we're getting on the management side, because,
47 essentially, this is going to boil down to, if you tack it onto
48 the ABC and you're getting close to the OFL, your new quota is

1 pretty close to the OFL, in that particular species, you better
2 be pretty good at shutting it down when you're supposed to, and
3 so you better be pretty good at hitting right at 100 percent of
4 your normal quota.

5
6 To me, that's what is going to tell the tale as to how close we
7 want to get to OFL. It's going to be a management uncertainty
8 at that point, and so, if you will bring that back to us, and
9 any other further analysis you all want to see in this document
10 next time? It's the list of species and the difference, as Ryan
11 said, between the OFL and ABC now for each of those species, so
12 we know what kind of wiggle room we have currently. All right.
13 Sounds good. Then we'll nail down the "XX" at the next meeting
14 for you, Mara, or maybe just delete it altogether. Dr. Mickle,
15 can I turn it back over to you, sir?

16
17 **DR. MICKLE:** Yes, ma'am. All right. 2018 Regulatory Review,
18 Tab E, Number 7, staff reviewed a presentation and document on
19 the Gulf of Mexico 2018 regulatory review that was requested by
20 NMFS based on two Executive Orders which required that any
21 existing regulations be reviewed to determine if they are old,
22 outdated, or ineffective.

23
24 This exercise also allows the public to provide input on this
25 process and proposed regulations that council and SERO have
26 recommended for possible removal and/or clean-up.

27
28 After discussion the committee recommended forwarding the
29 removal of "trap" from the 600.725 general prohibitions for the
30 Gulf of Mexico; converting permits with a historical captain
31 endorsement for reef fish and coastal migratory pelagics to
32 regular permits; and clean-up of the spiny lobster regulations,
33 such as permits and fees, vessel and gear identification, and
34 seasons. If the council concurs, staff will forward these
35 recommendations to NMFS. Madam Chair this concludes my report.

36
37 **CHAIRMAN BOSARGE:** Thank you, sir. Before we delve into Reef
38 Fish, let's go ahead and take that fifteen-minute break that's
39 scheduled for 10:30, so that you all can check out if you need
40 to, and then we'll go into Reef Fish and be here for the
41 duration, until we finish it. You have fifteen minutes.

42
43 (Whereupon, a brief recess was taken.)

44
45 **CHAIRMAN BOSARGE:** We are going to pick back up with our Reef
46 Fish Committee Report, and so, Chairman Greene, I will turn it
47 over to you.

48

1 because it's in the document for you, and it shows what it is.
2 In 2019, the OFL is 151.5, and the ABC is 129.5. In 2020, it's
3 163.7, and the ABC is 141.3. In 2021, it's 172.5 and the ABC is
4 150.4.

5
6 Several committee members questioned the ABC recommendations,
7 which are much lower than the current ABC, despite the stock
8 biomass being higher. Dr. Barbieri responded that this was
9 partly the result of scientific uncertainty. He added that,
10 because this was an update assessment, it used a version of
11 Stock Synthesis 3 that was not the most current version. A
12 benchmark assessment would allow the most current version of the
13 assessment model to be used and address the uncertainties
14 identified in the update assessment.

15
16 Therefore, the SSC recommended that the next Gulf hogfish
17 assessment be a benchmark assessment. Dr. Barbieri suggested
18 that, because the hogfish assessment is conducted by FWRI, this
19 would not put any additional burden on the Southeast Fisheries
20 Science Center. However, it was noted that FWRI would still be
21 dependent on the SEFSC to process the data.

22
23 Committee members discussed the possibility of having a slot
24 limit for hogfish, in order to protect the larger females from
25 transitioning to males. However, unless it was a very wide slot
26 limit, some committee members thought that it would be difficult
27 for spear fishers to judge whether a fish was within the slot.

28
29 **Without opposition, the committee recommends, and I so move, to**
30 **direct staff to develop a framework action to adjust the ACL for**
31 **Gulf hogfish.**

32
33 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
34 discussion on the motion? **Seeing none, is there any opposition**
35 **to the motion? No opposition, and the motion carries.**

36
37 I just wanted to point out that we just saw those OFLs and ABCs
38 for hogfish, and this could be one where -- There is about a
39 fourteen-and-a-half percent difference, buffer, between your OFL
40 and your ABC, and so, if you end up having some sort of
41 carryover, it could actually be useful if you underfish, and so
42 I was just pointing that out while it was up there.

43
44 **MR. GREENE:** A request was made to have a hogfish fact sheet,
45 similar to the cobia fact sheet presented earlier, available to
46 the council when the framework action is reviewed.

47
48 SEDAR 51, Gray Snapper Benchmark Assessment, Tab B, Number 6,

1 Dr. Barbieri summarized the gray snapper benchmark assessment.
2 This is the first time that gray snapper has been assessed.
3 Recreational catch data are available for 1981 through 2015 and
4 commercial catch data for 1962 through 2015. Historical catches
5 back to 1945 for the commercial and recreational sectors were
6 estimated by using the effort series from U.S. Fish and Wildlife
7 Service Survey of Hunters and Fishers and adjusting the effort
8 to the 1981 or 1962 value.

9
10 Discard rates were high, particularly from the recreational
11 shore mode, i.e., 90 percent of the shore catch, creating
12 problems with model fits to observed data. The model did not
13 fit observed commercial discard fractions without degrading
14 other components that were thought to be less uncertain.

15
16 The maximum fishing mortality threshold was defined as F 30
17 percent SPR in the 1999 Generic Sustainable Fisheries Act.
18 However, an MSST has not yet been set for gray snapper. Based
19 on the MFMT, F current is higher than MFMT (F current/F 30
20 percent SPR equals 1.2), indicating that the stock is currently
21 undergoing overfishing and has been undergoing overfishing for
22 most years since 1976.

23
24 In the absence of an MSST, the assessment initially used an MSST
25 equal to 50 percent of SSB 30 percent SPR, incorrectly assuming
26 this level of MSST had been set for gray snapper in Amendment
27 44. Under this MSST, the stock is not overfished. However,
28 MSST is currently undefined. In the absence of a defined MSST,
29 the SSC selected one minus M times SSB SPR 30 percent as the
30 MSST, and, based on this definition, gray snapper is overfished.
31 The SSC recommended OFL and ABC levels for gray snapper that

32
33 Gray snapper OFL and ABC recommendations in million pounds whole
34 weight, 2019 is 2.31 is the OFL, and the ABC is 2.27. In 2020,
35 the OFL is 2.33, and the ABC is 2.29. In 2021, it's 2.36, and
36 2.32 is the ABC.

37
38 Committee members noted that these results could change later in
39 the year, once MRIP recalculated landings are available. Also,
40 in addition to adjusting ABC and ACL, the council needs a plan
41 amendment to adopt MSST and other status determination criteria.

42
43 Dr. Porch stated that, if the council wanted to consider
44 changing the MSY proxy, the lower limit would be 23 percent SPR,
45 but 26 percent SPR might be more appropriate. Changing the MSY
46 proxy would change the ABCs and might change the overfished
47 status.

48

1 Rather than wait for the updated landings data, the committee
2 decided to proceed with an amendment based on the current
3 landings data. If updated landings information becomes
4 available before the council has completed the amendment, it
5 could be folded into an updated assessment.

6
7 **Without opposition, the committee recommends, and I so move, to**
8 **direct staff to begin a plan amendment to establish status**
9 **determination criteria, management reference points, and catch**
10 **levels for gray snapper.**

11
12 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
13 discussion on the motion? **Seeing none, is there any opposition**
14 **to the motion? No opposition, and the motion carries.** Mr.
15 Atran.

16
17 **MR. ATRAN:** I just wanted to point out that, as a result of
18 putting the status determination criteria in this new amendment,
19 for gray snapper, that will be removed from the generic status
20 determination criteria amendment.

21
22 **CHAIRMAN BOSARGE:** Yes, sir. Thank you for that clarification.

23
24 **MR. GREENE:** SEDAR 52, Red Snapper Standard Assessment, Tab B,
25 Number 7, Dr. Barbieri summarized the red snapper standard
26 assessment. Life history information was unchanged from the
27 previous assessment. A new recreational discard mortality rate
28 for 2009 to 2016 of 11.8 percent was used, up from the 10
29 percent used in the 2014 SEDAR 31 Update Assessment. Results of
30 the current assessment were similar to the SEDAR 31 assessment.

31
32 The SPR in the western Gulf continues to increase. In the
33 eastern Gulf, stock biomass has peaked, and is scheduled to
34 decline, due to high exploitation rates. Gulf-wide, the
35 combined stock biomass continues to improve, allowing the ABC to
36 increase initially, but with declines in subsequent years, and
37 the graphs are provided below in the report.

38
39 Figure 2, red snapper regional SPR trends, under an MFMT equals
40 F 26 percent SPR and MSST equals 50 percent of SSB 26 percent
41 SPR, the red snapper stock is neither overfished nor
42 experiencing overfishing, but is still in a rebuilding plan.

43
44 The SSC provided two options for OFL and ABC. One is an annual
45 but declining OFL and ABC, two is a constant catch OFL and ABC
46 during 2019 through 2021. The SSC considered these two options
47 to be equivalent with respect to the rebuilding plan.

1 Table 3 is red snapper annual OFL and ABC recommendations in
2 million pounds whole weight. In 2019, OFL is 16.6 and the ABC
3 is 16.0. In 2020, the OFL is 15.4, and the ABC is 15.0. In
4 2021, the OFL is 14.6, and the ABC is 14.3. Under a constant
5 catch scenario for the years 2019 through 2021, OFL is 15.5
6 million pounds, and the ABC is 15.1 million pounds.

7
8 Lieutenant Mark Zanowicz noted that the U.S. Coast Guard had
9 interdicted 23,000 pounds of illegally caught red snapper. Dr.
10 Porch responded that the interdicted catch was not enough to
11 impact the assessment results. However, if the U.S. Coast Guard
12 could supply annual estimates of illegal catch, they could be
13 incorporated into future assessments.

14
15 Dr. Crabtree noted that MRIP-revised recreational catch
16 estimates were due by the end of the year. In the interim, he
17 suggested that the council focus on the current ABC
18 recommendations. Subsequent landings could then be back-
19 calculated to match the ABC methodology.

20
21 **Without opposition, the committee recommends, and I so move, to**
22 **direct staff to begin working on a framework action to adjust**
23 **the catch levels for red snapper.**

24
25 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
26 discussion on the motion? **Seeing none, is there any opposition**
27 **to the motion? With no opposition, the motion carries.**

28
29 **MR. GREENE:** State Management Program for Recreational Red
30 Snapper, Tab B, Number 8, staff reviewed the state management
31 program amendment. Action 1 addresses the components to include
32 in state management. Noting the sunset on sector separation in
33 2022, the committee discussed whether the state management
34 programs should sunset at the same time.

35
36 Because the EFPs are an opportunity for the states to evaluate
37 state management, committee members did not think a sunset was
38 necessary. Dr. Crabtree noted that the current preferred
39 alternative to allow each state to decide whether to manage one
40 or both components would lead to an extremely complex regulatory
41 environment. The committee then passed the following motion.

42
43 **By a vote of eight to seven, the committee recommends, and I so**
44 **move, in Action 1 to change the preferred alternative to**
45 **Alternative 2.**

46
47 **CHAIRMAN BOSARGE:** All right. We have a committee motion. Is
48 there any discussion on the motion? Mr. Riechers.

1
2 **MR. RIECHERS:** Just from a reflection on the report, I want to
3 discuss the motion, but wasn't there a substitute motion that
4 was made and then another substitute?
5
6 **CHAIRMAN BOSARGE:** If you will scroll up just a little bit in
7 the report, I think it tells you that. It says that the
8 committee passed this substitute motion, and so the word
9 "substitute". There it is. The committee then passed the
10 following substitute motion.
11
12 **MR. RIECHERS:** Yes, but it didn't reflect the fact that a
13 previous one -- That there had been already a motion on the
14 board as well, I don't think, just from a clarification
15 standpoint.
16
17 **CHAIRMAN BOSARGE:** Right. In order to have a substitute, we
18 would had to have had a motion that would have been up before
19 that. This is the motion, the substitute motion, that passed.
20
21 **MR. RIECHERS:** But typically we reflect that in our committee
22 reports, and I am just suggesting that we reflect that as we go
23 through the committee reports. Now, I will, if you don't mind,
24 speak to the motion.
25
26 **CHAIRMAN BOSARGE:** Yes, sir, go ahead.
27
28 **EXECUTIVE DIRECTOR GREGORY:** I was just going to ask you if you
29 want us to put all the motions, whether they failed or passed,
30 in the committee reports.
31
32 **MR. RIECHERS:** Typically, we at least make note of that there
33 was a motion made and either substituted or passed. I mean,
34 it's a minor edit, but it's an edit nonetheless.
35
36 **CHAIRMAN BOSARGE:** Did you want to speak to it now, Mr.
37 Riechers?
38
39 **MR. RIECHERS:** Yes. What I would hope that we do here is vote
40 against this motion and go back to the preferred alternative.
41 There are several reasons for that, obviously, and I understand
42 the complexity issue that Dr. Crabtree continues to raise.
43
44 We understand that it is a complex issue, and no one is doubting
45 that. It's been a complex issue since we started down this road
46 of regional management and/or now, as we call it, state
47 management. The whole notion of this recreational sector is
48 that, the greater flexibility the state has in managing that,

1 the better off many of the states believe they are going to be.
2 There are certainly some states who, at this point, don't know
3 exactly how they want to proceed forward with that, but I think
4 we should at least leave that option open.

5
6 As far as some of the options and dealing with the expiration of
7 the state management plans or the sector separation, and it's
8 kind of dealt with in the next motion, but it was brought up
9 here as well in this discussion, that is certainly something
10 that we can deal with in an alternative here, but I don't know
11 that we want to necessarily include it in this preferred
12 alternative at this point in time, and so, while I can agree
13 with one portion of this as it moves through time, I may not
14 want to agree with this particular one, and so I would just
15 recommend that we vote against this and leave the states that
16 flexibility and option.

17
18 There is a host of reasons for that, and we have put them in the
19 record before, and, as we move through state management and
20 these EFPs, it will become clearer as to how we can manage these
21 two sectors and how the states can help create the incentives to
22 stay within the bounds of the quotas that we have been allotted.

23
24 **CHAIRMAN BOSARGE:** Mr. Banks.

25
26 **MR. BANKS:** I just wanted to -- Just for the record, the motion
27 that Robin was talking about was my motion originally to have
28 Alternative 3 be the preferred. I think our preferred was
29 Alternative 4, which gave us the flexibility that Robin is
30 talking about and I agree with, but what Roy was bringing up,
31 the complexity issue, and if that can truly be addressed, then I
32 felt like it was best to just go ahead and have all the states
33 have both charters and private recs in there, and so that was
34 the motion that Robin was talking about, and I just wanted to
35 make sure, for the record and for folks listening in, that I
36 clarified which motion he was talking about, and it was my
37 original motion to have Alternative 3 be the preferred that has
38 been substituted.

39
40 **CHAIRMAN BOSARGE:** Mr. Matens.

41
42 **MR. MATENS:** Thank you. I speak in support of Robin's opinions,
43 Robin's thoughts, as well as Patrick's thoughts. From my
44 personal standpoint, whether Alternative 3 or Alternative 4
45 would have passed, I am happy with either one of them, since
46 it's pretty clear that I am in favor of the charter group in
47 Louisiana being under state management. If there were
48 logistical or technical or legal issues that caused Alternative

1 4 to be better than Alternative 4, I'm happy with that, and I'm
2 happy with either one of those. Thank you.

3

4 **CHAIRMAN BOSARGE:** Dr. Crabtree.

5

6 **DR. CRABTREE:** Well, I am going to support the committee motion.
7 I felt like we made a great deal of progress in the committee on
8 this amendment, and I really came out of the committee meeting
9 feeling like maybe we can get this done, and I hate to see us
10 backtrack on all of that and go back to where we've been stuck
11 for what seems like six years or so now.

12

13 I think we need to keep our focus on the problem we're trying to
14 fix, and the problem we're trying to fix is how to better manage
15 the private component of this fishery. We have a stable and
16 increasing season in the for-hire fishery, and I understand the
17 Louisiana guys are of a different opinion than a lot of the rest
18 of the Gulf, but the testimony I've heard from the majority of
19 the Gulf has been that they don't want to be included in state
20 management, and so I'm going to vote in favor of the committee
21 motion. Let's move this forward and get this done. If we keep
22 making one step forward and one step backwards, we're just going
23 to continue to be stuck, and so I'm going to support the motion.

