GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

274TH MEETING

FULL COUNCIL SESSION

Sandestin Golf and Beach Resort Miramar, Florida

JUNE 5-6, 2019

VOTING MEMBERS

Kevin Anson (designee for Scott Bannon)..........................Alabama
Patrick Banks..........................................................Louisiana
Susan Boggs..............................................................Alaska
Leann Bosarge..........................................................Mississippi
Doug Boyd.................................................................Texas
Roy Crabtree......................................................................NMFS
Dale Diaz.........................................................................Mississippi
Jonathan Dugas.............................................................Louisiana
Phil Dyskow......................................................................Florida
Tom Frazer.........................................................................Florida
Martha Guyas (designee for Jessica McCawley)....................Florida
Paul Mickle (designee for Joe Spraggin)..............................Mississippi
Lance Robinson (designee for Robin Riechers).....................Texas
John Sanchez.................................................................Florida
Bob Shipp.........................................................................Alabama
Greg Stunz........................................................................Texas
Ed Swindell........................................................................Louisiana

NON-VOTING MEMBERS

Glenn Constant..............................................................USFWS
Dave Donaldson.............................................................GSMFC
Lt. Mark Zanowicz..........................................................USCG

STAFF

John Froeschke............................................................Deputy Director
Lisa Hollensead...........................................................Fishery Biologist
Ava Lasseter.................................................................Anthropologist
Mara Levy.................................................................NOAA General Counsel
Natasha Mendez-Ferrer.................................................Fishery Biologist
Emily Muehlstein.........................................................Public Information Officer
Ryan Rindone.........................................................Fishery Biologist & SEDAR Liaison
Bernadine Roy..........................................................Office Manager
Charlotte Schiaffo.................................................... Administrative & Human Resources Assistant
Carrie Simmons.................................................... Executive Director

OTHER PARTICIPANTS

Ralph Andrew..............................................................FL
| 1 | George Arnesen                               | LA                          |
| 2 | Kindra Arnesen                               | LA                          |
| 3 | Anna Beckwith                                | SAFMC                       |
| 4 | Jim Bonnell                                  | Madeira Beach, FL          |
| 5 | Eric Brazer                                  | Reef Fish Shareholders Alliance |
| 6 | James Bruce                                 | MS                          |
| 7 | B.J. Burkett                                | Panama City Beach, FL      |
| 8 | Ronald Chicola                               | LA                          |
| 9 | Scott Daggett                                | Madeira Beach, FL          |
|10 | Kenneth Daniels                              | Madeira Beach, FL          |
|11 | Jason Delacruz                               | FL                          |
|12 | Tim Dillingham                               | FL                          |
|13 | Richard Fischer                             | LA                          |
|14 | Traci Floyd                                 | MS DMR                      |
|15 | Brad Gentner                                | NMFS                        |
|16 | Susan Gerhart                               | Destin, FL                  |
|17 | Jim Green                                   | Galveston, TX               |
|18 | Buddy Guindon                               | ASA, FL                     |
|19 | Ken Haddad                                  | NMFS                        |
|20 | Peter Hood                                  | Destin, FL                  |
|21 | Dylan Hubbard                               | FL                          |
|22 | Gary Jarvis                                 | NMFS                        |
|23 | Mike Jepson                                 | Madeira Beach, FL          |
|24 | Bill Kelly                                  | FKCFA, FL                   |
|25 | Randall Kramer                               | Madeira Beach, FL          |
|26 | Randy Lauser                                | Madeira Beach, FL          |
|27 | Edward Maccini                              | SOFA                        |
|28 | Lawrence Marino                             | LA                          |
|29 | Alicia Paul                                 | Panama City, FL            |
|30 | Kelia Paul                                  | Panama City Beach, FL      |
|31 | Captain Scott Pearce                        | FL                          |
|32 | Ken Pearson                                 | FL                          |
|33 | Clay Porch                                  | SEFSC                       |
|34 | Nick Ruland                                 | FL                          |
|35 | Chris Schieble                              | LA                          |
|36 | Eric Schmidt                                | FL                          |
|37 | Bob Spaeth                                  | Madeira Beach, FL          |
|38 | Jessica Stephen                             | NMFS                        |
|39 | David Walker                                | AL                          |
|40 | Wayne Werner                                | Alachua, FL                 |
|41 |                                         |                             |
|42 |                                         |                             |
|43 |                                         |                             |
|44 |                                         |                             |
**TABLE OF CONTENTS**

Table of Motions.................................................................4
Call to Order, Announcements, and Introductions......................6
Adoption of Agenda and Approval of Minutes.............................7
2018 Law Enforcement Officer of the Year Award........................8
Recognition of Mr. Doug Boyd..............................................9
Review of Exempted Fishing Permit (EFP) Applications...............10
Presentation.................................................................16
  Florida Law Enforcement Efforts....................................16
Committee Reports...........................................................22
  Data Collection Committee Report..................................22
  Habitat Protection and Restoration Committee Report.............27
  Migratory Species Committee Report................................30
Other Business...............................................................31
  Discussion of Changes to Allowable Gear Table...................31
  Discussion of Bryde’s Whale ESA Listing..........................34
  Discussion of Release Mortality Workshop........................35
Public Comment...............................................................38
Committee Reports (Continued)...........................................90
  Gulf SEDAR Committee Report.......................................91
Supporting Agencies Update...............................................93
  U.S. Coast Guard......................................................93
  Gulf States Marine Fisheries Commission..........................95
  South Atlantic Council Liaison......................................95
Vote on Exempted Fishing Permit Applications........................97
Aquaculture Litigation Update.........................................99
Announcement of AP Member Nominations................................99
Committee Reports (Continued)..........................................99
  Sustainable Fisheries Committee Report............................99
  Reef Fish Committee Report........................................121
Adjournment..............................................................162
TABLE OF MOTIONS

PAGE 23: Motion to review and evaluate data collection and monitoring management programs. The AP should make recommendations to the council for data collection programs in relation to their implementation, efficiency, end user costs, and feasibility. The motion carried on page 23.

PAGE 97: Motion to direct council staff to write a letter to NMFS recommending approval of the EFP for testing the new BRD device. The motion carried on page 97.

PAGE 101: Motion to direct staff to add a payback provision to the document to address carryover for stocks in rebuilding plans. The motion carried on page 101.

PAGE 102: Motion to direct staff to develop a framework action with language that would allow persons on a federal for-hire trip more than twenty-four hours in length, thirty hours in length, and thirty-six hours in length to retain a two-day bag limit of reef fish species and CMP species at any time. The motion carried on page 114.

PAGE 117: Motion to postpone further discussion on the carryover of unharvested quota document until NMFS conducts interim stock analysis procedures. The motion carried on page 120.

PAGE 123: Motion to remove Alternative 5 from Action 1.1. The motion carried on page 123.

PAGE 123: Motion in Action 2 to add an alternative to equally distribute reclaimed shares held by NMFS among all accounts with the equivalent of 500 pounds of shares for each share category to shareholders within one month of the effective date for the final rule implementing this amendment. The motion carried on page 126.

PAGE 127: Motion in Action 4 to modify the alternatives to require that the estimated weight reported on advance landing notifications be within 25 percent, 50 percent, 75 percent, or 100 percent of actual landed weight per share category when the total weight on board of that share category is more than: Option a: 100 pounds; Option b: 500 pounds; Option c: 750 pounds. The motion carried on page 134.

PAGE 134: Motion in Action 4, that the accuracy on the estimated weights applies only to underreporting of those
weights. The motion carried on page 136.

PAGE 137: Motion in the action to make Alternatives 2 and 6 the preferred alternatives. The motion carried on page 138.

PAGE 139: Motion to approve the Framework Action to Modify Greater Amberjack Commercial Trip Limits and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 141.

PAGE 141: Motion in Action 1 to make Alternative 2 the preferred alternative. The motion carried on page 142.

PAGE 142: Motion in Action 1 to make Alternative 2 the preferred alternative. The motion carried on page 142.

PAGE 142: Motion in Action 1 to make Alternative 5 a preferred alternative. The motion carried on page 143.

PAGE 143: Motion in Action 2 to make Alternative 2 the preferred alternative. The motion carried on page 143.

PAGE 143: Motion in Action 5 to make Alternative 2, Option 2b the preferred alternative. The motion carried on page 143.

PAGE 151: Motion to direct staff to develop a draft framework amendment for recreational greater amberjack. The goal of the amendment would be to have May and fall harvest seasons. This framework should include options including changing the fishing year, fractional bag limits, and modifications to the current season structure. The motion carried on page 158.

PAGE 161: Motion to ask the SSC to look at almaco jack. The motion carried on page 161.

- - -
The Full Council of the Gulf of Mexico Fishery Management Council convened at the Sandestin Golf and Beach Resort, Miramar Beach, Florida, Wednesday morning, June 5, 2019, and was called to order by Chairman Tom Frazer.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN TOM FRAZER: Welcome to the 274th meeting of the Gulf Council. My name is Tom Frazer, Chair of the Council. If you have a cell phone or similar device, we ask that you place it on silent or vibrating mode during the meeting. Also, in order for all to be able to hear the proceedings, we ask that you have any private conversations outside. Please be advised that alcoholic beverages are not permitted in the meeting room.

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

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

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

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

MR. DALE DIAZ: Dale Diaz, Mississippi.

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

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

DR. BOB SHIPP: Bob Shipp, Alabama.

MR. KEVIN ANSON: Kevin Anson, Alabama.

MS. SUSAN BOGGS: Susan Boggs, Alabama.

MR. PATRICK BANKS: Patrick Banks, Louisiana.

MR. ED SWINDELL: Ed Swindell, Louisiana.

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

MS. ANNA BECKWITH: Anna Beckwith, South Atlantic Council liaison.

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

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

MS. SUSAN GERHART: Susan Gerhart, NOAA Fisheries Service.

DR. ROY CRABTREE: Roy Crabtree, NOAA Fisheries.

MR. LANCE ROBINSON: Lance Robinson, Texas.

MR. DOUG BOYD: Doug Boyd, Texas.

DR. GREG STUNZ: Greg Stunz, Texas.

MR. PHIL DYSKOW: Phil Dyskow, Florida.

MR. JOHN SANCHEZ: John Sanchez, Florida.

MS. MARTHA GUYAS: Martha Guyas, Florida.

EXECUTIVE DIRECTOR CARRIE SIMMONS: Carrie Simmons, council staff.

ADOPTION OF AGENDA AND APPROVAL OF MINUTES

CHAIRMAN FRAZER: Thank you. The first order of business is the Adoption of the Agenda. Are there any additions or
modifications to the agenda? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Can we just
add, under Other Business, just providing an update and some
information on the release mortality workshop?

CHAIRMAN FRAZER: We will do that. Ms. Gerhart.

MS. GERHART: Two items, please. One is in reference to changes
to the allowable gear table, to accommodate lionfish fishing,
and the second is relative to the listing of the Bryde’s whale
in the Gulf of Mexico as an endangered species.

CHAIRMAN FRAZER: Okay. We’ve got both of those, and so changes
to the allowable gear table and a listing of the Bryde’s whale.
Are there any other additions to the agenda? Seeing none, can I
get a motion to approve the agenda? There is a motion to
approve the agenda by Ms. Guyas. Is there a second? It’s
seconded by Mr. Diaz. Is there any opposition? Seeing none, I
consider the agenda approved.

The next order of business is Approval of the Minutes. Are
there any changes or modifications or edits? Seeing none, can I
get a motion to approve the minutes?

MR. DIAZ: So moved.

CHAIRMAN FRAZER: There’s a motion to approve the minutes by Mr.
Diaz. Is there a second to that motion? It’s seconded by Mr.
Boyd. Any opposition to approval of the minutes? Seeing none,
we will consider the minutes approved.

The first order of business on the agenda here is the 2018 Law
Enforcement Officer of the Year Award, and, as is customary, I
have invited Mr. Boyd, who has been the Chair of our Law
Enforcement Committee for some time, to provide us a little bit
of background on the award and some information on this year’s
recipient. Mr. Boyd.

2018 LAW ENFORCEMENT OFFICER OF THE YEAR AWARD

MR. BOYD: Thank you, Mr. Chairman. As background, the
council’s Officer of the Year Award acknowledges service above
and beyond duty requirements and recognizes distinguished
service, professionalism, and dedication to enforcing federal
fishery regulations in the Gulf of Mexico. Nominees are
submitted from each of the five state law enforcement agencies,
the U.S. Coast Guard, and the NOAA Fisheries Office of Law
Enforcement.

This year’s award for the Officer of the Year is to Lieutenant Jason Marlow with the Florida Fish and Wildlife Conservation Commission. His background is Lieutenant Marlow has spent most of his twenty-year career dedicated to working in the Gulf of Mexico. He is highly regarded for his mentorship and his passion for marine resource conservation. He continuously inspires others with his attitude, subject matter expertise, and work ethic.

Lieutenant Marlow is an exemplary squad leader and has prioritized federal fisheries enforcement with great success. In 2019, Lieutenant Marlow’s squad made a significant contribution to fisheries enforcement, including a combined 1,039 hours of offshore federal fisheries patrols. His squad exceeded their contracted federal enforcement patrol time by 300 hours. Over 602 hours were dedicated to red snapper enforcement, over eighty-hours for shrimp turtle excluder device enforcement, and over 347 hours for overall federal patrols. Lieutenant Marlow, if you are here, could you come up, please, to the front? (Applause)

RECOGNITION OF MR. DOUG BOYD

CHAIRMAN FRAZER: Doug, while we’ve got you up here, can we just keep you up here for a second? As most of you know, this is Doug Boyd’s last council meeting. He has served three consecutive terms, and he has been a well-respected member of this council for some period of time. We’ve got a special award for Doug as well, and I have invited Carrie Simmons to say a few words about Doug Boyd.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. Doug, you served from 2010 to 2019, and, during that time, Mr. Boyd was the Council Chair. He served in a leadership position and role for the council and staff, and that was from 2012 to 2014.

Just to mention a few of the things that he has assisted with over these years, nine years, on the council, he has been active in numerous management and administrative committees, including Admin/Budget, which is he is very knowledgeable on, from his previous career, Personnel, Law Enforcement, and, obviously, we know he had a very strong interest in that, Coastal Migratory Pelagics, Reef Fish, and a special interest in the south Florida management workshops and much of the work that was done with the State of Florida and the council in south Florida.
From a staff perspective, Mr. Boyd has always provided leadership and encouragement across, and he encouraged us for cross-training, and he encouraged us to explore what other regional councils were doing to explore ways to improve things and see if there is always a better way and best practice of conducting business, and so, Mr. Boyd, we have been honored to work with you for the past nine years, I have been, and congratulations. I hope you get to do some fun stuff, maybe travel the globe, and tell us all about. Congratulations. (Applause)

MR. BOYD: I would just like to say that I hope the next nine years go a lot slower than these nine years did, because, at this age, you want them to kind of just slow down a little.

REVIEW OF EXEMPTED FISHING PERMIT APPLICATIONS

CHAIRMAN FRAZER: The next item on the agenda would be Review of Exempted Fishing Permit Applications, and we’ve got one, and, Dr. Crabtree, do you want to speak to this?

MS. GERHART: I am not Dr. Crabtree, but I can speak to this.

CHAIRMAN FRAZER: Thank you, Ms. Gerhart.

MS. GERHART: We had an application submitted to us from Dr. Glenn Parsons of the University of Mississippi. This has to do with a bycatch reduction device that he has developed, and it called the nested cylinder bycatch reduction device, NCBRD, and this is a device that creates a reduced flow in a particular area, and then fish naturally swim to that area and out of a mesh, and it’s installed downstream of the TED, and the TEDs are still in the net, and so he has done some certification trials for this BRD, and they have shown that there is a 44 percent reduction in the bycatch, and that is compared to the fisheye, which has a 37 percent reduction, and so it does seem to be more efficient than the fisheye, which is the most common type of bycatch reduction device used in shrimp nets.

In addition, that is an average bycatch reduction, but juvenile red snapper reduction is 50 percent, and so this actually does better at reducing the juvenile red snapper catch than it does in general over other types of bycatch. In addition, the shrimp loss is only 1.8 percent using this BRD, and, again, comparing to the fisheye, that has a 10 percent loss of shrimp, and so it seems to be a much more efficient BRD that might be very acceptable to the fishermen, because of that. It is a little more expensive, however, than other BRDs, and so that’s a
drawback.

What Dr. Parsons would like to do is test the acceptability of this BRD with the shrimpers before going through this final certification process, and so he has requested this EFP, where he would give out these to some shrimpers to put in their nets, and they would put them in one of the nets, replace one of the fisheyes in one net, and that’s where the exemption comes into place. They would be exempted from the requirement to have an approved BRD in their nets, and they would still be required to use a TED, and each participant would be asked to do up to thirty trawls, and this would be just for a short period of time, through the end of this year, probably, although it might extend into next year.

It’s going to happen in every state of the Gulf except off of Florida, and there are shrimpers who have agreed to take these BRDs onboard, and their team will go around to each of those and demonstrate how to install it, to make sure that they are installed properly and everyone knows, and so then the idea is, after using this new BRD side-by-side with the old one, that they can do a comparison, and they will be given a questionnaire to compare to the fisheye as well as to recommend any changes and tell the researchers if they would be interested in using that as a replacement for the other type of bycatch reduction device. We put this out for public comment, and the comment period ends on June 18, and we just wanted to see what the council felt about this item.

CHAIRMAN FRAZER: Thanks, Sue. I think, before we go to the council, I think, Emily, are there comments at this point? Let me see if we can round-up Emily real quick to see if we have any public comments today. Hi, Emily. Sorry to roust you out of your business. We were just questioning whether or not there are any public comments to date on the EFP.

MS. EMILY MUEHLSTEIN: There were not, and that concludes my report.

CHAIRMAN FRAZER: Thank you. Carry on. In that case, is there any discussion or questions from the council for Ms. Gerhart? Dr. Mickle.

DR. MICKLE: I have had conversations with Glenn. Over the years -- This new device has been around for at least five years that I know that he’s been working on it. My question is just a clarification on protocol. The, I guess, preliminary results presented in this letter are from data that was acquired in
federal waters, and this is an EFP to actually use this BRD instead of a standard BRD, and how did he get this data? Was the standard BRD in the net behind this new BRD? I am confused on how this data was acquired and the process. Thank you.

MS. GERHART: We had previously issued a LOA, a letter of acknowledgement, because, when he was originally working on it, he was testing bycatch reduction, and it fell under the research category, in which case research is exempted from fisheries regulations, and so we administered an LOA.

Now what he’s doing is a little bit different. He’s not testing the bycatch reduction anymore. He is testing whether the fishermen will use it or not, and so it doesn’t fall under that same category anymore, and so he did legally get that information through that research, but now, to do this part of it, is why we would give an exempted fishing permit.

CHAIRMAN FRAZER: Dr. Mickle.

DR. MICKLE: Thank you for that clarification. I have talked to him on multiple occasions, and we’ve set up a meeting, where he’s actually going to come down and show us one of these, to the State of Mississippi and the Department of Marine Resources, and I can report back to you all, if you all are interested in it.

We’ve shown a lot of interest, and my staff is really excited about this, and we’re reaching out to our shrimpers in the near future to help promote this in a state waters scenario and maybe even look at skimmer trawls and the capabilities here, because the gear types are so different, and it would be interesting to actually see the skimmer trawl comparison as well, and so, again, just a plug for the State of Mississippi, where we’re all onboard with this and really excited about the results we see on the federal level, and potentially the state level as well. Thank you.

CHAIRMAN FRAZER: Ms. Gerhart.

MS. GERHART: Just to follow-up, also, I was reminded that he did work with our Science Center people that are up in Pascagoula that do the testing of BRDs, and so those certification trials were through the procedure that was set up to certify these different things, and so that was part of where he got that information as well.

CHAIRMAN FRAZER: Ms. Bosarge.
MS. BOSARGE: Thank you, Mr. Chairman. The shrimp industry, we always want to find a way to further reduce bycatch, and so we’re definitely onboard with this. I think that, if anyone could develop a better BRD, it’s probably Dr. Parsons. He has a long history of research and development with bycatch in the shrimp fishery, and so we’re excited that he’s working on this, and I hope to reach out to him and see if we can’t go ahead and get him some shrimpers signed up in Mississippi to do the testing with this as well, because I noticed he has some from Texas and some from Louisiana already lined up, but I would love to see it pulled off of Mississippi some, too.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Thank you. Sue, the thirty trips that you mentioned from the participating shrimpers, how are those going to be partitioned throughout the year? Is that just they can take thirty trips, the next thirty trips they make, or is there going to be some sort of partitioning of that amongst the months of the year or throughout this EFP request?

MS. GERHART: The initial request was to do this through the end of August of this year, which is a very short time period, and it had to do with funding. They’re looking at getting an extension, a no-cost extension, for that funding, and so I’m not sure that they thought about that time, because, initially, it was going to be just for a short period of time in the summer months.

CHAIRMAN FRAZER: Kevin.

MR. ANSON: Then you mentioned that it would be more expensive, and then you said not much, and so I’m just curious as to how much more expensive this BRD would be compared to the standard.

MS. GERHART: I honestly don’t know. I’m sorry.

CHAIRMAN FRAZER: Mr. Banks.

MR. BANKS: I just wanted to say that we’re in support of this as well, and I would encourage the rest of the council to vote in support of this. We need this research for our shrimping industry. Thank you.

CHAIRMAN FRAZER: Thank you. John Sanchez.

MR. SANCHEZ: Thank you, Mr. Chair. This seems like a no-
brainer, a win-win, a reduction in bycatch and an increase in
retention, and I’m all in support of letting him take it out to
the industry and see if there’s support for a practical
application.

CHAIRMAN FRAZER: Thanks, John. Lance.

MR. ROBINSON: I will just speak on behalf of Texas. We would
support this research as well. Back in the 1990s, I believe it
was, we did some work in inshore waters with some devices,
square mesh panels and things, that really showed some promise,
and it wasn’t really accepted wholeheartedly by industry in the
inshore waters, but it really did have a good effect on reducing
bycatch with very, very minimal loss of shrimp, and so we
certainly would support this effort as well, and we’re anxious
to see the results.

CHAIRMAN FRAZER: Thank you, Lance. Are there any more
comments? Okay. It doesn’t look like there are, and so it
seems that we have pretty strong support for this EFP moving
forward, and I guess what we would need to do is prepare a
letter on behalf of the council, right, to -- Ms. Gerhart.

MS. GERHART: Generally, you listen to the public testimony, and
then, after, you would vote on whether you want to recommend its
approval to the National Marine Fisheries Service.

CHAIRMAN FRAZER: Okay. Thank you for that, and so we’ll just
hold off on that, but that’s where we’re headed, for sure. The
next item of business is here is a presentation on the Florida
law enforcement efforts by Captain Pearce. Kevin Anson.

MR. ANSON: Before we move off of the EFPs, I am wondering if,
Sue, you can give an update on the status of that EFP request
for the sargassum that was given in January.

CHAIRMAN FRAZER: Ms. Gerhart.

MS. GERHART: I believe that the applicant started working with
people, and I think Kelly Lucas, actually, Dr. Kelly Lucas, who
you saw the other day, so that it no longer fell under the EFP,
and I believe that we’re issuing an LOA to them, because it’s
now through a research institution, and it falls under the LOA,
and so we aren’t processing that EFP anymore.


MS. BOSARGE: But wasn’t she going to harvest, and we don’t
allow any harvest? Isn’t that how that was going to work?

CHAIRMAN FRAZER: Ms. Gerhart.

MS. GERHART: I’m sorry, but we did sort of pass this to our
Aquaculture Office, and so I haven’t been tracking it, but I
think they weren’t going to be doing commercial harvest under
this particular testing that she’ll be doing with the University
of Southern Mississippi. They just modified what they’re doing,
and they no longer are asking for that EFP.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Why was the Aquaculture Office selected, versus
maybe Habitat or anyone else?

MS. GERHART: Well, it’s aquaculture. Sorry, and I don’t mean
to be glib with that, but that was where -- Those were the
people that could work with them, because they were setting up
an aquaculture procedure, and they are more familiar with that
than we are, but they will certainly do the same kind of
consultations with our Habitat Conservation Division.

MR. ANSON: I made a comment to it back when the presentation
was given, but I just find it stretching the boundaries of the
definition of aquaculture to do what they were doing and
proposing, and we might consider an artificial reef program as
an aquaculture program then. Thank you.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: If you would like, we could do an update on where
this stands at the next meeting, if you want to put that on the
agenda.

CHAIRMAN FRAZER: Thank you, Dr. Crabtree. We will certainly
put it on the agenda for next time. Ms. Gerhart.

MS. GERHART: I can also try to follow-up for tomorrow and could
give you an update on that as well.

CHAIRMAN FRAZER: That would be great as well, and so we’ll look
forward to an update tomorrow, and, depending on that update,
we’ll likely put it on the agenda for the following council
meeting. Ms. Bosarge, did you have a question? Okay. Are
there any further questions? No? Is Captain Pearce in the
audience? There you go.
PRESENTATION

FLORIDA LAW ENFORCEMENT EFFORTS

CAPTAIN SCOTT PEARCE: Mr. Chairman, thank you for having me here, and, council members, thank you for inviting me to come and present for you today. This is something that we do every time you’re here, and so I’m just going to give you an update on our enforcement efforts in federal waters, and we’re going to talk about our OPV program, briefly, and also talk about the efforts that our other officers within the state put forth into working federal enforcement that aren’t actually involved in the OPV program.

If you look at this, what you’re seeing in front of you, it gives you a depiction of the Gulf of Mexico, and it shows the whole entire state, but, if you’ll focus on the Gulf of Mexico, within that area, we have basically eight vessels that are a part of that OPV program that patrol within the Gulf of Mexico.

We have two heavy endurance-class vessels, and one is the eighty-five-foot Gulf Sentry that’s based out of St. Petersburg. The other one is the sixty-five-foot C.T. Randall that’s based out of Marco Island. These vessels are designed to provide long-range, multiday patrols, and, if you look at the depiction on the map, you will see the wide-ranging arch, and they go further out into the Gulf, and those are depicting those endurance-class vessel ranges and how they overlap, and they cover a good portion of those areas in the Gulf. They also aren’t limited to that, though. They will move around and work up in the Panhandle and things like that, if needed.

The other three vessels we have are three that we call endurance-class vessels, and we have the forty-five-foot Guardian, which is in Carrabelle, which is Lieutenant Marlow’s vessel, and we have the thirty-nine-foot Vigilance, which is based out of Destin, and we have thirty-eight-foot Trident, which is in Key West, which works the Gulf, but it also does some Atlantic work. These vessels are designed to provide long-range, single-day patrols. They are designed to be more weather worthy, so they can go out and put in a longer day and get back to shore safely.

Then the next group would be our three intermediate-class vessels, our twenty-nine-foot Intrepid, which is out of Carrabelle, and our 2005 thirty-two-foot Fincat, which is out of Crystal River, and the 2006 Fincat, which is out of Pensacola. These provide medium-range, single-day patrols, and they are very capable platforms, but they are somewhat limited in fuel
capacity and things like that, and so they will typically do
just day patrols within moderation. You can see, again, all the
little depictions on the map that show the different ranges of
all the different classes of vessels.

Our patrol fleet this year in the Gulf was very busy, and so I
wanted to give you some combined stats on the effort, the work,
they did. They, combined together, all our vessels conducted
2,234 hours of federal enforcement patrols in the Gulf of
Mexico. Red snapper enforcement accounted for 993 hours of it,
and the TED enforcement accounted for 300 hours, and they
conducted over eighty TED boardings this past year.

There were 861 hours of other federal enforcement, that being
any other species that are in there that aren’t one of the top
priorities, but those hours were accounted for as well. They
had 575 enforcement actions, which is where you either write a
citation or a warning, and so you had 254 combined warnings for
the Gulf of Mexico and 321 combined citations, the majority of
which were federal citations, and some were state, and some were
federal cases written under state law.

Alongside our OPV program and the officers that commit to that
offshore, long-range patrol, we also have our regional efforts
that put forth effort in patrolling for JEA, and these are your
one or two patrol officers in anywhere from an eighteen to a
twenty-two-foot boat that are out there that are doing federal
enforcement right there on the edge of that nine-mile line.
They’re also doing dockside patrol as well.

Those officers accounted for 825 hours of dockside patrol, 344
hours of near-shore patrol, 711 hours of mid-range, single-
officer patrol, and 1,259 hours of mid-range, two-officer
patrol. Our regional assets accounted for 3,139 hours of JEA
federal enforcement patrol this past year. This is above and
beyond and outside of the OPV program.

Just to give you an idea of what some of the cases are that
these officers are getting into, and this is just a sample of
what they do, the first three cases are actually attributed to
Lieutenant Marlow and his crew, and this first one is a longline
vessel that they boarded, and, upon boarding the vessel, they
noticed that they had possession of reef fish and shark that
were not in whole condition, and you can see they were using
shark and other reef fish for bait, if you look at the pictures
of the bait table. Also, you see reef fish on the hooks there.
They had possession of amberjack during the closed season and
possession of a swordfish without a permit, and, also, they had
possession of shark fins that were unattached.

This is another longline vessel that was off of the Panhandle area that, when they boarded this vessel, it was -- They actually boarded it, and it was harvesting reef fish in a restricted area that was closed to the harvest of reef fish, or they were working their gear in that area. Upon boarding the vessel, they were talking to the captain, and the captain claimed that they were only harvesting sharks, and they did have like 1,600 pounds of shark onboard, and they claimed that they only had about 400 pounds of bycatch.

The officers, upon closer inspection, realized that there was a lot more than just 400 pounds of bycatch onboard, and so the captain decided that he was going to go ahead and end his trip and head back into shore, and they went ahead and did a constructive seizure on everything that was in the coolers and then met the captain at the dock, once they got to the dock. When they weighed-out the reef fish, they had over 6,000 pounds of reef fish onboard that were harvested within that restricted area.

Another case example off the Panhandle was a commercial reef fish vessel. The officers boarded this vessel initially earlier in the week, and, upon boarding that vessel, they discovered twenty-six undersized vermilion snapper and two undersized lane snapper.

Four days later, on another patrol, a good, foggy day, kind of working in the fog, they approached this vessel again, and didn’t realize it was the same vessel. When they approached this vessel again, they also found them again with whole amberjack and also amberjack that was cut up for bait, and they had undersized greater amberjack onboard and undersized gray triggerfish onboard, and so, four days later, they board the same boat with more violations.

This was off of the Big Bend area, and this was a commercial vessel that, as the officer approached this vessel, the crew on the vessel began to dump fish overboard. As the officers got there, they were able to assess the situation and collect what was overboard, and they found thirty gray triggerfish that had been thrown overboard in the water. The vessel also had possession of reef fish fillets onboard, and then they also -- The gray triggerfish they had harvested were out of season.

Another recreational vessel, and this one was located off the Panhandle, and this was a vessel that was boarded by our
officers, and it was actually in the Madison-Swanson MPA area and were actively harvesting reef fish while in the Madison-Swanson. They had the gear deployed, and they had reef fish onboard, and the officers were able to, obviously, write those tickets and seize those fish for being in the Madison-Swanson.

This is a recreational vessel that was off the Big Bend area, and this one -- As they approached this vessel, they were throwing fish overboard, again. They threw seven red snapper overboard, and they had a total of ten red snapper in all, with what they threw overboard and what they still had onboard, and then they also had three gray triggerfish that were out of season.

To cap it off, I know we’ve had a lot of complaints about the charter industry with people that are not permitted, federally-permitted, and they are chartering in federal waters, and so this is just a taste of three different cases that were made, one off the Panhandle, one off the Big Bend, and one off Tampa, that involved just that.

The officers boarded the vessels, and they had guests onboard, and they started out telling the officers that they weren’t on a charter and that they were with this gentleman that they’ve known forever who is taking them fishing, but all the telltale signs were there that something was wrong. The officers did a great job in each case of separating the captain and separating the guests and talking to them. The guests eventually told them that, yes, we’re on a charter, and we paid for the charter, and they actually ascertained evidence and showed them receipts and things like that, to know they were on a charter.

These were three great cases that were referenced to the unauthorized chartering in federal waters without a permit, and so this is just a taste of what we’ve been doing, but we’re trying to focus on that every day, and that’s pretty much it. If you have any questions, I would be more than happy to answer them.

CHAIRMAN FRAZER: Thank you for that presentation, Captain Pearce. Mr. Banks.

MR. BANKS: That was a very interesting presentation, and I appreciate it. My questions involve the recreational examples that you gave. Can you give us an idea of -- In those situations, are you citing the captain and all of the people onboard, or is it just the captain, in both the private rec and the charter trip as well, if you can give us an idea.
CAPTAIN PEARCE: Typically, on a private recreational vessel, we typically try to figure out who was in possession. If it’s something like the Madison-Swanson, where everybody is actively fishing in the Madison-Swanson, they’re all going to get cited. Typically, they will all be held accountable.

In a charter vessel situation, we may work through the process and issue warnings to some of the guests, but issue a citation to the captain, but, typically, we have to go with the person who committed the violation. We try to ascertain who committed the violation, and that’s who we write the ticket to.

CHAIRMAN FRAZER: Ms. Gerhart.

MS. GERHART: I may have missed this, and I apologize if I did, but the commercial vessels that you showed as a demonstration, the longline and others, were those federally-permitted vessels, or were they lacking permits?

CAPTAIN PEARCE: They were federally-permitted.

MS. GERHART: Do you know if they were IFQ participants?

CAPTAIN PEARCE: I am pretty sure they were, but I would have to go back and look at the reports, but I think they were.

MS. GERHART: Okay, and just one more follow-up. When you do that sort of situation, do you report that to the federal law enforcement or the IFQ program?

CAPTAIN PEARCE: Those instances were written as federal cases, and so those were reported to NOAA. The majority of the cases and the citations that I talked about were all written as federal citations and reported directly to NOAA.

MS. GERHART: Thank you.

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Thank you, Captain. That was a good presentation. Just as a point of curiosity, and I live on Marco Island, and where do you port your high-endurance vessel?

CAPTAIN PEARCE: I know it’s in Marco Island, and I’ve been there, and, actually, I took the Gulf Sentry there, but I can’t remember the name of the marina, but I can tell you, when you come in, you take a hard right, and you go behind the hotels,
and it’s a nice little marina in there, but I don’t remember the name of it.

**MR. DYSKOW:** Thank you.

**CHAIRMAN FRAZER:** Dr. Mickle.

**DR. MICKLE:** Thank you for the presentation as well. It was clear, and that last example you gave of the charter vessel that was, I guess, state certified, and it wasn’t a federal for-hire, and it didn’t have the permit, is there a penalty matrix, or can you provide any information on the level of fine it was for I guess the captain? Also, those trips sell for such a high level that I just wonder if the penalty is enough to stop that activity.

**CAPTAIN PEARCE:** I can say that, if it’s written under -- If they’re in federal waters and they are violating that federal permit, then we’re going to turn that case over to NOAA, and I might can ask Pete to comment.

**UNIDENTIFIED:** $3,000.

**CAPTAIN PEARCE:** It’s $3,000, and so those cases are turned over to NOAA, and you’re looking at $3,000, which is pretty sizeable.

**DR. MICKLE:** Yes, that works. Thank you.

**CHAIRMAN FRAZER:** Okay. Are there other -- Go ahead.

**CAPTAIN PEARCE:** I would just like to say that that was an example of federal partners and state partners working together.

**LT. ZANOWICZ:** Thank you for the presentation. Just to chime in from the Coast Guard side on illegal charters, I just wanted to highlight that this is a major issue, not even just for fishing vessels, but even for non-fishing vessels, for example vessels operating as water taxis or for other recreational purposes.

We have seen a couple of vessels throughout the Gulf that they don’t have charter licenses, obviously, and they have passengers onboard, and they are not meeting the proper safety requirements, which is a huge issue for us, and so we’ve had a couple of targeted operations targeting these vessels. Unfortunately, it’s, obviously, sometimes hard to determine whether they are actually operating as charter vessels or not.

You will go onboard, and they will say that these individuals
are our friends or whatever, and so that’s when you use like
tactical questioning, as Captain Pearce was talking about in his
case, but I just wanted to highlight that for the council. It’s
definitely on the Coast Guard’s radar, and it’s something we are
actively working on.

CAPTAIN PEARCE: On that note, we’re also trying to be more
creative on capturing information and data that can help us kind
of set up and look at trends on where the majority of that
activity is occurring and things like that, and so we’re trying
to really take a focus on it and see if we can narrow it down.

CHAIRMAN FRAZER: Thank you. Dr. Stunz.

DR. STUNZ: On the case we were just talking about, the non-
federal-permitted boat, are the clients responsible at all on
there as well?

CAPTAIN PEARCE: We are not going to hold the clients
responsible. They were solicited, and they are usually on
vacation. We’re after the person who is causing the problem,
which is the unpermitted charter captain, and so we don’t want
to target them. Now, what would open them to up to it is if
they lied to us.

CHAIRMAN FRAZER: Okay. Are there any more questions for
Captain Pearce? Seeing none, thank you, Captain, for that
presentation. I always enjoy it. Thank you.

CAPTAIN PEARCE: Thank you. I appreciate it.

CHAIRMAN FRAZER: We are ahead of schedule a little bit, and
we’ve got some items that I think that we can take care of, so
we can clear some time tomorrow, for those that might want to
depart early, and so I think, if it’s okay, and let me make sure
with the committee chairs, we’ll try to knock out two of these
committee reports. Dr. Stunz, do you think you could go through
the Data Collection Report?

DR. STUNZ: Yes, sir, Mr. Chairman.

CHAIRMAN FRAZER: All right. Go ahead.

COMMITTEE REPORTS
DATA COLLECTION COMMITTEE REPORT

DR. STUNZ: This is the Data Collection Committee report, and
that occurred on June 3, 2019. The agenda and minutes of the
April 2019 meeting were approved.

First was the Review of Proposed Data Collection Advisory Panel charge, Tab F, Number 4. Committee members asked for clarification as to what input the AP might provide on data collection costs, as stipulated in the draft charge. Council staff indicated the intention of including costs in the charge would be to allow the AP to comment on issues related to user-incurred costs due to data collection programs. The draft charge was amended to clarify this intent.

The committee recommends the Data Collection AP charge read, and I so move, to review and evaluate data collection and monitoring management programs. The AP should make recommendations to the council for data collection programs in relation to their implementation, efficiency, end user costs, and feasibility. That motion carried with no opposition.

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

DR. STUNZ: Next was Discussion of Commercial Fishing Unique Trip Identifiers. Dave Donaldson reported that the Gulf States Marine Fisheries Commission, along with state and federal collaborators, have been in discussions about pinpointing the minimum data inputs required to uniquely identify commercial trips.

He indicated that persistent challenges in data sharing among agency divisions and standardization of data collection practices among states makes creating unique trip identifiers difficult. Ms. Bosarge suggested focusing efforts on the federally-permitted reef fish and individual fishery quota (IFQ) participants, as these stakeholders were the first to approach the council about trip identifiers.

Dr. Simmons stated the Council Coordination Committee indicated that the Gulf Council will be very close to identifying for-hire trips after implementation of the Southeastern For-Hire Integration Electronic Reporting (SEFHIER) program. Dr. Jessica Stephen indicated that SERO staff supporting the commercial IFQ program are actively working to recognize weak points in the program for creating unique trip identifiers and provide resolutions for how those data gaps can be addressed.

The committee decided to send a letter to SERO asking for a
presentation outlining potential solutions relating IFQ data information collected by the Southeast Fishery Science Center and the Vessel Monitoring System (VMS).

SEFHIER Implementation Plan Presentation, Tab F, Number 5, Ms. Sue Gerhart gave an update presentation on the implementation of the SEFHIER program, which outlined the required data inputs and listed the approved vessel location monitoring equipment. Additionally, her presentation addressed the previously-reported sticking points, which were identified during a series of stakeholder workshops. Ms. Gerhart also indicated that the implementation timeline had been modified, and the program would become effective in early 2020, rather than late 2019.

Mr. Jesse Leslie with NOAA Law Enforcement showed the committee representative VMS units to help the committee visualize how these units would be installed and function on a vessel. Mr. Andrew Peterson from Bluefin and Ms. Emily Muehlstein then gave the committee a demonstration of the utility of the VESL reporting application.

The committee advocated including survey questions about descending and/or venting devices. Questions regarding these devices could be used to also help determine the universe of for-hire vessels using these devices, so that future promotion of their use could be determined in the for-hire sector. One committee member indicated that questions about descending and/or venting devices could be included in recreational surveys (MRIP) as well to determine the universe of recreational anglers that may also be using the devices.

SERO staff indicated that changes to the data collection program were difficult to make at this time. Committee members asked when changes to the program could be made, and SERO staff stated that changes could be made after the program was implemented by the council in the future.

Since the timeline for SEFHIER implementation has been modified, Ms. Boggs suggested reaching out to stakeholders to communicate this modification. Dr. Simmons suggested council staff work with SERO to identify relevant information and revised implementation timelines to provide to all federally-permitted for-hire permit holders via a letter. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Dr. Stunz. Do we want to bring up any other business with regard to this particular committee report? Mr. Banks.
MR. BANKS: I just have a quick question. The letter that you
guys are planning to send to the permit holders, is it possible
to have a copy of that provided to the council members, just
advising them of the change in the timelines, and it would be
helpful for us to put out a news release from our agency to our
permit holders.

CHAIRMAN FRAZER: Do you want to tackle that, Ms. Gerhart, or
Dr. Simmons?

MS. GERHART: I think -- I’m not sure if this will come from the
Fisheries Service or from the council office, but certainly it
can be forwarded. It would be great if you guys were all on our
bulletin list to receive our bulletins, and then you would see
that, but that may be the route we go, and it may not be, but
we’ll make sure that somehow the council sees what we send out.

MR. BANKS: We’re on the bulletin list, and so I think that’s
fine, but I just wanted to make sure that we don’t miss it, so
that we can put something out to our guys. Our guys aren’t
always checking their mail, unfortunately.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: I think the intent of the discussion, and maybe,
Susan, you can correct me if I’m wrong, but that was coming from
the council office, maybe Emily’s group or something, and was
that right? I didn’t think it was coming from SERO, but I guess
it doesn’t really matter, but I think that was sort of what the
discussion was revolving around.

CHAIRMAN FRAZER: Dr. Froeschke.

DR. JOHN FROESCHKE: Emily, go ahead.

MS. MUEHLSTEIN: I think one of the things we were going to do
when we come back from the meeting, and we could use some
guidance here, is we had planned to send an update out to, at
the very least, our list of about a third of the fleet’s email
addresses, and then consider either putting it in the post-
council press release or creating a press release of its own to
send out.

DR. FROESCHKE: We decided that we would just send it to all of
the federally-permitted --

MS. MUEHLSTEIN: Like a paper letter?
DR. FROESCHKE: Yes, we’re going to send a letter.

MS. MUEHLSTEIN: I didn’t realize that.

DR. FROESCHKE: We can send a copy to the council when we send that letter out.

CHAIRMAN FRAZER: Okay, and so I’m just going to circle back with Dr. Simmons real quick, to make sure that everybody knows exactly what we’re doing here.

EXECUTIVE DIRECTOR SIMMONS: We need to work with the Regional Office on the revised timelines and get that information all on the same page and provide that in a letter to me, and we need to send it to all federal permit holders, and then Emily needs to provide feedback as well to the folks that are more involved with the council process with her one-third listserv, and we’ll also provide the letter to the council members.

CHAIRMAN FRAZER: All right. Perfect. Thank you for that clarification. We’re going to move on. I don’t see any other hands up, and we’re going to try and move on and knock out another committee report. Mr. Banks, if you’re amenable, we would be willing to go through the Habitat Protection and Restoration Committee Report.

HABITAT PROTECTION AND RESTORATION COMMITTEE REPORT

MR. BANKS: Sure, Mr. Chair. Thank you. The Habitat Protection and Restoration Committee met on June 3, 2019. The agenda and minutes of the April 2019 meeting were approved.

We heard a presentation from Manna Fish Farms, Gulf of Mexico Finfish Aquaculture Operations. Dr. Kelly Lucas, who is the Director of the University of Southern Mississippi Thad Cochran Aquaculture Center, presented an overview of the plans to install aquaculture facilities in the Gulf waters offshore of Pensacola, Florida.

Overall, the committee appreciated the level of detail provided during the presentation and the considerations taken for this effort. A few questions about the location of the cages and the proposed finfish species for grow-out from fingerlings were discussed. Red drum, almaco jack, and striped bass were the top three finfish species currently being considered by the company.

The committee expressed concern regarding the design and
location of the cages and how this might affect entanglement of
inghing gear, as well as other marine animals. The team from
Manna Fish Farms described materials used for the cages and
mentioned that they will work with the pertinent agencies to
install proper lighting on buoys for signaling and navigation
around the cages.

The committee also asked questions regarding the genetics of the
brood stock, the use of medication, and the impacts this may
have to the native population of red drum or any other finfish
species they decide to grow out later in the facilities. Dr.
Lucas reassured the committee that they are using local brood
stock and that part of their team includes an aquatic
veterinarian who will monitor the fish and the genetic diversity
of the brood stock.

In addition, Mr. Diaz inquired about the time it takes from
stocking the cages to harvesting. Dr. Lucas replied that the
process takes about a year, depending on the finfish species.
Mr. Chair, that concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Banks. I have a question from
Ms. Bosarge.

MS. BOSARGE: No, not a question, and it’s not so much about
this particular aquaculture endeavor. I think Dr. Lucas did a
great job of doing her due diligence, as far as siting and
figuring out maybe what fisheries may interact with this, and
she looked at the shrimp trawl data. They started that process
when the council still had some management purview over
aquaculture. Then, in the middle of their process, the
judgment, I guess, came through from the courts saying that
we’re not going to handle that anymore.

I just wanted to throw out there that I know we’re going to have
a presentation from the U.S. Army Corps of Engineers, hopefully
in August, and so I guess this is going to fall under the Corps
purview at that point, and they will have to get permission from
the Corps, and maybe that’s something else we could take up with
the Corps of Engineers when they come and present to us and say,
you know, when you get into siting these, and you’re having
these discussions, it would really be beneficial if somehow you
could loop the council in and let’s all discuss where this is
going to go in, because I’m not sure that new aquaculture
endeavors would have done quite that much background on the
fishing industry, but Dr. Lucas has that background anyway, but
the next one may not.
CHAIRMAN FRAZER: Thank you, Leann. Any more discussion? Dr. Mickle.

DR. MICKLE: Thank you, Mr. Chair. I just wanted to bring up that I was not sitting on the council when this was given, and I had to step out for a conference call, but I wanted to see if there was any discussion during this committee meeting on wild harvest and price of wild harvest and if production of species similar that’s harvested on wild stocks in other states in the Gulf, if that was brought up when Dr. Lucas was talking. If it was, that it be included in this report. If it wasn’t, then I don’t want to influence the report as it is now, but, if there was discussion yesterday about that, I would like it included in this report. Thank you.

CHAIRMAN FRAZER: There was some discussion around the table about that, Paul, and I guess I will defer to the committee chair if we want to make some modifications to the report to honor the request of Dr. Mickle.

MR. BANKS: I don’t at all mind adding it to the report. I didn’t make that change, because I didn’t feel like it was all that substantive, but there was some discussion, and it didn’t seem like it was that big of a point, and so that’s why I didn’t add it, but I don’t mind adding it, just to make the record complete.

CHAIRMAN FRAZER: Dr. Mickle.

DR. MICKLE: I am not implying that it’s a problem or not, but, if it’s not a problem, I would like it highlighted in there, just to clarify that, from Dr. Lucas’s expert experience and knowledge in the subject, if price is not to potentially be affected from the wild stock from aquaculture production, that it’s highlighted in report, to put folks at ease, and so not having that impact is great news, and we would like to highlight that, at least from my opinion, because there is some reservations out there about aquaculture production, and, if we can put those at ease and such expertise is being presented here, I think it’s the platform to do so. Thank you.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Dr. Mickle, it was brought up, is my recollection, and I believe, and I don’t want to speak for Dr. Lucas, and she is here, but I thought she said she thought that there would be no impact, but they didn’t really have any quantitative information in front of
us or at their fingertips right now to discuss at this time, but they could run some simulations, was I believe what the discussion was on the economic impacts, but I could be incorrect in remembering that.

CHAIRMAN FRAZER: Mr. Banks.

MR. BANKS: That’s my recollection as well. It was her opinion that there would not be an impact on price, but I don’t recall her having any data or analysis of that, and so that was part of the reason why I decided not to include it, but I don’t mind at all at least expressing their professional opinion that it will not have an impact on price.

CHAIRMAN FRAZER: I just want to make sure what we’re doing, and so the conversation will be clearly captured in the minutes of the committee meeting, and so it will be there, and do you want us to put it in the report as well, Dr. Mickel, a sentence or two?

DR. MICKLE: As Vice Chair, I don’t know if I have the authority, but I respectfully request, thank you, to the Chair.

CHAIRMAN FRAZER: We will do that. All right. Thank you. Are there any additional comments or questions? Seeing none, we’re going to keep moving along. I believe that we have the Migratory Species Committee Report completed. Dr. Stunz, would you be amenable to moving through that?

DR. STUNZ: I am ready if you are.

CHAIRMAN FRAZER: Okay. Thank you.

MIGRATORY SPECIES COMMITTEE REPORT

DR. STUNZ: The Migratory Species Committee met on June 5, 2019. The agenda and minutes of the February 2017 meeting were approved.

Summary Presentation of HMS Proposed Actions was on Tab M, Numbers 4(a) through (f). Dr. Jennifer Cudney gave a presentation of four proposed management actions being considered for several highly migratory species. The committee expressed interest in seeing the final three-year report on the individual bluefin quota (IBQ) program, and Dr. Cudney indicated that she would make that report available to the committee.

The committee inquired about the success of the IBQ program.
1 Dr. Cudney indicated that the program had reduced incidental
2 interactions of bluefin tuna up to 80 percent in the pelagic
3 longline fishery.
4
5 The committee asked how the Highly Migratory Species Division
6 proposed to quantify the effectiveness of closed areas for
7 managing HMS species. Dr. Cudney indicated that existing
8 fishery-dependent monitoring would be conducted for these
9 provisional area openings to fishing and that a final report
10 would be published after three years of study to inform future
11 HMS management of those areas.
12
13 The committee reiterated the importance of the council to
14 provide input on HMS management decisions, as several species
15 managed by the council interact with HMS fisheries. Additionally, the collection of data on highly mobile predator
16 species, such as sharks, can be used to inform future ecosystem
17 management.
18
19 Draft BAYS Species Working Group Recommendation Letter, Tab M,
20 Number 5, the committee reviewed a letter drafted by the Bigeye,
21 Albacore, Yellowfin, and Skipjack (BAYS) Tuna Species Working
22 Group, which outlined a number conservation and management
23 recommendations. BAYS is interested in receiving input and
24 support of the recommendations from the Atlantic and Gulf
25 regional councils before the finalized letter is sent to NOAA.
26
27 Ms. Anna Beckwith, representing the South Atlantic Fishery
28 Management Council, expressed interest in working with Gulf
29 Council members to add language to the letter to clarify the
30 fifth suggested recommendation regarding conservation of
31 skipjack tuna.
32
33 Ms. Guyas indicated she would be available to work with Ms.
34 Beckwith on the draft. Ms. Beckwith also indicated that the
35 working group would be reviewing council input to the letter in
36 October 2019. Mr. Chair, this concludes my report.
37
38 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz, and thank you, Anna and
39 Martha, for agreeing to prepare that language for the letter.
40 That will be really helpful moving forward. Is there any other
41 discussion with regard to this committee report? Okay. Seeing
42 none, we’re going to try to knock out a couple of other things.
43 Ms. Gerhart, would I be putting you on the spot if we could
44 tackle some of those items of Other Business? Maybe we could
45 start off with the changes to the allowable gear table.
46
47 **OTHER BUSINESS**
48
49
DISCUSSION OF CHANGES TO ALLOWABLE GEAR TABLE

MS. GERHART: We sent around a table for you to take a look at. This is the current table of allowable gear for the Gulf of Mexico Fishery Management Council that we have in our regulations in the 600 section of the regulations.

What we’re looking at is to make some changes to this table for a couple of reasons. One is to clarify the gear that is allowable for use for lionfish, because we’ve been encouraging fishing for lionfish, and we want to be very clear on which gear can be used for that fishery, and then the second reason is there are some updates that are needed to various areas of the table, and so we just want to do some cleanup.

If we could scroll to Number 6 on the list, this is just an example of a cleanup. This is the stone crab fishery, and it says “FMP” by it, and it was years ago that you repealed that FMP, and so that’s an example of a kind of cleanup. That would remain there, but we would change it to say “non-FMP”. We do have a number of fisheries that are in here, and the first ones are all the FMP fisheries, but then we have other things, for example like the blue crab fishery and the golden crab fishery and mullet, et cetera, that are non-FMP, but that have specific gears that are allowed for them in federal waters of the Gulf of Mexico. If you scroll to Number 19 and 20, and I believe Ms. Levy has something.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: I just want to say something about the idea that it’s allowable gears in the Gulf of Mexico, and so this is in the general regulations, in the general allowable gear table. To the extent there is something that is prohibited in the 622 regulations, it’s not allowed under here, and so you might see something and go, well, we have specifically prohibited this gear.

As long as it’s specifically prohibited in 622, it’s not allowable under this table. Our specific regulations override this allowable gear table, and I just didn’t want anyone to get nervous that there might be something that you know is prohibited more specifically, but it’s listed in this table as allowable.

CHAIRMAN FRAZER: Thank you.

MS. GERHART: In fact, that’s part of what our cleanup is, is
that there’s some things that are in here that 622 prohibits, for example fish traps, with some exceptions, and so fish traps are not allowed, except for those used in certain crustacean fisheries, like spiny lobster, stone crab, and blue crab, and so there are other places in here that say “trap” when they shouldn’t, because they are trumped by the 622 regulations, and so we’re going to clean that up in this rulemaking that we’re going to do.

CHAIRMAN FRAZER: Real quick, to that point, if you would scroll up to the golden crab, for example, and there’s an entry there that simply says “trap”, and would there be an asterisk or something there that would kind of clarify why it’s on this particular table?

MS. GERHART: I believe -- I am not sure now. We thought we knew, but we’re not sure, but I believe that we’re removing that, because it’s not allowed under the 622 regulations, even though it says that there, and so that’s part of what we want to clear up, is that that’s not an allowable gear for golden crab in the Gulf, because of the fish trap prohibition that is in the specific Gulf of Mexico regulations, and so, like I said, that trumps whatever is in this table, but, for clarity, we’re going to be doing some of that cleanup, so that it’s not confusing to people reading it.

CHAIRMAN FRAZER: Great. Thank you.

MS. GERHART: Again, if we could go back to 19 and 20, and so Numbers 19 and 20 you can see say “commercial fishery non-FMP and recreational fishery non-FMP”, and so anything that’s not covered in one of these other boxes is covered under these two categories.

What we are proposing to do is to add a Number 22 and 23 which would be specific to lionfish, and one would be commercial and one would be recreational, and, for the most part, the gears that you see here under the general non-FMP would be under the lionfish, with a couple of exceptions of some things that just would never be used for lionfish.

One thing to -- It’s just going to clarify for the public what is legal and what is not. Now, be clear that traps, except for those that fall under that traditional crustacean fisheries, will still be prohibited for lionfish. You have seen some EFP requests for some different types of traps that are being tested for lionfish, and those would still not be allowed until we take some additional action by the council, and so just to be clear
that this will allow, for example, the spiny lobster fishermen
that catch lionfish as bycatch to be able to retain -- Clarify
that they can retain and sell those fish caught there, but it
will not allow new types of traps to be used in the Gulf of
Mexico.

CHAIRMAN FRAZER: Thank you. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. I just
wanted to say thank you, guys, for doing this. When we were
doing the regulatory review, even our staff were confused about
this, and so I think this is a great thing to do, and I hope it
will avoid confusion. Is it possible to share this with us, the
staff, council staff, before it’s finalized, so that we also
have a chance to have another set of eyes on it? Is that
doable?