24

25 **CHAIRMAN BOSARGE:** Dr. Stunz.

26

27 **DR. STUNZ:** I don't support the motion, and we, of course, had a
28 lot of these discussions, but I think, to really realize the
29 full potential or regional or state management or whatever we're
30 calling it, we need to give the states the full ability to do
31 what they want to do with the fleets, and so, for that reason, I
32 don't support this motion.

33

34 **CHAIRMAN BOSARGE:** Mr. Sanchez.

35

36 **MR. SANCHEZ:** I am in support of this, and, again, for years,
37 we've heard from the for-hire fleet that they wanted to stay
38 federally managed, and I would hate to see us go down a road,
39 under the auspices of an EFP and state management, where you
40 remove their choice. They don't want to be, in some states, a
41 part of this, of state management, and I would hate to take that
42 away from them, their ability to make that decision for
43 themselves.

44

45 **CHAIRMAN BOSARGE:** Dr. Frazer.

46

47 **DR. FRAZER:** I just want to ask Robin a quick question. I am
48 not sure how moving forward with the EFPs actually informs the

1 states' ability to manage both sectors. If you could clarify
2 that for me, that would be helpful.

3
4 **MR. RIECHERS:** Well, it would have informed if the states who
5 had asked for it would have gotten their ability to manage both
6 sectors, and so, while I concur with your point right now that
7 we don't have both sectors to manage, I don't concur with the
8 notion that we can't do it in any way. The other part is, and I
9 want to hit Dr. Crabtree's question about moving forward,
10 because we had a preferred alternative. It's not like we didn't
11 have a preferred alternative here.

12
13 We had an option to move forward, and so either one of these
14 doesn't change what's going on in this -- It changes what we
15 choose, but it doesn't change our ability to move forward with
16 this amendment, and so that's just kind of a little bit hollow
17 as we say that, because we had a preferred previously.

18
19 **CHAIRMAN BOSARGE:** Is there further discussion? Mr. Sanchez.

20
21 **MR. SANCHEZ:** I just don't know why there is such insistence on
22 managing a fleet that doesn't want to be managed by, for
23 instance, your state. I just don't get it.

24
25 **CHAIRMAN BOSARGE:** Dr. Crabtree.

26
27 **DR. CRABTREE:** In my opinion, this is re-fighting the whole
28 discussion of sector separation again, and I think what this is
29 all about is trying to figure out a way to undermine sector
30 separation.

31
32 **CHAIRMAN BOSARGE:** All right. Any further discussion before we
33 vote? We have a motion in Action 1 to change the preferred
34 alternative to Alternative 2. Alternative 2 is, for a state
35 with an approved state management program, the state will manage
36 its private angling component, only, and must constrain landings
37 to the state's private angling component ACL as determined in
38 Action 2. The federal for-hire component will continue to be
39 managed Gulf-wide. For states without an approved state
40 management program, a private angling fishing season will be
41 estimated using the remainder of the private angling component
42 ACL, reduced by the established buffer. The state management
43 plan will end when the separate private angling and federal for-
44 hire ACLs expire (currently 2022). All those in favor of the
45 motion on the board, please raise your hand.

46
47 **EXECUTIVE DIRECTOR GREGORY:** Seven.

1 **CHAIRMAN BOSARGE:** All those opposed, same sign.
2
3 **EXECUTIVE DIRECTOR GREGORY:** Eight. The motion fails seven to
4 eight.
5
6 **CHAIRMAN BOSARGE:** Mr. Banks.
7
8 **MR. BANKS:** The result of this, does that mean we go back to the
9 Alternative 4, which was our previous preferred? Is that the
10 result of this? It doesn't mean that we don't have a preferred,
11 and is that correct?
12
13 **CHAIRMAN BOSARGE:** Ms. Levy is shaking her head yes.
14
15 **MR. BANKS:** So we still have a preferred.
16
17 **CHAIRMAN BOSARGE:** Yes, you are correct, Mr. Banks. That means
18 that our preferred alternative remains what it was prior to that
19 motion, which was Alternative 4, where, for a state with an
20 approved state management program, the state will choose whether
21 to manage its private angling component only or to manage both
22 its private angling and federal for-hire components. There is a
23 lot more verbiage, but that's the gist of it. Okay. Dr.
24 Mickle.
25
26 **DR. MICKLE:** We just came to a crossroads and we took a way, and
27 that's great. I think it's terrific, but, if we can figure out
28 how to get federal for-hire into the year-two EFPs, then this
29 works, right? If some states get in and some states want them
30 out, if we can work through that, and so let's start working on
31 it now, instead of a month before the EFPs need to be approved,
32 like last year.
33
34 I know that was the first year of a two-year EFP, but, still,
35 let's keep an eye on the prize, and let's keep working on trying
36 to get them in on the states that want them in. The states that
37 want them out, then, guess what, Alternative 4 starts working
38 and becoming very real. Thank you.
39
40 **CHAIRMAN BOSARGE:** I would make another comment, and I think I
41 made it at the last meeting. All of our discussion during
42 committee in this area right here, we talked about the for-hire
43 sector, the for-hire sector, the for-hire sector, and that's
44 because, if you go this route, it's going to be more
45 complicated, right? That's where your discussion is going to
46 have to revolve.
47
48 Managing the private angler sector is fairly straightforward for

1 the states, right? There's not a whole lot of big decision
2 points to be made, other than allocation, but, if we want to go
3 down the road of trying to incorporate the for-hire into state
4 management, and you don't want to hold back your private anglers
5 when they get done with that EFP, I would suggest that you
6 divide these into two different documents.

7
8 Otherwise, you're going to end up in a situation where you're
9 going to come out of your EFPs, in my personal opinion, and
10 you're not going to have anything ready to go for those private
11 anglers that have been begging you to let them be managed by the
12 states. You are going to have the for-hire sector holding them
13 back, and, if I was a private angler, I would be frustrated.

14
15 If you really want to see if it's viable, that's fine. Go for
16 it. It's not the route that I want to go, but that's your
17 prerogative, and that's fine, but you should do it in a separate
18 document and really look at it hard and figure out how to get
19 around the hurdles that we keep hearing there will be and not
20 hold your private anglers back in the meantime, but that's just
21 my two-cents' worth. Mr. Greene.

22
23 **MR. GREENE:** My concern with this is far and wide, and you've
24 heard it for nine years, and I am not going to get back into
25 that, because you all know where I stand, and you probably
26 already know what I'm going to say. However, the charter/for-
27 hire industry is made up of small businesses, and I think it's
28 very unfair if members of one state have an unfair economic
29 advantage over members of another state.

30
31 If I was selling outboard motors and I could only sell them
32 fifty days a year in Alabama, but I could sell them 100 days a
33 year in the neighboring state, there would be tremendous
34 problems with that, and that's what this comes down to. It's
35 very basic and very simple. The ultimate thing comes down to
36 is, if the states have sole control over it, essentially, in my
37 opinion, it would be taxation without representation.

38
39 **CHAIRMAN BOSARGE:** Okay. Any further discussion, committee?
40 All right, Chairman Greene, if you want to continue on with your
41 report, please, sir. Dr. Porch.

42
43 **DR. PORCH:** Thank you, Chair. Before you get too far along, and
44 I didn't want to interrupt this important debate, but, to step
45 back a little bit, regarding the Mexican lanchas, I just wanted
46 to make it clear that the text reads that I said that there was
47 no impact, and I don't think I said that, or at least I didn't
48 intend to say that. The intent was that there is not a large

1 impact, but I don't want to be on record that I said there is no
2 impact at all.

3

4 **CHAIRMAN BOSARGE:** Thank you for the clarification, sir.

5

6 **MR. GREENE:** Dr. Crabtree noted that, for alternatives that
7 would involve the states managing the private angling component
8 only, sector separation would essentially remain in place. The
9 committee then passed the following motion.

10

11 **By a vote of nine to four, the committee recommends, and I so**
12 **move, in Action 1, Alternatives 2 and 4, to remove the following**
13 **sentence: The state management plan will end when the separate**
14 **private angling and federal for- hire ACLs expire (currently**
15 **2022). And to add this sentence: The sunset provision of 2022**
16 **in Amendment 45 is removed.**

17

18 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Any
19 discussion on the motion? Mr. Riechers.

20

21 **MR. RIECHERS:** I am thinking that this was somewhat dependent on
22 the previous motion, but it still could apply here if you wanted
23 it to. I do want to make sure I understand the motion. The
24 motion is really twofold, though. It includes the entire
25 provisions, and is that how it was intended, Dr. Crabtree, since
26 you made it, the 45 as well as what occurred here in 2 to 4?

27

28 **DR. CRABTREE:** It would change that last sentence in both
29 Alternatives 2 and 4, and it would remove the sunset on sector
30 separation.

31

32 **MR. RIECHERS:** I will follow-up to that. Certainly the removal
33 in this alternative, or the language in these alternatives, 2 to
34 4, I think are more than apropos here, from a procedural
35 perspective. I think us suggesting that we can remove it from
36 Amendment 45 without a true alternative in the document, as well
37 as notice and all sorts of things surrounding that, within the
38 context of this motion, I think is probably procedurally
39 something we can't do. For that, I am going to vote against the
40 motion at this point in time, since they are coupled at this
41 point in time.

42

43 **CHAIRMAN BOSARGE:** Mr. Dyskow.

44

45 **MR. DYSKOW:** Thank you, Madam Chair. Robin, could you expand on
46 that, because I am confused as to why it's even being brought up
47 at this time. Why is it linked to the decision that we just
48 made?

1
2 **MR. RIECHERS:** I don't really know why it was brought up at this
3 time. Certainly the language in there, in those alternatives,
4 suggests that there is an expiration, and I even think that,
5 frankly, probably should have -- Be set up as an alternative and
6 not a sentence within the alternatives, because there could be
7 different lengths. There could be that it expires, and there
8 could be it goes further, and there is several options, but,
9 again, more importantly, if you're going to actually reach out
10 and touch another amendment, I think you've got to have it as an
11 actual alternative, as opposed to kind of an add-on sentence
12 here to a previous preferred alternative.

13
14 **CHAIRMAN BOSARGE:** Any further discussion? All right. If we
15 can get that motion back on the board, please. **The motion is,**
16 **in Action 1, Alternatives 2 and 4, to remove the following**
17 **sentence: The state management plan will end when the separate**
18 **private angling and federal for-hire ACLs expire (currently**
19 **2022). And to add this sentence: The sunset provision of 2022**
20 **in Amendment 45 is removed.**

21
22 I guess, essentially, what we were saying is one or the other
23 has to sunset, right, or continue on. At first, we were
24 sunsetting state management, and we had a discussion about do we
25 want state management to sunset or not, and I guess the
26 consensus we came to is, no, we really don't want it to sunset a
27 few years after it begins, but, if you don't continue managing
28 the two sectors separately, then something has got to -- We can
29 do that in 2 and 4, where we're managing the two sectors
30 separately if we have sector separation.

31
32 If you don't have sector separation, which is currently set to
33 expire in 2022, then the states really couldn't manage those two
34 separately, and so that's why we had that sentence in there that
35 state management was going to sunset in 2022, because that's
36 when -- So it's kind of a conversation that you can't have your
37 cake and eat it too, right, and so, if we didn't want state
38 management to end, then we had to get rid of the sunset for
39 those two alternatives, so that you could continue to keep
40 managing those sectors separately. That's kind of where we were
41 at, right? Dr. Crabtree.

42
43 **DR. CRABTREE:** Yes, I think so. In my judgment, Alternatives 2
44 and 4 require you to have sector separation. Alternative 3
45 doesn't, and so sector separation could expire with Alternative
46 3, and then the states could manage the two components under one
47 quota, if that's what they wanted to do, but we currently --
48 Alternative 3 would still have the whole program expire at the

1 end of 2022, and so, if we go down that path, that would leave
2 us with still having to deal with the amendment sector
3 separation sunset provision and whether we're going to let the
4 whole program stop, but I have stated this before. It's
5 difficult for me to see how Alternative 4 is going to work under
6 any circumstance, but you certainly would have to maintain
7 sector separation to have that one work, it seems to me.

8
9 **CHAIRMAN BOSARGE:** All right. Any further conversation? **Seeing**
10 **none, all those in favor of the motion on the floor, please**
11 **signify by raising your hand.**

12
13 **EXECUTIVE DIRECTOR GREGORY:** Nine.

14
15 **CHAIRMAN BOSARGE:** All those opposed, same sign.

16
17 **EXECUTIVE DIRECTOR GREGORY:** Six. The motion passes nine to
18 **six.**

19
20 **CHAIRMAN BOSARGE:** All right. Chairman Greene.

21
22 **MR. GREENE:** Staff reviewed the alternatives in Action 2 for
23 apportioning the recreational ACL among the states. The
24 committee then passed the following motion. **By a vote of eleven**
25 **to four, the committee recommends, and I so move, in Action 2,**
26 **to make Alternative 6 the preferred.**

27
28 **CHAIRMAN BOSARGE:** Okay. We have a committee motion to
29 establish an allocation of the recreational sector ACL that may
30 be used for state management programs by apportioning the
31 private angling ACL among the states based on the allocations
32 set in the exempted fishing permits approved for the states to
33 manage the recreational harvest of red snapper in 2018 and 2019.
34 Is there discussion on the motion? Dr. Crabtree.

35
36 **DR. CRABTREE:** Just to point out that this was for the private
37 guys only, and so it doesn't really line -- If you are going to
38 stick with Alternative 4, then you need to allocate the for-hire
39 guys as well, and we didn't go down that path.

40
41 **CHAIRMAN BOSARGE:** Okay. Is there further discussion? Mr.
42 Riechers.

43
44 **MR. RIECHERS:** I think -- Well, let me ask staff, first. Staff,
45 when was the public hearings -- When are you trying to set
46 public hearings for this document?

47
48 **CHAIRMAN BOSARGE:** Dr. Simmons.

1
2 **DR. SIMMONS:** Thank you, Madam Chair. I think we would like to
3 try to have it approved at the October council meeting, so that
4 we can go out to hearings before the January meeting. That
5 would be ideal. Thank you.

6
7 **MR. RIECHERS:** So there is at least two meetings between now and
8 the time that you would be planning on going out for public
9 hearing? Okay. Again, this is a conversation we've had around
10 the table here before. We continue to struggle with allocation,
11 and it's certainly not an easy task.

12
13 Personally, I would speak against this motion now, simply
14 because, from a timing perspective and because of what Dr.
15 Crabtree just mentioned -- When we changed the preferred, or
16 went back to the previously preferred, it's not really covering
17 all of the components that it's going to need to cover at some
18 point in the document, but, more importantly, we're still
19 working on this, and certainly I think we all suggested that the
20 EFPs -- While we may end up close to that, from a percentage
21 perspective, that really wasn't what any of us were designed to
22 set our allocation on. None of us thought that was our final
23 allocations.

24
25 In addition, there is really -- As Dr. Crabtree spoke, when we
26 were trying to do Amendment 39 before, there were many times
27 where we spoke about trying to create some consistent manner,
28 some equitable manner, and certainly what we now have is really
29 three or four different approaches to getting at an allocation.

30
31 Now, maybe we end up there, and maybe now NMFS accepts that, but
32 certainly that was not what we were told in the past, and so I
33 think it's just premature to set this allocation at this time
34 with this alternative, and we should look at all the
35 alternatives still here.

36
37 **CHAIRMAN BOSARGE:** Ms. Guyas.

38
39 **MS. GUYAS:** I supported this motion at committee, but I also
40 talked about how I felt like if we chose a preferred -- I felt
41 like this, if we were going to choose, was the most appropriate.
42 Given what has just gone down, maybe this is not the way to go,
43 but I also talked about how this was going to be interim,
44 because there is still a lot that needs to happen before we can
45 really make a firm decision here, and so I'm okay if we need to
46 back off of this for now.

47
48 **CHAIRMAN BOSARGE:** Mr. Anson.