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: I think we can do that. I don’t think that the
intent is to take out everything in the allowable gear table
that’s prohibited under the 622 regulations, and so I don’t want
us to go through and scrub it in that way, and we’re going to be
proposing these changes, and so we have to do a rulemaking to do
this, and so there will be a proposed rule and then a final
rule, and so we could definitely also come back to the council
hopefully with the proposed rule, and I guess we have to look at
the timing, and so we could potentially time it so that the
comment period is open during a council meeting or something
like that.


MS. BOSARGE: I just wanted to make sure, on the lionfish, that
you said you will have a commercial and recreational, and I
assume you’re pretty much going to copy and paste what I see in
19 for non-PMP commercial, but you said there might be some
things that might get removed, and I just want to make sure that
you leave trawl in there. I say that just because they’re
showing up when we’re trawling in certain parts of Florida, and
there are some boats in the more southern parts of Florida that
land them as bycatch and sell them.

CHAIRMAN FRAZER: Thank you, Leann. Kevin.

MR. ANSON: Isn’t there another table that you all reference
that has like the dimensions of -- When you mention trap for
lobsters, isn’t there like a dimensions that a trap would fall
under? Then I have a second question.

CHAIRMAN FRAZER: Do you want to tackle the first question, based on that?

MR. ANSON: No, it’s a separate comment.


MS. GERHART: We have separate lobster regulations, and I don’t know that it’s a table. It’s just a list of what the specifications are, and I’m pretty sure they mimic what the State of Florida has done.

CHAIRMAN FRAZER: Go ahead, Kevin.

MR. ANSON: All right, and then, when looking at the last category there, where it says offshore aquaculture, if the EFP goes through and sargassum is allowed to be harvested in the manner it’s been described in the EFP, we might want to include “loop current” after “net pens”. Thank you.

CHAIRMAN FRAZER: All right. Any further discussion? Okay. Seeing none, thank you, Ms. Gerhart, for providing that overview. Would you be willing to talk about the Bryde’s whale listing? Thank you.

DISCUSSION OF BRYDE’S WHALE ESA LISTING

MS. GERHART: Recently, the final rule was effective that lists the Bryde’s whale in the Gulf of Mexico as endangered. This affects the council, to the extent that there are some areas where there is overlap of the Bryde’s whale biologically important area that has been identified with a couple of the fisheries, and one is the longline fishery and the other is the royal red shrimp fishery.

There is overlap in those areas where those fisheries are prosecuted and where the whales occur, and we do not believe that there is a lot of overlap or that it’s a situation where it’s going to create a big problem. We are working through some memos with the Protected Resources Division now, but it was suggested that the council might be interested in hearing a briefing from our Protected Resources Division at the next meeting, where they can hear about the Bryde’s whale and maybe some of the other things that were recently listed and the overlap with fishing operations, and so that was asked to be asked for the council, if they would be interested in that.
CHAIRMAN FRAZER: All right, and so are folks around the table interested in getting a presentation from the Protected Species group? I am seeing a lot of nods and thumbs-up, and so, yes, we would like to have that. Thanks for working with us to get that on the agenda.

MS. GERHART: Thank you very much.

CHAIRMAN FRAZER: Are there any other questions with regard to the Bryde’s whale listing? Okay. Seeing none, we have another item of other business having to do with a release mortality workshop that’s coming up, and, Ms. Muehlstein, would you like to handle that?

DISCUSSION OF RELEASE MORTALITY WORKSHOP

MS. MUEHLSTEIN: Yes, and I just wanted to provide the council with an update. We have had a lot of discussions around the table about discard mortality and the way that we can best handle that, and we also had a presentation at our last council meeting from the Open Ocean TIG folks who are dealing with the Deep Water Horizon restoration funds, and we have been sort of talking with them and working with them and trying to figure out how best to approach the issue of recreational discard mortality as a council.

I just wanted to inform you guys that we are going to host a release mortality symposium, and, at that symposium, it’s going to be a two-part workshop. The first part is going to focus on the science that surrounds release mortality and how we can sort of track the use of devices and get a better understanding of the discard issue in the Gulf and then eventually, hopefully, make some changes that would incorporate that information into the stock assessments better.

Then the second part of that workshop is a meeting of the council’s Outreach and Education Technical Committee, and so it’s going to be a three-day symposium hosted on October 7 through 9. As part of that science workshop, we are inviting twenty-one participants, and it’s a mix of scientists from throughout the region and different managers, including some Gulf Council members, and some different industry personnel that we have selected along with the Council Chair and then some other appropriate folks, including folks that are dealing with the restoration funds and then folks from the west coast who have a perspective on how they have promoted the use of descending and venting devices and ultimately ended up in a
situation where they were able to harvest some of that foregone yield that would have otherwise died and been thrown back.

I just wanted to give you guys an update. I believe that council members -- If you guys have interest in attending that symposium, go ahead and contact Carrie and myself, and we can work on your attendance. We will be hosting it at a hotel in the Tampa Bay area, possibly St. Petersburg, and then we are also -- We’ve had a really exciting opportunity.

Captain Dylan Hubbard and Hubbard Marina is going to partner with us to host a field trip, so that the science participants and the outreach participants can go and actually use some of these tools on one of the headboats, and so just thank you to Dylan. I know he’s in the audience, and I wanted to make sure that the council was aware that he was doing that for us.

CHAIRMAN FRAZER: Great. Thanks, Emily, for that overview. It looks like it’s going to be an excellent workshop, and, Dylan, if you’re out there, thank you for partnering with the group to make that happen. Is there any further discussion? Go ahead, Dr. Stunz.

DR. STUNZ: Thank you, Mr. Chair. I just had a quick comment to that, and I just wanted to say thanks to Carrie for her leadership and, Emily, especially you for pushing forward this campaign we have regarding the discards and all that.

You know, obviously, I was really pushing for regulations on this, and, obviously, there was some pushback and things and why we’re not there just yet, but I do think that the direction we’ve gone now of really educating upfront, because, obviously, enforcement is going to be an issue with any type of regulation we do, and that was probably a nice way to go, because now we’ll have all of that out there, which I hope is in front of some future regulation and other research and things that are coming along, but I just wanted to say thanks for you all doing that and really doing what I consider above and beyond what I was sort of expecting, and so that’s a good thing.

CHAIRMAN FRAZER: Great. Thank you, Dr. Stunz. Any additional discussion? Okay. Seeing none, I think the other remaining committee reports are in progress, and some of them need to be held onto until after public testimony, and so we’ll go ahead and break for lunch, and we’ll reconvene this group at two o’clock. I will see you all then.

(Whereupon, the meeting recessed for lunch on June 5, 2019.)
June 5, 2019

WEDNESDAY AFTERNOON SESSION

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Sandestin Golf and Beach Resort, Miramar Beach, Florida, Wednesday afternoon, June 5, 2019, and was called to order by Chairman Tom Frazer.

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

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

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

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

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

If you have a cell phone or similar device, we ask that you keep them on silent or vibrating mode during the meeting. Also, in
order for all to be able to hear the proceedings, we ask that
you have any private conversations outside, and please be
advised that alcoholic beverages are not permitted in the
meeting room. With that said, we’re going to get our computer
online here, and we’ll start. Our first speaker will be
Lawrence Marino, followed by Gary Jarvis.

PUBLIC COMMENT

MR. LAWRENCE MARINO: Good afternoon. My name is Lawrence
Marino, and I’m here on behalf of Louisiana Attorney General
Jeff Landry. Attorney General Landry fully supports the generic
amendment to allow carryover of unharvested quota. There is
only so many ways to increase access to the fish consistent with
good science, and this is one of them. It is, therefore, worth
doing.

Attorney General Landry also supports reducing the for-hire red
snapper ACT buffer. For-hire has proven its ability to meet
ACTs, and reducing the buffer to 9 percent still allows a
significant margin of safety. However, Attorney General Landry
does urge the council to continue to authorize state management
of the red snapper for-hire component for the states that want
it. Louisiana for-hire does want it, and the Louisiana
Department of Wildlife and Fisheries has proven that it can do a
good job of it.

As to Amendment 36B, Attorney General Landry urges the council
to continue moving forward. As long as the IFQ program is in
place, this extraordinary privilege should be allocated to the
active fishermen that it was designed to help and not non-
fishermen who merely hold shares and profit from the private
control of this public resource. Use-it-or-lose-it should be
the rule.

Defining who is an active fisherman is not as simple as just
determining who holds a reef fish permit, but it’s certainly a
place to start. It’s low-hanging fruit. Taking the analysis
further requires knowing who actually landed the shares and not
just how many shares are held by permit holders.

How many shares were landed by non-shareholders? How many of
each shareholder’s shares were landed by the shareholder, as
opposed to others? What, if any, relationship is there between
the shareholder and who actually landed the shares? This
information, and analysis of it, is important to making informed
decisions on Amendment 36B. Attorney General Landry therefore
urges the council to request it.
Also, as we’re seeing, there are shades of use, such as covering bycatch and avoiding discards, that are more nuanced than may initially appear. Share leasing to cover bycatch is a good thing, but Action 2 of Amendment 36B enables this. It can be handled through the proposed quota bank without further entrenching private control of this public resource.

Finally, Attorney General Landry urges the council to allocate post-IFQ quota increases to the quota bank under Action 3.1 to provide them to fishermen other than the original shareholders. If this is done for no charge, then at least it’s no worse than the original giveaway of the original quota, or, if it is done for a charge, at least the public would receive the proceeds for this public resource, instead of the private shareholders. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Marino. The next speaker is Gary Jarvis, followed by Nick Ruland.

MR. GARY JARVIS: Dr. Crabtree, council members, and staff, welcome to Destin, the luckiest fishing village in the world. I’m glad that, after years of absence from being able to host a Gulf Council meeting, that you’ve come to Destin.

I do, however, apologize for the lack of participation of our fleet members. Due to the fact that the meeting is scheduled the very first week of our high recreational fishing season and the opening of red snapper, most of our guys are in the Gulf of Mexico for the next twelve to sixteen hours a day, and so it’s just basically me and Jim Green here today.

Well, as many of you know, I’m a man of many hats. My life as a professional fisherman, father, husband, coach, businessman, and now as mayor-elect, have all had an impact on my life and of those that my life has touched. Most of you here have been many things as well, and some of you have been my friend and ally, a leader, an advocate, an antagonistic person, a foe, maybe even a thorn in some of you all’s backsides, but, through it all, it’s always been with a level of civility, respect, and sincerity, both in my efforts and my accomplishments.

Now I’m going to thank you for giving me this opportunity to share, and this is the beginning of my rant. I will end my rant though with some encouraging words. First is the allocation debate over red snapper and a few other species the last two days, and it’s the same discussion that’s gone on for over a decade now. In fact, probably two decades.
During the twenty or ten years of this discussion, some improvements in management systems have actually taken place. During this time, some definitive improvements to data collection, accountability, and scientific uncertainty has taken place. During this time also, stakeholders have actually worked to be contributors to the success of the rebuilding fisheries, in a sincere effort to enhance fishery management and are committed to never be satisfied with the status quo of the fishery, but to actually try to improve them.

Again, here, as it has been for decades, the pontificating began. It’s so disheartening and frustrating to hear comments by council members who try to justify their agendas by trying to create a narrative that their sector or user group is more important, more moral, or righteous than the other stakeholders based on a false premise that their existence and motivation to kill a fish and eat it is far superior than other stakeholders.

Then we have the age-old economic argument that a pound of fish caught on a rod-and-reel by a boat owner and his family is more valuable and a morally-justifiable experience than the experience and value achieved by a family who sit together at their dinner table or at a table in a restaurant, and so the beat goes on.

During these excruciating period of posturing and positioning, it consumes the resources and capital of the management process with no telltale solutions or visions that enhance the capabilities for this council to become problem solvers, and, in that end, they do so under the guidelines of policies established, laws of the land, that keep us all out of the courts, and so now my rant is over.

I would like this entire council to consider to take a different course to end this decades of old-bunker mentality and try a different approach. When it comes to allocation, we all know, beyond a shadow of a doubt, that, as we manage a rebuilding fishery, it’s a fact that, if you increase the level of accountability in actual harvest rates and knowing the level of participation, that you will increase your access to that fishery as it grows. There are two user groups that have proven that since 2007 all the way until 2019.

Also, when dealing with allocations of fish for each sector and the establishment of ACLs and ACTs, there are specific buffer levels of scientific uncertainty in the harvest modality in each sector. This is the low-hanging fruit that this council needs
to turn its immediate attention to, and here lies the quickest, the least controversial, and the most easily-fixed way to increase the access levels for each sector without raiding the other sector’s allocation.

The most important aspect of this approach is the fact that, instead of nit-picking and fighting for 2 or 3 percent of an allocation shift, this council and the states, if determined enough and committed to the resources necessary, that they can create the capability for large increases of allocation, access by building a data collection system that would allow the reductions of buffers that are preventing 5, 10, 15 percent of allocation access.

Now, we are talking about an increase up to a half-million pounds or more and creating the benefits sharing associated with any further allocation increase. One of the biggest problems over these past five to ten years is the accountable sectors, the ones that have the least amount of scientific uncertainty, as the stock grew, they benefited with the growth, and yet the group, the sector that didn’t have that capability, saw a loss of access. It sounds so simple.

Now we are talking with fishers from all sectors that have encouraged our state commissioners, and this is what we are doing here in the State of Florida, to move in this very direction by creating a policy that we can carry to our state legislators to take the free mandatory reef permit that is being funded by BP RESTORE monies that is about to run out and create a fee to our mandatory license that will stop the event that’s taking place now. We have a mandatory license that’s free, and, when somebody buys one, and they’re buying a license to go catch a redfish, or you go scalloping in St. Andrews Bay, the guy at the counter just checks the box, and they are being extrapolated into unit per effort for reef fishing in the State of Florida.

Not only that, but, as that money runs out, and our state is soon to be responsible for managing the red snapper fishery out to 100 miles, we need a permanent funding source, not only for the increased data collection or the increased enforcement, but just to enhance the management process in the State of Florida as a whole.

Each one of the states here has that same responsibility looming before it now, and this is a direction I think that this council could take the lead in, in moving of this direction of finding a robust enough data collection system that we reduce these scientific uncertainties and give the regular angler, the
recreational private boat owner, who now that’s the realm I’m in, because I sold my charter boat, my commercial fishing interest, and it gives us more access without the pain and the wailing and the gnashing of teeth that has taken place over the last ten to twenty years.

If you’re fair-minded and you’re knowledgeable of the management process, if you believe in the process and the policy established by MSA, then you know what I am saying is true. I believe good leadership creates good quality of life. Good leadership from this body will do that for all of us in the angling community, no matter how we harvest our fish.

Now the fishery-side issues, and I be will done here in just a second, Mr. Chair. Cobia are in serious trouble in the northern Gulf of Mexico. I have stood here before that, and we have had some discussions of this council, and I really wish -- The State of Florida has taken a really proactive position on this, with not only a per-person limit, but a boat limit, and I would think a good compromise for this body in federal waters would be a one-fish per person limit, and I’m not asking for a boat limit, but we need to do something with cobia in the Gulf.

The lack of cobia is not as intense in other states, or off other states, but everyone I know, their anecdotal evidence, from Key West all the way to Freeport, Texas, is there is not as many fish as there were, and it’s at not only a noticeable rate, but it’s at an alarming rate, and maybe in these other areas they are beginning to see what we began to experience five years ago, and it has not gotten better, and it’s been an eleven-year issue. We have seen it decline, and it was one of my most passionate fisheries.

I am standing here before this council and saying to seriously consider that, in spite of what the science says. Sometimes the science doesn’t get it right, as we’ve experienced in gag and red grouper.

I support Captain Hubbard, who will speak in a moment, in his request to create a clear protocol in how we enforce overnight trips for multi-passenger charter and headboats on trips greater than twenty-four hours, and Captain Hubbard will expound on that.

Myself and the fleet members here in Destin request to consider a fractional bag limit for greater amberjack, to enhance the chances that attaining that four-month season we were shooting for, still keeping the August 1 opening, from August 1 to
October 31, and hopefully get a few days in May.

Lastly, I recommend a twenty-inch size limit for almaco jacks, and I think it needs to be considered. We’re seeing a trend in very small fish being harvested, and some of that is because all of our other fisheries are closed, but a twenty-inch fish is a decent-sized fish, and I’m seeing a lot of really small fish, and this is a species that we have very little scientific data on, and so this is just something that needs to be brought up, and I know it’s come before our FWC on this issue.

The benefit of being the Mayor is I got more than three minutes, as it’s apparent that I did, but, everything I say, I say it with total respect and honor to your group. Your task is difficult, and I hope my comments may break down a few barriers and maybe redirect the course that you steer when it comes to sector allocation. Thank you.

CHAIRMAN FRAZER: Gary, I think we’re going to have a question from Martha.

MS. GUYAS: Just a quick one. On almaco, are you talking recreational, or are you talking commercial, or are you talking both?

MR. JARVIS: I’m talking both. Once you get below twenty inches on the commercial side, the fillets become small, and it’s always been considered a bycatch fish, and the same thing on the recreational side. I see guys that will pull up to sargassum grass patches, and they will string ten or twenty little almaco jacks this big, because there’s no size limit, and they’re harvesting them when they probably ought not to. Any other questions? Thank you, Mr. Chair.

CHAIRMAN FRAZER: Thank you. Our next speaker is Nick Ruland, followed by Ralph Andrew. Is Nick in the room?

UNIDENTIFIED: I think him and Ralph left to go back to Fort Myers.

CHAIRMAN FRAZER: Okay, and so I will just double-check. Is Ralph Andrew here? All right. We will move ahead. The next speaker will be James Bruce, followed by Ken Haddad.

MR. JAMES BRUCE: I’m James Bruce, a commercial fisherman. Thank you all for letting me talk. I think that’s what I am supposed to say. Amendment 36, just IFQs in general, and this is the best way to manage fisheries, but you’ve got to have
laws, and people have got to have stewardship.

The way the IFQs are going now, it ain’t working, because the price is so high for leases, and I have no concerns about it, but I’m worried about the fisheries, because I don’t lease fish. I don’t got enough to lease to nobody. I’ve got enough for me, but you all took everything out of 36B that was good, and you all destroyed it, and I don’t know why, but it is.

Now you’re going to have to wait another five years or so before a stock assessment or whatever it’s called that you all review it, every five years, and then it’s going to even be worse, and so something has got to be done. You do all kinds of things, and you all can do things to make it better, to trade shares, and so why not reverse it back, but I was told that I’ve got to come to the council to do that.

They did change the system that I voted on, and I don’t know how they did it, because I didn’t understand it, because I’m not in the business of having a bunch of boats. I have my own boat, and I have one account, and I’ve never had to put no fish in a vessel account. When they did that, they created a monster, and it ain’t good.

I would like to know how they could change my system. I know why. To make it easier. Well, anytime you’re going to make anything easier, and anybody who wants to bypass the system, we’ll bypass the system. As far as full retention, what happened to the cameras ten years ago? I see them outside now, and that would help for everything, cameras. You all could see where the people is fishing, and you all could see what they’re catching. The outlaws might not like it. I would like it, and I would pay for it myself.

As far as getting permits, putting a permit, you don’t have to have a qualifier no more, an income qualifier. Anybody can buy a permit, and it’s open to the public, these fisheries, and how can you open our fisheries to the public? I was proud of this when we first started, and now it’s like I don’t know what to do, and you can’t do it. Everybody has got to get together and find a plan or make it a damn gamefish. I’m going to say it, because I’m tired of the fussing and the fighting. I have nothing to gain from this. You all need to -- If you all want the fisheries -- Think about the fisheries.

Like Jarvis said, stop the bickering and fix the problem. Find a solution, and there are solutions out there, but not everybody is going to like the solution, but I didn’t like it when I got
cut in half on the quota when they issued it to us, but we had
to deal with it. Thank you.

CHAIRMAN FRAZER: Thank you. The next speaker is Ken Haddad,
followed by Edward Maccini.

MR. KEN HADDAD: Thank you, Mr. Chairman and council members.
Probably the main reason that I want to be up here today is to
thank Doug Boyd for his service on the council. He has been
with you for nine years, and he outlasted probably most people
here, and he has been representing the recreational interests
for nine years, and, Doug, I just want you to know that we
recognize that from a recreational perspective, and we’re going
to miss your voice on the council, and so thank you for your
service.

I only have one other comment, and it has to do with a motion
made at your last meeting. It was to direct staff to contact
SERO and Southeast Fisheries to put together an allocation
review workgroup tied to your letter of policy that you voted on
at the last meeting and submitted to NOAA.

What isn’t in there is any kind of priority or timeframe, and
I’m not asking for anything specific, Mr. Chairman, and it’s
possible that you can just work with staff, but, when I don’t
see a timeframe, I start to worry that there is no timeframe,
and so if you would either discuss it at the council discussion
or work with staff somehow to let us in the public know what
kind of timeframe this process is going to follow. Thank you.

CHAIRMAN FRAZER: Thank you. The next speaker is Edward
Maccini, followed by Brad Gentner.

MR. EDWARD MACCINI: Good afternoon. My name is Ed Maccini,
President of SOFA and a commercial fisherman and IFQ
shareholder, a fisherman for over forty years. I would like to
talk a little bit about the decline in the red grouper landings,
and I believe that there are five main reasons for the decline,
and I will start with what I believe is the lowest and work to
the main culprit.

I believe that the red tide occurrence seems to be occurring
more often and lasting and hanging around a lot longer, and the
increase in the lionfish, which I’m sure you’re all aware of,
and a couple of weeks ago, in that tournament, when over 24,000
fish were speared. Now, I don’t know how much of an impact
these two have, but, whatever impact it is, it’s definitely not
positive, and now we’ll go to the sharks and the porpoises.
What is happening in that situation is the shark population is exploding, and the porpoises have realized that there is an all-you-can-eat buffet right next to every fishing boat, and this can be best illustrated by the number of hooks that have been purchased over the past few years.

Fishermen’s Ideal Supply House, which is in Madeira Beach, provides most of the tackle, probably 90 percent, to the fishermen. In 2013, they sold 400,000 hooks, and these are the hooks that vertical as well as longliners are using, 13/0, either straight or offset, 400,000. In 2018, they sold 1,549,000. Now, that’s an increase of 1.1 million.

If only 10 percent of that 1.1 million, 110,000, you have a grouper on there, say six-and-a-half-pound average, you’re looking at an additional 700,000 pounds that would have been caught.

Number five, the main culprit, red snapper. I know of three fish houses in Madeira Beach, and one fish house allows their boats to catch 500 pounds, and that’s what they have leased for quota, and they come in every trip with 500 pounds. Another one is allowing their boats to catch 2,000 pounds, and they come in every trip with 2,000 pounds. Another one allows them to, whatever they catch, they land, until their quota is done, and they’re coming in 30 to 40 percent.

Now, the problem with the snapper is not just that we’re discarding a huge amount, but what we’re doing is we are attracting the porpoise and the sharks, and so, in essence, with the shrimp boats, when they used to discard their bycatch, they would be followed by the sharks and the porpoises. Well, now they are following us, and so what’s happening is we are discarding the fish, the snapper, and attracting the porpoise and the sharks.

When our hooks do make it through the snapper and make it to the bottom to catch the grouper, a lot of them are being eaten by the sharks and the porpoises, and, as a result, the sharks and the porpoises are getting fat, and, unfortunately, those fish are no longer available for the American consumer, and that’s about it. Any questions?

CHAIRMAN FRAZER: Thank you very much. The next speaker will be Brad Gentner, followed by Randy Lauser.

DR. BRAD GENTNER: I would like to thank the Chairman and the
rest of the council for giving me this opportunity to speak. I also want to recognize Doug’s service for this council. Ever since leaving the last council meeting, Amendment 18 has kind of stuck in my craw.

Before that meeting, I read the material provided by the council staff about the impacts to the recreational red snapper fishery and the commercial red snapper fishery, and I was initially satisfied by their analysis, the estimated total biomass of red snapper, and they used the correct recreational and commercial values to evaluate the cost to the commercial and recreational sectors.

As an economist, I felt good about that. Staff was actually trying to balance the benefits of this increase in shrimp effort against the costs, in what is 100 percent an allocation analysis. We are reallocating fish from commercial and recreational red snapper fishermen to the shrimp industry.

That’s what we should strive for in all of our amendments, frankly, as an economist. Ironically, this is exactly the approach we tried with the recreational red snapper reallocation that was unsuccessful. The more that I thought about Amendment 18, the more questions I had, and so I went back and read the Scott Denton report and the full analysis in Amendment 18, and red snapper bycatch is only 0.3 percent of all the bycatch in that fishery.

My honest question to the council is why are we ignoring 99.7 percent of the bycatch? Why are we not including that in the estimation of the cost of that increase in shrimp effort? I am not a stock assessment scientist, and I can’t draw up the rest of that bycatch like NMFS did in their stock assessment model for red snapper, but their analysis grows out roughly 60,000 pounds of juvenile red snapper bycatch per year under the preferred to one-million pounds in the first year and about 3.1 million pounds by year-six and each year thereafter for fourteen years.

Following that same logic, and using the back of an envelope, the preferred in Amendment 18 would kill 11.2 million pounds of mature finfish bycatch for the 5.7 million pounds of additional shrimp that would be caught. Most of those finfish that are bycaught are highly-sought-after recreational targets. If you grow that out like red snapper, that’s over 300-million pounds of finfish in the first year and up to 11.6 billion pounds of finfish over the fourteen-year time horizon used in Amendment 18. If those fish were worth as much as the recreational red
snapper, the net present value of those dead discards would be
$438 million. That’s five-times larger than the benefits to the
shrimp fishery.

If those fish were allocated to the commercial finfish sector,
using the same value per pound of shrimp, the preferred would
still be a loser by over two-times. If you are a commercial or
recreational fisherman, you should be appalled by these numbers.
I would urge the council to go back and look at this issue more
closely next time we look at the shrimp bycatch issue and use
the right stock models and grow that bycatch out, and I would
also like to point out that the Gulf Council has now officially
reallocated a stock using solely economic valuation.

Staff did an analysis and took red snapper away from the
commercial and recreational fishermen and gave them to
shrimpers, because they estimated it was the highest and best
use for those fish. Unfortunately, they didn’t include all of
those losses for the rest of the finfish, and that’s all that I
have.

CHAIRMAN FRAZER: Thank you, Mr. Gentner. Our next speaker is
Randy Lauser, followed by Scott Daggett.

MR. RANDY LAUSER: Good afternoon. I’m Randy Lauser, and I’m an
eastern Gulf commercial fisherman, and I’ve been doing it for
thirty-four years now, and I just wanted to start off with the
VMS landings. You know, it’s kind of hard sometimes to get it
right, because it depends on what time of year it is. Like
right now is summertime, and we’ll catch a couple or three or
four fish, and we’ll throw them right in the ice to keep them,
if it’s really hot out, and so it’s hard to keep a good count on
them. You’re always going to be off somewhere here and there.

You have your bad apples in everything you do, your bad apples
who are doing stuff, and so I think that should be just left
alone. I mean, we’re all doing good, and we all -- They see us
coming and going, and they know when we’re going to be there.
If they want to meet us at the dock, they meet us at the dock.
A lot of us bigger commercial guys go to fish houses, and so, I
mean, it’s heavily populated and all that, and we’re just -- A
lot of us obey the law, and some don’t.

Second, I hear a lot on new participants in the fishery, and
I’ve been in Madeira Beach for thirty-five years, and I haven’t
seen any new participants who want to come into this fishery.
It costs too much, your longline endorsement and your boat. I
am teaching one guy right now, and I’ve seen like two people in
the last year, new guys, but I don’t see any new blood coming into this fishery to catch these fish ten years from now.

It just costs too much, and then, with the red snapper taking over -- It’s just taken over, and we have too many discards, and I can’t afford to put red snapper on my boat, because I have a smaller boat, and it only holds so much fish, and it just costs too much, and so I have to throw away all these red snapper just so I can keep my grouper.