1
2 **MR. ANSON:** I was not in favor of this motion previously, and
3 I'm not in favor, based on a couple of the reasons that Robin
4 just explained. It's a little premature, and the states are
5 going to continue one more time, I think, to talk about
6 allocation, and that's going to occur before the next meeting,
7 and so the states will, I think, come into the August meeting
8 with a little bit better understanding of how to address
9 allocation and how to move forward, but certainly, recognizing
10 the schedule and trying to get this done, we don't have much
11 time to come there, or get there, and so, working within the
12 document and working within the analysis that's already been
13 done and the percentages that are provided, I think that's the
14 path forward, but I am going to be in opposition to the motion.

15
16 **CHAIRMAN BOSARGE:** I have Mr. Banks and then Dr. Frazer.

17
18 **MR. BANKS:** I just wanted to clarify for the record about the
19 EFP percentages. In Louisiana, we calculated the amount of
20 poundage that we asked for in the EFP based on the established
21 50/50 calculation, and so we have always -- We have maintained
22 that all along, and so that was the percentage that we intended
23 on, and so, when we were granted that in the EFP, we absolutely
24 got what we expected to get, and so I just wanted to make sure
25 that was clear. There may have been four other states that
26 weren't happy with their percentage, and I don't know, but we
27 were.

28
29 I don't believe this calculation is completely fair, but I did
30 support the motion in the committee, because I feel strongly
31 that we need to take some steps, and it's my impression that, if
32 we discuss it before the next council meeting and come to a
33 different allocation decision amongst the states, that this
34 could be changed without having to impact the public hearings,
35 and so I don't see that we're going to need to make -- That we
36 need to back off on preferreds at this point, because they can
37 easily be changed at the next meeting, but I do agree with Dr.
38 Crabtree that we've got to do some work on the for-hire. I
39 think that's where we need to go, rather than taking preferreds
40 off at this point.

41
42 **CHAIRMAN BOSARGE:** Dr. Frazer.

43
44 **DR. FRAZER:** I just wanted to ask a couple of questions with
45 regard to the state directors getting together. My
46 understanding was that they were not actually going to meet
47 prior to the next meeting, and that it was going to be
48 afterwards, and, if that's the case, and the states haven't come

1 together, then that gives us only one council meeting to try to
2 push this all together, and that's problematic for me.

3
4 I voted in support of this motion in the committee meeting, in
5 large part because I think that we need a starting point. I
6 would agree that we haven't vetted all of the potential
7 alternatives with regard to allocation, but I think, if we at
8 least have a starting point and we were close, somewhere, and
9 whether or not we were, but it gives you something to work from.
10 Otherwise, you just have a blank slate every time, and so I'm
11 going to, again, vote in support of this motion.

12
13 **CHAIRMAN BOSARGE:** I have Mr. Riechers and then Mr. Diaz.

14
15 **MR. RIECHERS:** This is a little bit direct to the motion, but a
16 little bit off of the motion, but it's worth saying here, and I
17 want to basically make the point that one of the things we have
18 to work on, and we spent a lot of time working on the document
19 and the allocation and those sorts of things, but probably one
20 of the things that the directors need some help on in regard to
21 -- Directors and everybody around this table need some help on
22 in regard to this amendment, as well as moving forward, is the
23 currencies that we're dealing in, because that is the other
24 issue here, is that, as we change landings systems, we basically
25 are changing currencies, and we really need some direction, as
26 we think about allocations, and how that's going to change those
27 allocations moving forward.

28
29 The Center certainly can be helpful in that respect in helping
30 to give us some guidance, because that's going to change what
31 people are doing and thinking in regard to allocation as well.
32 It's a complicated issue, and it's not simple, but, if we're
33 actually moving towards different collections systems, you're
34 going to have to deal with that. We're going to have to
35 crosswalk those new allocation, or those new landing systems,
36 back to how you are creating your allocation scenario.

37
38 Now, if we divorce ourselves from historical landings and use
39 number of trips or use biomass or use a strict percentage based
40 on some negotiation or some other method, then that matters
41 less, but, if we stick with historical landings as our
42 justification, it becomes much important to that allocation,
43 based on that.

44
45 **CHAIRMAN BOSARGE:** I have Mr. Diaz and then Dr. Crabtree.

46
47 **MR. DIAZ:** Dr. Frazer and Mr. Banks said a lot of the things
48 that I was thinking about saying, and I agree with most of what

1 they said. I have always said that I want the states to have
2 consensus. That's the best path forward, and, if the states
3 come back in August and they've got a consensus, I would be
4 willing to look at that as a new preferred, but that's what I
5 have been thinking. Thank you.

6

7 **CHAIRMAN BOSARGE:** Dr. Crabtree.

8

9 **DR. CRABTREE:** I am going to support the motion, because I
10 think, ultimately, we're going to come to the realization that,
11 to make this work, it needs to be focused on the private
12 anglers, and this gets us a step down the road towards making
13 that happen, and so I'm going to stick with this preferred. My
14 issue is we need to go back to the previous action and rethink
15 that one, but that is a conversation for another meeting.

16

17 **CHAIRMAN BOSARGE:** Okay. I have Mr. Anson and then Mr. Dyskow.

18

19 **MR. ANSON:** Just to go back to, Dr. Frazer, your questioning, I
20 guess, of the timeline, and so, yes, at the time that we had
21 Reef Fish, the meeting that the directors were going to have was
22 actually going to occur after the August meeting, and so some
23 phone calls have been made, and the schedules have been adjusted
24 -- Is that not the case?

25

26 Okay. Well, we might have a little bit of a difficulty in that
27 regard then, but, inasmuch as the timeline and the process that
28 we go through, as far as getting amendments out to the public
29 and make sure that public has got the most accurate information
30 at the time, there is opportunity, at least if October is the
31 actual drop-dead date, if you will, for coming with final
32 preferreds, there is some time, because there is a meeting
33 scheduled that I know of, and so this may not be the preferred,
34 and so just to send out mixed signals, I guess, and that's part
35 of my rationale for not being in support of this and setting
36 this particular alternative as the preferred.

37

38 **CHAIRMAN BOSARGE:** I have a whole list here. I have Mr. Dyskow
39 and then Dr. Mickle and then Ms. Guyas.

40

41 **MR. DYSKOW:** I am asking this question perhaps collectively of
42 our state representatives. Can you come to a decision on
43 allocation and bring it to us at the August meeting?

44

45 **CHAIRMAN BOSARGE:** Dr. Mickle, did you want to answer that? You
46 were next on the list.

47

48 **DR. MICKLE:** Mr. Dyskow was staring right at me when he was

1 saying that, which I appreciate. I think that's great. That's
2 what we've been working on, Mr. Dyskow, for quite a number of
3 years, and that's what brought down 39, but I am going to
4 support the motion, because I think we have to at this point,
5 timeline-wise.

6
7 Also, I still don't understand -- I know Patrick has justified
8 his percentage in the EFP, based on data, and Mississippi did as
9 well, but, with the overall process of how we select -- We try
10 to select allocation through this amendment, we justify it
11 through Gulf-wide metrics, correct, and so we have to have a
12 starting point that the state directors are going to meet,
13 because we just doubled our workload throwing the for-hire in,
14 and so let's go in there with a starting point on private and
15 get through it somehow. Let's get through it, because our
16 workload just doubled, and we've got to come to the August
17 meeting with for-hire and private allocation, which that's a
18 hefty workload that just got doubled about four minutes ago.
19 Thank you.

20
21 **CHAIRMAN BOSARGE:** All right. I have Ms. Guyas and then Mr.
22 Sanchez.

23
24 **MS. GUYAS:** I just wanted to address the notion that October is
25 the drop-dead here. It's really not, and so I'm hopeful that we
26 can hopefully make some kind of progress among the states this
27 summer, and then hopefully have something to offer up in
28 October, but, if we come out of that, or we come out of public
29 hearings, and we feel like, hang on a second, we need to make
30 some adjustments, then we still have time, because the document
31 won't be finalized until in 2019.

32
33 Yes, we want to be -- I think we would want to be there in
34 October, before we go to public hearings, but, if we need to
35 come back and adjust things, we still have the flexibility to do
36 that, and so it would be great to have a final or semi-final
37 allocation though for the public hearings, so that folks can
38 react to it.

39
40 **CHAIRMAN BOSARGE:** Mara and then Mr. Sanchez.

41
42 **MS. LEVY:** A couple of things. I understand that the state
43 directors speak to each other and get together and talk about
44 these things, but I have some concern with a lot of the
45 discussion focused on the states meeting in private and coming
46 in here with an allocation and everyone just being like good to
47 go because the states agreed with it.

48

1 Really, the allocation is going to have to be based on something
2 other than just the states thinking that this is the right
3 percentage. How is it fair and equitable across the Gulf? How
4 is -- I get that you all talk, but, to kind of come in here and
5 say that you're going to decide behind closed doors and we're
6 just going to come in here and the council is going to rubber-
7 stamp that, I have a lot of concerns with that. We really
8 should be talking about it here and talking about why it's
9 appropriate and why it's fair and why it's reasonably promoted
10 to address conservation and all of those things.

11
12 My other concern is the idea that I think I might be hearing
13 that we're somehow going to have one method for deciding the
14 private component allocation and some other completely different
15 method for deciding the for-hire component allocation, and so
16 I'm not saying that's impossible, but I feel like you're going
17 to have to have a really good justification and reason for why
18 you would treat those separately, and so I just want to throw
19 those things out there and provide a little bit of caution with
20 respect to that.

21
22 **CHAIRMAN BOSARGE:** To that point, because I think I actually
23 skipped you on the list, Dale. Go ahead, and I'm sorry.

24
25 **MR. DIAZ:** Ms. Levy, I appreciate your comments, and, when I say
26 I have always hoped for states to come together on this, I agree
27 that most of the discussion should happen here, but a lot of the
28 decisionmakers are not at the table right now. This is going to
29 be made at a higher level, in some cases, than folks at the
30 table, and I realize that.

31
32 One reason I have always tried to say that I wanted the states
33 to be in agreement and consensus is because, if we have some
34 states that are disenfranchised and we go back to where we have
35 non-compliance, then none of this is going to work, and so I
36 think the states have to be onboard, and, in principle, I agree
37 with most of your comments, but, in practice, I do think
38 decisions are made at a higher level. All these folks answer to
39 commissions, and they have executive directors and, in some
40 places, in some instances, maybe people higher than that in the
41 chain that is going to actually make these decisions, and so
42 thank you, ma'am.

43
44 **CHAIRMAN BOSARGE:** Ms. Levy, to that point.

45
46 **MS. LEVY:** Well, I mean, I guess I get it, from a practical
47 standpoint, but that's not the mechanism that is set up for the
48 decision making, meaning the law is not going to allow the

1 higher political decision to just come in here and we're going
2 to make an allocation. I mean, unless we have a basis that we
3 can justify, if folks don't like it -- First of all, the agency
4 is going to have to approve it, and so, if there is no
5 reasonable basis for the allocation that meets the standards in
6 the Act, you're not going to get your amendment approved, and I
7 know that nobody wants that.

8
9 Even if the agency decides for some reason that they think that
10 there is some basis to do it and approves it, if you have got a
11 really shaky record about what your allocation is, then someone
12 is going to come in, and we're going to have a lawsuit, and
13 we're going to lose, and you're not going to have it.

14
15 I guess what I am trying to say is let's make the record now to
16 support your decisions such that the agency will not have a
17 problem approving it and it will not be challenged and likely to
18 just disappear again, because, if we want it to work, that's
19 what we need to do, in the long run.

20
21 **CHAIRMAN BOSARGE:** To that point, and then I'm going to get to
22 Mr. Sanchez over here, who has been patiently waiting.

23
24 **DR. MICKLE:** This is to Ms. Levy's statement. Is going through
25 an EFP, which is designed to be a pilot program to test
26 something, enough justification to choose allocation, because
27 that gives a lot of support to this motion, if so. Thank you.

28
29 **CHAIRMAN BOSARGE:** Do you want to think about that while I get
30 to Mr. Sanchez? Thank you. Yes, sir. Go ahead.

31
32 **MR. SANCHEZ:** Since I forgot what I was going to say, I will
33 make a note that probably, if Phil was looking at Dr. Mickle
34 when he spoke earlier, it might have had something to do with
35 his shirt.

36
37 **CHAIRMAN BOSARGE:** Thank you for the comic relief. We needed
38 it. Mara, did you want to respond now? Okay. Next on my list,
39 and we'll come back to you, is Mr. Anson.

40
41 **MR. ANSON:** A couple of things I was going to bring up were
42 things that have just been discussed, but I will go back to
43 Roy's rationale for trying to settle it for the private. What
44 Mara had brought up was my exact point that I was going to make,
45 is that, if that's what we're going to choose for the private
46 sector, then a very similar method would have to be, I would
47 think, for the fair and equitable side of things, would have to
48 be done for the for-hire sector as well.

1
2 We were trying to -- With the EFPs, we were trying to get to a
3 point where we could come to an agreement and consensus among
4 the five states to have an opportunity for the private
5 recreational anglers to, one, have a season, but to try out some
6 different things or different ways to manage them and provide
7 access and provide opportunities.

8
9 We came up with a variety of ways as to how we would request
10 those pounds and get to a point where we could work within the
11 recreational portion of the ACL, and, at the time, it was under
12 the recognition that that wasn't fixed in stone.

13
14 It was just a way to get us a means to an end, if you will, and
15 so now we're working within this timeline that we've got until
16 the 2019 season, and so I just want to make sure that everyone
17 is clear -- I mentioned the drop-dead date of October, and I
18 meant that in the sense of we're going to come up with some
19 final preferreds, and it's going to go out to public hearing,
20 and we'll come back in January, theoretically, and hopefully,
21 maybe in January, we can send something to the Secretary,
22 leaving April as a final meeting.

23
24 I just want to make sure if staff can put on the record as to
25 what they feel comfortable, as far as how much time they would
26 need to go out to public hearings and come back to the council
27 with the public comment and for the council then to make a
28 decision on the document and send it to the Secretary and then,
29 all assumptions padding it, to make sure that it gets approved
30 so that it's final and ready to go early enough in 2019 that if
31 a state wanted to go and do an early season in 2020 that the --
32 It's already on the books and they can do that, and so if maybe
33 they can talk to that or speak to that timeline, so that we have
34 an idea as to, standing here today, when do we need to make some
35 decisions.

36
37 **CHAIRMAN BOSARGE:** Well, that was a lot, and so let's see. Who
38 wants to take a stab at it back there at the back table? Maybe
39 take it in pieces. Dr. Simmons.

40
41 **DR. SIMMONS:** Well, I guess I will try, with Dr. Lasseter's
42 help, to address the timeline question. I mean, our
43 understanding was that the council wanted to take final action
44 in April. This is a programmatic EIS. I don't know that we've
45 had a whole lot of experience with those, except for the
46 Aquaculture FMP. It's a major change in management, and so I
47 think there might be a lot of things along the way that we have
48 to work out with the Regional Office and the regulation writers

1 as this moves along, and I think, by taking final action in
2 April, which was what our understanding was, then, if there are
3 any issues and then we have to bring it back in June, that that
4 was the drop-dead date, but I will see if Dr. Lasseter wants to
5 add to that.

6
7 **CHAIRMAN BOSARGE:** Okay. Kevin, that kind of answers your
8 question. This is a slightly different beast than what we
9 normally deal with.

10
11 **MR. ANSON:** Well, it partially -- I just want to make sure that
12 I understood that correctly, and then I will go back to my other
13 question that I had as part of this timeline question, but April
14 would be the time that the council would need to take final
15 action, April of next year, and so then, for -- I guess walk
16 back from April then what you would ideally want to occur then.
17 Is October the appropriate meeting to come with the final
18 preferreds, or can we wait as late as January?

19
20 **DR. SIMMONS:** Well, I guess I'm kind of confused about final
21 preferreds. The council can change the preferred alternative at
22 any time, and I think, if we go out to public hearings and it's
23 within the range that we went out to the public with, that's in
24 the purview of the council.

25
26 Our concern would be if we went out to public hearings and there
27 was a major change, but that is still -- My understanding is
28 that, as long as we notice it at the council meeting and there
29 is discussion and people can comment online, that's still up to
30 the council if it can be accommodated at that meeting, though
31 not ideal.

32
33 It is possible for us to take it out to public hearings after
34 the January council meeting, but it just makes me nervous if
35 there is any issues in timing along the way. Dr. Lasseter, do
36 you have anything to add to that?

37
38 **DR. AVA LASSETER:** The only thing I can think of is,
39 procedurally, and NMFS staff may want to speak to this, but, for
40 example, with 36A, we took final action on that, and that was an
41 EA, and we took final action on that, and that took about a year
42 to make it through the final implementation process. That's the
43 first one that comes to mind, but is April final action for an
44 EIS -- For NMFS staff, and I guess I'm deferring the question.

45
46 **CHAIRMAN BOSARGE:** Ms. Gerhart.

47
48 **MS. GERHART:** That's part of it. We have the rulemaking

1 process, which, in the past, has taken about six months, and
2 it's taking a little longer now, just because of further review
3 at higher levels, but this also is something like when we put in
4 the IFQ program, and there is implementation issues involved in
5 actually the mechanics and logistics of it. The eight months is
6 still kind of -- We could not do it in any less than eight
7 months, and so April absolutely for the 2020 beginning.

8
9 **DR. CRABTREE:** I would add that that's contingent on working out
10 mechanically how the opt-in and how the opting-out of the
11 charter boats is exactly going to work, which we have really not
12 even had a discussion of at this stage.

13
14 **CHAIRMAN BOSARGE:** All right, and so it sounds like April is --
15 If you want to be sure, or hopefully sure, that you can get
16 something done and ready right before 2020, then April is going
17 to be your drop-dead date, and that's going to be pretty tight.

18
19 I guess you probably wouldn't know until right before January 1
20 whether you're actually going to get it implemented or not, but
21 I am thinking about you all, from a state perspective of trying
22 to plan and notice people and everything else, and so you
23 probably need to go to public hearings with this, at the latest,
24 after the October meeting. If you want any kind of wiggle room,
25 from a state perspective, to plan what you want to do in 2020
26 and have your meetings or whatever you want, you probably need
27 to go out after the August meeting.

28
29 Having said that, we have a motion on the board. Let's get back
30 to it, and let's vote this thing up or down, or you all are
31 going to be here all day, and I will have to give you a lunch
32 break or something. That would be tragic.

33
34 We have a motion on the board. In Action 2, to make Alternative
35 6 the preferred, which bases the private angling allocation on
36 your EFP allocations. **All those in favor of the motion on the
37 board, signify by raising your hand.**

38
39 **EXECUTIVE DIRECTOR GREGORY:** Eleven.

40
41 **CHAIRMAN BOSARGE:** All those opposed, same sign.

42
43 **EXECUTIVE DIRECTOR GREGORY:** Five. **The motion passes eleven to
44 five.**

45
46 **CHAIRMAN BOSARGE:** All right, Chairman Greene. Wait a minute.
47 Mara.

1 **MS. LEVY:** I just wanted to circle back to the question about
2 the allocation in the EFPs versus meeting that sufficient
3 justification like under the Magnuson Act. With an EFP, it's
4 sort of interesting, because you have a lot less wiggle room for
5 some things, like you're exempting people from regulations and
6 that's all you can do, but, in some sense, you have more wiggle
7 room, because it's not necessarily subject to the National
8 Standards and the required things that you need in an FMP,
9 because those are for plan amendments and regulations and things
10 like that, and so you're not necessarily constrained by some of
11 those things, which is not true with a plan amendment like this.

12
13 For a plan amendment like this, it's going to have to be
14 consistent with National Standard 4, and it's going to have to
15 be consistent with the provisions in 303A about what's required
16 to ensure that allocations distribute rebuilding efforts fairly
17 and such, and so I hope that answers that question.

18
19 **CHAIRMAN BOSARGE:** All right, Chairman Greene.

20
21 **MR. GREENE:** Staff reviewed the actions in the individual state
22 amendments. In Action 1, it was noted that the options that
23 would require at-sea enforcement would be more problematic, as
24 they would require National Marine Fisheries Service to draw
25 lines in the EEZ to designate the areas where such regulations
26 would apply. The committee then passed the following motion.

27
28 **Without opposition, the committee recommends, and I so move, in**
29 **Action 1 of the Texas amendment to make Alternative 2, Options**
30 **2a through 2e and Option 2g as preferred.**

31
32 **CHAIRMAN BOSARGE:** Right. Options 2a through 2e and Option 2g,
33 just for clarification. Okay. We have a committee motion on
34 the board. Is there discussion on the motion? **Seeing no**
35 **discussion, is there any opposition to the motion? No**
36 **opposition, and the motion carries.**

37
38 **MR. GREENE:** Scoping document for reallocation of red snapper
39 ACL, Tab B, Number 9, staff gave an overview of the scoping
40 document and reviewed red snapper allocation amendments, MRIP
41 data recalibration, and the council's fishery management plan
42 objectives. The committee discussed two National Marine
43 Fisheries Service directives relevant to allocation review and
44 inquired as to how they differed from the council's fishery
45 allocation policy. The committee then made the following
46 motion.

47
48 **Without opposition, the committee recommends, and I so move, to**

1 direct staff to provide a side-by-side evaluation of the
2 existing Gulf Council allocation policy versus the National
3 Marine Fisheries Service Procedural Directive in 01-119-01 and
4 01-119-02.
5

6 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
7 discussion on the motion? Mr. Riechers.
8

9 **MR. RIECHERS:** Just a point of clarification to the motion, and
10 I think we also more or less suggested that we grab 119-09,
11 Mara, or some -- You were the one who brought it up, I believe,
12 and I just want to make sure that, obviously, when we review
13 these, that we also grab that and review it as well.
14

15 **CHAIRMAN BOSARGE:** Right. We had that discussion during
16 committee, and I think that we have that on the record. All
17 right. Any further discussion? **Seeing none, is there any**
18 **opposition to the motion? No opposition, and the motion**
19 **carries.**
20

21 **MR. GREENE:** The committee noted that mechanisms to trigger
22 reallocation would need to be identified by the end of 2019 for
23 all species with allocation and that this review would allow for
24 initial discussion of the triggers.
25

26 Progress Report on Reef Fish Amendment 48/Red Drum 5, Status
27 Determination Criteria and Optimum Yield, Dr. Barbieri reviewed
28 the SSC discussion with respect to the setting of MSY proxies.
29 The SSC members were concerned that the alternatives in Reef
30 Fish Amendment 48/Red Drum 5 could result in the council setting
31 inappropriate MSY proxies without proper guidance from the SSC.
32

33 During this discussion, they suggested that NOAA General Counsel
34 attend a future SSC meeting to discuss best scientific
35 information available, and to clarify the roles of the SSC and
36 the council.
37

38 The SSC suggested that the FMP state that the MSY proxy for each
39 stock is the proxy recommended by the SSC, rather than
40 explicitly define specific MSY proxies in the FMP. An
41 alternative suggestion from the SSC was to have the FMP list a
42 range of values for the MSY proxy so a value can be selected
43 after an assessment is completed. Due to their concerns about
44 the setting of MSY proxies, the SSC did not review the rest of
45 the amendment.
46

47 Council staff summarized a conference call discussion held
48 between council, SERO, and SEFSC staff following the SSC

1 meeting. The conference call discussed a number of questions
2 raised as a result of the SSC. NOAA General Counsel is looking
3 into numerous questions that came up during the conference call
4 and indicated that this would be an ongoing project. Staff
5 noted that the IPT for this amendment will be meeting next week
6 and will discuss how to proceed with revisions to the amendment.

7
8 Draft Framework Action to Modify the ACT for Red Snapper Federal
9 For-hire and Private Angling Components, Tab B, Number 11, staff
10 reviewed the framework action's purpose and need and the
11 proposed action with the committee.

12
13 The National Marine Fisheries Service is currently using ACTs in
14 addition to ACLs for recreational red snapper management, due to
15 the legal challenge which stated that National Marine Fisheries
16 Service was not doing enough to prevent overfishing in the
17 recreational sector for red snapper. The purpose of the buffers
18 is to avoid exceeding the ACL for the combined recreational
19 sector.

20
21 In the case of the exempted fishing permits under which the
22 states are presently managing the private angling component of
23 recreational red snapper, a decreased buffer has been
24 implemented in exchange for more strict accountability measures
25 in the form of paybacks. A motion was made to add a fifth
26 alternative to the action to reduce the buffer on the for-hire
27 component only if the total recreational ACL wasn't exceeded in
28 the previous year, but it failed for lack of a second.
29 Following that, another motion was made. **Without opposition,**
30 **the committee recommends, and I so move, in Action 1, to make**
31 **Alternative 3 the preferred alternative.**

32
33 **CHAIRMAN BOSARGE:** We have a committee motion. **In Action 1, to**
34 **make Alternative 3 the preferred alternative. Alternative 3 is**
35 **apply the Gulf of Mexico Fishery Management Council's ACL/ACT**
36 **Control Rule, using landings from 2014 through 2017 to set the**
37 **respective component ACT buffers for the private angling and**
38 **for-hire components. This results in a for-hire component ACT**
39 **set 9 percent below the for-hire component ACL. The private**
40 **angling component ACT would remain at 20 percent below the**
41 **private angling component ACL. The total recreational sector**
42 **ACT would be approximately 15 percent below the recreational**
43 **sector ACL. Is there discussion on the motion? Seeing none, is**
44 **there any opposition to the motion? No opposition, and the**
45 **motion carries.**

46
47 **MR. GREENE:** The committee noted that the purpose behind the
48 framework amendment was to address the inequity between the

1 recreational components, whereby the private angling component
2 has been exceeding its ACL while the for-hire component has not.

3
4 SERO staff added that a performance-based method for reducing
5 the buffer may be easier to defend legally, whereas a direct
6 modification to only one component's buffer without addressing
7 the other component would be more difficult to defend. Further,
8 it will be more difficult for National Marine Fisheries Service
9 to defend reducing the for-hire buffer if there is an overage of
10 the total recreational ACL in 2018 under the EFPs.

11
12 Adjusting the way in which the for-hire season is calculated was
13 proffered as a way to address the previously stated inequity
14 between the recreational components. SERO staff countered that
15 the components are managed to their respective ACTs, and, in
16 2017, the for-hire component landed 99 percent of its ACT.

17
18 Stability of season lengths was also identified as an important
19 goal of the committee for recreational red snapper management,
20 with improvements in data resolution and timeliness expected to
21 contribute to that desired stability in season length.

22
23 The committee discussed using the time available under EFP
24 management for the private angling component to complete the
25 generic carryover amendment, complete the individual state
26 recreational red snapper management amendments, and to
27 simultaneously provide some temporary relief to the for-hire
28 component.

29
30 Another document, which is presently in development, which may
31 provide relief to the for-hire sector, is the generic amendment
32 to include a carryover provision in the council's ABC control
33 rule. The committee discussed using the time available under
34 EFP management for the private angling component to complete the
35 generic carryover amendment, complete the state management
36 amendments, and to simultaneously provide some temporary relief
37 to the for-hire component. **With one opposed, the committee**
38 **recommends, and I so move, in Action 1, to make Alternative 4**
39 **the preferred alternative.**

40
41 **CHAIRMAN BOSARGE:** We have a committee motion in Action 1 to
42 **make Alternative 4 the preferred alternative. Alternative 4 is**
43 **establish a sunset provision on the modification of the**
44 **component ACT buffers of the recreational sector for red**
45 **snapper. Any changes to the recreational component ACT buffers**
46 **would end at the end of the 2019 fishing season. Mr. Atran.**

47
48 **MR. ATRAN:** I just want to make clear, and, Ryan, correct me if

1 I'm incorrect, but it says to make Alternative 4 the preferred
2 alternative, but this would actually be a second preferred
3 alternative, and so, if this passes, you have both Alternative 3
4 that you just voted on and Alternative 4 as preferred
5 alternatives.

6
7 **CHAIRMAN BOSARGE:** Thank you. I don't want to change a
8 committee motion, but, yes, that's understood that we will have
9 two preferreds. Okay. All right. Any further discussion on
10 the motion on the board? **Seeing none, is there any opposition**
11 **to the motion? No opposition, and the motion carries.**

12
13 **MR. GREENE:** The committee recognized that the SSC's review of
14 the most recent red snapper stock assessment resulted in a
15 recommended increase in the ABC of approximately 1.5 million
16 pounds in 2019 compared to the status quo. A more balanced
17 approach, such as that proposed in Alternative 2, would be
18 easier to defend legally.

19
20 Under Alternative 2, a decrease in the buffer for the for-hire
21 component would be matched by an equal increase in the buffer
22 for the private angling component. Alternative 2 and its
23 options all maintain the current 20 percent buffer between the
24 ACT and the ACL for the combined recreational sector.

25
26 Staff added that the framework action is currently in the
27 options paper stage, and we aim to bring a final action document
28 to the August council meeting. The committee noted that
29 addressing the buffer between the ACT and ACL for the for-hire
30 component was a council priority for implementation by 2019.

31
32 SSC Summary Report, Tab B, Number 12, Dr. Barbieri reviewed
33 items discussed by the SSC that were not discussed in previous
34 agenda items. These included a presentation on reducing discard
35 mortality with descending devices. Dr. Barbieri summarized a
36 presentation given by SEFSC staff.

37
38 Committee members were concerned that the analysis was based on
39 hypothetical scenarios and might not be representative of actual
40 discard mortality rates. SEFSC staff explained that the
41 analysis was preliminary and was based on a decision tool that
42 is still under development.

43
44 Discussion on best scientific information available, Dr.
45 Barbieri noted that staff gave a presentation on National
46 Standard 2 Guidelines and a review of a draft Framework for
47 Determining that Stock Status Determinations and Harvest
48 Specifications are based on the Best Scientific Information

1 Available. He reiterated that the SSC has requested that NOAA
2 General Counsel attend a future SSC meeting to discuss BSIA.

3
4 SEDAR 64, yellowtail snapper benchmark assessment TOR, schedule,
5 and workgroup appointments, the SSC reviewed and approved the
6 terms of reference and schedule for the upcoming SEDAR 64 stock
7 assessment of southeastern yellowtail snapper. However, given
8 that new appointments were about to be made to the SSC, they
9 deferred selection of workgroup appointees until the next SSC
10 meeting.

11
12 SEDAR research track, the SSC was informed by Dr. Julie Neer
13 that a planning committee is being formed to begin preparing for
14 a SEDAR research track assessment for scamp. Ryan Rindone will
15 serve as the council staff representative on the committee, and
16 Dr. Jeff Isely volunteered to be the SSC representative.

17
18 Red grouper indices and interim analysis, staff noted that, in
19 January 2018, the SSC reviewed updated indices of abundance for
20 red grouper. These indices showed a decline, but the SSC
21 indicated that, without more information, they could not make
22 any recommendations for management.

23
24 The subject of an interim analysis was considered. Dr. Porch
25 explained that examples of interim analyses could be presented
26 to the SSC at their next meeting, but a full analysis for red
27 grouper would require a management strategy evaluation and could
28 not be ready in that time period.

29
30 Other Business, IUU Fishing Identification Report, the committee
31 received a report from the Department of Commerce regarding the
32 problem with Mexican lanchas fishing without authorization in
33 U.S. waters. The DOC has issued a positive certification
34 determination, finding that Mexico has taken actions to address
35 the problem, including assessing \$2.78 million in fines.

36
37 A committee member from Texas was surprised by the
38 determination, as Texas law enforcement has not seen a decrease
39 in the incursions. The committee expressed interest in
40 receiving an update from the USCG regarding any ongoing
41 encounters with Mexican lanchas.

42
43 Implementation of For-hire Reporting Amendment, National Marine
44 Fisheries Service staff provided the expected timeline for
45 implementation of the new for-hire reporting requirements.
46 Implementation for the Gulf and South Atlantic regions are
47 following different timelines, with the South Atlantic rule
48 scheduled to be implemented by January 1, 2019, versus

1 implementation in the Gulf by April 1, 2019.

2
3 Implementation will occur in two phases, since it will take
4 longer to implement the GPS provisions than the paper reporting
5 requirements. The National Marine Fisheries Service is looking
6 for a way to avoid Monroe County fishermen having to file dual
7 reports.

8
9 **CHAIRMAN BOSARGE:** All right. Thank you, sir. If there is
10 nothing else on Reef Fish -- Wait a minute. Chairman Greene has
11 one more line to read.

12
13 **MR. GREENE:** I have been waiting for this. Madam Chair, this
14 completes my report.

15
16 **CHAIRMAN BOSARGE:** Lieutenant Commander, did you want to say
17 something?