I am sure we can all work together to find out something to fix this problem, where we’re not throwing away all these red snappers. We just need to work together, and I’m sure we can figure out some kind of system somewhere. Thank you very much.

One other thing is I was reading the catch share newsletter, and the adaptive catch share shares, and that seems like we could go further with that, and that sounds like a good idea for the people who lease all their fish, which I do. I lease every fish that I catch, me and my partner, Scott, and so thank you very much.

CHAIRMAN FRAZER: Thank you, Mr. Lauser. Our next speaker is Scott Daggett, followed by Bill Kelly.

MR. SCOTT DAGGETT: Good afternoon. My name is Scott Daggett, and I’m an owner-operator out of Madeira Beach, thirty-two years. I am not very good at public speaking, and so I’m going to try to storm through this as quickly as possible.

I was going to get on the snapper tangent too, but you guys are going to hear enough about that. My main thing today will probably be the three-hour notification. For instance, I heard the other day, and I think one of the officers was talking about you have a five-pound fish and everybody knows what it weighs, but, for instance, where we fish, a lot of times down in the Tortugas, and especially this time of year, and I’ll be heading to deep water and off the Tortugas, which I will probably come home with maybe four to six different species of fish.

You can have three tubs of fish, say yellowedge and red grouper or scamps, and have them filled right to the top of the tub the same, and all three are going to weigh different weights. Like, for instance, a tub of yellowedge will weigh somewhere between 110 and 125, and a tub of red grouper will weigh 125. The other thing about this is -- I’ve been doing this my whole life, since I was sixteen, and a good fisherman always underestimates what he has. It’s a cultural thing.
If you come in and if I say I have 7,000, and I come in and unload 6,000, it’s kind of shameful. It’s almost like ice cream fish, they call it. They melted on the way home, and it’s like a shame thing when you get to the dock and you say you have a certain weight and you don’t unload it. That’s the way I was brought up, and that’s the way it is. It’s just a cultural thing.

This fine I see, that would be crazy. I am one of those -- From your numbers, one out of three fishermen would be catching this fine, and I would be that guy. Historically, if you looked at my boat, and I will say I have 5,000, but I unload 6,000, it’s never under. It’s always over what I claim, and so I’m not trying to hide anything, and I unload at a fish house, and everything is accounted for, and I think it’s more of an enforcement issue. If they want to be there, be there. I have no problem with that. I play by the rules.

That catch share thing that I heard about from Jessica, I think that would be a good program too, and so that’s what I’ve got to say. Thank you.

CHAIRMAN FRAZER: Thank you, Scott. The next speaker is Bill Kelly, followed by Richard Fischer.

MR. BILL KELLY: Mr. Chairman and council members, Bill Kelly, representing the Florida Keys Commercial Fishermen’s Association. First off, a tip of the hat to Doug Boyd. Thank you so very much for your service over these years, and ride ‘em, Cowboy.

On the allocation issue, it’s good to see the council making steps to move forward on addressing allocation issues. Do me a favor. Please don’t pick the no action alternative as your preferred, which seems to be the case over in the South Atlantic Council.

We spent seven-and-a-half years here trying to get some reallocation on yellowtail snapper, and it’s gone absolutely nowhere in seven-and-a-half years’ time, and, two days from now, they’re going to shut down that fishery again for the fourth time in seven-and-a-half years, while the recreational have left over three-quarters of a million pounds of yellowtail snapper unharvested for the past ten years, and they will do the same again this year.

There are still people that are concerned. The recreational
side, if we give, we won’t get back, and the commercials say the
same thing. I will tell you what. You had the dream plan
thrown in your lap from your council chairman, the Bosarge plan,
and absolutely nobody would get hurt under that system, and it
would be a good way to test it and see what we could do to
balance things out.

It got turned over to Ryan Rindone, and he spit-polished it and
brought it back to you again, and it still went nowhere, and it
was then presented to the South Atlantic Council, and they
didn’t buy-in either, mostly because everybody is afraid, and
they treat allocation like a four-letter word, and that needs to
change.

Something else is I just wanted to give you an update on
lionfish. As many of you know, we want to do a directed trap
fishery on lionfish. We spent three-and-a-half years trying to
get an exempted fishing permit out of NOAA, and it didn’t work.
The Florida Fish and Wildlife Research Institute asked if they
could plagiarize our project plan, our narrative, et cetera, and
said of course you can, and they submitted it using the top
pick, the trap design that we knew was already crushing
lionfish.

They dropped it down to just one test area, but the exact same
area that we outlined, and it was within the Florida Keys
National Marine Sanctuary. It took them just over two months to
get a permit. Our project was fully funded, to the tune of a
million dollars. With FWRI, we’re all paying for it, because
it’s coming out of tax dollars. Again, I salute your efforts on
allocation here, and please be very proactive and be prompt.
Thank you.

CHAIRMAN FRAZER: Bill, we’ve got a question from Ms. Bosarge.

MS. BOSARGE: Bill, it’s good to see you. I was just wondering
-- When you’re telling us to look back at the allocation
sharing, what you call the Bosarge plan, were you referring to a
specific species?

MR. KELLY: Well, I think that the narrative that you put forth
would work as an outline for any of the regional councils. The
percentages of allocation over to the other side, the triggers
that you had in place, based on the data that we’re getting and
so forth, or that seems to be available to us each and every
year, nobody could get injured under this thing, but, in the
course of seven-and-a-half years of dealing with yellowtail
snapper in the South Atlantic, for example, and it was MRFSS and
NOAA, by their own admission, that said we can’t trust this data, and so it was the new version of MRIP, and so that postponed things.

Now the third iteration is out, and we were discussing that last night in the Q&A session and so forth, and they’re showing an increase in effort by the recreational side, and so probably we’ll see an increase in landings as well.

I had to sit there and scratch some more of the hair out of the top of my head, wondering how can we have an increase in effort when we just had Hurricane Michael ravage the Gulf of Mexico and significant parts of Florida. The year before that, in 2017, we had Irma impact this entire state, and we have the largest charter boat fleets in the state in the Florida Keys, and over half of them were out of commission, and they lost over 50 percent of their business.

Fuel down there for recreational anglers is just under the five-dollar mark, and we’ve got a significant increase in effort? Who is the bean counter? Where are you getting these statistics that seem so ludicrous, based on the events from Mother Nature and the activities that are going on here, and so, again, that plan I think would apply to any species of fish, because the way it was crafted is it has the appropriate triggers for both sides. Thank you.

CHAIRMAN FRAZER: Okay. Our next speaker is Richard Fischer, followed by Kenneth Daniels.

MR. RICHARD FISCHER: Mr. Chairman and council members, thank you all for having me here today. Real quick, on amberjack, please absolutely not go back to a January opening here. Representing the Louisiana charter fleet, our guys can’t get out there until the spring, at the earliest, to be able to catch amberjack, and so January and February and having it open, we can’t have that, and so please keep it way it was this year, at least for right now. I want to thank Mr. Banks yesterday for speaking against any notion of changing it back.

Quickly, on cobia, it was said by a commenter earlier that captains from Florida to Texas say that cobia numbers are down. Well, the captains that I have talked to in Louisiana say they do not think that cobia numbers are down, and so I just kind of want to put that out there, that we may be talking to different captains here.

Now on to logbooks, and I will spend the rest of my time here on
logbooks. The first part is going to be for the council. It was stated by Emily, who did a great job at these local meetings that we had earlier this year, at the last council meeting that, talking to coast-wide captains, that about half the attendees were actually not in favor of logbooks at all, and that’s in pretty stark contrast to the small group of captains who seem to be at just about every meeting and sometimes claim to represent the interest of the entire fleet. Maybe not so much here.

Whether logbooks will or will not happen, we’re not in the dream world, and of course they’re going to happen, and that’s already been decided, but I just wanted to point out that that conclusion was pretty illuminating, and, in the future, when other topics are considered here in front of this body, please remember that maybe these captains don’t speak for the entire fleet.

The rest of my comments now are going to go towards NOAA Fisheries. Please consider this before writing the final rule. This specific piece was already voted on by the council, but you’ve got to remember that there is 2,000 boats in the Atlantic, and there is 1,300 here in the Gulf. Why is weekly reporting good enough for those 2,000 in the Atlantic, but 1,300 here in the Gulf have got to do daily reporting?

Much of the Louisiana fleet does not operate at public marinas, and they could be picking up and dropping off customers at private locations, and we would like to request that there be a work-around of some kind to accommodate these possibilities. If commercial docks are allowed, as mentioned on Monday, we think private houses should be worked in as well. We don’t have giant marinas in Louisiana. A lot of people leave from their dock, and they come back and they drop people off, and we would like it if you all thought about that.

It’s our understanding that NOAA Fisheries wants boats to hail-out every time that they move. Remember that we have mostly center consoles in Louisiana, and these guys -- Let’s say they put their boat on a trailer and on land take it to a regular Exxon to fuel up, to save thirty-cents, and do they have to hail-out for that, since they moved their boat? It sounds like a stupid question, but I don’t know if we know the answer to that.

We would also really like for NOAA Fisheries to put some more thought into the device needing to be on at all times. Like I said, center consoles, we’re not talking about big yachts, like we have in other parts of the Gulf, and we don’t want a one-
size-fits-all rule that only accommodates those guys, and so, if there’s a shelter that doesn’t have a GPS signal, and it’s enclosed, and so you’re not getting any solar power, will those things be able to survive for two weeks, like we heard earlier this week?

We really want to make sure -- We also want to make sure that we’re not locking our captains into necessarily needing to only get the early-approved VMS units, or high-end units, and that maybe there will be more units to come later, and I’ve got plenty more to say, but I’m out of time. NOAA Fisheries, my phone number is (985) 691-3474, and I want that on the record. Please give me a call, and I would love to talk about all of these issues, and a lot of the ones that I couldn’t get to. Thank you, all.

CHAIRMAN FRAZER: Thank you, Richard. Our next speaker is Kenneth Daniels, followed by Dylan Hubbard.

MR. KENNETH DANIELS: I would like to start with thanks to the Gulf Council and NMFS for giving me a chance to speak today. My name is Kenneth Daniels. I’m a second-generation fisherman and owner-operator of a bottom longline fishing vessel out of Madeira Beach, a long-time member with SOFA.

I would like to just touch on a lot of subjects kind of quickly today. We really feel that, in our red grouper fishery, that there are factors, and that’s why we’re not getting the fish to the dock, and it is porpoises, and it is sharks, and it is snappers, and it is actually triggerfish.

A lot of our rod-and-reel guys out of the west coast of Florida are wondering why we’re doing this with the triggerfish, because they say, when you get through the snappers, next you’ve got to get through the triggerfish, and it seems like a lot of us, even with the longline, we’re not having any problem catching the triggerfish, and the rod-and-reel guys are really complaining about these triggerfish.

Back to the hooks. We’re only allowed to fish with 750 hooks, and, on an average trip, we are going through 500 to 1,000 hooks a trip, and so there is something going on there, and it worked. You guys did good. The snappers came back, and the sharks came back, but now it’s affecting the red grouper, and so we don’t want to be adversely affected by that in stock assessments and the way that we get to fish our fishery in the future, because we are primarily a red grouper fishery.
Quota rollover in excess, we’re in favor of that, and then, also, a government-ran quota bank or even something similar or different, and we’re interested in it, and we’re looking forward to working with you guys in the future on that. Thank you very much for your time.

CHAIRMAN FRAZER: Thank you, Kenneth. The next speaker is Dylan Hubbard, followed by Eric Schmidt.

MR. DYLAN HUBBARD: Hello. My name is Captain Dylan Hubbard, and my family business has been fishing central west Florida for over ninety years and four generations. We operate six federally-permitted vessels, both charter and headboats, and I’m here today representing my family business and my family business alone.

As far as the multiday trip bag limits issue causing more of a discard issue, we strive to be leaders in our fishery and lead by example to our private recreational passengers. For example, aboard our thirty-nine, forty-four, and sixty-three-hour multiday trips, venting tools are required for each individual onboard. Whether they buy their own venting tool or we supply them a venting tool, they must have one before boarding. However, the boats will not leave the dock until this occurs.

In addition to that, on our website for each one of these thirty-nine, forty-four, and sixty-three-hour trips, we have a link to an outreach page that we created, with the help of Sea Grant, FWC, and Salt Strong. Once they book their trip, their confirmation email has the same link inside it to an outreach page for best practices on venting and barotrauma mitigation.

Once arrived at our business, the waiting area that we stage all our guests in has a large Sea Grant poster further discussing barotrauma mitigation and the need for it. Once they are on the boat and on their way offshore, they attend a fishing seminar, where our crew illustrates how to properly vent fish that are being discarded throughout the trip.

Then, throughout the trip, the crew goes around to make sure that the customers are doing so in a proper way and not injuring the fish or venting improperly. That way, when they get off our boat and go do their own trips with their buddies or on their own boats, they know how to properly vent fish.

We also try to work, to the best of our ability, to prevent high-grading and illustrate the issue of why that’s a problem and how it is a detriment to our fishery. All of these things
are all in the name of barotrauma mitigation and mitigating dead
discards, and fixing the issue we face with multiday trips and
allowing us to land our two-day bag limit at any point
throughout our multiday trip that meets the requirement set
forth in the CFRs would allow us to continue to be leaders and
would enable us the least possible number of discarded fish.

During this meeting alone, I heard the discarded issue was
raised countless times, and why not fix an easy issue to prevent
more discards in the fishery? These are long-range trips
catering to the highest caliber of experienced angler.

We are going to land the fish, regardless of the sea condition
and other variable, and why not allow efficiency and the least
number of discarded fish? We’re willing to utilize VMS and add
the requirement of a hail-out and three-hour notification of
landing through a hail-in as well, to make life easy for LEOs
and ensure that abuse does not occur.

I am out of time, and so I’m going to skip forward to the
solution. Just allow us, on a trip greater than twenty-four
hours, to land our two-day bag limit at any point during the
trip, as long as we meet the requirements set forth in the CFRs,
and we’re even willing to add that three-hour landing
notification, if that help as well. We’re flexible, and we just
want to continue to be leaders and prevent discarded fish.

Thank you.

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

MR. DIAZ: Hi, Dylan. Thank you for coming, and thank you for
your comments. Some of the other charter operators that spoke
mentioned cobia. Can you tell me what your perception is of
cobia in your area?

MR. HUBBARD: In our area, cobia are one of those fish that
we’re bottom fishing and we’re focused on our grouper and
snapper and, hey, look, there’s a cobia, and we catch it.
That’s kind of how our fishery goes, and we still have been
saying, hey, look, there’s a cobia a pretty decent amount of
times.

I haven’t noticed a significant decrease, like they’ve seen in
the northern Gulf, off the coast of Florida, but we’re pretty
far south, and I think we’re definitely more in that mixing zone
with the South Atlantic population, and so I don’t know if that
has a lot to do with it, but Tampa Bay has a really good cobia
population inside the bay and around the mouth of the bay, and we benefit from that greatly.

We don’t see a huge issue with cobia, but we definitely have seen a small decrease, and we don’t see as many as we have in the past, but it’s not this huge issue that we see up in the northern Gulf, and there’s a lot more comments, and I do mention cobia in my public comment, and I will email it to you guys as well.

MR. DIAZ: Thank you, Captain Hubbard.

MR. HUBBARD: No problem.

CHAIRMAN FRAZER: Dylan, I think Dr. Stunz also has a question for you.

DR. STUNZ: Captain, I just wanted to commend you and your operation for the stewardship of the resource, particularly as it relates to those discards, because, wherever we land as a council on regulations or educational programs or whatever it might be with discards, it’s going to take that kind of leadership from the fishery, I think, to really educate the public, especially in a fishery like yours, where the potential for discards is high, and so I appreciate that, and I hope that others follow your lead.

MR. HUBBARD: It’s because of coming to these meetings and getting involved in the fishery that led us to this current policy that we have, and everything we work for as a council and in this council process is to prevent dead discards and discard mortality, and so that is why this is such a passionate issue for me. We need to fix this problem with multiday trips, so that we can continue preventing throwing back dead fish.

CHAIRMAN FRAZER: Mr. Robinson.

MR. ROBINSON: Thank you, Dylan. I appreciate the comments. The question is you mentioned on allowing a double day, or two limits, on a twenty-four-hour or longer trip. You mentioned that, and, looking at your website here, you go from a twelve to a thirty-nine-hour trip.

MR. HUBBARD: Yes.

MR. ROBINSON: Would a thirty-hour cap be the -- Would that work?
MR. HUBBARD: Yes, I’m amenable to that. I mean, I’m not the only one along the coast of Florida, and there’s about six or seven boats that do these multiday trips that harvest a two-day bag limit, and some of those boats do run shorter than thirty-nine hours, but, for me and my business, thirty hours would be very sufficient, and I’m willing to do whatever I need to do to fix this issue, because throwing back dead fish is never good.

CHAIRMAN FRAZER: We’ve got a couple more questions, and we’re going to start with Doug Boyd.

MR. BOYD: Dylan, thank you for your efforts, and thank you for your continued education of the public. Just one question. Do you see any opposition from your customers that come on the boat to venting themselves, rather than having a crew member do it?

MR. HUBBARD: Yes, sir. That’s something we battle with. Basically, we advertise these trips as advanced angler trips, and you need to be an advanced angler to get onboard. It’s not one of those trips where we’re going to hold your hand and tie your knots for you, is what I tell our guests.

This is a trip where you need to know what you’re doing, and we’re going to teach you how to do it if you don’t know how to do it, and so, if you don’t know how to do it, let us know early, and we’ll spend more time with you in the seminar and before you leave, but, by the time you get off of this boat, you’re going to know more about the fishery, and you’re going to know how to be a better steward of your fishery, and we do a lot through outreach.

We do a weekly show on our Facebook and YouTube channel, and that’s a how-to Q&A kind of thing, and we spend a portion of that show focused on conservation. Being as though we have red snapper season opening and stuff like that, we have been really focused on barotrauma mitigation the last couple weeks of that show.

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Thank you. Thank you, Dylan, for all of your efforts. As Doug said, we appreciate what you do to reduce release mortality. Educate me on something here. These multiday trips, you are under different constraints than a typical one-day charter vessel. As I understand it, and I’m asking the question, you have to have sleeping accommodations onboard, and you have to have at least two skippers onboard, and what else do you have to do?
MR. HUBBARD: In order to meet the requirements set forth in the CFRs to harvest a two-day bag limit, or be eligible to harvest a two-day bag limit, you have to -- According to the CFR, you have to be on a vessel acting as a charter, and you have to have two captains onboard. Every passenger has to be in possession of a receipt, and the trip length has to be greater than twenty-four hours.

Now, there are some things not mentioned in that, and those things not mentioned in that are the Coast Guard regulations and your regulations of having a federal permit, and so you can read into that, and you have to add that you have to have a federal permit, because, to act as a charter boat or a partyboat in the Gulf of Mexico, you have to have a federal permit. Then, when it says that you have to have two captains onboard, by default, a captain cannot work longer than twenty-four hours, and so that’s why our website has five, ten, and twelve-hour trips, and then the next longest trip is thirty-four hours.

If I am going to pay to put one of my experienced captains that I probably overpay a little bit, but you pay for what you get right, and so, if we’re investing the money to have two experienced captains onboard the vessel, that’s why we jump to thirty-nine hours, because the fixed costs of the trip for the business owner is a lot higher, and so we wouldn’t do that in a twenty-four hour trip, or it would be too expensive for us, and the customer wouldn’t pay the high ticket price for the shorter trip, and so that’s why we jump to thirty-nine hours.

The sleeping accommodations come into play because a captain can’t work longer than twelve hours, and so a captain works for twelve hours, and then, when he’s off for twelve hours, he needs a place to sleep, and so the Coast Guard requires sleeping accommodations.

CHAIRMAN FRAZER: Thank you, Dylan.

MR. HUBBARD: Thank you.

CHAIRMAN FRAZER: The next speaker is Eric Schmidt, followed by Ken Pearson.

MR. ERIC SCHMIDT: Good afternoon. My name is Eric Schmidt, and I have fished here in the Gulf of Mexico for thirty-seven years. I’ve been a licensed captain, and I just got my seventh renewal. I have a dual-permitted vessel, and I both commercial fish and charter fish, as well as I am one of the operators of one of the
few multiday boats that this discussion over a three-day bag
limit or two-day bag limit is surrounding.

I am here because a group of twenty-five charter captains,
federally-permitted charter captains, and headboat operators
from south Florida wanted me to address you on two specific
items. The first item is the two-day trip limit.

At lunch, I spoke with Captain Greg Mercurio from Key West, and
he has a hundred-foot partyboat that specializes simply in
multiday trips. He’s in the unique position of having a New
England groundfish permit, a South Atlantic permit, and a Gulf
of Mexico permit.

He fishes out of Stock Island, and so he has to have the South
Atlantic and the Gulf permit, because he jumps back and forth.
In New England, if you do a multiday groundfish trip, every
fifteen hours counts as one day. Every thirty hours is two
days, and you can have a three-day bag limit, and so up to
forty-eight hours is considered a three-day trip.

In the South Atlantic, headboats can hold a three-day trip
limit, and there is no designation whatsoever as to the number
of hours. The twenty-five fishermen that asked me to speak here
on their behalf would support Dylan Hubbard’s comments previous.

The second item that I’m here to talk about is the desire to add
African pompano to the federal management plan. African pompano
is in the jack family, and the juveniles are considered to be
pelagic, and the south Florida area has seen an explosion in the
last five years. We catch them on structure, wrecks, springs,
ledges, where we fish for grouper and snapper, and we’re having
to throw back a lot of fish dead.

Because there is not a federal fishery management plan for
African pompano, the State of Florida designates that, if
there’s not a federal plan, the State of Florida regulations
supersede and become the federal plan. The State of Florida has
designated African pompano as two fish per vessel.

The only place in state waters that African pompano are caught
is in the Florida Keys, and all the ones caught on the west
coast of Florida are caught in federal waters by federally-
permitted vessels and recreational anglers. We would appreciate
it if the council could at least start a discussion or look into
the possibility of adding African pompano to the FMP. Thank
you.
CHAIRMAN FRAZER: Thank you. The next speaker is Ken Pearson, followed by Bob Spaeth.

MR. KEN PEARSON: Hi, guys. Thank you very much for your time. I am a forty-year charter boat captain out of southwest Florida. Fifteen years ago, the gag season was implemented to where it was shut down, and it has opened up gradually over the years, but, in the time that the gag season has opened, it has not benefited southwest Florida.

It has benefited areas of the state that have the cooler water, and so what I am asking you is to make a separate line from 27 degrees north to the south and change the dates from March 1 to August 31, and that would help our area, as far as economically on the gag grouper, because, when it opens in June and goes all the way to the first of the year, our waters are so hot that the gag grouper move north into the cooler waters, and it does not help us at all. That’s one of the things.

Also, on the conservative side, if you make a proposal to help us out on that situation, we would also reduce the bag limit to one per person on the flip side of conservation. A lot of people would just say that we would love to just catch and keep one gag grouper in the wintertime when the people are here. When the people aren’t here, that’s when the season is open, and you can’t catch them anyway.

Also, on the amberjack proposal, I’m okay with the May for the thirty days, but it does back to our season. August, September, and October, the water is so hot, and we have hurricanes, and it doesn’t benefit us at all, and so I’m proposing, for amberjack, to open in May, how you already described, but January and February for 27 degrees and south.

Also, our area was hit with the worst red tide that you could ever think about. The water was so orange, and it was a massive destruction from twenty feet out to seventy feet. Hotels and restaurants and boats were shut down for five to six months. My boat alone did not move for five months. We need help in this area, and making a few slight changes and giving the people hope to come back and be able to catch and keep a gag grouper while they’re here, instead of they’re not here, would help tremendously. I am asking you for your help. Thank you.

CHAIRMAN FRAZER: Thank you. Our next speaker is Bob Spaeth, followed by Ronald Chicola.

MR. BOB SPAETH: Thank you, council members. My name is Bob
Spaeth, and I’m the Executive Director of the Southern Offshore Fishing Association. I see a lot of new faces, and I’ve been coming to these meetings for about thirty years. SOFA is representing probably half the grouper landed in the Gulf of Mexico, our members, and some of them came here today, and they spent their own money to be available to talk to you about some of the issues.

The biggest issue that concerns us right now is the overabundance of red snapper, and it’s taking over the habitat, and the reefs only have so much carrying capacity. If that is in fact the case, then we are on a slow road to putting ourselves out of business.

We are basically asking for your help for our group to try to solve this problem. We understand that our hands are tied by the Magnuson Act, and we have talked to Roy and Clay and a few others, and I don’t know what we can do, but I hope the council in the future -- We’re going to lose our red grouper fishery if we don’t do something, and that’s why these guys came here today to give you some of the issues that we face in the Gulf of Mexico, in the eastern Gulf.

One of the other things we would like to have you look into is if you require a permit to have an IFQ, and our position is, if you have an IFQ, you should have the ability, and I use the word “ability” to harvest it. Now, what does that mean? That means I have to have a boat, I have to have a VMS, and I’ve got to go to turtle school, and I’ve got to have turtle gear, and I can go on and on about several other things, safety equipment and a raft. I have to do that every year.

If somebody has to do that, and they don’t have to fish, but they just have to have the ability to harvest their fish. We would like to see that, and I think you would see a lot of those shares that are out there go right back into the industry, and it would give somebody an option either to sell back to the industry or buy yourself a boat and get in the game, and that’s kind of how we feel about that.

The other thing that we’re concerned about is lease prices are so high, and they’re going higher and higher on red snapper, but, today, I can sit here, and I don’t believe that you can lease a red snapper if you want to. I asked several people here that, hey, do you have any red snapper to lease, and it was no, and so here’s the problem.

There’s just not enough snapper for the fishermen out here with
the abundance, and so hopefully we can work together and we can get this figured out. Our fishermen are committed, and they’re here. If you want us to come back again, if you need to get with us, Carrie and the rest of them, we’re at your disposal, and thank you very much, and we’re looking forward to working with you.

CHAIRMAN FRAZER: Thank you, Bob. The next speaker is Ronald Chicola, followed by Tim Dillingham.

MR. RONALD CHICOLA: Good afternoon. What I want to show you is the leasing trip and exactly how it works. There’s a trip that I brought up here, and I can let everybody see the ticket. It’s an actual trip. It’s a twelve-day trip, and I fished for nine days. I had 10,000 snapper quota, leased, and I had 10,000 grouper quota, leased, and we caught about 13,000 pounds of fish. The price of the fish are there, and you can see everything.

The gross total on the tickets is it’s an $80,000 trip. Boy, that sounds pretty good. If you look down at the bottom, coming on down the ticket, and you will see where I paid $40,000 for the fish before I left the dock to the lessor. With fuel and ice and all, you’re looking at $50,000 when you untied the boat. At the bottom of the ticket, you’ll see what’s left of it. After fuel, ice, tackle, and all, it’s $20,000 to split between a five-man crew and a captain and the boat. I just wanted to show you exactly the numbers, and it’s pretty staggering. Anybody got any questions? That’s about it. It’s self-explanatory.

On the snapper, we fished eight or nine days, and we only kept the snapper for the last three days. The first part of the trip, we pitched them, and so you can do the numbers on them. It’s 8,500 pounds in three days, and we pitched them for six, and so you can figure the discards. That’s about it. It’s pretty self-explanatory, the ticket is.

CHAIRMAN FRAZER: Okay. Any questions? Dr. Stunz.

DR. STUNZ: Would you mind saying that one more time about your discards? It took how many days to get this?

MR. CHICOLA: We kept the snapper the last three days, 8,500 pounds on a longline. When you longline fish, they are all fifteen-pound and up fish. We pitched them for six days, out of 500 to 600 feet of water. If it took three days to catch 8,500, you know what we did for the first six, and we landed 6,000
pounds of grouper, mostly yellowedgedge and a few snowy. Thank you
very much.

CHAIRMAN FRAZER: We’ve got one more quick question for you from
Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. Mr.
Chicola, could you remind us where you port, where you come
into?

MR. CHICOLA: Dulac, Louisiana. This trip right here was made a
little bit to the west, around the 92 line or the 93 line, in
about 500 to 600 -- We don’t normally get inside of 500. Most
of the time, it’s anywhere from 600 to 700 feet of water. Where
the pipeline crosses -- We fish a lot of deepwater pipelines.