18
19 **LT. ZANOWICZ:** Where it says the committee expressed interest in
20 receiving updates from the Coast Guard regarding any ongoing
21 encounters, I think, from what I understood from that
22 discussion, the committee wanted more of the catch that we
23 recovered from those lanchas and using that for stock
24 assessments, unless I misunderstood the discussion, but, in
25 terms of ongoing encounters, we regularly provide updates on
26 that.

27
28 **CHAIRMAN BOSARGE:** Dr. Porch.

29
30 **DR. PORCH:** Just to clarify, we wanted the expansion also, so
31 that we have an estimate of the total number of fish killed by
32 Mexican lanchas.

33
34 **GULF SEDAR COMMITTEE REPORT**

35
36 **CHAIRMAN BOSARGE:** Okay. So noted. All right. We are not
37 going to circle back around to Coral right this second. Let's
38 go through our SEDAR Committee Report real quick. That would be
39 me. The Gulf SEDAR Committee Summary, the committee adopted the
40 agenda as presented and approved the minutes of the April 2018
41 committee meeting as amended.

42
43 SEDAR Steering Committee Summary, staff reviewed the summary
44 from the May 2018 SEDAR Steering Committee meeting, Tab I,
45 Number 4, including a presentation on the proposed changes to
46 the SEDAR process, Tab I, Number 5.

47
48 The research/operational/interim assessment process will begin

1 replacing the current assessment process in 2018, starting with
2 a scamp research track assessment. Beginning in 2019, each year
3 before the May SEDAR Steering Committee meeting, the SSC and
4 council need to specify the terms of reference for operational
5 assessments, to determine the scope of work required.

6
7 The Southeast Fisheries Science Center only has thirty-four
8 weeks of data processing time available each year. However,
9 this capacity may be expanded in the future with the addition of
10 more staff and automation of data processing. Also, one member
11 at the SEDAR Steering Committee recommended that some reserve
12 capacity be retained to deal with unforeseen circumstances.

13
14 SEDAR Assessment Schedule, the committee reviewed the SEDAR
15 schedule, Tab I, Number 6, noting that the 2018 and 2019
16 assessment schedules are set. In 2019, king mackerel will be an
17 update assessment, because no new data sources are available.
18 Vermilion snapper will be a standard assessment and cobia an
19 update assessment. Florida FWC plans to conduct a yellowtail
20 snapper benchmark assessment, and the MRIP calibrations due in
21 2018 may extend into 2019.

22
23 I just wanted to pause there, because, as I read this report,
24 and, Dr. Porch, this is for you. Cobia is scheduled to be an
25 update assessment, and that's going to be fine, right? There is
26 no reason for cobia to be a standard, correct? Okay. I'm just
27 making sure. Okay.

28
29 By the August 2018 council meeting, the SSC and council need to
30 confirm that a red snapper research track assessment is desired
31 in 2020, followed by an operational assessment in 2021 to
32 receive management advice.

33
34 The committee asked whether an operational assessment always
35 follows a research track, and the Southeast Fisheries Science
36 Center confirmed that to be true. The SSC must specify the TORs
37 for the requested 2020 operational assessments for gag and
38 greater amberjack. Currently, fifty-nine weeks of data
39 processing are required for all requested assessments from the
40 three councils, but only thirty-four weeks are available.
41 Therefore, this is the overriding function for scheduling and
42 balancing the assessment needs of the three councils the
43 Southeast Fisheries Science Center services.

44
45 The preliminary 2021 assessment schedule should be finalized by
46 the end of 2018 and definitely no later than the May 2019
47 Steering Committee meeting, i.e., at the January 2019 council
48 meeting. Presently, the red snapper research and operational

1 track assessments are scheduled to conclude in 2021, along with
2 an operational assessment of gag and an FWC assessment of mutton
3 snapper. This concludes my report. Was there anything else on
4 the SEDAR topic? Mr. Gregory.

5
6 **EXECUTIVE DIRECTOR GREGORY:** One thing that, just as a reminder,
7 is it's possible -- We have these deadlines for the spring 2019
8 Steering Committee meeting, but I seem to remember Dr. Porch
9 saying at the last Steering Committee that by then he may have
10 more resources and that the thirty-four weeks may not be the
11 limit at that point, and is that correct?

12
13 **DR. PORCH:** Essentially, yes. I mean, that's my goal, is to
14 reduce that bottleneck, and so one of the things that is high on
15 our priority list is hiring those new positions and, also, like
16 I said, automating the data processing, but whether we'll get it
17 by the next Steering Committee or not is hard to say, because
18 hiring people is not as easy as it used to be.

19
20 **CHAIRMAN BOSARGE:** All right. Thank you, sir. Let's move back
21 into our regular agenda, and so that's going to bring us back to
22 our Coral Committee Report. Dr. Frazer, I will turn it over to
23 you, sir.

24 25 **CORAL COMMITTEE REPORT**

26
27 **DR. FRAZER:** Thank you, Madam Chair. The committee adopted the
28 agenda and approved the minutes as amended. Final Action
29 Amendment 9, Coral Habitat Areas Considered for Management in
30 the Gulf of Mexico, staff presented the committee with the
31 public hearing comments and written comments received on Coral
32 Amendment 9. Over 16,000 comments were received.

33
34 Staff reviewed the actions and preferred alternatives and
35 options in the document. A transit provision was discussed in
36 the committee, and it was noted that, as long as a vessel is not
37 fishing, it was not in violation. The language in the document
38 is consistent with the existing HAPC fishing regulations in
39 Coral subpart D, for example Pulley Ridge, West and East Flower
40 Garden Banks, et cetera. A comparison was made with the
41 Madison-Swanson in committee, but it was noted that this is a
42 reef fish closed area and, thus, is not comparable.

43
44 Another committee member discussed the rationale for prohibiting
45 anchoring by fishing vessels and noted that fishermen are
46 starting to fish deeper and that this prohibition may need to be
47 reevaluated in the future.

1 Lastly, NOAA General Counsel advised the council that the
2 document should be edited to reflect that fishing with HMS gear
3 is not included in the prohibition on the use of bottom
4 longlines. The council should request that HMS conduct
5 concurrent rulemaking regarding bottom longlines in these areas.
6 Madam Chair, this concludes my report.

7
8 **CHAIRMAN BOSARGE:** All right, and so, if you remember, in that
9 committee, we have a document that is on the schedule for final
10 action, but we haven't taken that final action yet, and so we
11 need to have that discussion, and the one thing that I brought
12 up, and I think I brought it up in committee, and I know I've
13 talked about it a lot, and I'm pretty sure it was in committee,
14 but, anyway, it was -- For vessels that do have this prohibited
15 gear onboard and they also have catch onboard that was caught
16 with that prohibited gear, and what is this regulation going to
17 say specifically about when they're in violation and when they
18 are not?

19
20 I think the discussion was -- Ms. Levy said if they're fishing
21 that they're in violation, and so then my question was, well,
22 what is considered fishing? What is going to be enforcement's
23 definition that they're going to follow of fishing? Mara was
24 going to follow-up on that and let us know.

25
26 **MS. LEVY:** Like I think I mentioned, fishing is defined both in
27 the Magnuson Act and there is a consistent definition in the
28 regulations in the general Magnuson Act regulations at 50 CFR
29 600, and so not in the Gulf-specific regulations. It's a fairly
30 broad definition that means the catching, taking, or harvesting
31 of fish, the attempted catching, taking, or harvesting of fish,
32 any other activity which can reasonably be expected to result in
33 the catching, taking, or harvesting of fish, or any operations
34 at-sea in support of or in preparation for any activity
35 described above.

36
37 Again, it's fairly broad, and I think, after thinking about it,
38 I think what the sense was from Leann was to have some narrower
39 definition of what fishing means for the purposes of these HAPC
40 areas where we prohibit fishing.

41
42 I got the sense that perhaps the resulting definition that would
43 be wanted would be something like for the purposes of this
44 provision, or this section, or however we write it, fishing
45 means that you have your gear in the water, and I'm not saying
46 that's exactly how we would write it, but that -- It's much
47 narrower than the Magnuson Act definition and the definition in
48 the general regulations.

1
2 If that is something that the council wants to do, we can look
3 at that. We kind of talked about timing and discussing timing
4 on this amendment versus looking at the definition of fishing
5 for the purposes of the habitat areas of particular concern.

6
7 I guess my suggestion would be to take final action here, as it
8 is contemplated, if that's what you want to do, and then we
9 could come back in August with a framework-type document that
10 would address the definition of fishing for these areas, and the
11 council could then modify that definition for the purposes of
12 these areas, and, if you wanted to take final action on that in
13 August, we could do that and then potentially line up the
14 rulemaking with the two things to sort of coincide, because
15 getting the coral amendment together and submitted and
16 everything is going to take some time. It's not going to happen
17 overnight, and so it's possible that we could just align them
18 all in the rulemaking process.

19
20 I guess that was my suggestion, moving forward, if the council
21 wanted to address that. We could potentially address the
22 definition for the new areas that we're looking at in this
23 amendment. The issue with that is we have existing areas with
24 the same language that we haven't even looked at in this
25 amendment, and I think we would want it consistent. For all of
26 these, the idea of what fishing is should be consistent, and it
27 should be consistent for all the gear types that we're
28 prohibiting, and so that's why my suggestion was to sort of
29 split it up and address this and then we'll quickly address the
30 definition of fishing at the next meeting.

31
32 **CHAIRMAN BOSARGE:** I like that idea, Mara. I think it's going
33 to be important, especially with that definition of fishing
34 currently being so broad, and I can see where, if we're in those
35 areas with gear hooked up, and maybe not in the water, but we're
36 there and we're on a shrimp boat, and we have prohibited gear,
37 and we've got shrimp on the boat, we could be in violation,
38 depending on the law enforcement officer that wants to board us.
39 With the broad definition, even if we went to court to fight it,
40 that's going to be a pretty tough one, even if we weren't doing
41 something wrong.

42
43 I apologize if I seem sensitive about this. I guess sometimes I
44 kind of feel like I have a target on my back, being in that
45 industry, when it comes to coral, and maybe that stems a little
46 bit more from things that have happened in the South Atlantic
47 than it has in the Gulf.

48

1 For example, in the Gulf, the only boats that we have VMS on,
2 that we require it, is for reef fish, something we spend all
3 this time on at every meeting. Our shrimp boats, many of them,
4 personally, they have VMS on them, and do you know why? Because
5 of coral in the South Atlantic. That is how we're viewed in the
6 shrimp fleet, right?

7
8 That is, I guess, why I am just very hesitant to have this broad
9 definition of fishing, and maybe that's just a personal thing
10 about feeling like I am the target for enforcement, and so,
11 anyway, thank you for taking a look at that. Is there further
12 discussion? I had a couple of hands. I've got Dr. Frazer and
13 then Dr. Stunz and Mr. Riechers.

14
15 **DR. FRAZER:** Thank you, Madam Chair. I really like kind of what
16 Mara has come up with. I think we've spent a lot of work to get
17 to this point, and I am really sensitive to people's
18 perspectives on increased regulations, et cetera, et cetera, and
19 I think we're in a good spot at this point, and I'm super
20 sensitive to your concern, and I think it's worth the time to
21 make sure that we get a definition that fits, because you don't
22 want to go through this whole effort and all of a sudden the
23 fear materializes that it was an unnecessary regulation, and so
24 I'm good with that, and I think that they can move together, and
25 so that's all I wanted to say.

26
27 **CHAIRMAN BOSARGE:** Dr. Stunz and then Mr. Riechers.

28
29 **DR. STUNZ:** If we could, Madam Chair, I would like to have a
30 little bit of discussion and go back to Action 5, if we could
31 pull that up. If you recall, that concerns the HAPC for those
32 banks, those couple of banks in the southwestern Gulf.

33
34 I would like to make a motion, and I can make that motion, and,
35 if I can get a second, I will give some further rationale.
36 While they are pulling it -- I will give them a second. By the
37 way, it's on page 71 of the document.

38
39 **CHAIRMAN BOSARGE:** It's page 41 on a paper copy and page 71 on
40 the PDF.

41
42 **DR. STUNZ:** Yes, and sorry. It's page 71 of the PDF. That's
43 right. Being more consistent, but there is other reasons with
44 those previous four actions establishing some of the fishing
45 regulations in there. **I would like to make the motion, and I**
46 **would move that in Action 5, for Alternatives 2 and 3, that we**
47 **make Option b the preferred option.** If I get a second, I can
48 explain that rationale.

1 **CHAIRMAN BOSARGE:** All right. We've got a motion going up on
2 the board, and that would put the regulations, essentially, on
3 those two banks.

4
5 **DR. STUNZ:** Essentially, it's changing the Preferred Option a to
6 b in both of those.

7
8 **CHAIRMAN BOSARGE:** Preferred Option a is to make it an HAPC with
9 no regulations. Option b would make it an HAPC with
10 regulations. All right. We've got a motion going up on the
11 board. Do we have a second for the motion? Second from Dr.
12 Shipp. Is there discussion on the motion? Go ahead, Dr. Stunz.

13
14 **DR. STUNZ:** My rationale for that is, one, the regulations are
15 the same as they are, or very similar, to the other five. I
16 mean, one, from the consistency standpoint, and we sort of had
17 this discussion in committee as well as even at the last
18 meeting, but, also, switching to that preferred, or that Option
19 b, is gaining a lot of support both Gulf-wide and certainly
20 regionally, and so that's why I'm putting forth that motion,
21 but, also, it just makes sense scientifically, given what is
22 occurring in those areas, and so I will kind of stop there, if
23 there is some discussion.

24
25 **CHAIRMAN BOSARGE:** Okay. Is there further discussion? We've
26 got our motion on the board. Mr. Riechers.

27
28 **MR. RIECHERS:** Tom, you may want to elaborate a little bit, as
29 Chair, but, obviously, there is a consistency question with the
30 other sites, and with some sites that don't have regulations,
31 but, also, just a -- I guess the other question I would ask is
32 the input and thoughts regarding not having those sites listed
33 and whether they are that much different than the other.

34
35 I know what some of the text says, that it's basically more
36 moderate levels of fishing effort that are currently existing,
37 and so that may be some of the rationale of why you didn't do it
38 now, but then, also, the sensitivity of those corals as compared
39 to other corals across the Gulf, since you're one of our coral
40 experts, and certainly we can turn to Morgan as well, but if you
41 would like to address that.

42
43 **DR. FRAZER:** Sure. I mean, again, when I started thinking about
44 this amendment, and I tried to work myself all the way back from
45 the beginning, and, originally, there was a larger number of
46 areas that were identified as proposed HAPCs, or areas that
47 exhibited kind of special characteristics, and one of those
48 characteristics was whether or not there was a high density of

1 corals or whether or not they were particularly species-rich.
2
3 Those ultimately got whittled down, and this is really the
4 suggestion of the coral groups that were working on this. They
5 said, okay, these fifteen particular areas are the ones that, in
6 negotiation with the fishing industry, the shrimpers and
7 longliners in particular, that we would like to keep with
8 fishing regulations. The other eight that don't have the
9 fishing regulations are, in large part, because of the depth
10 involved.

11
12 I really don't have a problem with this motion, and I would be
13 supportive of it. I don't think that I would be supportive of
14 putting fishing regulations on the other eight, because I don't
15 think that was the intent at all.

16
17 **CHAIRMAN BOSARGE:** Follow-up, Mr. Riechers?

18
19 **MR. RIECHERS:** Maybe Morgan then could address the sensitivity
20 coral perspective from these locations as compared to the others
21 and if they are -- I mean, what I am really trying to find out
22 is if there is really any difference in the sensitivity of these
23 areas as opposed to those where we are putting fishing
24 regulations.

25
26 **CHAIRMAN BOSARGE:** Dr. Kilgour.

27
28 **DR. MORGAN KILGOUR:** I think I understand the question. These
29 two particular areas in the South Texas Banks were identified
30 with the working groups and the joint meetings by the coral
31 scientists as being the most -- The two with the highest
32 priorities in this region, and so I think there were between
33 seven and nine banks that were proposed by that working group,
34 and the Southern Bank has one of the most species-rich areas in
35 that region, and then Harte Bank had one of the highest
36 densities of black coral that had been observed, and so that is
37 why these two areas were selected from all of the South Texas
38 Banks that were proposed by the Coral Working Group in 2014. I
39 don't know if that answers your question, but I hope it does.

40
41 **CHAIRMAN BOSARGE:** Mr. Diaz.

42
43 **MR. DIAZ:** Morgan, can you refresh our memory on the industry's
44 concern on these two areas, please? Thank you.

45
46 **DR. KILGOUR:** Sure. If you look at the shrimp tracks in this
47 region, this is where all the shrimping occurs, and so I think
48 the big -- While the Shrimp AP wasn't necessarily in support of

1 these two, the modified boundaries in Southern Bank in
2 particular now really closely mimic the edge, and then the
3 region of Harte Bank -- There wasn't a lot of shrimping that
4 occurred, and so these were also less contentious, the modified
5 boundary and Harte Bank, with the shrimping industry, because,
6 if you look at -- This is where shrimping occurs in the Gulf of
7 Mexico, according to the ELBs.

8
9 If you look, there isn't a lot of purple that overlaps with
10 Southern Bank and Harte Bank. The other few banks that were
11 proposed by the Coral Working Group, the boundaries would have
12 to have been really, really small. You can actually see where
13 they are, because there isn't shrimping occurring, according to
14 the ELBs. All those little pockets, those are the other banks
15 that might have been proposed, but the priorities were these two
16 areas, because of the species richness and the densities of
17 coral that had been observed.

18
19 **CHAIRMAN BOSARGE:** Dr. Frazer.

20
21 **DR. FRAZER:** You can correct me if I'm wrong, but this is
22 exactly the reason for your concern, and I do appreciate that,
23 and, again, I would like to move forward with a definition of
24 "fishing", particularly as it relates to these areas, so we
25 don't have a problem moving forward.

26
27 **CHAIRMAN BOSARGE:** Right, and so, if you look at that purple,
28 these sites are on the shrimp interstate, right? That's right.
29 We are all over this area. We are not in the coral, and we
30 obviously -- I mean, look at your shrimp tracks. That's why
31 it's white, but you're talking about a box up there for Southern
32 Bank that is the middle of the shrimp interstate, and that box
33 is 0.8 miles. It's less than one mile, and, when you put
34 regulations on it, we've got to make sure that, heaven forbid,
35 we don't accidentally have the boat over that box, but the gear
36 is not -- I mean, you're getting into feet now, right, because
37 you've got 300 to 500 foot of cable out behind this boat.

38
39 Your gear is not in the box, but, when we start getting into
40 less than a mile, and you're putting regulations on it -- I
41 guess that's why the Shrimp AP said that, no, you really don't
42 need regulations on these two.

43
44 We're not damaging your coral, but, when you put regulations on
45 it, now you're putting us in a position where we're not damaging
46 your coral, but this area is so tight that we might get dinged
47 for something that we are not doing wrong, but, if you all feel
48 like you need to put your regulations on them, you go right

1 ahead. You've got some reef fish guys that are fishing in the
2 other one down there, but we can protect our corals, and we can
3 put our regulations on them. We'll just go stress other areas,
4 I guess, from a reef fish perspective, when you keep shoving
5 them out of there, but let's not take all day about it. Which
6 way are we going to go? Mr. Diaz.

7
8 **MR. DIAZ:** Back to Morgan. You talked about shrimping, and is
9 there any evidence of reef fish fishermen fishing inside these
10 areas?

11
12 **DR. KILGOUR:** The figure before that is the VMS data, and, when
13 you look down at the points that are in those particular areas,
14 there is not really any in Southern Bank, but, in Harte Bank, it
15 lights up a little bit. Further investigation showed those are
16 VMS on vessels with shrimp permits.

17
18 Now, in public testimony, if you recall, I received some
19 information that those are vessels with shrimp permits on them,
20 but, when they're not shrimping, they go out there with bandit
21 rigs, and they may be using bandit rigs, and so they didn't
22 light up as bandit rig gear, but mostly -- It discusses this in
23 the document, but that Harte Bank is the area that was iffy, and
24 so there is the potential that there are bandit rig fishermen in
25 that area.

26
27 **CHAIRMAN BOSARGE:** Okay. We've got a motion on the board, and
28 that is to change our preferred alternative in Action 5 to make
29 Alternatives 2 and 3, Option b the preferred, which would
30 prohibit fishing with bottom-tending gear in the Harte Bank
31 HAPC. Bottom-tending gear is defined as bottom longline, bottom
32 trawl, buoy gear, dredge, pot, or trap, and bottom anchoring by
33 fishing vessels. The same would be true for Southern Bank.
34 Okay. Have we got any further discussion on the motion? **All**
35 **those in favor of the motion, signify by raising your hand.**

36
37 **EXECUTIVE DIRECTOR GREGORY:** Twelve.

38
39 **CHAIRMAN BOSARGE:** **All those opposed, same sign.**

40
41 **EXECUTIVE DIRECTOR GREGORY:** Four. **The motion passes twelve to**
42 **four.**

43
44 **CHAIRMAN BOSARGE:** Okay. We still haven't gone final. If we're
45 ready to do that, we are going to need a motion for that. We do
46 have preferreds on all of our alternatives at this point, and
47 Ms. Levy did say that she is going to follow-up and bring us a
48 framework document where we can hone-in that definition of

1 fishing, to make sure that we have that as narrowly-defined as
2 feasible. She would do that at a following meeting for us, and
3 so is there any further discussion on coral? Are we ready to
4 make a motion to send it final? Dr. Frazer, do us the honors,
5 please, sir.

6
7 **DR. FRAZER:** I would like to. I guess I would make a motion to
8 approve the document with the proposed change and forward it to
9 the Secretary of Commerce for review and implementation and deem
10 the codified text as necessary and appropriate, giving staff
11 editorial license to make the necessary changes in the document.

12
13 **CHAIRMAN BOSARGE:** Okay. I think they're getting that up on the
14 board for us. Do we have a second for the motion? Then I will
15 read it into the record. It's seconded by Mr. Matens.

16
17 Our motion is to approve Coral Amendment 9, Coral Habitat Areas
18 Considered for Management in the Gulf of Mexico, and that it be
19 forwarded to the Secretary of Commerce for review and
20 implementation, and deem the codified text as necessary and
21 appropriate, giving staff editorial license to make the
22 necessary changes in the document. The Council Chair is given
23 the authority to deem any changes to the codified text as
24 necessary and appropriate. This will be a roll call vote. Mr.
25 Banks.

26
27 **MR. BANKS:** I have a little bit of concern, now that we have
28 changed some of the conditions in southern Texas, and the reason
29 I say that is based on a comment we heard yesterday about we
30 shouldn't vote on this down here, because it's so hard for a lot
31 of folks to come and give public testimony on it.

32
33 Now, I don't know how accurate that is. We have had a lot of
34 other meetings about this before, but our next meeting is in
35 Corpus Christi, and we just changed preferreds dealing with
36 Texas, and it may not be inappropriate to hold off on this final
37 vote until we hear from some of those folks locally that will be
38 impacted on the change we just made.

39
40 **CHAIRMAN BOSARGE:** Dr. Stunz.

41
42 **DR. STUNZ:** I hear Patrick's concern, but, when we had the
43 public hearings literally in the back door of these areas, down
44 near Brownsville, there was -- Essentially, no one showed up.
45 It was two people, but they weren't really even concerned with
46 this amendment. They were just making general comments, and so
47 there wasn't a big public outcry or even public interest in
48 this, at least during those testimonies.

1
2 **CHAIRMAN BOSARGE:** Mr. Banks.
3
4 **MR. BANKS:** To that point, it was the same thing in Louisiana as
5 well, but I am wondering if that had to do with the fact that
6 they saw these things going in, but they didn't have any fishing
7 regulations on them, and so maybe they weren't concerned based
8 on that, and that's where I'm going with this, is now we've
9 changed the game and put fishing regulations on them, and that's
10 why I had that concern.
11
12 **CHAIRMAN BOSARGE:** Mr. Matens.
13
14 **MR. MATENS:** Thank you, Madam Chair. I do want to say that I do
15 have concerns about the way this coral regulation is going.
16 First of all, no one has any clue how many of these spots there
17 are in deep water, and no one really knows where the fishing
18 industry is going, as they fish deeper and deeper water,
19 commercially, for that matter, as well as recreational.
20
21 We have a lot of recreational people fishing for tilefish and
22 stuff now, and, while I do have those concerns, and I have
23 thought about it for a long time, I think the right thing to do
24 is to move forward with this amendment. Thank you.
25
26 **CHAIRMAN BOSARGE:** All right. Any further discussion? Mara.
27
28 **MS. LEVY:** Just to note, since you did change preferreds for
29 that one, those areas would not be reflected in the codified
30 text, and so just knowing that staff is going to make that
31 change, and it will go back to the Chair for re-deeming, just so
32 you know that that's going to happen.
33
34 **CHAIRMAN BOSARGE:** Thank you, ma'am. All right. If there is no
35 further discussion, this will be a roll call vote.
36
37 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
38
39 **MR. ANSON:** Yes.
40
41 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
42
43 **MR. SANCHEZ:** Yes.
44
45 **EXECUTIVE DIRECTOR GREGORY:** Dr. Mickle.
46
47 **DR. MICKLE:** Yes.
48

1 EXECUTIVE DIRECTOR GREGORY: Mr. Matens.
2
3 MR. MATENS: Yes.
4
5 EXECUTIVE DIRECTOR GREGORY: Ms. Guyas.
6
7 MS. GUYAS: Yes.
8
9 EXECUTIVE DIRECTOR GREGORY: Mr. Banks.
10
11 MR. BANKS: Yes.
12
13 EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.
14
15 MS. GERHART: Yes.
16
17 EXECUTIVE DIRECTOR GREGORY: Dr. Frazer.
18
19 DR. FRAZER: Yes.
20
21 EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.
22
23 MR. RIECHERS: Yes.
24
25 EXECUTIVE DIRECTOR GREGORY: Dr. Shipp.
26
27 DR. SHIPP: Yes.
28
29 EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.
30
31 MR. BOYD: Yes.
32
33 EXECUTIVE DIRECTOR GREGORY: Mr. Dyskow.
34
35 MR. DYSKOW: Yes.
36
37 EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.
38
39 DR. STUNZ: Yes.
40
41 EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.
42
43 MR. DIAZ: Yes.
44
45 EXECUTIVE DIRECTOR GREGORY: Captain Greene.
46
47 MR. GREENE: Yes.
48

1 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.
2
3 **CHAIRMAN BOSARGE:** Yes.
4
5 **EXECUTIVE DIRECTOR GREGORY:** **The motion passes unanimously.**
6
7 **CHAIRMAN BOSARGE:** Mara.
8
9 **MS. LEVY:** You talked about it in committee, but do you want to
10 ask HMS to do concurrent or parallel rulemaking to adopt these
11 same prohibitions on fishing with bottom longline in these
12 areas?
13
14 **CHAIRMAN BOSARGE:** Ms. Guyas, to that point?
15
16 **MS. GUYAS:** Yes, I think we do. Do we need a motion to do that?
17 Okay. I will try to make a motion here. **I will make a motion**
18 **that the council request HMS implement consistent regulations**
19 **for their longline fleets.**
20
21 **CHAIRMAN BOSARGE:** Okay. We have a motion on the board that the
22 council requests that HMS implement consistent regulations with
23 those of Coral Amendment 9 for their longline fleets. Staff,
24 would you mind referencing the document in there? That HMS
25 implement consistent regulations with those of Coral Amendment
26 9. Martha, are you okay with that?
27
28 **MS. GUYAS:** Yes, I think so, unless there is other gears that I
29 am forgetting about, but I think the discussion was just the
30 longline fleets.
31
32 **CHAIRMAN BOSARGE:** All right, and so we have a motion on the
33 board. Do we have a second? It's seconded by Dr. Frazer. Is
34 there discussion on the motion? I guess, if they have a problem
35 implementing that, you all will bring it back to us and tell us
36 something about it? Okay. Would they be able to go through
37 their process to implement it and have it coincide with yours,
38 or is this something where we may have our rule published and
39 they're still working on theirs?
40
41 **MS. LEVY:** I think we're going to have to go back and talk to
42 them about -- In the past, we have done, for some things, like
43 the Dry Tortuga one, where there was one rulemaking, but I think
44 we have to go back and see what they need to do their
45 rulemaking, and so I'm not sure yet whether we would do one
46 rulemaking or we would have to do separate rulemakings.
47
48 **CHAIRMAN BOSARGE:** Okay. I think the only issue with separate

1 rulemakings was that we had some discussion about, if we
2 prohibit the fishermen that we regulate from fishing with bottom
3 longlines, but yet there is some other fishermen in the Gulf of
4 Mexico that are able to use bottom longlines in those areas,
5 that that was going to cause a little bit of a conundrum. Mr.
6 Atran.

7
8 **MR. ATRAN:** Martha had indicated that she couldn't remember what
9 the gears were that you just prohibited, and it is bottom
10 longline, bottom trawl, buoy gear, dredge, pot or trap, and
11 bottom anchoring by fishing vessels. I don't think anything
12 other than bottom longline affects the HMS folks.

13
14 **MS. GUYAS:** Does the anchoring cover that? **Maybe this needs to**
15 **be broader and we just need to request implement regulations**
16 **with those of Coral Amendment 9. Let's do that. Just take off**
17 **that last part right there, and then we're good to go.**

18
19 **CHAIRMAN BOSARGE:** I think so, Martha. Is the seconder okay
20 with that? Dr. Frazer says yes. Okay. Is there further
21 discussion on the motion? **Seeing none, is there any opposition**
22 **to the motion? Seeing no opposition, the motion carries.** Mr.
23 Riechers.

24
25 **MR. RIECHERS:** This is going back to when I had my hand up a
26 while ago, and it was really to talk about what Mara had
27 suggested regarding the definition, and it's just a request that
28 we include the LEAP/LEC in that conversation about what
29 constitutes fishing, because not only do we have -- We probably
30 have other definitions on the book in regards to that, and so,
31 if we're going to have something different in these areas, I
32 want to make sure we're at least consistent enough, and, more
33 importantly, I want to make sure they feel comfortable enough
34 that they can enforce the rules we've just passed, and so it's
35 just, as we redo that and think about that, I assume you were
36 going to reach out to the LEAP and LEC and Coast Guard and those
37 folks involved in enforcement.

38
39 Whether we have to wait on a meeting for them or not, and I'm
40 not really saying wait on a meeting for them, but at least reach
41 out and make sure they've been involved in the conversation as
42 you bring it to us.

43
44 **CHAIRMAN BOSARGE:** Mr. Gregory.

45
46 **EXECUTIVE DIRECTOR GREGORY:** I don't recall -- Remember we were
47 discussing the transit provision of shrimp vessels from one
48 state body of water to another, and I don't recall if they

1 reviewed that, but, if they did review that and we're okay with
2 the definitions we had there, would that be acceptable, or do
3 you think these offshore areas are distinct enough that they
4 should review it also?

5
6 **CHAIRMAN BOSARGE:** Well, I think that, essentially, this one is
7 a little different. There is transit provisions, and then there
8 is fishing provisions. The way these regulations are written,
9 fishing with certain types of gear is prohibited, and so,
10 because the definition of "fishing" is so broad, that is what we
11 have to hone-in on, and so we've got to define what are we going
12 to consider as fishing or not, and that is what Mara is going to
13 bring to us, but, yes, Robin is correct that we need to be
14 consistent. If we have other HAPC areas that have regulations,
15 when we change the definition, we need to make sure that we're
16 consistent across all of them. Ms. Levy.

17
18 **MS. LEVY:** Okay, and so that is a broader question, and so, if
19 you're looking at modifying the definition of fishing for
20 purposes of 622.74, which is area closures to protect Gulf
21 corals, that is one thing. If you want to look at the
22 definition of fishing and how that is used throughout the 622
23 regulations, we're going to have to look at that and find the
24 places and figure out -- I mean, that's a much broader ask, and
25 it has broader implications.

26
27 I am not opposed to doing it, but I'm just saying it's different
28 than honing-in on what you're saying fishing is for the purposes
29 of these particular coral areas, and, also, I may have been
30 saying I will do this, but, really, it can't be just me.
31 Meaning, if you want to do this, I suggest a motion to have
32 staff develop this framework action.

33
34 I mean, I can't just develop a framework action and bring it to
35 you, and so I was making a suggestion for how we could have a
36 path forward, and I am certainly willing to help with the
37 crafting of a definition and that sort of stuff, but we're going
38 to need a document to actually get it done.