When you get to a crossing in the pipeline, if you don’t cut the
gear off, if you go across that crossing, there will be a
redfish hanging on every hook, and so, every time we come to a
pipeline crossing, we cut it. We don’t let it go across a
pipeline crossing, unless you want to just string them up.
Thank you very much.

CHAIRMAN FRAZER: Thank you. Our next speaker is Tim
Dillingham, followed by Buddy Guindon.

MR. TIM DILLINGHAM: Hello, everybody. I want to thank the Gulf
Council for giving us the opportunity to speak. I am a rather
new person in the industry. I have been commercial fishing for
about five years. I started out commercial diving for lobster
in the Keys and graduated from there up to grouper and snapper
and reef fishing.

I want to thank each one of you for coming here, and I wish that
I was a little more prepared. I didn’t know that I was going to
get a chance to speak today. Otherwise, I would have tried to
look a little better, like you guys do, and I would also like to
thank Dr. Crabtree and Dr. Porch for taking our questions
yesterday. The question-and-answer was very valuable for all of
us, and so there’s a lot of issues that I would like to talk
about.

It’s been an eye-opening experience coming here, and this is my
very first Gulf Council meeting, and I’ve met a lot of people,
and I’ve got a lot of assistance from people, and there is one
major issue that I want to talk about, and that is the
discussion, and I don’t know what exactly the number is on it,
but as far as for us commercial fishermen in our three-hour
landing notification estimates.

I hope that everybody understands how serious of an issue that is. I don’t know if any of you have been a commercial fisherman or have been on a commercial fishing boat, but what we do is very hard, just like what you guys have done is very hard as well. We’re out there working, and it’s blood, sweat, and tears. The fish bite will turn on, and, when it turns on, we’ve got a certain window of when we can catch these fish, and then the bite will shut back off for hours and hours on end. You get a few here and a few there.

It’s going to be very difficult for us to give you a real accurate answer on how many red grouper we’ve got and gag grouper we’ve got and red snapper and tilefish. There is shallow-water grouper. What you’re asking -- What we’re trying to do is the best of our ability, and we’re not the bad apples. I’m a commercial fisherman, owner-operator, and I’m a wholesaler dealer, and I’m a retail dealer. I own part of a restaurant, and I have a food truck. I catch my fish, and I bring them to my restaurant, and I take them to a few other restaurants, and that’s how I do my business.

It is very difficult for us to estimate within especially a 10 or 20 percent amount, to get that number down. Even if you got up to 25 percent, you’re still going to have good fishermen trying to do the right thing to bring good product, good, local product, to our tourists, who mostly -- Most restaurants around this state are serving product out of Mexico. It’s not coming from the people in this room.

We actually provide a very small percentage of the seafood being served in all these restaurants, and that’s the whole point about what I’ve done with my restaurant and bringing my fish in and letting my customers see what I am bringing to the table. It’s important to me, and I don’t want to set there and get subject to a fine of potentially $2,500 to $18,000 for me just trying to do my job.

I support law enforcement, and I cooperate with law enforcement. I will call them personally and have them let them come check my boat. They do come and check my boat literally almost every single trip, and so to penalize the rest of us who are trying to do a good deed, I think that’s a disservice to what we’re trying to accomplish.

I guess my last thing is I was very happy when I heard Officer Harwell, NOAA Officer Harwell. If there is anybody better to
make a suggestion to this panel on this judgement, it would be
Officer Harwell. He’s out there, and he does not support this,
and, us as fishermen, we don’t support it either. Thank you.

CHAIRMAN FRAZER: Thank you, Ken. Our next speaker is Buddy
Guindon, followed by Chris Niquet.

MR. BUDDY GUINDON: Hello. I’m Buddy Guindon. Doug, I’m going
to miss you. Your reign of terror on the commercial fishery is
finally over, but I want to thank you for your service to the
country and to this council.

With that said, I would like to reiterate what the young man
just said about please don’t punish the commercial fishermen
that are doing a good job by putting in a restriction that would
cause some people to get enforcement actions against them for
doing nothing but making an honest mistake in a reporting
situation.

We have had that law pushed on us many, many times, where we
make a mistake in our bookkeeping and don’t get enough quota
into an account, even though the owner of the boat has plenty of
quota, but you still get the ticket, and so I wish you would
just think of another way to handle what we perceive as a
problem of folks that are somehow cheating because of what
they’re calling in, because you have the right to go to the
dock, and you know when they’re going to be there, and you can
count the fish, and so there’s no reason to put in any other
restrictions on the commercial fishermen for that issue.

I would like to bring a few trip tickets from my longline
grouper fishing boats that harvested anywhere from 8,000 to
14,000 pounds of deepwater grouper, average maybe 4,000 pounds
of tile in those trips, and they have made at least ten trips
this year, and I would venture to say never more than 1,500
pounds of red snapper were harvested, and they keep every red
snapper that they catch, and so I think this deepwater grouper
fishery can be executed without interacting with red snapper if
you care to and if you stay out past 600 feet of water, where
snapper kind of quit living. A few of them live past there,
because they do catch a few.

I think the fact that folks would like to see a permit and a
vessel to own shares, that’s something you could do from this
date forward, but to try to do that going backwards would just
take away the fish that are available, and at a high price it
may be, but they’re available, and, if you tell them that they
have to buy a boat and a permit, they’re just going to fish, and
so those fish will no longer be available to the market.

The way we fix the price of shares is either to bring this fishery down to the amount of fishermen that should be in it that the fish that are available can make successful businesses or raise the commercial TAC to a point where you can cover all this bycatch. We can do that with better science and better accountability in all sectors, and I thank you for your time, and I thank you for your service.

CHAIRMAN FRAZER: Thank you, Buddy. The next speaker is Chris Niquet, followed by Jim Bonnell.

MR. CHRIS NIQUET: Thank you for the opportunity to speak. Doug, I hope you catch that thirty-inch speckled trout. I know you’ve been trying for a long time. I am going to give you a little timeframe on a couple of problems that this country has, or had, and I want your feedback on how to do something better.

The number one problem was we wanted to send a man to the moon, and it took less than a decade. The next problem we’ve got is how to stop the private recreational sector from overfishing red snapper. Twenty-three out of twenty-six years, they have been over, and, folks, you’ve got a problem. You will not implement the requirements and restrictions, as you have on the charter and commercial fleet, to stop the overfishing, and then, of course, you’ve got to have enforcement. That’s one item.

The next item is there is a huge abundance of sharks in the western Gulf. Twenty-one years ago, my father applied for a permit for a directed fishery for sharks in the western Gulf, and we submitted the gear we were going to use. Literally, the hooks were this long, a shank and a curve like that, and it was impossible to catch a red snapper. They used the same equipment after World War II, and, in four years, my father caught one jewfish and one what they called a snider, and you call it a true black grouper now. The rest were sharks.

If you want to solve a problem with sharks, give us the permit. If you want the problems to continue for the lack of allocation, don’t issue more allocation. If you want to solve them, issue more allocation.

This last year, I took care of the allocation needs, partially, of over forty boats with mine and my family’s shares, and I can lease an additional 400,000 pounds in the next fifteen minutes. It’s up to you people to solve the problem. You have the power. If you don’t want to solve the problem, tell us, and we’ll quit
coming. Thank you very much for your time, and good luck, Mr. Boyd.

CHAIRMAN FRAZER: Thank you, Chris. The next speaker is Jim Bonnell, followed by Kelia Paul.

MR. JIM BONNELL: I’m Jim Bonnell, and I own the Fishing Vessel Michelle Maria out of Madeira Beach, Florida. It’s a longliner, and I’m also Vice President of the Southern Offshore Fishing Association.

What I wanted to address was the snapper situation that we’re having and the difficulty with the discards. When I ran my first fishing boat, I was bandit fishing at the time, and it was in the early 1980s. About a third of my catch consisted of red snapper, and I fished a little deeper than the majority of the people, and so I think my catch was better with the snapper than a lot of people, because there were larger snapper out at that depth, but the man that taught me to fish and gave me my first boat to run told me stories about when they would make one stop and load the boat with snapper, 6,000 or 7,000 pounds, and I have heard other stories from people a little older than me, and not a lot, but a little bit that had those opportunities to have catches like that.

It wasn’t commonplace, but it did occur. Over time, the population declined. Over time, I started longlining, and, at that time, you all issued snapper permits. I think they were Class A and Class B, or Class 1 and 2, whichever, and it was a 200-pound and a 2,000-pound limit. Because of our decrease in the population of snapper, the majority of us on the Florida west coast, excluding the Panhandle, but from on down, I believe the majority of us received the 200-pound-class permit.

The season would open for ten days out of ten months. If we were to catch that amount, we would probably end up with roughly 2,000 pounds for the year of what we would be allowed to have, but we didn’t even come close to that, because of the fact that we would be out, and the majority of the boats average about fourteen-day trips, maybe twelve or fourteen days, somewhere in there, and the chances of us being able to catch those within that ten-day time period and be at the dock and unload them was slim, and, for 200 pounds a trip, we’re not going to work our trip around that, and so it would be very easy for us to catch fish earlier in the trip, red snapper, and have them buried low in the fish boxes, and then the ten days were up, and we would come in after that and have illegal fish.

68
To avoid that, we would throw the snapper back, and so, when the IFQ system came in, we had very, very low landings. My boat that I have owned for close to thirty-five years now, a little under that, has always been a pretty good-producing boat. I was issued I believe it was about 197 pounds for the year, and now I’m up to 213 pounds or something like that. All the rest, we have to lease, if we can get the leases.

Usually the fish house gets them for us, and then we get them from them, at cost, but it’s usually about $3.75 or $4.00 a pound, and we get about $5.50 return on them, plus we pay the 3 percent management fee for the system, plus all the expenses that go along with operating and owning and maintaining a boat, and it’s not a workable solution for us.

I have had the opportunity to speak with a few of you individually, and I have to admit that I see how complex this whole thing is and that you have to fall within the legal bounds of the Magnuson-Stevens Act, and you have to have something that’s reasonably fair for everybody, and it has to be enforceable, and I don’t envy you your job. I know this is hard to work out, where everybody is happy and it’s going to fall within those bounds, but I’m hoping that we can all work together and come up with something workable for everyone involved and for the fish.

I think a lot of what’s been said here today is very factual, and I can back it up, as far as the shark problem that we’ve had and the porpoise problem and the number of hooks. It’s not unusual for my boat to go through, like they’ve said, 500 to 1,000 hooks on a trip, because of the hooks and fish that we’re losing to the porpoises and sharks. Anyhow, I just want to thank you for the opportunity, and I hope we can all do something to work together and get a solution for this. Thank you.

CHAIRMAN FRAZER: Thank you, Jim. I believe we have a question from Mr. Diaz.

MR. DIAZ: Captain Bonnell, early on, you said about one-third of the fish you caught in 1980 was red snapper. What is the percentage of fish you’re catching right now that are red snapper?

MR. BONNELL: I am not actually running the boat now. I have somebody running it for me. I ran it for years myself, and so I can’t give you an exact figure. I know we don’t bring in a whole lot. It depends what the fish house has to offer us, as
far as the leases. Last time, I think we brought in about
three-hundred-and-sixty-some pounds, and it varies trip to trip,
but it’s not unusual at all to throw away easily 2,000 pounds.
Some trips vary, depending on where they’re fishing, and we
might not catch more than 500 in a trip, but 2,000 or better is
not unusual at all on a trip.

CHAIRMAN FRAZER: We’ve got another question from Ms. Bosarge.

MS. BOSARGE: I have a silly, sentimental question for you. I
love the name of your boat, the Michelle Marie. Is that your
wife and your daughter?

MR. BONNELL: No. I will give you the true answer though. When
I bought the boat, I was struggling, and the man that I bought
it from financed it for me, and he was really fair with me, and
I tried to give him more money down, and he said just give me
this much, and you’re going to need it, and I kept the name the
same, because, when I hauled the boat out, I couldn’t afford a
sign painter at the time, but it was a friend of mine’s
daughter. Thank you.

CHAIRMAN FRAZER: We have a couple more questions, first from
Greg Stunz.

DR. STUNZ: You mentioned about the $4.00 -- That you’re leasing
and that’s returning $5.50 a pound, but you mentioned the other
fees that you have on top of that.

MR. BONNELL: Well, there’s the 3 percent management fee that is
collected for the management of the program. That does not come
off the person that leases it out. It comes from us, the person
that leases the fish share to catch, or not share, but
allocation.

DR. STUNZ: Okay, but that $5.50 number includes or does not
include that?

MR. BONNELL: No, it’s taken off of the top of that.

DR. STUNZ: In addition to. Okay.

MR. BONNELL: Yes.

CHAIRMAN FRAZER: Kevin Anson.

MR. ANSON: Thank you, Captain Bonnell. Thanks for coming
today. It’s good to see a fresh face.
MR. BONNELL: Thank you.

MR. ANSON: How many pounds do you normally lease from the fish houses or get from the fish houses for red snapper lease?

MR. BONNELL: How many do I lease?

MR. ANSON: Yes, and is that done per trip, or is that done over a month or six months or a year?

MR. BONNELL: Usually by the trip, and it all depends on what they happen to get at the time. Some of the fish houses -- Like somebody mentioned earlier, it’s very hard to get any right now, because a lot of places -- The fish houses, it’s advantageous to them, because, once they get them, they have a product to sell then, but it’s a big chunk of money to put out.

The fish house that I deal with doesn’t seem to have the resources to lease like 100,000 pounds or whatever, and so they let me know when I leave that this is what we can afford to let you have, and not that that’s all they have, but there is other boats that want them too, and so they divide it up fairly between us, and you can have 500 pounds this trip, or, occasionally, 1,000, and that’s about all we’re able to get, usually.

CHAIRMAN FRAZER: Kevin.

MR. ANSON: So what happens when you bring in more red snapper than they told you that you can lease?

MR. BONNELL: We don’t.

MR. ANSON: So you’re able to count them and get them in within that 500 or 1,000 pounds fairly accurately?

MR. BONNELL: Fairly accurately, and we keep it on the low side, to be safe, because the last thing we want to do is come in there and land illegal fish and have to deal with all of that. We normally underestimate, just to be on the safe side with it.

MR. ANSON: But they would be probably upset if you did come in with more than what you --

MR. BONNELL: Well, probably they wouldn’t know, because, if I saw it getting up there, I would stop things and try and deal with it however we could, and I don’t know what we would do, and
it would all depend if enforcement was there and said, hey, you’ve got these fish. I mean, we don’t want to do anything -- I would not take them and sell them. I’ve got too much at risk for that.

We have never had that happen, because, like I said, we try and keep it low. Probably what I would more likely do is see if I could find somebody that would be willing to lease me some at the last minute, which probably would be illegal, I’m assuming, because I think have to have them in my account before I even call in our landing and give them the amounts then, but, like I said, I’ve never had that happen, and I’ve never had to cross that bridge, and so I don’t know. There probably isn’t a real good solution as to what to be done in that situation.

MR. ANSON: Thank you.

MR. BONNELL: Thank you.

CHAIRMAN FRAZER: Thank you, Jim. Our next speaker is Kelia Paul, followed by Alicia Paul.

MS. KELIA PAUL: Good afternoon, and thank you for allowing me to come up and address the council today. My name is Kelia Paul, and I am with the dually-permitted vessel the Long Shot out of Panama City Beach. There are quite a few things that I want to address, and so I’m going to try to get through them before my time limit.

Amberjack, this is one of the two topics that I am most passionate about. I hear you guys, and we are under a rebuilding plan, and we have to be mindful of that while maintaining our livelihoods though.

For the commercial trip limits, we were some of the few to plead with you not to cut our trip limits by two-thirds, because we depend on those stronger fish in the cold-water months. I don’t remember who said it, but they were exactly correct. Those fish houses are not going to want to mess with the smaller limits, the 500 pounds, and that’s going to drastically drive our price down, and that’s going to hurt us.

That being said, my preference would be Alternative 6, 1,000 pounds, until the 75 percent of the ACT is harvested and then 250 pounds post-that. For recreational amberjack, I know you guys have heard a lot about this, and you’re going to continue to hear a lot about it today, but we’ve got to do something for a May spring season.
It is extremely important to us. We’ve lost so many trips this year, and the ones that we did get were extremely hard to sell on b-liners and Spanish mackerel. Again, I understand we’re under a rebuilding plan and we want to protect the fishery, but we have got to have the season. I am in support of the AP’s suggested motion for the split season.

Something has to give, but we just need a May season, and I know that the fractional bag limits are not everyone’s preference, but, at this point, if that’s what it takes to get those people out there and not have to cancel the trips that we had to cancel this year, I am all for it.

For the data collection on charter/for-hire coming in 2020, I was fortunate enough to be selected for the MRFP workshop last May, and I have a new respect for the need of better data collection as well as the disconnect between time of data collection to management decisions.

You all have a tough job working with the antiquated data, and I’m all for giving you that in any way we can. We want to provide you with accurate and robust data, to allow you to, in turn, effectively manage the fisheries. My crew will count every fish that comes across the rail, including those bait fish, which I kind of thought was nuts, but, okay, we’ll go with it.

However, what I am not onboard with are these economic questions and the timeframes in which you’re asking for these reports to be sent to you. Let’s start with the economic questions, and I’m probably going to go over my time, and I’m sorry.

If you have an older car, one that doesn’t have the you have so many miles until no gas, and if you have one of those, can you tell me how much gas you burned going to the store running errands? In turn, if you used a credit card to pay for that gas, are you going to remember what you paid for it at the pump? Probably not.

This is what we deal with. At our marina, we charge our fuel, and, during the thick of the charter season, we pay for it once a month. We’re not looking at those tickets when we sign them. Most of the time, the deckhand is the one actually taking fuel. To ask us to estimate that every single trip and expecting an accurate amount is unreasonable.

Also, and I will be frank here, it’s none of anyone’s business
what I run my trips for, and that’s how it should be. I don’t
know the boats next to me, what they are running for, and that’s
how it should be.

The responses to the feedback for the issue aren’t reassuring.
The comment was made that there would be research to tell if we
were being accurate in our reports, checking our website and
Facebook, et cetera, and making sure that it was in parity.
Most of us don’t even post our prices, because they vary so much
between the seasons and amount of passengers.

It really does not make it an easier pill to swallow if these
requirements are just for data collection purposes and not the
intrusive burden that it actually is. I did hear that this was
a solution to get feedback given about you making decisions that
affected the fishermen economically and not having data to
quantify that, which I understand, but I don’t know that this is
the answer.

For my last point, this keeps getting compared to commercial
fishing logbooks, and there are similarities, but there’s a big
difference, time. Those logbooks are not due before the vessel
hits the dock, and not everyone has to submit those economic
factors. I know, because we have been randomly selected the
last two years running, but, even still, I have time to figure
out what fuel I burned, et cetera, in order to accurately send
those numbers in.

Ms. Bosarge actually spoke logic when she said that, as a
charter fishing fleet, we are a balancing act. We’re dealing
with customers, regulations, boats, et cetera, and expecting us
to send all of that in, including fuel and other economic
factors, and before we hit the dock, in my opinion, is an unfair
ask.

Think about it. We’re going from delayed data of years to real-
time in the trip data, and is it really that much of a
difference for twenty-four hours? Red snapper is a derby
season, and we’re running multiple trips a day. You add turning
around on trips, taking payments, unloading and loading people
off, and it gets to be a lot in a very short period of time, and
now you’re asking for that data in an even shorter amount of
time, which, if incorrect, could be very costly for us.

The response was given that, for that concern, it was
discretionary with law enforcement, but that doesn’t take away
the possibility that we could be severely fined for making a
simple error by rushing to get you this data while balancing
everything else that goes on with the derby snapper season. We
could provide much more accurate data given a bit more time to
do so.

Also, as we all know, the recreational sector holds much more
quota than we do. I believe this would be much more palatable
if there was a bit more effort to improve their data collection
as well. Don’t misunderstand me. We’re onboard with giving you
the fishery data you need, but I know there has been pushback,
and I believe that, if it was illustrated that a significant
amount of effort was being made to improve the vast data
efficiency on a sector, there would be less resistance, and just
consider that in your decision, and I appreciate you guys
letting me go over, and I’m going to stop there.

CHAIRMAN FRAZER: Thank you, Ms. Paul. John Sanchez.

MR. SANCHEZ: I just want to thank you for coming, and I’m glad
that you went over. You provided a lot of valuable information
and answered some of the questions that I had regarding going
forward with some of the economic data.

MS. K. PAUL: Thank you for listening.

CHAIRMAN FRAZER: Okay. Thank you, Ms. Paul. Our next speaker
is Alicia Paul, followed by B.J. Burkett.

MS. ALICIA PAUL: Hello, and thank you all for letting me speak
this afternoon. I’m Alicia Paul from Long Shot Charters in
Panama City Beach, Florida, a dually-permitted vessel. I am not
going to be as long-winded as her.

A couple of issues. I was one of the people in my area that
actually pushed for the electronic logbooks. I would like some
real-time data, but the burden of all the economic questions and
everything before we actually unload these fish is going to be
too much. You know, we’re already balancing an act quickly to
try and get these people on and off the boat and push it out as
many hours as we can in the sixty days that you allot us.

Another big issue I have is the amberjack, and I stood in front
of you all in October of last year and fought for a spring
season, and I fought against that changed start date from
January to August, and here we are without a spring season, and
it really hurts.

Its hurts financially, and it hurt everybody at our marina.
There’s a lot of us that had to cancel trips, and I don’t know
what we have to do to fix that, amend that, but please give us a
spring season, 60/40 or 70/30, whatever it takes, just give us a
month in the spring. I’m not asking for a whole lot.

Amendment 36B, Preferred Alternative 2, the commercial fishing,
it’s hard to give you accurate estimates, and I’ve heard a lot
of people tell you that we’re all doing the best that we can,
and, yes, there’s a few bad apples in every profession, but
please don’t hurt the ones that are trying really hard to make
it right.

The red snapper, Preferred Alternative 2, keep it at the 90
percent buffer and more days while maintaining a sustainable
fishery, and that’s really all I’ve got to say. Thank you, all.

CHAIRMAN FRAZER: Thank you, Ms. Paul. The next speaker is B.J.
Burkett, followed by Randall Kramer.

MR. B.J. BURKETT: My name is B.J. Burkett, the owner-operator
of Hook ‘Em Up Charters in Panama City Beach, Florida. It’s a
dual-permitted boat, and I’m an IFQ holder. Also, I own a
commercial fishing boat based out of Apalachicola, Florida. I
am here today representing my business and about another fifty
charter boats, charter businesses, in Panama City Beach that are
mainly all out fishing today. This is our busy season.

Just to name a few of those boats, and I will miss several, but
the Lady Kelly Charters, Miss Kelly Charters, Backlash, Captain
Hank, Captain Mike, Great Escape and Real Commotion, and many
more, and so, all of those boats, I am here for their behalf.

Guys, I can’t afford to be here today, but I can’t afford not to
be here today for my future. The main thing that I’m here to
talk about is the amberjack, the recreational amberjack season.
The council passed it last year, to change the start date to
August, assuring we would have a spring season.

Well, we didn’t get no spring season, and so, in my opinion, the
whole thing failed, and so we really want you to go back to the
January start date. There is no reason to keep it at August, if
we’re going to have a spring and fall season, and I’ve seen
where you all are trying to do a 60/40 split, or a 70/30, and
what is the reason for the fall start date? There is hardly any
other fish in the Gulf that has that. Let’s do a January to
December, as normal.

The main thing I’m here to say is we want the council to take
emergency action at this meeting to return the amberjack to a
normal calendar year of January to December, and that’s what Panama City wants.

This will drastically help the historical stakeholders, and it’s just needed. Our fleet has had the slowest spring that we’ve had ever, because of this. We’ve lost a pile of trips, and it has devastated our area. There is guys right on the brink of not making it. If snapper season wasn’t to come along, there is guys going out of business, and that’s all I have on that part.

On the commercial amberjack, if it’s got to change, I guess what the most poundage will give us, and I guess 1,000 pounds, but 1,500 was fine with us, and that’s all I’ve got. Thank you.

CHAIRMAN FRAZER: Thank you, B.J. The next speaker is Randall Kramer, followed by Kindra Arnesen.

MR. RANDALL KRAMER: Hello. My name is Randall Kramer, and I own a longline boat and a couple of rod-and-reel boats in Madeira Beach. I just wanted to let you know what my situation is down there, and it’s drastic. My fishery is red grouper, and I hear everything today about snapper, and everything is snapper, snapper. I want to save my industry, which was red grouper.

I can’t catch the fish, and, when I do catch the fish, I don’t make any money on the fish, and so it’s a false hope that you’re giving my captain and crew when they go out and there spend $4.00 a pound to catch a $5.50 fish and it’s only worth $1.50. I can go catch porgies. I can catch almost any other fish that’s worth more than that, and I can’t afford to put that fish on my boat. It’s not a large boat, and I have so much ice, and I just don’t know where to go, and I don’t know why -- My allocation for snapper is 177 pounds. How can I deal with that?

We couldn’t qualify for any fish. There wasn’t snapper there back when it was time to qualify, and I own all my shares, and I lease very few, and I don’t want to lease red snapper, but I just don’t know where to go, and so I just hope that you guys can fix this for me and take care of my fishery and maybe be equal about it. They should be the same.

My fish is worth nothing compared to the snapper, and I’ve got nothing. Red grouper sells for $3.00 to $5.00 a pound, and snapper sells for $45.00 a pound, but it’s still a $5.50 fish, and I don’t know where to go, but I need your help in order to do anything to sustain my family and my business, and so I thank you for letting me talk. Have a good day.
CHAIRMAN FRAZER: Thank you, Randall. The next speaker is Kindra Arneseen, followed by George Arneseen.

MS. KINDRA ARNESEN: Good afternoon, and thank you for your time. I am Kindra Arneseen, and I’ve been around the commercial fishing industry since before I was a teen, and my husband and I are in both the state and federal fisheries. Our home port is Venice, Louisiana.

We have five commercial boats and a whole pile of permits. The reason we have so many boats, permits, and gear is because every fishery that we have has been regulated to the point that we have no choice but to be broad about our efforts, and so this has worked out pretty well for us, and the only thing that hasn’t worked well for us is that we weren’t lucky enough to be part of the IFQ program, and so we don’t own IFQ allocations.

The months of January and February are vitally important to my business and, of course, my family. Our primary target during January and February are greater amberjack. Just a few years ago, we were cut from 2,000 pounds to 1,500 pounds, and that brought us down by 25 percent, and here we are today discussing cutting our daily allowable limit yet again.

I would like to go over the 2015 stock assessment. The 2015 stock assessment followed the largest environmental disaster in our nation’s history. That stock assessment, I don’t believe, is a reflection of what is out in the water today. 2015 was the absolute worst tax year that I have had in the last twenty years, everything from near-shore from a shrimp to deepwater, we saw a drop-off in our stocks. In 2015, we didn’t clear over $15,863, I think is what we cleared, with all the boats, all the equipment, and all the permits that we have.

We desperately need to stop taking away from our commercial fishing sector. We cannot continue to do this if we plan on being successful and sustainable. I beg of you to wait until the next stock assessment, until there are any other changes, to make any changes at all to the amberjack fishery. This does not need to be a bycatch fishery. We cannot continue to take access away from the commercial sector and creating a situation where certain species are only considered bycatch.

With that being said, if this is turned into a bycatch fishery, we will be pushed out. It will take away a whole quarter of every year of my family’s income, and so I’m begging you to reconsider, at least for now, until we have another stock
assessment. I am not saying that we can’t come back and look at this.

Looking at the numbers, 27 percent of the catch was caught between 1,000 and 1,500 pounds, and you’re looking at about 110,000 pounds of the quota. If you take away a third of that, and you multiply it times 220 permits, you’re only looking at 163 more pounds per permit. If you take away more than that, two-thirds, and you multiply that times the 220 permits, or divide it by the 220 permits, you’re still looking at only 327 pounds more per permit.