39
40 **CHAIRMAN BOSARGE:** Okay, and so we would have to have a motion
41 to ask staff to develop a framework document to examine the
42 definition of "fishing" in HAPC areas with regulations? Is that
43 what we need to ask staff to do, a framework document to
44 evaluate the definition of "fishing" in HAPC areas with
45 regulations?

46
47 **MS. LEVY:** Yes, you could say coral HAPC areas, or you could say
48 in 622.74, because that's the provision. I mean, I think we

1 know what you're talking about, but we are going to need to
2 develop a document that basically comes to you and says this is
3 what you are changing the definition to for this purpose and
4 then the regulations that are going to go with it and stuff.

5
6 **CHAIRMAN BOSARGE:** Ms. Guyas.

7
8 **MS. GUYAS:** I will make that motion, to get us going.

9
10 **CHAIRMAN BOSARGE:** Thank you, ma'am.

11
12 **MS. GUYAS:** It would be to direct staff to develop a framework
13 action to evaluate the definition of "fishing" in the coral
14 HAPCs. Is that more or less it? Okay.

15
16 **CHAIRMAN BOSARGE:** In the coral HAPC areas with regulations.
17 Right, Mara, because, if there is no regulations, it doesn't
18 apply. Okay. With fishing regulations. Okay. All right. I
19 think that will get staff pointed in the right direction anyway.
20 Is there a second for the motion? It's seconded by Dr. Frazer.
21 Is there further discussion on the motion? **Seeing none, is**
22 **there any opposition to the motion? No opposition, and the**
23 **motion carries.**

24
25 Anything else on coral? All right. Then I've got a question.
26 Dr. Kilgour, are you ready? How much area did we just make HAPC
27 and put fishing regulations on it that prohibit a lot of our
28 fishermen from fishing in there? Can you give me square miles?
29 Just give me a ballpark.

30
31 **DR. KILGOUR:** Let me get to the right place in the document,
32 because I do believe that we included that. It's in the
33 cumulative effects section.

34
35 **DR. FRAZER:** It's about 300 square miles.

36
37 **CHAIRMAN BOSARGE:** About 300 square miles.

38
39 **DR. KILGOUR:** Right, and so you increased the number of -- You
40 basically multiplied your areas with fishing regulations for
41 HAPCs by six.

42
43 **CHAIRMAN BOSARGE:** So we just increased it sixfold, and,
44 essentially, you're going to take a lot of fishermen out of
45 areas, although maybe it was heavily fished, but it was fished.
46 I mean, some of those VMS pings -- You might say, oh, that's
47 only 500 pings.

1 The number of permits out there for reef fish, it's a little
2 under a thousand, I think, and there is a whole bunch of those
3 that are not even actively fished, and so, if it was that many
4 pings off of that one state, that is probably a decent amount of
5 fishing effort, considering the number of reef fish fishermen
6 that are off that state actually actively fishing, and so we
7 just protected our corals, and I guess, in my personal opinion,
8 in some ways at the expense of our fishermen.

9
10 There is this other thing lingering in the background, this
11 other document that's supposed to go look at all the other
12 sites, because there was forty-something sites to begin with,
13 and so I would like a discussion on if we're going to go and do
14 this again, or are we satisfied with the amount of protection
15 that we just put in place, because it keeps me up at night. Ms.
16 Guyas and then Dr. Frazer.

17
18 **MS. GUYAS:** Well, I mean, it's been a while since we've even
19 looked at all those other areas. I mean, if we're going to have
20 that discussion, it seems like it would be -- We would probably
21 have a better-informed discussion if we had that more
22 information about those areas in front of us again. I know
23 there's people on the council that haven't even seen that list
24 of areas, and so, if that's what you are suggesting, to add it
25 to a future agenda, then --

26
27 **CHAIRMAN BOSARGE:** No, what I'm suggesting is that, when we
28 first looked at this, this document, we were examining all the
29 sites and this and that, and, right now, I think staff is under
30 the impression that we just did this document and, at some point
31 in the future, they're going to bring us another amendment to
32 look at closing the rest of those areas, and that's what keeps
33 me up at night, after we just increased it sixfold right now,
34 and so I think we need some definite direction to staff as to if
35 there really -- If we're really interested in going back and
36 closing the rest of those areas, too. Dr. Kilgour.

37
38 **DR. KILGOUR:** I would just like to make a staff recommendation
39 that perhaps -- You did make that motion to move forward with
40 Coral Amendment 10, and we weren't in any rush on the staff
41 side, especially since the Flower Garden Banks National Marine
42 Sanctuary is still developing their final EIS.

43
44 I think you will be seeing their proposed areas, and a lot of
45 the areas that were in that remaining twenty-four overlap with
46 the Flower Garden Banks National Marine Sanctuary proposed
47 expansion, and so we're not in any rush to start work on Coral
48 Amendment 10. It wouldn't begin until late this year, or maybe

1 next year even, and we're waiting to see what happens with the
2 sanctuary, but I don't know. More clear direction would be
3 always welcome.

4

5 **CHAIRMAN BOSARGE:** Dr. Frazer and then Ms. Guyas.

6

7 **DR. FRAZER:** A couple of things. We had a really nice
8 presentation by Mandy with regard to the future of ecosystem-
9 based fisheries management, and I think we're headed in that
10 direction, and I appreciate that we very likely impacted a
11 number of fishermen, and I am sensitive to that.

12

13 I am not trying to do that, but I also realize that we had tens
14 of thousands of public comments about people that understand and
15 appreciate the nature of that habitat type and the ecosystem
16 services that it provides, and I think, again, our goal here is
17 to try to do what's in the best interest of the nation and the
18 ecosystems therein, and I am not saying that the commercial
19 fishermen are bad stewards of the environment. Quite the
20 opposite, but I am just stating the big picture.

21

22 I think, as we move forward, what I would like to make sure that
23 we do is assimilate a little more information from the
24 sanctuaries, and I've heard some comments about, well, there is
25 probably a lot more coral areas out there, and there may in fact
26 be, and, as we learn more, we will learn how to prioritize a
27 little bit better, but I would agree with Morgan that I'm not in
28 a real hurry to go draw a bunch of boxes right now just to keep
29 people out. I would like to make some very informed decisions,
30 and hopefully, moving forward, we will do that.

31

32 **CHAIRMAN BOSARGE:** Ms. Guyas and then Mr. Gregory.

33

34 **MS. GUYAS:** I guess, just to follow-up on what Morgan said, it
35 seems prudent to wait to see what is happening with the
36 sanctuary process. I mean, we don't want to spin our wheels, I
37 don't think, and so that's my thoughts.

38

39 **CHAIRMAN BOSARGE:** Mr. Gregory.

40

41 **EXECUTIVE DIRECTOR GREGORY:** I just wanted to note that
42 evaluating additional areas recommended by the Coral SSC, and
43 possibly the Coral AP, doesn't necessarily mean they are going
44 to be closed.

45

46 **CHAIRMAN BOSARGE:** All right, and so we had some good
47 discussion. It sounds like it won't be at the top of the
48 priority list, and so maybe I will be able to sleep at night.

1 Thank you, Dr. Frazer. A gentleman, as always.

2
3 **DR. FRAZER:** Sleep is good.

4
5 **CHAIRMAN BOSARGE:** Okay. I think we're done with coral. It's
6 only 11:50. Hang in there. We're not even scheduled for lunch
7 until 12:30, and that's if you get it, right? Let's try Spiny
8 Lobster next. Ms. Guyas, will you lead us through that?

9
10 **SPINY LOBSTER COMMITTEE REPORT**

11
12 **MS. GUYAS:** I would be happy to. The committee adopted the
13 agenda with two items added under Other Business and approved
14 the minutes.

15
16 Ms. Gerhart provided the committee with the spiny lobster
17 landings summary. The total landings for 2016/2017 are above
18 the ACT of 6.59 million pounds, but below the ACL of 7.32
19 million pounds. In the 2017/2018 season, recreational landings
20 are not available, because of the hurricanes during the season.

21
22 Staff presented the committee with the public hearing draft of
23 Spiny Lobster Amendment 13. Staff included information from the
24 South Atlantic Fishery Management Council and Law Enforcement
25 Technical Committee in the discussion of each action. The
26 committee selected preferred alternatives and made the following
27 motions. **The committee recommends, and I so move, in Action 1,**
28 **to make Alternative 2 the preferred.** Madam Chair.

29
30 **CHAIRMAN BOSARGE:** We have a committee motion. I will give
31 everybody just a second, because it's sort of long, what
32 Alternative 2 says. Is there any discussion on the motion?
33 **Seeing none, is there any opposition to the motion? No**
34 **opposition, and the motion carries.**

35
36 **MS. GUYAS:** **The committee recommends, and I so move, in Action**
37 **2, to make Alternatives 2 and 3 the preferred.**

38
39 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
40 discussion on the motion? **Seeing none, is there any opposition**
41 **to the motion? No opposition, and the motion carries.**

42
43 **MS. GUYAS:** Staff presented Action 3 and outlined that the South
44 Atlantic Spiny Lobster AP identified issues with this action.
45 The South Atlantic selected Alternative 1 as the preferred with
46 the intention of moving Action 3 to Considered but Rejected.
47 The committee made a motion, and staff is recommending
48 clarification, in the brackets, of the following motion.

1
2 Let me see if I can read out what the motion should have been,
3 and I think this reflects the discussion that we had. **The**
4 **committee recommends, and I so move, in Action 3, to make**
5 **Alternative 1 the preferred and move Action 3 to Considered but**
6 **Rejected.**

7
8 **CHAIRMAN BOSARGE:** All right. Read it to me again, Martha, what
9 you think it should be. I've just got to see how far off it is
10 from what we have on the board. Go ahead.

11
12 **MS. GUYAS:** It includes -- It's everything on the board, but
13 it's just adding the "Action 3" in brackets there, and so it
14 would make -- In Action 3, make Alternative 1 the preferred and
15 then move Action 3 to Considered but Rejected. The way it read
16 before, it was ambiguous as to whether we were moving the action
17 to Considered but Rejected or the alternative.

18
19 **CHAIRMAN BOSARGE:** All right.

20
21 **MS. GUYAS:** The discussion we had reflected the motion including
22 the bracketed language.

23
24 **CHAIRMAN BOSARGE:** I'm comfortable with that. I think that's
25 fine. Okay. We have a motion on the board, in Action 3, to
26 make Alternative 1 the preferred and move Action 3 to Considered
27 but Rejected. Alternative 1 is, obviously, the no action
28 alternative. All right. Is there discussion on the motion?
29 **Seeing none, is there any opposition to the motion? No**
30 **opposition, and the motion carries.**

31
32 **MS. GUYAS:** Action 4 was identified by the IPT as problematic
33 for NMFS rulemaking, as the definition of "artificial habitat"
34 was vague. The committee discussed the utility of the action,
35 the difficulty of enforcing it in federal waters, and the South
36 Atlantic Fishery Management Council's motion to move Action 4 to
37 Considered but Rejected. **The committee recommends, and I so**
38 **move, to move Action 4 to Considered but Rejected.**

39
40 **CHAIRMAN BOSARGE:** We have a committee motion to move Action 4
41 to Considered but Rejected. Do we have any discussion on the
42 motion? **Seeing none, is there any opposition to the motion? No**
43 **opposition, and the motion carries.**

44
45 **MS. GUYAS:** Staff reviewed Action 5, which refines a cooperative
46 management procedure between Florida state and federal agencies
47 for the management of spiny lobster. Staff combined the
48 existing protocol and procedure in the document and highlighted

1 specific language in Alternative 2. The committee concurred
2 with the South Atlantic Fishery Management Council's
3 recommendation to remove the highlighted portion in Item 6 and
4 to remove all of Item 8. **The committee recommends, and I so**
5 **move, in Action 5, to make Alternative 2, as amended by**
6 **committee, the preferred.**

7
8 **CHAIRMAN BOSARGE:** Okay, and that Alternative 2 that's below
9 there is the original and not the amended, just out of
10 curiosity? Mara.

11
12 **MS. LEVY:** It's not the alternative that was amended. The
13 alternative always read like that, but we were showing changes
14 to the actual protocol and procedure that were going to happen,
15 and so the alternative always has read like this, and then there
16 were certain highlighted items in the actual protocol and
17 procedure that staff was showing you were going to change.

18
19 **CHAIRMAN BOSARGE:** Gotcha. Okay. All right. We have a motion
20 on the board that, in Action 5, to make Alternative 2, as
21 amended by committee, the preferred. Is there any discussion on
22 the motion? **Seeing none, is there any opposition to the motion?**
23 **No opposition, and the motion carries.**

24
25
26
27 **MS. GUYAS:** Staff notified the committee that, if approved, the
28 Spiny Lobster Amendment 13 is scheduled to go out to a public
29 hearing via webinar. **The committee recommends, and I so move,**
30 **to approve Spiny Lobster Amendment 13 for public hearings.**

31
32 **CHAIRMAN BOSARGE:** We have a committee motion to approve Spiny
33 Lobster Amendment 13 for public hearings. Any discussion on the
34 motion? **Seeing none, is there any opposition to the motion? No**
35 **opposition, and the motion carries.**

36
37 **MS. GUYAS:** Ms. Gerhart informed the committee that the final
38 rule for Spiny Lobster Regulatory Amendment 4 will publish June
39 22, 2018, and the rule will take effect July 23, 2018. Ms.
40 Guyas informed the committee that FWC is discussing trap
41 management later today, actually yesterday, which will include a
42 discussion on lobster trap soak times, among other things. If I
43 may, I can give you an update on what happened there.

44
45 Bill Kelly alluded to this in his public testimony yesterday,
46 and so the commission decided to -- They approved a draft rule
47 that would do this, to extend that soak time, that they will
48 take up for final action in September, and that would take

1 effect for the 2019 season. They also approved an executive
2 order that would change the soak times for the 2018 season,
3 which starts -- Which means that soak time will start shortly,
4 after the mini-season, at the end of July of this year, and so
5 that's the results of that. Otherwise, Madam Chair, this
6 concludes my report.

7
8 **CHAIRMAN BOSARGE:** Okay. Anything else on spiny lobster before
9 we move on? Ms. Guyas.

10
11 **MS. GUYAS:** Bill had requested, I think, if there was a way to
12 extend that soak time for federal waters. I talked to NMFS
13 staff online about this and how that would need to work.
14 Because FWC is doing it for this year by an executive order,
15 it's not actually getting incorporated into our regulations,
16 which means that it sounds like it wouldn't automatically take
17 effect for this year for federal waters, since they incorporate
18 our rules.

19
20 Our rules are still going to be the same, but we just have an
21 order that supersedes it for this year, and so that sounds a
22 little bit complicated, but the reason that was done is there's
23 just not enough time for us to move through our rulemaking
24 process before the soak period would begin for this year, since
25 it's about a month away.

26
27 **CHAIRMAN BOSARGE:** I would have to assume there is probably not
28 time for us to do that either.

29
30 **MS. GUYAS:** I think that is right, but maybe Sue could answer
31 that for sure.

32
33 **CHAIRMAN BOSARGE:** A question for you, Martha. Your executive
34 orders kind of have an expiration date on them? In other words,
35 you will have to go back and fairly soon put that into your
36 regulations and then we could complement it?

37
38 **MS. GUYAS:** Yes, and so the executive order would be for the
39 2018 soak, and then they will finalize this, assuming they
40 approve it, at their September meeting, and so that would take
41 effect for the season that starts in the summer of 2019.

42
43 **CHAIRMAN BOSARGE:** Ms. Gerhart.

44
45 **MS. GERHART:** The way our regulations are written, and I think
46 Martha said this earlier, we just refer for soak time to the
47 state regulations. However, this is an executive order, and so
48 we're going to need to discuss a little bit how that affects how

1 our regulations work, but I will leave that to Mara.

2
3 **CHAIRMAN BOSARGE:** Okay. While you're thinking about that,
4 Mara, I had one quick question about the public hearings. I am
5 assuming, staff, that we're not going all the way across the
6 Gulf with these public hearings and that these are going to be
7 kind of central to Florida and south Florida and maybe some
8 webinar or something. Dr. Kilgour.

9
10 **DR. KILGOUR:** Right, and so we're only taking this out to public
11 hearing via webinar for this one, and the South Atlantic, I
12 believe, is doing the same thing, and so there will be a South
13 Atlantic webinar and a Gulf Council webinar.

14
15 **CHAIRMAN BOSARGE:** Thank you. Perfect. I appreciate that.
16 Mara, did you want to comment now on the Florida executive order
17 and our complementary regulations, or lack thereof?

18
19 **MS. LEVY:** Well, our regulations specifically refer to the
20 Florida Administrative Code regulations and that they apply in
21 the EEZ off of Florida with respect to possession of traps in
22 the water, and so I don't read that as applying to an executive
23 order, and I don't know how we complement it before they open
24 this year.

25
26 I don't think we need to do anything with respect to next year,
27 because, as long as Florida has the appropriate regulations, we
28 just cross-reference their regulations, and we don't have to
29 change ours.

30
31 **CHAIRMAN BOSARGE:** Martha.

32
33 **MS. GUYAS:** I was just going to note that I understand that this
34 is not ideal, necessarily, to have two different soak times,
35 but, if I'm putting lobster traps in the water, I am going to
36 hit state waters first, because I've got ten days now, and then,
37 once the federal time opens up, then I will hit federal waters,
38 and so that -- Unfortunately, it looks like that's how it's
39 going to have to be this year.

40
41 **CHAIRMAN BOSARGE:** Okay. All right. We're all clear. Martha,
42 that concluded your report, correct?

43
44 **MS. GUYAS:** Yes.

45
46 **CHAIRMAN BOSARGE:** All right, and so let's move on to Ecosystem,
47 our Ecosystem Committee Report, which is Tab Q, and, Dr. Shipp,
48 are you going to lead us through that, please, sir?

1
2 **ECOSYSTEM COMMITTEE REPORT**
3

4 **DR. SHIPP:** Thank you. Yes, Madam Chair. The committee adopted
5 the agenda and approved the minutes. Draft Roadmap of
6 Ecosystem-Based Fisheries Management Regional Plan for the Gulf
7 of Mexico, Dr. Karnauskas presented the Ecosystem-Based
8 Fisheries Management Regional Plan for the Gulf of Mexico to the
9 committee. The committee highlighted several items it found
10 useful for Gulf stocks and items that it would like included in
11 future discussions, including the hypoxic zone, nutrient runoff,
12 sargassum mats as essential habitat for age-zero gray
13 triggerfish, and changing water temperatures and ocean
14 acidification. Madam Chair, this concludes my report.
15

16 **CHAIRMAN BOSARGE:** Thank you, sir. All right. Anything else on
17 that? Nope, and so let's move on to our Outreach and Education
18 Committee Report and Mr. Dyskow.
19

20 **OUTREACH AND EDUCATION COMMITTEE REPORT**
21

22 **MR. DYSKOW:** Thank you, Madam Chair. Staff reviewed a draft
23 Outreach Plan on the council's Descending and Venting Policy and
24 provided the council with the Outreach and Education Technical
25 Committee's recommendations on how to outreach barotrauma
26 mitigation.
27

28 The committee discussed the desire to have the council play a
29 central role in communicating the issue across all sectors from
30 a region-wide perspective. It was emphasized that, rather than
31 producing redundant materials, the council should focus on
32 sharing a Gulf-wide perspective and warehouse, organize, and
33 present the outreach materials and scientific information
34 produced by all of our partners in the Gulf region.
35

36 **Without opposition, the committee recommends, and I so move, to**
37 **adopt the council's outreach plan on the use of venting tools**
38 **and descending devices policy.**
39

40 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
41 discussion on the motion? **Seeing none, is there any opposition**
42 **to the motion? No opposition, and the motion carries.**
43

44 **MR. DYSKOW:** Thank you, Madam Chair. Next, the committee
45 discussed a recommendation from the Outreach and Education
46 Technical Committee regarding the need to hold a meeting of
47 pertinent personnel to develop an action plan that will ensure
48 the goals of the council's descending and venting policy are

1 realized.

2
3 In addition to discussing how to promote the use of descending
4 devices and venting tools, this group should address the
5 collection of data on the use of barotrauma mitigation and the
6 impact it has on dead discards and ensure that information is at
7 some point incorporated into stock assessments.

8
9 **Without opposition, the committee recommends, and I so move,**
10 **that the staff work with GSMFC to develop a meeting of**
11 **scientists, agency personnel, and stakeholders to develop an**
12 **action plan that includes information dissemination and science**
13 **and monitoring needs that ensure the policy purpose and**
14 **objectives are both measurable and successful.**

15
16 **CHAIRMAN BOSARGE:** Okay. We have a committee motion. Is there
17 any discussion on the motion? **Seeing none, is there any**
18 **opposition to the motion? No opposition, and the motion**
19 **carries.**

20
21 **MR. DYSKOW:** Next, staff presented the council with a draft of
22 an anecdotal data collection tool called Something's Fishy, and
23 I think we looked at that yesterday. Staff explained that the
24 tool would be used to collect information from all types of
25 fishermen about what is happening on the water.

26
27 The tool does not aim to collect trip-level data. Instead, it
28 aims to collect information on trends or anomalies that are
29 occurring with specific fish stocks. The tool would be deployed
30 prior to each stock assessment, and the information collected
31 would be shared with the stock assessment participants at each
32 data workshop. The committee made recommendations on how to
33 improve the tool and encouraged staff to deploy it on a trial
34 basis.

35
36 The committee heard a presentation on the council's
37 communication analytics, which is Tab O, Number 6, and the staff
38 informed the committee that we are transitioning from our
39 current regulations app to Fish Rules. In other words, we're
40 getting rid of the paper regulations, and that actually
41 concludes my report, but I would like to back up for just a
42 second and say that the staff assured us that they would be
43 willing to print paper regulations wherever they were needed on
44 an individual basis. Madam Chair, this concludes the report.

45
46 **REEF FISH AP, SHRIMP AP, AND SSC APPOINTMENTS**

47
48 **CHAIRMAN BOSARGE:** Thank you, sir. Anything else for Outreach

1 and Education? All right. Next on our agenda is our report-out
2 on our closed session. The council met in closed session and
3 finalized the populating of our Reef Fish AP, Shrimp AP, and our
4 Scientific and Statistical Committees.

5
6 We appointed the following eighteen members to our Reef Fish
7 Advisory Panel: James Bruce, Jane Black-Lee, Patrick Cagle,
8 Jason Delacruz, Joshua Ellender, Troy Frady, Keith (Buddy)
9 Guindon, Dylan Hubbard, George Huye, Chris Jenkins, John Marquez
10 Jr., Jeffrey McDaniel, Michael Nugent, Mike Prasek Jr., Clarence
11 Seymour Jr., David Walker, Ed Walker, and Troy Williamson II.

12
13 The council appointed the following fourteen members to its
14 Shrimp Advisory Panel: Steven Bosarge, Thu Bui, Kimberly
15 Chauvin, Glenn Delaney, Gary Graham, Andrea Hance, Harris
16 Lasseigne, Lance Nacio, Can Nguyen, Franklin Parker, William
17 (Corky) Perret, Patrick Riley, Thomas Schultz, and John
18 Williams.

19
20 The council appointed the following eighteen members to its
21 Standing SSC: Lee Anderson, Luiz Barbieri, Robert (Harry)
22 Blanchet, David Chagaris, Benny Gallaway, Robert Gill, Douglas
23 Gregory, John (Jeff) Isely, Walter Keithly, Robert Leaf, Kai
24 Lorenzen, James Nance, William Patterson, Joseph Powers, Sean
25 Powers, Kenneth Roberts, Steven Scyphers, and Jim Tolan.

26
27 The council appointed the following three members to its Special
28 Coral SSC: Sandra Brooke, Paul Sammarco, and George Schmahl,
29 (G.P. Schmahl).

30
31 The council appointed the following three members to its Special
32 Mackerel SSC: Jason Adriance, Kari Buck, (Kari MacLauchlin-
33 Buck), and John Mareska.

34
35 The council appointed the following three members to its Special
36 Red Drum SSC: Michael Allen, Judson Curtis, and Wade Hardy.

37
38 The council appointed the following three members to its Special
39 Reef Fish SSC: Jason Adriane, Judson Curtis, and John Mareska.

40
41 The council appointed the following three members to its Special
42 Shrimp SSC: Richard Burris, William (Peyton) Cagle, and Thomas
43 Shirley.

44
45 The following three members were appointed to the council's
46 Special Spiny Lobster SSC: Ryan Gandy, Thomas Matthews, and
47 Thomas Shirley.

1 The following three members were appointed to the council's
2 Special Socioeconomic SSC: Kari MacLauchlin-Buck, Jack Isaacs,
3 and Andrew Ropicki.

4
5 The following three members were appointed to the council's
6 Special Ecosystem SSC: Cameron Ainsworth, Mandy Karnauskas, and
7 Paul Sammarco. We are glad to have all of you onboard, and
8 congratulations.

9
10 That is going to bring us to our Supporting Agencies Update, and
11 so our South Atlantic liaison, as mentioned earlier,
12 unfortunately was not able to be here with us at this meeting,
13 but he is in our thoughts. Mr. Donaldson from Gulf States, did
14 you have anything to update us on?

15
16 **SUPPORTING AGENCIES UPDATE**
17 **GULF STATES MARINE FISHERIES COMMISSION**

18
19 **MR. DONALDSON:** Thank you, Madam Chair. Just a quick note. I
20 am happy to announce that Red Snapper 4 is scheduled, and it's
21 going to happen the week of September 10 through 14 in New
22 Orleans. It's going to be a two-full-day meeting. The main
23 purpose of the meeting is to integrate the specialized surveys
24 with the existing surveys, where applicable, and explore the
25 calibration methods to ensure that there is comparability and
26 compatibility between these estimates.

27
28 We're working on hotel information and terms of reference and
29 other logistics, and I know you have been invited, as Council
30 Chair, and others will be receiving invitations, and so I know
31 we've talked about this for a while, and I'm glad that it's
32 finally happening, and I'm glad to report that it will be
33 occurring later this year. That's all I've got.

34
35 **CHAIRMAN BOSARGE:** Good news, sir. Thank you. Lieutenant
36 Commander, did you have anything to update us on, sir?

37
38 **U.S. COAST GUARD**

39
40 **LT. ZANOWICZ:** Yes, and I had a slide that I had prepared, if we
41 could pull that up. Thank you, and good afternoon. I just
42 wanted to provide an update on Coast Guard activity combating
43 Mexican lanchas near the U.S./Mexico maritime boundary line.

44
45 So far in Fiscal Year 2018, it's been a record year for us for
46 lancha interdictions. We have had fifty total interdictions
47 since October 2017, and our previous record year was forty-five
48 interdictions, and so we still have about three months to go in

1 the fiscal year, and we have already exceeded that, and so it's
2 already a record year for us, and it could be even more so. We
3 had nine total interdictions in May, which was the third-highest
4 month on record, and a total of seventeen since the last council
5 meeting.

6
7 The fiscal year to date, in terms of snapper and gear we have
8 recovered, the total was 23,863 pounds of red snapper seized
9 from those lanchas and from recovered gear, and a total of
10 32,150 yards of longline gear has been recovered, which is over
11 sixteen miles of gear.

12
13 Because of this, we are continuing regular patrols and
14 overflights, and, additionally, the photograph you see here is
15 of the holding area at Station South Padre Island, where we
16 maintain the interdicted lanchas for forty-five days, to give
17 Mexico a chance to reclaim them before destroying them. That
18 concludes my update, pending any questions.

19
20 **CHAIRMAN BOSARGE:** Thank you, sir. We have a question from Mr.
21 Dyskow.

22
23 **MR. DYSKOW:** Thank you. That was a good report. I know that
24 what you do is resource dependent. If you don't have enough
25 boats, you can't stop or board everyone. With already having --
26 Was it how many interdictions? Was it fifty? Is that what I am
27 seeing? Do you feel confident that you are getting a
28 significant percentage? It's obviously not 100, and it's
29 obviously not 50, but is it 5 percent or 10 percent? Could you
30 take a stab at that?

31
32 **LT. ZANOWICZ:** It would be tough for me to estimate. That being
33 said, we do keep track of how many lanchas we detect and don't
34 interdict, and I don't have that exact number with me, but I do
35 know that it's probably around 150 for this year so far, and so,
36 in terms of the ones we see or detect, which detection can
37 include finding gear, but not a corresponding lancha, that ratio
38 is around a third, around 30 percent.

39
40 That being said, I know in the analysis that we had done a few
41 years ago, the speculation was that there is -- The estimate was
42 that there is a lot more lanchas out there that we're not
43 interdicting, and so that's the best information I have, but,
44 unfortunately, I don't know how many -- I can't estimate at this
45 time how many total are out there.

46
47 **CHAIRMAN BOSARGE:** Mr. Matens.
48

1 **MR. MATENS:** Thank you, ma'am. I am curious. Do you have any
2 indication of how many of these lanchas, or I guess they're
3 called pangas on the other side of Mexico, are on the Mexican
4 beach ready to be launched?

5
6 **LT. ZANOWICZ:** You mean as far as currently stationed on the
7 beach?

8
9 **MR. MATENS:** Yes. I mean, how many are out there? If you
10 overflowed it and you took a picture and took a count, how many
11 would there be?

12
13 **LT. ZANOWICZ:** We do have information on that, but I'm just not
14 at liberty to discuss that sort of intelligence here in this
15 forum.

16
17 **CHAIRMAN BOSARGE:** All right. Thanks. Mr. Constant, thank you
18 for being with us today, sir, and yesterday and the day before,
19 and anything you want to update us on?

20
21 **U.S. FISH AND WILDLIFE SERVICE**

22
23 **MR. GLENN CONSTANT:** No, ma'am, not unless you have a specific
24 request, but I just wanted to join the many other folks who have
25 shared appreciation and well wishes to departing council
26 members, Johnny and Camp, and, in addition, our appreciation and
27 well wishes and congratulations to Doug on retirement. That's
28 all I have.

29
30 **CHAIRMAN BOSARGE:** Thank you, sir. Our Department of State
31 representative, I think, has already left the building, and so
32 that brings us to Other Business. Was there any other business?
33 I don't believe I remember any. Therefore, I am going to turn
34 it over to Mr. Gregory for a minute.

35
36 **OTHER BUSINESS**

37 **REMARKS BY EXECUTIVE DIRECTOR GREGORY**

38
39 **EXECUTIVE DIRECTOR GREGORY:** I would just like to say something
40 briefly. There has been enough speeches this week, particularly
41 Tuesday night, but it's been an honor and a pleasure to work
42 with the council this past five years.

43
44 I want to tell you that this council, and I don't mean this as a
45 joke, but this is a unique council. We are probably the best
46 council in the system, and we have more people that come to our
47 meetings to keep us informed than any other council. We have a
48 more efficient council meeting system, and I think we have a

1 better staff than other councils do.

2
3 You just added four or five more framework actions and actions,
4 and I didn't hear too many groans, but there is a large workload
5 on this staff, and, at some point, they're going to come to you
6 and say that we just can't do this or can't do that, and you're
7 already hearing us ask about priorities.

8
9 This is a special place, and, when other people visit us, they
10 take away ideas for improving their system, and all you've got
11 to do is go to another council meeting and you will see what I
12 mean, and so it's been a pleasure. I am very pleased to be able
13 to continue to work with the council on the SSC and continue my
14 thirty-five years of constant association with this council.
15 It's been my career, and I am very pleased with it. Thank you
16 very much.

17
18 **MR. SWINDELL:** Madam Chair.

19
20 **CHAIRMAN BOSARGE:** Mr. Swindell, did you want to chime in, sir?

21
22 **MR. SWINDELL:** Yes, I want to also tell Mr. Gregory that I am
23 going to miss him. He's done an excellent job while I have been
24 there, and I wish you the best in the future. I do have one
25 question for you, Madam Chair. All the names that you have
26 listed in the appointments to the SSC, et cetera, with red
27 lines, are they new to the panels?

28
29 **CHAIRMAN BOSARGE:** No, sir. That is just the Word program not
30 recognizing that last name as being in the dictionary, and it's
31 just spell check.

32
33 **MR. SWINDELL:** Okay. Thank you.

34
35 **CHAIRMAN BOSARGE:** All right. Doug, we are going to miss you.
36 I will miss you. You're a pain in my rear, but I love you
37 anyway. He never gives me the answers that I want, and that's
38 what I love about him. Guys, I think that brings our meeting to
39 a close, if nobody has anything else, and so I will let you go
40 to lunch or the airport, or wherever you want to go, and I will
41 see you next time in August. Thanks for an efficient meeting.

42
43 (Whereupon, the meeting adjourned on June 21, 2018.)

44
45 - - -