This isn’t going to lengthen the season. That’s not what this is going to do. This is going to decrease my profit and people that have the same business model as I do, or even close to mine, and it’s going to decrease our profit to where we can’t afford to maintain our boats, and so I ask you to reconsider, if you have any questions.

CHAIRMAN FRAZER: We have a question from Chris.

MR. CHRIS SCHEIBLE: I just wanted to thank you, Ms. Arnesen, for coming all the way over here to talk to us about this. I think everybody in this room can hear the passion in your voice for your industry and what you’re doing, and, also, thank you for taking the time to explain to us how this isn’t just a bycatch fishery. There are people out there that make a living off of this fully. Thank you.

MS. ARNESEN: Thank you.

CHAIRMAN FRAZER: Thank you, Kindra. The next speaker is George Arnesen, followed by David Walker.

MR. GEORGE ARNESEN: Hello. My name is George Arnesen, and I’m a commercial fisherman, multiple generations. First, I want to talk about the amberjack, and that’s my wife, and she pretty much laid it out.

I do target amberjacks. We run in and out and target the 1,500 pounds a day, and, if it lowers to 500, you can’t afford to run. It will be a bycatch, and, if we want to extend the quota, to try to help the fishery, we need more of the quota back. That’s a resource that -- It’s the whole country’s resource, 380-million people’s resource, and we have eleven-million people that is allowed 73 percent of it. What about the 380-million people that it’s their resource? I think they would be pretty upset knowing that their part of it is only 27 percent.
I wanted to touch real quickly on the call-in, the three-hour notice. I have a fast boat to run in and out, and sometimes, when I’m snapper fishing, I make my three-hour notice, and I’ve still got an hour to an hour-and-a-half to fish, and I may catch 1,000 pounds in that hour, and so my numbers won’t be right, because I can’t estimate what I may catch on my three-hour notice. I am telling them what’s on the boat at that time.

If I catch 500 more pounds, or 1,000 more pounds, before I go in, then I’m going to come in with more fish than what we’re reporting, and it’s not that I didn’t report what was on the boat. I did, but I was still fishing, and so that’s another problem that I see with the -- You know, the enforcement is there the majority of the time, with our three-hour notice, and so it’s not like we’re trying to sneak fish in. They are seeing the offloading of the boat at the dock.

The individual fishing quota, if you look at the explosion of snapper in the Gulf now, it happened under the rodeo fishing, before the IFQ happened, and the snapper exploded in it, and we have snapper in south Florida where we didn’t have snapper, and that’s because the program that you all had initiated was working. The stocks were growing, and then we changed the program to the individual fishing quota, and what it allowed is a hostile takeover of our fisheries.

We have people that are not fishing at all, that are not involved with the fisheries, and they own our fishery, and we can’t afford to lease it from them, because they push the price to $3.75 or $4.00, and I hear people talking about $5.50 at the dock, and we get $4.50 at our dock. I leased 50,000 pounds last year at $3.75, and I was working on a dollar, and you can’t work on a dollar, because it’s bait, fuel, tackle, and your help and your boat expense.

They made it to where we’re not in the snapper fishery no more. It got taken away from the fishermen, and something needs to be changed. It was a bad idea, and I think it allowed our fishery an opening for a hostile takeover of people with money. They can come in and buy the shares up, as we’ve talked about, and they don’t have to own a boat. They don’t have to be a fisherman, and they can just have the money to buy your fishery.

When you set your fishery up like that, you’re setting it up for failure, and I think you all need to change it. Something has to be done. The fishermen are no longer in the fishery. Thank you for letting us speak with you all today, and I know there’s
no easy fix to any of it, and hopefully you will use your judgment and your knowledge to do the best that you can. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Arnesen. We have a couple of questions. Chris.

MR. SCHIEBIE: I would like to also thank you for coming all the way over here and talking with us today. It sounds like the trip limit for amberjack is something that you’re passionate about. How would you feel about, when we would reach the 75 percent of the ACL, dropping to 250 pounds per trip? Is that still workable for you?

MR. ARNESEN: Well, it will make it where we’re not going to be able to run in and out and target it, because it’s not enough. Amberjack is not a high-dollar fish. It’s a $1.50 or $2.00 a pound fish, $2.50 if you’ve got a really good market, and so, when you’re looking at even 1,000 pounds, when you talk about your fuel and your tackle and your help and the boat expense, at $2.00, or maybe $1.50, and our prices are not great in Louisiana on our fish prices, you’re not dealing with very much money when you talk about the astronomical expense that you have, especially on a boat like I have, where we run in and out, and you burn more fuel than a slow boat would. When you lower the quota, I just won’t be in the fishery is what it will amount to. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Arnesen. The next speaker is David Walker, followed by Eric Brazer. It’s good to see you, David.

MR. DAVID WALKER: Good to see you too, council. Good afternoon. I’m David Walker, a commercial fisherman from Alabama. I see a lot of new folks in the audience, and it’s good to see the participation. I see a lot of new faces, and, as always, I’m grateful for the opportunity to participate in the council process.

Amendment 50, thank you. Thank you, council. Let’s get that Amendment 36B, the hail-in, and I think it’s just an unnecessary hardship. You have some examples of it’s raining on the deck, and it’s slippery, and there’s fish being cleaned, and it’s intensive labor, and we have to deal with cold weather, and the wind picks up to twenty or twenty-five knots, and now you’re up into the safety-at-sea issues.

It's much different than weighing fish at the dock than it is
offshore, and I don’t know of anybody in the commercial industry that’s been asking for this. Don’t let a few bad apples spoil the whole bunch, and I don’t think that law enforcement has been asking for this. There will always be bad apples, and there’s no need to penalize the commercial industry because of a few bad apples, and you will still have bad apples, and it doesn’t change anything. There is no purpose and need for this.

On the amberjack, I started out amberjack fishing years ago, and, at one point, a lot of people will remember, there wasn’t many snapper around, but there was a lot of amberjack, and nobody fished for them, but I did, and so I have watched it for thirty-something years, and I can hear -- I listen to them speak about the 500-pound limits, but I have looked at it and weighed it and measured it, and I see it’s the best way to go for now. Maybe they can work on another FMP that helps folks, and I would definitely like to see that.

Doug, nine years, and I know the private angler leadership is grateful for your service. I just want you to enjoy your life to the fullest in retirement, and I’m just going to kind of give you some advice that I have run into, and that is be careful when you’re exercising. I injured my knee a few weeks ago, about three-and-a-half weeks ago, and it’s been tough, and it was -- I am just grateful that I made it here to give testimony today, but it kind of started with my doctor, and I was having some problems, and he said to stay away from the salt and sugar and flour and exercise. You need to exercise, David. Just be careful when you exercise. If you need any tips, get with me.

CHAIRMAN FRAZER: Thank you, David. We have a question from Doug.

MR. BOYD: No, I’ve got a comment. I want to thank you, seriously, for all the years of your testimony and your friendship. We have differences of opinion on things, but we have always been able to work together and have a drink together, and sometimes laugh together, and I would like to tell you that I think exercise is a very dangerous sport, and I gave it up a long time ago.

MR. WALKER: Thank you.

CHAIRMAN FRAZER: All right. Our next speaker is Eric Brazer, followed by Jim Green.

MR. ERIC BRAZER: Thank you very much, Mr. Chairman. Eric Brazer, Deputy Director of the Gulf of Mexico Reef Fish
Shareholders Alliance. First off, I want to thank you for the chance to speak with you earlier this week about the quota bank, and I apologize for being a little bit late. I should have known better, that you would be ahead of schedule, Mr. Chairman. I hope it was informative, and I know I hit you with a lot of information, but my goal was to give you some insight into the structure and the programming and everything we had to do to build and continue to evolve this program.

I was going to speak to allocation, but I think you know probably what I will say and where I stand, and I would refer you to our comment letter if you don’t, and so the only comment that I’m going to make today is about the unique trip identifier.

It may sound like an insignificant issue, but it really is an important issue to the commercial fleet, and you’ve heard fishermen come to this mic dozens of times talking about all the reporting requirements and all the data they provide and all the data streams, and it’s a bit frustrating to know that there is nothing out there that really effectively links these five, ten, or more data streams. You have got different silos, and you’ve got different programs, and you’ve got different agencies in different states.

If we have any hope of getting to the point where we’re retiring paper-and-pen reporting, where we’re getting to electronic logbooks, where you give fishermen the option of putting a camera on their boat instead of taking an observer, we really need to lock down this unique trip identifier and get something that links all of these data streams together. With that, I’m done. Thank you.

CHAIRMAN FRAZER: Thank you, Eric. The next speaker is Jim Green, followed by Jason Delacruz.

MR. JIM GREEN: Hello, and thank you, Mr. Chairman and council and staff. Welcome to Destin. I’m Captain Jim Green, and I’m the President of the Destin Charter Boat Association, and I’m Vice President of the Charter Fishermen’s Association. I’m here speaking on behalf of all of DCBA, no matter what some associations think.

There would be a lot more of our fishermen here if it wasn’t for the opening of snapper season. A lot of them would be here concerning amberjack. The Destin Charter Boat Association is having a lot of heartburn over the adjustments in the management over the last few years and the lack of urgency to fix these
measures that have not provided to be fruitful.

I have heard from some that, with amberjack, we need to have more time, since we’ve done all this adjusting in the last few years, to get better data, and we’ve been through that few years, and we already feel more action is needed to be taken and that we do not have to settle with where we’re at.

Now, the one thing that has created this issue is the rate of harvest. Reducing harvest by means of a fractional bag limit and not a vessel possession limit will spread that reduction equally across mode of access and size of vessel. Again, we have had to operate in a circumstance that has proved not to meet the mark we’re striving for.

Please do something that gives us a greater ability to execute the four-month season we all agreed upon a little over a year ago. When we get a logbook in place, and if it shows something different, then we can go back and raise up the bag limit.

Addressing the possession limit concerning multiday trips, the DCBA supports looking into regulatory changes concerning a possession on bag limits on multiday trips, and these trips can cover a vast range, and, by allowing a vessel to target species only once, it will be beneficial to the fishery and allow a more efficient harvest and use of trip time utilization.

I have heard talk about a thirty-hour minimum to possess a two-day bag limit, and I would have to hear the rationale behind that, but, at first glance, that’s not something that we would probably support.

Pertaining to reallocation, listening to the continuing dialogue on this topic for many years, I would have to say that any sub-sector in this fishery should be tasked with providing the highest level of stewardship, improving data collection to per-trip submissions, and a buffer reduction before being considered to take fish from one sub-sector and move it to another, especially a sub-sector that have these accomplishments under their belt.

I have seen some literature on the lane snapper, and this fishery in the Gulf is very robust. It has grown steadily in the past decade, and there is a vast range of age classes that we’re seeing off of Destin right now, and we’re seeing a larger fish, on average. I have been told that this fishery is data poor, and we at the DCBA find it difficult to swallow a probable closure on this fishery that shows such diverse age classes and
growth in population. We ask that you adjust the ACL or ACT on
the vermillion and the lane snapper, so that there is no closure.

When it comes to vermillion snapper, last year, we were talking
about lowering the ACL and ACT for future problems. Now it is
the creator of the potential problem, and I have seen where we
have come close to -- We almost overfished the catch limit. The
vermillion is the rabbit of the Gulf, thank god, and we should
adjust to maintain a safe place for that stock, but we should
also make it a broad enough range to where the natural ebb-and-
flow of the historical catch doesn’t affect it. I appreciate
your time. Thank you.

CHAIRMAN FRAZER: Jim, we’ve got a couple of questions. We will
start with John Sanchez.

MR. SANCHEZ: You brought up -- As you know, we’re talking about
the two-day trip, the two-day bag limit, and you brought up -- I
guess you said you had some concerns with some thirty-hour
threshold or something, and could you elaborate a little more,
so I can fully understand where your concern is?

MR. GREEN: Well, I have been trying to figure out how to add
six hours to a day for my whole life, but I don’t see where --
When you take a daily bag limit, you’re talking about a twenty-
four-hour day, and I don’t see where raising it six hours is
going to give someone some kind of -- By extending it to thirty,
that that’s going to -- I heard Mr. Hubbard say that that was
effective for his business, but a lot of our guys run twenty-six
and twenty-eight-hour trips in Destin, to be able to obtain that
bag limit, and I just don’t see the rationale in raising six
hours on your trip to obtain something that you can legally
obtain in a twenty-five-hour time, if you want to look at it
that way, by coming back to the dock and leaving again with the
same people, and so I think it’s kind of an arbitrary timeframe.
Thank you.

CHAIRMAN FRAZER: Next we’ve got Dale Diaz and then Kevin Anson.

MR. DIAZ: Thank you, Captain Green, for coming. One of the
scientists that I used to work with used to call white trout the
rats of the sea, and so I always remembered that, and I will
always remember that vermillion are the rabbits of the Gulf, and
so that will stick with me forever.

Last year, in the April timeframe, and the June timeframe, we
got a tremendous amount of testimony about cobia, and I was
hoping that we would have a few more charter fishermen here, but
a lot of the charter fishermen from your area talked about cobia
last year, and so I wanted to ask you what your impression of
the cobia stock is, from what you all are seeing so far this
year.

MR. GREEN: This year, this past spring, with the cobia, we saw
a lot of smaller fish, which is good, the fish that we saw. We
did not see a lot more fish, but it seems like we’re seeing
smaller age classes, which is good. We still aren’t seeing the
numbers, and anything to -- We worked hard with the FWC, to get
them to lower the possession limit on the vessel, and we
actually wanted them to raise the size limit, and cobia is a
fast-growing fish, and we feel that there still needs to be some
work done at the federal level.

I testified last year in that timeframe of wanting a possession
limit on a vessel, and that’s me personally. When you are
trying your hardest to revive a fishery, and you see where
people can catch two per person and have that possession limit
on the boat in federal waters, it’s a little disheartening. I
know we went to the one fish, but I think that we really need to
look at going to a possession limit on the vessel, in my
personal opinion, on cobia in federal waters, a smaller
possession limit, I should say.

MR. DIAZ: Thank you, Captain Green.

CHAIRMAN FRAZER: Kevin.

MR. ANSON: Captain Green, thanks for being here today during
the busy time of year for you. Just to follow-up on John
Sanchez’s question, I got a little bit of dichotomy from you in
regard to this issue regarding the multiday trips. On the one
hand, you want the council to explore it, but, yet, when we talk
about setting a minimum number of hours, at least at thirty, you
weren’t comfortable with that, and is there a -- Are you just
not interested in the minimum number of hours, or is thirty-two
better, or thirty-four? Can you provide any insight?

MR. GREEN: I apologize, and I’ve been quite busy, but I didn’t
catch the dialogue on why thirty was decided or why the extra
amount of hours was added. Twenty-four is what the regulations
state on all fisheries. It’s a daily bag limit, and they don’t
say a calendar day. They say twenty-four hours, and so, to me,
I didn’t quite understand why you were adding six more hours to
that.

Yes, we would like to explore it. I think, if that’s what you
decide on, that’s fine. Like I said, at our face value, or my face value, I didn’t really agree with it, but there’s a lot of things that are done in this world that I don’t agree with, and so, if that’s what it gets to make a more efficient fishery for these boats that are running these multiday trips, and you all decide that, then so be it. It was just more of my opinion, sir.

MR. ANSON: Thank you.

CHAIRMAN FRAZER: All right. Thank you, Jim.

MR. GREEN: Thank you very much, and thank you, Mr. Boyd, for your service on the council.

CHAIRMAN FRAZER: The next speaker is Jason Delacruz, followed by Wayne Werner.

MR. JASON DELACRUZ: Thank you very much. Jason Delacruz. Thank you, Doug, for nine years. Man, that’s a tough row to hoe, and I couldn’t do it, not for nine years. I want to talk about two quick things. Probably the primary is representing my fish house today, Wild Seafood Company. I offload about fifteen different boats, some of which I own, or, actually, very few which I own, comparatively.

First is this hail-in thing, and I have harped on this kind of before the rest of the crew got on it and said, man, you are setting us up to get fines for no reason. They have made it very clear that the federal government doesn’t want it, and the federal law agency doesn’t want it. They’re the ones who primarily investigate this federal rule.

All you’re going to do is give some of the states that sometimes aren’t really commercial leaning an avenue to figure out a way to fine me and put me in a penalty box, and please don’t do that. We’re not trying to do anything wrong. We’re doing everything the best we can, and it’s a two-party system, and they’re real clean.

Next, of those twenty boats that I represent, I have four of them that are full-time reef fishing boats. They don’t have charter permits, and they don’t have shrimp permits, and they don’t have anything else. They go out and they catch reef fish, and those four boats count on amberjack too, and I have had discussions about trip limits with them and everything, and the number-one thing they want to do is keep that season open as long as possible.
They fish as fishermen of opportunity. Whatever they come across is what they try to get, and so, if they get an opportunity to have amberjack late in the year, they would like to have it, and I kind of want to talk about the fish house’s role in this and what the implications of this are and where some of the people that were at this podium before me may be led astray by their fish house.

The illusion that they won’t want to mess with 500 pounds is a joke, and here is the absolute truth of amberjack, and I will tell you this as a guy who has sold a lot of amberjack. Amberjack in the Gulf of Mexico is the best amberjack in the United States. We do not have the parasite count like they do in the South Atlantic. The South Atlantic amberjacks will have worms from the middle of the gut all the way back, and so the yield is horrible.

The reason we have this ridiculous $1.50 or $2.00 price for amberjack is because our season opens and closes instantaneously, and we never get a traction hold in the market. If you give us these fish year-round, you are going to see a $2.00 or $3.00 or even $3.50 or maybe even $4.00 amberjack to the boat, and that’s the truth, and so, if we’re talking about going from a 1,500-pound trip limit down to say a compromise of 1,000, in the long run, you’re better off to keep the season open and let the fish houses that are doing the right thing get the prices up.

Everybody else has to match, because that’s the way it works, and then you will see them getting the same money for less fish, and we have a year-round fishery. We have a better product than the rest of the United States. Please let us use it. It’s just a fact, and I don’t care what anybody says, because, at the beginning of amberjack season, I have the same conversations with my customers.

These are not South Atlantic fish, because their fishery stays open, because nobody wants those fish, because they run off the backside of us. We open up our fishery, and we run and we shut down, and then, all of a sudden, their fishery opens, because the South Atlantic opens at a different schedule than us, and they start selling those, and then the people get mad, and they stop buying them, and then, the next year, I have to have the same conversation. They don’t have worms in them and trust me that this is a quality product, and you’re getting good yields, and they are good stuff.
This will give these guys an opportunity. Even if they are not part-time. If they’re just part-time fishing, if 500 pounds, or 350, you’re making more than you were at 1,500 at $1.50, and so please let’s try to keep this fishery open year-round. That’s really my goal for my fishermen, and I was sent here by them to represent them, and that’s my job as a fish house, and that’s what I’m doing. Thank you.

CHAIRMAN FRAZER: Jason, we’ve got a question from John Sanchez.

MR. SANCHEZ: Jason, following that, if you had your preference, what would be your pounds, and would you agree -- What would be the poundage, trip limit, that you would think would be ideal to accomplish stretching this out for the longest period possible and, if there were a step-down, what should that poundage be, and at what percentage should that occur?

MR. DELACRUZ: I’m on the Reef Fish AP, and I crafted that motion that came out of the Reef Fish AP. 500 pounds with a step-down to 250 when we get to 75 percent, and, if we still close that year, the next year, the opportunity to go 500 pounds and a step-down at 50 percent.

I don’t think we are. The numbers don’t show that we are, and I don’t think that you’re going to see as many directed trips, but what it will do is stretch the trip out, where some people that would just pound that 1,500-pound trip limit won’t do it quite as hard, but, yet, they will still be able to go catch those fish during odd trips, when you can’t charter fish or you can’t do something else in the fall. If you give me the fish year-round, I’m telling you that it’s going to make a difference. Thank you.

CHAIRMAN FRAZER: Thank you, Jason. The next speaker is Wayne Werner.

MR. WAYNE WERNER: Good afternoon. I’m Wayne Werner, Fishing Vessel Sea Quest. First, Doug, I appreciate all your time. Just like you said last time, we had a lot of differences, but we were still talking, and so we appreciate all your time on the council and enjoy yourself.

I want to talk about 500 pounds of amberjack. I’m with him. I am tired of just killing them all the time. At least I will kill a few less, and it’s just going to help.

One thing I would like to say is Captain Gary Jarvis brought up the twenty-inch size limit on almaco jacks, and I support that.
The small ones are too easy to catch around the oil platforms and stuff and just we don’t need that. I think he had a really good idea there to put a size limit on them.

The oil spill, red tide, episodic events, that affects both types of fish, groupers and snappers, no matter how you want to look at it. They both had devastating effects, but one fishery is coming through, and it’s the red snapper. One fishery isn’t. Well, I must really be getting old, and I know I’m getting old, but I am probably the only person here that has been on a boat where groupers have been a problem when we were trying to catch snappers, where we had to throw back 3,000 pounds of groupers to ice snappers when I was a kid, and I hated it. I would never do it myself as a captain, but I did it as a kid.

I have also seen spots that we’ve found that we had to clear the groupers out of the way to get to the snappers. This is a grouper problem, and it’s time to address it as a grouper problem. I have said all along, and I said it at a roundtable a couple of meetings ago, that we’re sitting here not protecting the big fish, the breeding stock. Every time you hear someone talk about longlining, I hate to say it, but all you keep hearing about is the big fish they catch.

Well, there you go. All the snappers are big, and, the groupers, that’s a different situation, because they have had to go to smaller and smaller hooks, because they ran out of big fish. When I fished it, our average size was twenty-five pounds, and I think I made that clear at a roundtable, once again. Let’s try to do something to protect the big fish in the fishery and let it grow like the snapper fishery. That’s all I have to say. Thank you.

CHAIRMAN FRAZER: Thank you, Wayne. All right. I don’t believe that we have any other speakers, but I am going to make a last call. All right. Seeing no other speakers, I want to thank everybody for taking the time to come and give that testimony today, and, again, I just appreciate your efforts and your time. Thank you.

It’s about 4:30 or so, and we’re going to take about a ten or fifteen-minute break, and then we’re going to try to knock out some other things this afternoon before we depart.

(Whereupon, a brief recess was taken.)

COMMITTEE REPORTS (CONTINUED)
GULF SEDAR COMMITTEE REPORT
CHAIRMAN FRAZER: I am looking at the agenda, and we have a couple of committee reports. I think we’ll try to do the SEDAR Committee Report first, and we’ll save the Sustainable Fisheries Committee report and the Reef Fish Committee reports for tomorrow, in the morning. After we do the SEDAR Committee report, then I would like to walk through the agency updates and the liaison reports. If we have time then, we can circle back and talk a little bit about the EFP issue and the other business items, and then we’ll call it a day.

Everybody has the SEDAR Committee summary. I will go through that now. Council staff provided an overview of the many topics discussed by the SEDAR Steering Committee at its May 16 through 17, 2019 meeting in Charleston, South Carolina.

The committee reviewed modifications to the stock assessment schedule due to the government shutdown, key stocks/stock prioritization, progress on interim assessments, best scientific information available, and the requested scope of work process.

The key stocks analysis was discussed, which can be used to prioritize and request interim analyses for stocks with reliable fishery-independent indices of abundance. This approach will be further explored between the SSC and the Southeast Fisheries Science Center in the coming months. A benefit of this approach is the ability to use the most current data to inform catch advice on a regular basis and could serve the purposes of the carryover and payback provisions by regularly updating that catch advice.

The committee requested that the Southeast Fisheries Science Center develop a list of stocks which would be able to be assessed in this manner and preferred a scenario whereby the interim analyses could be requested annually for those species. The committee also requested a brief presentation from the Southeast Fisheries Science Center on interim analyses at a future meeting.

SEDAR Assessment Schedule, staff reviewed the SEDAR schedule for Gulf stock assessments as approved thus far by the SEDAR Steering Committee. The Southeast Fisheries Science Center indicated that the two years currently blocked off for red snapper may not be necessary, as the items which are currently being considered for modification may be able to be addressed in less time.

The committee was concerned about the timing of the west Florida
hogfish stock assessment, presently requested to begin in late 2021, with a terminal year of 2019. The council increased the minimum size limit for west Florida hogfish in 2017, and, thus, a terminal year of 2019 only gives the assessment a few years of data to observe the effects of the minimum size limit increase. The committee requested that the west Florida hogfish assessment begin in 2022, with data through at least 2020.

Committee members queried how the MRIP FES/APAIS calibrations and the inclusion of state survey data would be incorporated into the upcoming stock assessments. The Southeast Fisheries Science Center indicated that, by early 2020, a calibration from NMFS would be in place for each survey to be used in stock assessments. All effort data are currently being included in the stock assessments in MRIP FES currency. However, catch limits may be in another currency, to which the data can be calibrated.

The Gulf States Marine Fisheries Commission has completed a species profile for cobia, which can be incorporated into the scheduled update assessment. Staff will ensure that this information is provided to the analytical team. This concludes the SEDAR Committee report. Does anybody have any questions on the SEDAR Committee report? Dr. Porch.

DR. PORCH: Thank you, Chair. More a comment. The key stocks and interim analyses are different concepts, and so we probably need to rephrase that first sentence just to focus on -- It’s just an introductory statement to what interim analyses are, and that’s basically updating catch advice, based on trends in an index of abundance. I mean, I could talk with you offline to get an alternative sentence, if you would like.

Then I would bring up, in the third paragraph, where it says “SEFSC indicated that the two years currently blocked off for red snapper may not be necessary”, in our red snapper research track assessment. Thank you.

CHAIRMAN FRAZER: Just to rephrase, I will work with you to rephrase that one sentence having to do with the key stocks and interim analyses, and then we will make an insertion in that third paragraph, making sure that it’s referring to the red snapper research track. If the committee is good with me and Dr. Porch making those changes, we can move forward. Seeing nodding of heads, we will do that. Thanks, Clay, for offering to do that. Okay. Let me take a quick look at the agenda.

I think what we can do at this point is go ahead and try to run
through some of the agency reports and the liaison reports. I think I will start with Lieutenant Zanowicz with the U.S. Coast Guard Report.

SUPPORTING AGENCIES UPDATES
U.S. COAST GUARD

LT. ZANOWICZ: Thank you, Mr. Chairman. I don’t have any slides for this update, and it will just be a verbal update, and I’m going to plan to have a more in-depth presentation at our next meeting, but, just to update everyone, we’re continuing enforcement efforts, obviously both domestically and against foreign vessels in south Texas.

Our current count for seized lanchas for this year is sixty, and that’s for this fiscal year, Fiscal Year 2019, which is the same amount that we interdicted in Fiscal Year 2018, and we still have three months to go with Fiscal Year 2019, and so we’re still interdicting record numbers of those vessels.

Of those vessels that had catch onboard, we recovered just over 20,000 pounds of red snapper. Just to highlight how dangerous this mission is, we did have a case last month where, during a pursuit, one of these lanchas actually collided with a Coast Guard cutter. Fortunately, there was no serious damage, and no one was hurt, but that just highlights how dangerous this mission is, this mission that we do every day.

Many of these vessels will stop when they see a Coast Guard vessel come on-scene, but a lot of them do flee as well, and that’s something that we have to contend with. There’s a lot of pursuits that happen in the middle of the night, and it could be a very dangerous mission, and this incident definitely highlights that.

On a more administrative note, our current Coast Guard District 8 Commander, Rear Admiral Paul Thomas, who I think a lot of you probably met at our last New Orleans meeting in January of 2018, he will be transferring this summer, and so our new District Commander coming in is Rear Admiral John Nadeau, and he’s going to be arriving next month, and so I’ll try to arrange a meet-up at our next meeting, which is in New Orleans, where our District 8 office is based, so the council will have the opportunity to meet him there. Pending any questions, that concludes my update.

CHAIRMAN FRAZER: Thank you, Lieutenant Zanowicz. Mr. Dyskow.
MR. DYSKOW: Thank you. Can you refresh my memory? When you seize a vessel, one of these lanchas, do you crush those or destroy those in some way, or do they get back into the system?

LT. ZANOWICZ: Thank you for the question. The process is based on an agreement we have with Mexico that was established in the mid-2000s, and I don’t remember exactly which year, and what that agreement says is that, when we seize one of these Mexican lanchas, we will store it at our holding yard in South Padre Island for forty-five days and give Mexico the chance to reclaim it. If they don’t reclaim it, then we destroy the vessel. Historically, Mexico has never attempted to reclaim one, and so every lancha we have seized has been destroyed.

CHAIRMAN FRAZER: Are there any other questions for Lieutenant Zanowicz? Dr. Stunz.

DR. STUNZ: I have one question. I was talking to some enforcement folks in Texas, with Texas Parks and Wildlife, and they were talking about there may be some ability to curb some of this activity, not so much at sea, obviously, and that’s one place, but another one is there is some administrative loophole of -- They have got to do something with those fish in Mexico, assuming that they want to sell them back in the United States, similar to the trip ticket system that we have, and I don’t know the details, and I don’t know if you guys are pursuing that, but there is some way to track that, so that, if they were to show up at checkpoints, they have documentation of those fish and where they come from and that sort of thing, and I don’t know if that’s being pursued or not, but that was one avenue to stop the actual flow of the fish back into the U.S.

LT. ZANOWICZ: At previous law enforcement meetings that I have attended, I have heard that as well. That, to my understanding, is a joint interagency effort involving NOAA OLE, Texas Parks and Wildlife, and I believe Customs is involved as well. The Coast Guard isn’t directly involved, because a lot of that happens onshore, and, obviously, we focus more on at-sea enforcement.

However, the Coast Guard is actively looking at other ways that we could possibly -- Well, that we could possibly combat this problem besides just catching and seizing the vessels. One of the things we currently do, for example, is, if we pursue a lancha, and the lancha doesn’t stop, and we have evidence that the lancha operator did see the Coast Guard vessel, often we will attempt to prosecute those individuals on a lancha for what’s called a failure to heave-to prosecution, which is a
criminal violation.

It’s not related to Magnuson, and it’s a separate criminal violation, and so, if we get a successful prosecution with that, those operators can face jail time. That’s one legal avenue we have to prosecute these individuals, and there is a couple others that we’re exploring as well, but those are still in their infancy, and so I wouldn’t want to comment any further on those.

CHAIRMAN FRAZER: Okay. Any further questions? Okay. Seeing none, we will move on. Thank you, Lieutenant Zanowicz. I think we’ll go to the Gulf States Marine Fisheries Commission and Dave Donaldson.

GULF STATES MARINE FISHERIES COMMISSION

MR. DONALDSON: Thank you, Mr. Chairman. Just a quick note that we are in our third year of aquaculture funding, and there is two components, an Oyster Consortium Grant Program as well as a pilot program, and we have selected the projects for -- We had about $1.3 million this year, but we haven’t announced them yet, and so I can’t share who were awarded, but we’re hoping to announce it here in the near future and send out a press release, but we’re anticipating that the projects for this year will start sometime next month, and so I just wanted to keep you guys updated on our aquaculture stuff, and I will answer any questions.

CHAIRMAN FRAZER: Thanks, Dave. Any questions? Okay. Seeing none, we will move forward. Anna Beckwith.

SOUTH ATLANTIC COUNCIL LIAISON

MS. BECKWITH: Thanks. First of all, I just want to thank you guys for the hospitality. It’s always nice to come over here once a year and get a feel for what’s happening on our Gulf coast.

In terms of what the South Atlantic Council is up to, we did provide a report that is available, but I will hit just a few highlights of interest. Our red snapper season this July will allow for a five-day recreational season with a one-per-person bag limit for recreational and charter and a seventy-five-pound commercial trip limit. We are very excited about that.

We are moving forward with our best practices amendment. One item of interest is we are likely to mandate devices to be

95
rigged and ready for use when fishing for snapper grouper species.

On red grouper specifically, at our upcoming meeting, we will be taking final action to revise the rebuilding schedule to extend the spawning closure through May for North Carolina and South Carolina, and we’re going to be reducing the commercial trip limit to 200 pounds.

On jacks, our council is considering beginning work to remove the jacks complex from our Snapper Grouper FMP and possibly move them to our Mackerel Cobia FMP. We are also working on allocation policies, and we’re going to continue work on our allocation triggers policy, with the intent to finalize our policy at this upcoming meeting next week.

Finally, on mackerel, at our last meeting, we reviewed stakeholder concerns about low commercial trip limits in the Atlantic Southern Zone during Season 2, which is October to the end of February, and we have directed staff to begin work on a framework amendment to increase these trip limits, and those are the majority of what I think you guys would be interested in, and so that’s my report.

CHAIRMAN FRAZER: Great. Thank you, Anna. Are there any questions? Okay. Again, we appreciate you being here. It’s always great when one of our folks go over to sit and listen to your council deliberations as well. Thank you. Okay.

I talked with Glenn Constant from the U.S. Fish and Wildlife Service, and he says we’re good to go, and there’s not much to report, and I appreciate that, Glenn. I did not have an opportunity to talk with NOAA Law Enforcement, and so I apologize if I’m putting anybody on the spot, but, if there’s a representative here, if you’re prepared to give an update, we’ll take it. If not, I will circle back with you in the morning. Okay.

We’re going to go ahead then and move on from the agency updates and liaison reports, and I think what I would like to do is deal with some of these Other Business items that we tackled earlier, and the first one would be the bycatch reduction device and the EFP. I felt like there was really good, solid agreement around the table that that’s something that was supported by everybody here, and there were no objections. I guess, in order to move forward on that and make a recommendation that we write a letter to the SERO staff, and we can do that here, but we need a motion to do that, and would somebody be willing to make that motion?
Ms. Bosarge, thank you.

VOTE ON EXEMPTED FISHING PERMIT (EFP) APPLICATIONS

MS. BOSARGE: I guess the motion would be to direct staff to write a letter to National Marine Fisheries recommending approval of the exempted fishing permit for testing the new BRD device -- Sue, how do you title this exempted fishing permit? For Dr. Parsons’ BRD device.

MS. GERHART: That’s great.

MS. BOSARGE: That sounds good? Okay.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. We have a second by Dr. Mickle. Is there any further discussion on the motion? Seeing none, is there any opposition to the motion? Seeing no opposition, the motion passes.

When we were taking about EFPS, a couple of other things came up, and one of them had to do with the sargassum-related EFP that came before the council at a prior meeting, and I talked with Ms. Gerhart, and she was going to try to get us some more information with regard to the status of that project.

After that discussion, it appears that an LOA has not been requested at this time, and so, until we actually get a request, then there’s not an update that we can provide, but, if we do happen to get a request for an LOA in the interim, then what we’ll do is -- Go ahead, Ms. Levy.

MS. LEVY: A request for a letter of acknowledgment isn’t going to come to the council. It’s to NMFS, because it’s scientific research, and so the agency would just issue that if they agreed that it was scientific research. I’m sure they could tell you they did that.

CHAIRMAN FRAZER: Yes, my bad. I knew that as soon as I was saying it. Sorry. I was just trying to move along, you know? If the agency should receive an LOA, I’m sure that they would inform us, and then we would talk about it at a later time. Ms. Gerhart.

MS. GERHART: Also, we’ll try to contact Ms. Myers, who is the person was doing this. We haven’t talked to her since shortly after the last council meeting, but we’ll try to just find out what’s going on with her project and give you an update either way.
CHAIRMAN FRAZER: Okay. I really appreciate that. That said, I don’t think that we have any other business to -- Maybe we do have some more. Mr. Diaz asked if we needed to talk about almaco jack in any capacity. Ms. Bosarge.

MS. BOSARGE: I was going to ask, if we have time, could we talk about the African pompano that was brought up in public testimony and the almaco jack, and I was just going to simply ask if we could -- Then I will let Martha do almaco, and so all I was going to ask on the African pompano is if we could maybe, at our next council meeting, put it on the agenda, and if we have some data on it somewhere -- I talked to a couple of guys in the audience, and they said they were actually reporting it, and so we may have some data there that we could bring to the council and take a look at that.

CHAIRMAN FRAZER: Okay. We will find a spot and put it on the agenda for the next meeting in August. Then, the almaco jack, we’ll handle that in the Reef Fish Committee report tomorrow, and so we’ll be good there. I think what will happen then is tomorrow we’ve got two committee reports. We have the Sustainable Fisheries Committee and Reef Fish, and we’ll take care of that, and we have some AP announcements to make, and that will be the end of the day, and so I will see everybody at 8:30 in the morning. Enjoy your evening.

(Whereupon, the meeting recessed on June 5, 2019.)

---

June 6, 2019

THURSDAY MORNING SESSION

---

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Sandestin Golf and Beach Resort, Miramar Beach, Florida, Thursday morning, June 6, 2019, and was called to order by Chairman Tom Frazier.

CHAIRMAN FRAZER: We are about ready to get started. Before we get into the committee reports, I’ve got two things that I want to talk about a little bit. I’m actually going to let Roy talk about the agency’s kind of opening brief or the appeal of the court decision on Gulf aquaculture. Roy.
AQUACULTURE LITIGATION UPDATE

DR. CRABTREE: Yesterday, the Department of Justice filed a brief in the appeal of the Louisiana court decision finding that the Gulf Aquaculture FMP is not authorized under the MSA. Briefing will continue over the next several months, and a decision would likely come sometime in 2020.

In the meantime, the lower court’s decision remains in effect, and so the rule remains set aside, but we’re appealing the decision, and so stay tuned, and we’ll see what happens, and we will provide you with updates as this progresses. I believe Mara provided Carrie with a copy of the brief, and that’s it, really, Tom.

CHAIRMAN FRAZER: Thanks, Roy, and Carrie has already distributed a copy of that to everybody on the council, and so just take a peek at it when you get a chance. The next thing we’re going to do is we’re going to have Dr. Simmons announce the names of the Coral and Data Collection AP members.

ANNOUNCEMENT OF AP MEMBER NOMINATIONS

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. For the Coral AP, John Paul Brooker, Scott Hickman, Morgan Kilgour, Shelly Krueger, Rob Ruzicka, and Portia Sapp were nominated as members.

For Data Collection, it’s Gary Bryant, Ronald Chicola, Mike Colby, Jason Delacruz, Sepp Haukebo, Scott Hickman, Dylan Hubbard, Ralph Humphrey, Charlotte Marin, Eric Schmidt, and Nicole Smith.

CHAIRMAN FRAZER: Thank you, Dr. Simmons. We’re going to go ahead and jump right into the committee reports, and we have two to cover today. We’ll start off with the Sustainable Fisheries Committee report and Mr. Diaz.

COMMITTEE REPORTS (CONTINUED)

SUSTAINABLE FISHERIES COMMITTEE REPORT

MR. DIAZ: Thank you, Mr. Chair. The Sustainable Fisheries Committee report, the agenda and the minutes of the April 2019 meeting were approved.

Modernizing Recreational Fisheries Management Act of 2018, Ms. Stephanie Hunt from NOAA Fisheries Headquarters gave a presentation on the Modernizing Recreational Fisheries
Management Act. She provided an overview and discussed provisions of the law. Ms. Hunt indicated that several reports will be produced in collaboration with the Government Accountability Office, the National Academy of Sciences, regional fishery management councils, and other stakeholders. For example, the GAO will prepare a report to Congress on allocation in mixed-use fisheries used by the Gulf of Mexico and South Atlantic Councils.

The report, which is due December 31, 2019, will include recommendations on allocation criteria and on procedures, sources of information, and budget requirements for allocation reviews. Another report, to be submitted by the NAS by December 2020, will evaluate limited access privileges programs in mixed-use fisheries. Committee members noted that this act offers the flexibility to consider alternative management approaches within the constraints set by the Magnuson-Stevens Act. The committee suggested that state management could be expanded to include more species.

Discussion on Allocation Issues, Dr. Frazer indicated that this agenda item was included to provide an opportunity to consider allocation-related issues and start defining what a well-allocated fishery would entail.

The committee noted that some of the values reflected in the council’s allocations may include providing better access to anglers who do not own vessels, sharing underutilized resources, staying within allotted quotas, and adapting to demographic shifts and socioeconomic changes. Committee members also suggested that recreational anglers are diverse and have different needs. Committee members noted that council members should provide as much input as possible to the GAO staff present at the meeting.

Generic Amendment, Carryover of Unharvested Quota, Dr. Kai Lorenzen characterized the Scientific and Statistical Committee’s discussions of the updated carryover simulations, which demonstrated the effects of multiple instances of carryovers and overages for red snapper, gray triggerfish, and greater amberjack.

The simulations showed that, so long as overages were paid back one-to-one, that they, along with carryovers, could be applied to a stock over time without negatively affecting that stock’s rebuilding plan. However, if carryover is applied to a stock which experiences overages which are not subject to paybacks, then negative effects on a stock’s rebuilding plan could occur.
As such, the SSC recommended applying a payback provision for all species in a rebuilding plan which are eligible for carryover in the year following the related under or overharvest. Paybacks would be applied to the smallest managed component of a fishery which exceeded its portion of the stock annual catch limit. The committee noted that they wanted to avoid paybacks for otherwise healthy stocks if not necessary.

The committee recommends, and I so move, to direct staff to add a payback provision to the document to address carryover for stocks in rebuilding plans. The motion carried seven to zero.

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

MR. DIAZ: Staff recounted to the committee that Action 2 had options for how to address management uncertainty associated with closing a fishing season before the associated catch limit is exceeded. Action 2 limits the amount of carryover that can be applied to the following year’s acceptable biological catch by limiting the amount by which the difference between the ABC and overfishing limit can be reduced.

Committee members noticed a large difference between the ACL and OFL for gray triggerfish and asked whether a different assessment would be more appropriate for that species. The Southeast Fisheries Science Center indicated that alternative models have been explored for gray triggerfish, but cautioned that data-limited approaches are often accompanied by larger degrees of uncertainty. Committee members further remarked that the benefits of the carryover provision appear limited compared to the ACLs of the eligible species and that the provision itself is quite complex.

Two-day Possession Limit on Federal For-Hire Trips, an issue concerning possession of two daily bag limits on federal for-hire trips exceeding twenty-four hours in duration was presented to the council. Anglers aboard a two-day headboat charter with two licensed captains can retain a two-day bag limit for reef fish and coastal migratory species as long as they possess a paid receipt for a charter trip exceeding twenty-four hours and the vessel does not return to the dock within twenty-four hours of leaving.

The regulations [CFR 622.11(a)(1)] state that possession limits
apply to a person on a trip after the first twenty-four hours of that trip. However, multiday trip headboat operators have reported instances where the two-day limit of a species is harvested within the first twenty-four hours of the charter. When this occurs, headboat captains will retain the two-day limit and move their vessel to another location.

Headboat captains argue that discard mortality is lower and general efficiency is higher when one species is targeted at a single spot. Captain Dylan Hubbard, a federally-permitted headboat operator, stated that he is able to avoid species for which his passengers have already harvested their two daily bag limits per angler.

The committee asked law enforcement representatives about potential enforceability issues, and none were identified. NOAA General Counsel noted that the provision in question applies to more than one fishery management plan and may require further coordination with the South Atlantic Council.

A committee member added a different perspective, noting comments received which described a fairness issue, with some stakeholders being allowed to make multiday trips and possess more than one daily bag limit per angler, while other stakeholders were not able to have the same opportunity. I will pause there.

CHAIRMAN FRAZER: John Sanchez.

MR. SANCHEZ: Thank you, Mr. Chair. I had sent a motion to staff, if Charlotte or Bernie could put that up, and then, if I can get a second, I will provide some rationale. The motion is to direct staff to begin work on the appropriate document to allow the possession of two daily bag limits of Gulf of Mexico reef fish species on federally-permitted charter and headboats at any time on trips exceeding twenty-four hours in duration. Anglers will be permitted to retain two daily bag limits at any point during such a trip, as long as two licensed captains are onboard, proof of trip duration can be produced at-sea prior to returning to port, and the charter or headboat does not return to port less than twenty-four hours post-departure. Furthermore, charter and headboats will be required to hail-out at the time of departure and to hail back in three hours prior to returning to port.

CHAIRMAN FRAZER: Thank you, John. Do we have a second for this motion? We have a second from Ms. Bosarge. Dr. Crabtree.
DR. CRABTREE: My concern is with the hail-out. There is no one to hail-out to right now, and that is a requirement of the electronic reporting program, and so I would not pull that into this at this time.

MR. SANCHEZ: If we could delete that last sentence then, if the seconder is in agreement.

CHAIRMAN FRAZER: Yes, and so we’ll go ahead and delete that second sentence as a suggested change, and the seconder agrees with that. Is there further discussion? Ms. Levy.

MS. LEVY: There is a lot of information in here, and I guess, before you vote on it, I guess to be clear what’s already in the regs versus what this would change, right, and so, currently, you have the general part that says, unless specified otherwise, the possession limits don’t apply until after the first twenty-four hours of the trip.

Then we have the Gulf provision that doesn’t specify otherwise at this point, and it has all the information about a trip that spans more than twenty-four hours may possess more than two daily bag limits, provided such trip is on a vessel that is operating as a charter vessel or headboat, the vessel has two licensed operators onboard, and each passenger is issued and has in possession a receipt that verifies the length of the trip.

This motion already has the two licensed captains and proof of duration, and so I don’t read this as changing anything that’s already in here. I guess what I would want to clarify is that all this would be changing is the fact that you could have that possession limit at any time during the trip, as long as you were out for more than twenty-four hours.

CHAIRMAN FRAZER: Okay, and so we’ve got a bunch of people lined up here, and so we’re going to first go to John Sanchez and Susan Boggs and then Martha.

MR. SANCHEZ: Thank you, Mr. Chair. Yes, that is the intent, so that, at any time -- The rationale for that is -- As we all know, Dylan Hubbard and his operation, they are big-time stewards of avoiding discards, of using release devices that enhance the survivability of fish.

It’s just clear-cut practice that, if we force them to have to fish red snapper twice to comply with the twenty-four-hour thing, we’re just going to force them to fish the fish twice that could be prosecuted once and avoid the discards, which are
likely to happen, and, also, further promote inefficiency in his fishing practice, where not only do they have to burn the fuel, etcetera, and fire up the fish again on the second trip, which is all avoidable, in my opinion, I think I’m an advocate of avoiding discards whenever possible, which I think you’re not going find a better steward of that, in sincerity, than Dylan, and I’m all for promoting efficiency.

It’s hard enough to make a living at-sea for watermen, and I don’t see what we benefit when all of this can be handled with dockside enforcement, just proving that they’re within the two-day limit, and just give them the “at any time” part.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: Thank you, Mr. Chairman. John, if you don’t mind, I would like to offer a substitute motion. At first, I was not going to, but -- I don’t have a problem with this language, but I just think it’s a little too specific. I did email staff a substitute motion, if you would allow me to offer one up.

MR. SANCHEZ: I guess it’s hard to accept it without seeing it.

MS. BOGGS: I understand.

MR. SANCHEZ: Put it up there.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: If it’s a substitute, you can just offer the substitute. If you’re trying to ask John to change the way his motion reads, then he would have to agree.

MS. BOGGS: I’m just trying to be polite.

CHAIRMAN FRAZER: I appreciate that. Go ahead, if you would like to offer your substitute motion, Ms. Boggs.

MS. BOGGS: Yes, sir. My substitute motion is to direct staff to develop language that would allow persons on a federal for-hire trip more than twenty-four hours in length to retain a two-day bag limit of reef fish species and CMP species at any time.

CHAIRMAN FRAZER: Okay, and so we have a substitute motion on the board. Do we have a second for that motion? It’s seconded by Dr. Shipp. Do we have some discussion on the substitute motion? Martha.
MS. GUYAS: I think, wherever we go with this, we need to clarify a couple of things that have been -- I will call them points of confusion around how this is structured now. One of the situations that we have encountered is let’s say, for red snapper, one of these boats goes out on May 31, and their twenty-four-hour trip is returning on June 1.

Current practice for some of those boats, right or wrong, is they are taking two daily bag limits of red snapper, even though, technically, they only have one day of the season and that opportunity to take those fish, and so we’re going to need to clarify that here.

I think, one way or the other, it would be helpful to at least, in my plain language, let these guys know where they stand and when they can have those limits, whether it’s day-one or day-two, and we do have a daily bag limit, and so I think, by doing this, we would be making an exception to that for a small group of people, and I think we would have to really bring out the rationale for why this population of vessels should be exempt from that.

The last thing that I was going to say is just to bring up the same thing that I brought up in committee. If you’re on a twenty-four-hour trip, or even a twenty-five-hour trip or a twenty-six-hour trip, you are not fishing two days, and I will just stop there.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: Thank you, Mr. Chairman, and Martha did make some of my points, and I could support really either one of these motions, but I think there needs to be some clarity there. One, there may be some options, as we develop this in the document or wherever we go, to fix this without -- Maybe there’s some options to fix this in the way that things are worded, and I don’t know, but the other thing, the problem, the little bit that I have, and I’m fine with the motion, but, as we begin discussing this -- We had some discussion about the twenty-four-hour deal and if that shouldn’t be a little more, in terms of just twenty-four hours, and that kind of fixes what Martha was talking about, about not actually being out for the full two days.

I would like to see that as we begin talking through this document, if this passes, but my main concern is we’re putting this together because of some comments of people, and we understand the reasoning there, but this does open the door for
some that -- I don’t know if “illegal” is the right word, or
skirting the system a little bit and just barely going out for
just enough time to retain that double bag limit, and so it
skirts the system a little bit, and that does concern me, and
so, while I support the spirit of what we’re doing here, I
think, as we have the discussions on this, we need to make sure
that we’re not opening some loophole to get around the intent of
what we’re trying to do here.

CHAIRMAN FRAZER: I’ve got Mr. Dyskow.

MR. DYSKOW: Thank you. Ms. Boggs, I would support your motion,
but I just have a question of why we went to twenty-four hours
instead of thirty or thirty-six or something like that, because,
if you just went to a longer duration, you would address that
issue of people only being out for twenty-five or twenty-six
hours.

CHAIRMAN FRAZER: To that point, Ms. Boggs?

MS. BOGGS: Yes, sir. The reason I did it this way is to give
staff the ability to maybe give us some direction of how this
needs to go. I tend to agree with what Martha said, and I know
I’ve had some discussion with some of you all about a twenty-
five-hour trip and does that really constitute a two-day limit
of fish, and, I mean, I would be happy to modify this to thirty-
two hours, just so that gives -- You have got to fish a little
bit longer. I think the clarification really is in when can you
be in possession of those fish.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: Based on what Ms. Boggs just said, when they bring us
back a document, the action could be structured so that the
alternatives might say, on trips over twenty-four hours for a,
on trips over thirty hours for b, on thirty-six hours for c, and
then we could pick an alternative that’s most appropriate.

Then, while I’ve got the mic, it seems like, at the very end of
that sentence, if it said something -- It says to direct staff
to develop language that would allow persons on federal for-hire
trips more than twenty-four hours in length to retain a two-day
bag limit for reef fish species and CMP species at any time,
provided that all other relevant rules and regulations are
followed, or something like that, and it seems like -- Maybe
that doesn’t have to be said, but it seems like that is -- Mara
is shaking her head no.
CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Just to that point, that’s always true, right? Whenever we have a reg, you still have to follow everything else that’s applicable, and so I don’t think that putting it in there really adds anything.

CHAIRMAN FRAZER: All right. Thank you. Ms. Boggs.

MS. BOGGS: The other thing, Dale, that I was trying to do is we heard some testimony yesterday that there is some boats that -- Their business model, for twenty-five years, has been twenty-five or twenty-six-hour trips, and so, if there’s a way, as you stated, to address it in this, where you had options, but to be a little more clear, so that these boats understand, because I don’t think they have ever understood, really, how this regulation was to be interpreted, maybe.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: I understand, perhaps, why the inclusion of the CMP species. I specifically left them out, because, as you know, on the record, I have said I’m not a fan of these joint plans with the South Atlantic, and I do know that there are headboat operators in Key West, and I do know the boundary runs painfully close, but I was trying to avoid having to make this an inclusive South Atlantic issue, and so I specifically tried to leave out the CMP species and just focus on reef fish in my motion.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Because this is a framework, I think you can do this without going to the South Atlantic Council. You can do it independently, but I would ask Anna that, when we do get to the South Atlantic meeting, that we bring it up, because I think they have the same provision in the snapper grouper plan, and in their mackerel plan, and I don’t like having a situation where the captain in Key West -- On one side of the line, he has to wait twenty-four hours, and on the other he doesn’t, and I don’t want to have to explain to somebody why that is, and so it does make sense, to me, to clean this up on both sides and be consistent within the region, but I don’t think you have to wait on them. They could do it independently of you, but I do think it would be a problem, John, if we had one way in reef fish and different in CMP, and so I would like to see us be consistent.

CHAIRMAN FRAZER: Ms. Gerhart.
MS. GERHART: I just wanted to point out that, in the current regulations for CMP, cobia is not included in this provision, and it’s just for king and Spanish mackerel.

CHAIRMAN FRAZER: Mr. Swindell.

MR. SWINDELL: The way I look at this motion is that we’re asking staff to put it all together. Staff has an in-depth knowledge of all the things that has got to be included or not included and so forth, and why don’t we wait and have all of this discussion after they come up with the final action that John wants to present that will make it worthwhile?

I think we’re going to sit here and fight about this thing all day and not come up with anything, and we’re not trying to bring the details in it, but we’re just saying, hey, we want to see something, whether it’s twenty-four hours or thirty hours, but we want to see the ability to have a two-day limit, and so I’m just looking at it and saying, all right, let’s see what staff can come up with. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Swindell. Ms. Levy.

MS. LEVY: I think it’s fine to give direction to staff if you want to do a certain thing, which is what this is saying. If you want it broader than this, meaning, right now, I read this motion as develop language that would allow persons on a trip for more than twenty-four hours in length, which is what the regs say now, to keep the two-day bag limit at any time during that trip. If that’s what the motion says, that’s what I would expect staff to do.

If you want to explore options that involve different lengths of trips for this to be applicable, I think you need to change the motion to be specific to also ask staff to add options to evaluate different trip lengths, because I wouldn’t read this motion as giving staff the discretion to do that.

CHAIRMAN FRAZER: Okay, and so to that point, Ed?

MR. SWINDELL: Mara, I look at it as saying more than twenty-four hours gives the staff a lot of ability to go, whether it’s thirty or thirty-two or forty-eight hours. I just want to see what staff comes back with to help get this done.

CHAIRMAN FRAZER: Okay. I think we’ve had some good discussion, and I’m just going to give a couple of thoughts here. I think
there is concern about how the motion is structured and whether it’s directing staff to provide some alternatives with regard to the duration of the event, whether it’s twenty-four hours or thirty or thirty-six, et cetera, and I think we can perhaps clean up the language to direct them to do that appropriately.

I think Martha’s points about the open and closed dates are very important, right, because part of the impetus for all of this is good stewardship, and you don’t want to leave a particular sector being perceived as trying to skirt the regulations by fishing perhaps one day before the opening of a season or one day after the close of a season, and so somehow that needs to be incorporated into the language that we come up with.

I am not quite sure, at this point, how to differentiate between the possession limit and the daily bag limit. I think that’s -- I am struggling a little bit with that, and I’m actually going to ask Mara if she thinks that she can help clarify how we might be able to do that.

MS. LEVY: I guess what exactly are you trying to distinguish? Meaning there is a daily bag limit that applies broadly, and there is then a possession limit that says, for this particular type of trip, over this particular time span, you can have two daily bag limits, and so that’s what we call the possession limit. It’s more specific to this particular type of trip and length of time.

CHAIRMAN FRAZER: Right, and so I guess, specifically to -- Roy, to that point?

DR. CRABTREE: I just think the regs need to be clear that the fishery has to be open for the entirety of the forty-eight-hour period or whatever it is, and so you can’t go out one day before opening day and get two bag limits.

CHAIRMAN FRAZER: Yes, I agree, and, if I wasn’t clear, that’s what I was trying to say. Again, what I am trying to understand is -- I appreciate that there is a daily bag limit, and I also understand the difference between a daily bag limit and a possession limit. What I am trying to figure out is can this ultimately be crafted in a way that says, hey, if, after let’s say nineteen hours into your trip, if you have a possession limit, a two-day possession limit, you still cannot exceed a daily bag limit, because -- I mean, are they incompatible?

Let’s say the daily bag limit for an individual is two snapper, and, after nineteen hours, because you have a possession limit
on this trip that would allow you to have four snapper per
person, and you have four snappers after nineteen hours, would
that be a violation? I am trying to figure out what the
interpretation of that is.

**MS. LEVY:** Right now, yes, because the regs say the possession
limit doesn’t apply until after the first twenty-four hours of
the trip. If you change it to this and say you can possess the
possession limit at any time during the trip, then no, and so,
as long as it meets the requirements of a trip more than twenty-
four hours, you have the two captains onboard, and you have the
receipt showing that that’s the length of the trip, then your
scenario of two bag limits at nineteen hours would be fine under
this proposal.

**CHAIRMAN FRAZER:** Okay, and so I’m looking around the table,
and, if that’s the intent of the council, then we can proceed,
if staff understands that’s the direction that we want to go.
Mr. Diaz.

**MR. DIAZ:** I made a comment a minute ago about one action might
have different hours, and, based on the discussion at the table,
another action point might be where this would apply to reef
fish species, maybe as an Alternative a, and CMP species as an
Alternative b, because there was some discussion about whether
or not -- There may be a c that is both, or we could pick both
as preferreds or something, but that might be another action
point for the document. Thank you.

**CHAIRMAN FRAZER:** Ms. Bosarge.

**MS. BOSARGE:** Just to kind of piggyback on what Dale was saying,
maybe -- I had to try to flesh this document out right here at
this table, but another option is didn’t Sue tell us that cobia
is not included, that CMP species are with the exception of
cobia, and so that could be another sub-option right there as
well, but I’m okay with the motion like it is. I’m kind of like
Ed. I think “more than twenty-four hours” leaves it open for
staff.

I think we’ve had a lot of good discussion, and I think we want
to see options on the species, reef fish and CMP and then within
the CMP, and it sounds like we want to see some options on the
total duration of the trip, twenty-four hours and above, and we
could let them bring us some of that.

I think that that sounds -- As far as the landing part, the two-
day bag limit after the season closes, I don’t know. I’m
commercial, and so I think about in that sense, and you heard
the testimony yesterday from the commercial guys talking about
the derby season, where we had a 200-pound limit per day, and
they were grouper guys, and they said, well, we make a fourteen-
day trip, and snapper was only open the first ten days of every
month, and so we just wouldn’t target the snapper, or we
wouldn’t keep them, because, by the time we got back to the
dock, the season would be closed and we couldn’t land them, and
we would be in violation.

It seems like it’s the same thing here. Don’t you all prohibit
landing with the for-hire guys once the season is closed? They
may go out and have two bag limits, but, if they tried to land
it, they would be in violation, if the season is closed, and so
they will run their business accordingly. They’re not going to
risk a violation. If they go out a day before the season
closes, they will just do a one-day bag limit, because, if they
got back to the dock, they would get a ticket when the season is
closed, and they couldn’t land any of them.

Anyway, I think we have fleshed it out for staff, and I think
we’ve left it open enough that they can bring us some options,
and I feel like we’ve given them some good feedback, but I would
encourage them to ask us questions if we have anything that is
still fuzzy.

CHAIRMAN FRAZER: Dr. Mickle.

DR. MICKLE: Thank you, Chairman. Just real quick, two
concerns. My first is I think we’re getting way ahead of
ourselves. We have provided enough guidance, I think, to the
staff to produce something, but my other concern is to that
point. We’re going to talk about all of this once the document
shows up, and so I think we’re getting way ahead of ourselves.

I have a lot of issues just to check on Mississippi to see -- We
have a mandatory reporting system, with Tails ‘n Scales, and so
know what happens in federal waters is going to pertain to this
document, but I’m not sure that they can actually possess this
when they’re coming back in state waters, from the Tails ‘n
Scales perspective, because we may have to do a regulation
change in reflection of this, and so just to put that point on
the record.

My other is the language in the substitute motion is so
different from the original motion. The original motion, I
think, and I can’t see, because it’s scrolled down, but I think
that’s to work on an amendment?
MR. DIAZ: Appropriate document.

DR. MICKLE: Appropriate document, and the next one is develop language. I don’t know -- Are we doing a white paper, a scoping document, a framework? I think it would maybe help the staff to know a little bit of direction of what level of a document or how formal of a document they are instructed to make, and so just a point to bring up, and I’m not going to ask for an amendment to this motion, but I want to just bring that point up, and hopefully maybe we can help the staff from spinning their wheels. Thank you.

CHAIRMAN FRAZER: Okay. We have a couple more questions, but I think we’re going to bring this to a landing here shortly, and so we’ve got Dr. Crabtree, John Sanchez, and then Susan Boggs, and then I think I will --

DR. CRABTREE: The only thing I will -- I think Leann brought up cobia, and cobia is not included in this provision now, and I think, given all the comments we’ve heard about what bad shape cobia is in, I wouldn’t really have any interest in bringing cobia into this at all, and so I would just leave that alone.

CHAIRMAN FRAZER: John.

MR. SANCHEZ: With regard to I guess the document, I guess a framework would be my preference.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: That’s what I was going for, was a framework.

CHAIRMAN FRAZER: Okay. Again, I think the appropriate document appears to be a framework action that we’re going to be working on. Dr. Simmons, do you think that we have enough direction here about things that might need to be included in that framework action to bring back to the council in a framework action?

EXECUTIVE DIRECTOR SIMMONS: Yes, I think we do. Thank you.

CHAIRMAN FRAZER: Okay, and so we’ll deal with the substitute motion. Before I go there, I want to ask Ms. Levy another quick question. This is a general motion to kind of essentially direct staff to begin work on this document. I think it’s implicit what we’re trying to accomplish here, and I think that there’s enough direction. Even though it’s a fairly vague
motion, would this be okay?

**MS. LEVY:** I think we know what you want, and so I hear options for reef fish and CMP, not like both lumped together, and potential options for lengthening the amount of time that is currently in the regs, and so, right now, it’s twenty-four, and I guess it would be maybe helpful to know the bounds. Are you thinking thirty-six or forty-eight? I mean, staff can do whatever you want, but if we just throw out to give us time lengths -- I mean, if anybody has any preference for what times you want to look at, that might be helpful.

**CHAIRMAN FRAZER:** Ms. Boggs.

**MS. BOGGS:** I mean, I will be happy to amend the motion to say more than twenty-four, thirty-two, forty-eight hours. I mean, I don’t know, because I understand what Dr. Stunz and Mr. Dyskow were saying earlier that maybe we need to look at longer times, but, if you need me or would like for me to specify it in the motion, I will be glad to throw out some other times. Twenty-four, thirty-eight --

**CHAIRMAN FRAZER:** How about I interject here real quickly?

**MS. BOGGS:** I am just trying to --

**CHAIRMAN FRAZER:** I will give you three. How about that? More than twenty-four, but certainly one of the numbers that we heard in public testimony was thirty hours, and a more logical one might be thirty-six hours to include, because that’s certainly a day-and-a-half, and that gets to the intent of two full days, and so perhaps twenty-four, thirty, and thirty-six would be appropriate. Mr. Swindell.

**MR. SWINDELL:** I would like to ask Carrie -- Your staff is going to be in charge of getting this done. Do you see any particular problems with difficulty in getting it done? Do you have any idea of any more information that you want us to give to you and your staff at this time?

**CHAIRMAN FRAZER:** Dr. Simmons.

**EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chairman. No, I think we’ve had adequate discussion. As you all know, as soon as we start getting into some of this and putting the information together, things take longer, sometimes, and the council gets more information, but we’ll do our best to bring like Chapters 1 and 2, I think, for a framework, or at least
have some of this information for you to look at, as best we can, in August.


MS. BOSARGE: I’m sorry. I’m so ready to vote on this, but I don’t know if Susan wanted that in the motion or not. I guess, Susan, my recommendation would be no and don’t -- I wouldn’t put specific hours in the motion. I think Mara just wanted it on the record to give some discussion to kind of give staff some idea of options that we might be wanting, but it’s up to you, and I just didn’t know if you wanted it in the motion.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: I understood that it needed to be in the motion. Does it not need to be in the motion?

MS. LEVY: I am going to give up. I think it’s fine to put it in there. If that’s what you want staff to analyze and bring you, put it in there. If you look at it when it comes back and you want to add another time length, you can do that. I think it’s fine to be in the motion.

CHAIRMAN FRAZER: I would agree, and so, at this point, is there any opposition to this motion? Seeing none, the motion carries. Is there any further discussion on the Sustainable Fisheries?

DR. CRABTREE: I guess I wanted to come back to the carryover for a minute. I have had some council members express reservations to me about going forward with this, and, before we have staff go in and do further work on the document, I thought some discussion about whether we really want to go through with this amendment or not might be appropriate.

CHAIRMAN FRAZER: I am looking around the table. Does anybody want to enter into the discussion? Kevin Anson.

MR. ANSON: I may have been one of those council members that talked with Dr. Crabtree offline. You know, going through the document the other day, and then -- Although Ryan’s example was just an example, but, just going through the example that Ryan had provided in the document and seeing what the outcome would be for that one example and then trying to relate it with what, in my mind, what would be, in the future, other examples, and
then the calculation of the available pounds, it just seemed
like -- It seemed like there was very limited benefit when you
applied the amount of pounds that would be available for
management use, and I think Martha said it would be a very
limited number of days, and that seems to be a constant metric
that we always try to shoot for in the recreational fishery.

From a practical standpoint, I guess, I am just having a hard
time seeing if there is much benefit. It’s complicated, and
it’s cumbersome, to a degree, and so I just provide that
comment, and I probably could vote to not continue working on
it, and I would just be curious to see if there’s anybody else
that has similar thoughts.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I mean, you’re right. Kind of, once you do the
math, it’s kind of like, woah, what are we doing here? I think
the idea has merit, right, but it’s just the, I guess, the
circumstances under which this would be applied, and is the
juice worth the squeeze? I don’t know at this point.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: The other thing to bear in mind is Dr. Porch
brought up the work they’re doing towards moving towards interim
assessments, and, if we did get to that soon for our most
important species, I don’t think this would be necessary
anymore, because I think the interim assessment would be a much
more effective way to address these than just carryover or
payback.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I am commercial, and so this doesn’t really affect
me, but I guess I’m just thinking of -- If the beef is the
paybacks on the other species that don’t have paybacks right
now, we could change this document to just red snapper, which is
the elephant in the room, because you already have paybacks for
that, but I guess I just thought what if you have another oil
spill or something that hits at a different time of year? What
if you have a season that is racked with hurricanes or
something?

I would want to be able to have this in place and ready,
especially with the states managing red snapper, so that, if
something happened -- Since you already have a payback anyway,
you have the ability in place to carry something forward, if you
need it, and I don’t know. Maybe I’m just a woman, and I’m always planning for the worst, but that’s just how I see it.


MS. GUYAS: I hear what you’re saying, Leann, but, the way that this is set up, it doesn’t work like that. If we are vastly under a quota, because of that ceiling between OFL and ABC, I think for red snapper, the for-hire example that Ryan did, and, yes, I get it was back-of-the-napkin, but, still, it was like a carryover of like two days is what it added up to, or one day. I mean, it seems like this is a lot of work with very little gains, and I think Ryan had his hand up.

CHAIRMAN FRAZER: Mr. Rindone.

MR. RYAN RINDONE: Thank you, Mr. Chair. Just a point of clarification. The way the document is currently set up, the fishing season would have to close because the ACL was projected to be met in order for that species to be eligible for a carryover in the following year, and so, if there was some circumstance which prevented the respective fleets from pursuing the fish, and the quota was not met, there would be no carryover for that species in the following year.

CHAIRMAN FRAZER: Thank you, Mr. Rindone, for that clarification. Mr. Diaz and then Dr. Crabtree.

MR. DIAZ: Part of this is responding to some of Leann’s comments. She said that commercial doesn’t affect it, and that’s not entirely right. The document does not address IFQ species, but non-IFQ species, if I’m not mistaken, would be covered under this document.

I do share other people’s concern around the table, and I was looking forward to getting this document moving, and I had -- I was more optimistic before this meeting, but now you’ve got a limited return, and there is potential unlimited paybacks, and I don’t feel near as good about the document as I did, and I also have concerns. Thank you.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Just to touch on Leann’s concerns, in the case of an oil spill or a natural disaster, in those circumstances, we have normally done emergency rules, and those kinds of circumstances certainly warrant an emergency action, and we did that following the oil spill.
CHAIRMAN FRAZER: Okay, and so all the discussion around the table at this point is suggesting that there is some intent to delay or stop work on this document at the time, and is there somebody that is willing to make a motion to that effect? Kevin Anson.

MR. ANSON: Dr. Crabtree started it. No. I guess I’m just trying to search for the most practical and amenable solution, and so is it just to table indefinitely? I hate to do that, but do you have any thoughts, Mr. Chair?

CHAIRMAN FRAZER: Well, I think Roy’s comments and Clay’s comments earlier having to do with the interim assessments and the fact that they may prove to be more effective in dealing with these issues, I would like to perhaps maybe postpone work on the document until we see how those interim assessments are moving forward, and so any language that would accomplish that would be fine. Mr. Anson.

MR. ANSON: So maybe then a motion that -- A motion to postpone further discussion on the carryover, and it’s framework modifications -- Carryover of unharvested quota framework modifications document until National Marine Fisheries Service develops interim stock assessment analysis procedures.

CHAIRMAN FRAZER: We will work with that for the time being. Clay, do you want to maybe suggest some language here to clean that up that might be consistent with your activities?

DR. PORCH: No, the language is fine, and the council has already indicated that they would send a request to us to determine which species would be good candidates for this too, and we can get back to you with that list fairly soon and then with an estimate of how long it will take us to implement interim analyses for all those species.

CHAIRMAN FRAZER: Okay. Thank you, Dr. Porch. Sue Gerhart.

MS. GERHART: Listening to Dr. Porch, is it more appropriate to say until those interim analyses are conducted, rather than developed?

CHAIRMAN FRAZER: Kevin.

MR. ANSON: Yes, and that’s what I was just thinking, is at least for us to see the first iterations of the analysis, I guess, would be more preferable, in my mind. 
CHAIRMAN FRAZER: Okay, and it looks like that change has already been incorporated. Dr. Crabtree.

DR. CRABTREE: Our intent here is that we think the interim procedures that Clay is coming up with may better address the issue we’re trying to resolve and this amendment may not be necessary if that is successful.

CHAIRMAN FRAZER: Okay, and so we’ve got a motion on the board. Is there a second for that motion? It’s seconded by Dr. Crabtree. Is there further discussion on the motion? Dr. Mickle.

DR. MICKLE: Thank you, Mr. Chair. Just a point to bring up, and I’m not even sure that I am in favor of what I am about to bring up, but I just thought that I would bring it up. Our commission in Mississippi will give us deadlines, and so, when they give us a task and we don’t reach the deadline, the issue comes back up, and so, if we gave NMFS a little window of when we would expect to see an interim actually conducted, then we would table it, and, obviously, not bring it up, but, if they don’t meet that deadline, and council staff immediately brings it up, without us having to make motion and bring this document back up or anything like that, but I’m not going to amend the motion, but I just wanted to bring that up.

It automates the process, is what I’m trying to get at, and so certainly -- I’m sure it’s a really complicated process, and I know very little about interim stock assessment analyses, and it sounds very interesting, but it’s not to corner NMFS in, by any means, but it’s to initiate an automated procedure, a kick-on, if the deadline isn’t met, and so it’s not pointing a finger or anything, but it just causing an automation process, and that’s all, and I just wanted to bring it up. Thank you.

CHAIRMAN FRAZER: Mr. Swindell.

MR. SWINDELL: I have a problem with this, from the standpoint that we set quotas based on the best scientific information that we had at the time, and I don’t understand why we keep back-pedaling, and so perhaps we didn’t have -- You’re telling me that we don’t have the scientific information to continue with the document and to continue looking at quotas, so that, if the quota isn’t caught, that now we can’t carry it over and try to reach that quota again, because you want to do more stock assessments, and is this ever going to end? I don’t understand.
We used the best information that we had when we set the quotas to start with, and what makes us think that it’s going to be any different as time goes by? I understand that there is always going to be differences, there’s always going to be issues that come about, but I guess I’m just struggling to understand why we had good information, we felt like, and that’s how you set the quotas, and now we don’t want to pay any attention to it. Thank you.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: I think what this is is that we’re making progress, and we’re making the system work better. The trouble with carryovers and paybacks is they are pretty crude, because you don’t know why you had an overrun or why you had an underage, and so you could have gone over because you overfished, but you also could have gone over because there were lots of fish out there. With an underage, you could have gone under just because the weather was bad or something, or you closed too early, but you also could go under because the stock declined.

These interim assessments will allow you to get at what actually happened that caused that, and so they’re a much more informative way of addressing the problem of respecifying the quota for the next year, and so I’m looking at this, Ed, as we think we’ve gotten to a better way to address the same problem than what we’ve done in the past, and so I look at this as being a step forward and a step in the right direction.

CHAIRMAN FRAZER: To that point, Mr. Swindell?

MR. SWINDELL: Roy, I understand your point, but, at the same time, I’m looking at it, and we have a quota, and, yes, there are always things that happen during the season that are going to change everything, but it seems to me that we ought to look at why did we have an underage, and is that going to create a whole stock assessment before we try to understand it, or whether it was simply bad weather that kept us from fishing, and could we not make a quicker decision than waiting for a whole interim stock assessment to be done?

I just have difficulty in trying to truly understand why we can’t use the information we had and just go on with it, or maybe we just don’t want to change anything, and we’ll wait and see what happens later, but then what happens when you overfish? If you go well over the allotted quota at the time, there ought to be a penalty for it. That’s the nature of what we try to do.
in fishery management, I think. Thank you.

DR. CRABTREE: This is trying to get at that, because you would understand why you went over, and then you would reset the quota every year, based on much more real-time information about what’s going on. If you go over a quota, it may mean that you need to have a penalty, if you went over because you’re overfishing, but, if you go over a quota because there are more fish out there than you thought, then a penalty wouldn’t be appropriate.

In fact, the appropriate response then would be to increase the quota, and so this would allow us to get at it, and my hope is that, through these, we get to a situation where we’re respecifying the catch level every year to reflect more of the dynamics of what is going on.

CHAIRMAN FRAZER: Dr. Porch.

DR. PORCH: I also just wanted to add that maybe “interim stock assessment analysis” is a little misleading, because people think of stock assessments as the long, drawn-out process that it is through SEDAR, where this is really just updating surveys, and then the survey goes up or down, and you adjust the catch. Maybe we could just say “interim analysis procedures”, if everyone knows what we’re talking about.

CHAIRMAN FRAZER: Okay. Kevin, would you like to remove the term “stock assessment” and just leave “interim analysis”?

MR. ANSON: How about just dropping “assessment”?

CHAIRMAN FRAZER: Dr. Porch.

DR. PORCH: I didn’t hear what the alternative was.

MR. ANSON: Just to drop “assessment” and leave “stock” in there.

DR. PORCH: That’s fine.

MR. ANSON: Okay.

CHAIRMAN FRAZER: Roy, are you good with that change? Okay. I think we’ve had enough discussion on this particular motion. Is there anybody opposed to the motion? Seeing no opposition, the motion carries. All right. Is there any other discussion under the Sustainable Fisheries Committee? Dr. Stunz.
DR. STUNZ: Just something very briefly. You know, we had a little bit of discussion last time regarding the allocation, and, Carrie, it was a workgroup or whatever we’re calling it that we’re forming, and I know we -- I didn’t really see that fleshed out in the report too much, and I just wanted to get some clarification, and, Carrie, I don’t want to put you on the spot here, and I should have mentioned this before, but can you give the council maybe just a little clarity on the next steps on that, or maybe once the plans for that working group -- Maybe you could tell me too exactly what are we calling it.

CHAIRMAN FRAZER: Sure. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. We sent a letter to the Regional Office and Science Center, to get staff members for that working group, including who is going to be on that working group from our office, and we received a memo yesterday from the Science Center appointing those staff members, a biologist, or two biologists, and I don’t know the numbers, but a biologist, economist, and social scientist on there from each office, and so from our office, from the Science Center, and from the Regional Office.

Since we just got that group together yesterday, officially, we sent out a doodle poll this morning, and we’re trying to get them together to start work on this. You didn’t give us an official charge, but the plan currently, I think, is to develop a strawman or an outline of how the reviews might be conducted for each species, and then that would go -- We have it scheduled to go to the SSC in September for review and then the council in October, or that’s our intent anyway right now.

CHAIRMAN FRAZER: Thank you, Dr. Simmons. Is there any further discussion on this committee report? Mr. Diaz.

MR. DIAZ: Mr. Chairman, this concludes my report.

CHAIRMAN FRAZER: All right. Thank you, Mr. Diaz. Ms. Guyas and the Reef Fish Committee.

REEF FISH COMMITTEE REPORT

MS. GUYAS: All right. The agenda was adopted after adding discussion items for recreational greater amberjack, size limits for almaco jack, and the status of red grouper. The minutes from the April 2019 committee meeting were approved.
Review of Reef Fish Landings, SERO staff reviewed final 2018 and preliminary 2019 commercial landings for Gulf greater amberjack and gray triggerfish. Slight commercial overages for both species will result in paybacks. For 2019, commercial gray triggerfish is still open, but presently under a seasonal closure, while greater amberjack will close on June 9.

Recreational landings of greater amberjack in the fall season totaled 103 percent of the annual catch target, and the recreational sector will not reopen for its spring season. Gag and red grouper landings for 2018 were under their annual catch limits, while gray triggerfish exceeded the ACL by ninety-one-and-a-half percent. Because gray triggerfish is not overfished, there is no recreational payback for 2019. However, the fishery closed May 11, 2019, to prevent an overage.

The for-hire component landed 109.2 percent of its red snapper ACT in 2018, which was 87.3 percent of its ACL. The preliminary 2018 landings of cobia were 31.8 percent of the ACL, hogfish were 34.7 percent of the ACL, lane snapper were 119.5 percent, mutton snapper were 116.2 percent, and vermilion snapper were 102.2 percent.

Because lane snapper landings exceeded the overfishing limit in 2017 and 2018, in-season monitoring and subsequent projections will determine when the fishing season should be closed early in 2019 to prevent an ACL overage. Staff have been working with the Southeast Fisheries Science Center to coordinate an update to the SEDAR 49 model run of lane snapper for review at the September 2019 Gulf SSC meeting.

Staff was asked if there were any changes in trends in lane snapper landings to explain the increased landings in recent years. Staff could not recall anything specific from the SEDAR 49 assessment, but will look into it further.

The committee requested that king mackerel be included in the following landings update if there is not a scheduled meeting of the Mackerel Committee. SERO staff also clarified that commercial landings are received weekly, while recreational landings are received at least forty-five days after the end of each MRIP wave, and landings from Texas are received twice per year.

Joint Enforcement Agreement Discussion, NOAA Enforcement Officer Pete Harwell answered questions from the committee regarding the scope of federal enforcement activities. Officer Harwell noted that his office enforces compliance of federally-managed species
in both federal and state water jurisdictions, as well as land-based enforcement. He provided examples, including compliance with the Lacey Act, TEDs, and dealer reporting requirements.

Draft Amendment 36B: Modifications to Commercial IFQ Programs and Presentations, Mr. Eric Brazer gave a presentation on the Shareholders Alliance Gulf of Mexico Reef Fish Quota Bank. Staff reviewed the amendment’s purpose and need, as developed from previous council motions, and the amendment’s actions.

For the action that considers requiring shareholders to possess a commercial reef fish permit, the committee discussed the alternative to exclude those who hold small amounts of shares, noting that, if they enact the requirement, it should apply to all shareholders, regardless of the amount of shares held. Without opposition, the committee recommends, and I so move, to remove Alternative 5 from Action 1.1.

CHAIRMAN FRAZER: Okay. Let’s get that on the board. We have a committee motion on the board. Is there any further discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Mr. Diaz.

MR. DIAZ: Thank you, Mr. Chair. I emailed a motion to Bernie, if she could put it up on the board. It says to add an alternative in Action 2, and where I have 1,000 pounds, I want to change that to 500 pounds. Mr. Chair, my motion would be, in Action 2, to add an alternative to equally distribute reclaimed shares held by National Marine Fisheries amongst all accounts with the equivalent of 500 pounds of shares for each share category to shareholders within one month of the effective date of the final rule of implementing this action. If I get a second, I will --

CHAIRMAN FRAZER: It’s seconded by Ms. Bosarge. Do you want to explain a little bit more?

MR. DIAZ: We have talked some about trying to help small shareholders in this document, and that really wasn’t reflected in the alternatives that we have now, and so I wanted to add this to the document to have where the IPT could be looking at it, where, when we discuss it in the future, we could at least consider this as an option.

I originally had 1,000 pounds in there, but I talked with Dr. Stephens a little bit, who I think knows more about this program than any person alive, and I asked her what was a good breaking point, and she said that 500 pounds might be a better breaking
point, but I would -- If this motion passes, I would like for the IPT to kind of look at that a little bit and see if there’s a better number that would be a good breaking point in the future, but at least we have the concept out there. Thank you, Mr. Chair.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Dale, when you say “with the equivalent of 500 pounds of shares”, you mean accounts with 500 pounds or less?

MR. DIAZ: Yes.

DR. CRABTREE: If you have an entity with multiple accounts, how do you handle that? Say I have four accounts, and each account has 499 pounds in it. Then I would be eligible, or do you somehow look at that?

MR. DIAZ: I did not consider that, Dr. Crabtree, when I was putting this together. I don’t know if we could tease that out. My intention is to truly help small shareholders, is what I’m trying to do, and so that would be my intention, and, if there’s a way that staff could have alternatives where we could deal with that, or have some mechanism to deal with that, I would appreciate it. If not, if people have multiple accounts, they might be eligible.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: I just want to make sure that we don’t create a situation where people spread their stuff out among other accounts in order to become eligible, and so we need to think that through.

MR. DIAZ: Folks potentially could do that, but these are relatively small amounts of pounds, in the grand scheme of things, and I think red snapper -- I don’t have it in front of me, but I want to say it’s 4,000 or 5,000 pounds left, and there’s about that amount for some of the other species, and I think the tilefish have about that amount, and so, in the grand scheme of things, considering how many pounds for the total allocation for the commercial sector, these are really small amounts that would be divided up.

CHAIRMAN FRAZER: Okay. Is there any further discussion on the motion? Dr. Shipp.

DR. SHIPP: I certainly agree with the concept, but the sections
that we delayed really are going to address this much more in
detail, and I think I will support the concept and the motion,
but I think we’ve got a lot of work to do regarding
redistributing shares to new participants and small
shareholders.

CHAIRMAN FRAZER: To that point, Dr. Shipp, we didn’t discuss
Action Items 2 and 3 at this particular meeting, and we’ll
discuss them more thoroughly at the August meeting. Ms. Levy.

MS. LEVY: So I guess -- I mean, we could develop the
alternative, if this passes, but, in that alternative, I would
want the date where we look at who has the less than 500 pounds,
meaning 500 pounds on the effective date of the rule. Then,
when that gets distributed, because, right now, it says within
one month, and I think you would just distribute it when you
figured it out, but the important date is what date are you
looking at when you’re determining who has the 500 pounds or
less, right, and not when it actually gets distributed. Does
that make sense?

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: If I understand your question, the people that would
be eligible for this would be when this rule is implemented, on
the effective date of this implementation, and those are the
folks that would be eligible for this if it passes, if I
understand your question correctly.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I am in support of the motion. I think we do need
to take into consideration that related accounts idea, and you
want to sum all the related accounts, right, and make sure, but
I was just going to throw out there to staff, and I guess to
Mara, that we had an option that was kind of similar to this
that we, I think, removed, and it maybe was in 36A, and I don’t
remember, but, anyway, it essentially said that we would issue
those shares to men and women that had under a certain
percentage of ownership and had landings in that category, and
so maybe they could go back and look at that option. That was
to essentially give some ownership to the men that were on the
water fishing and landing the fish, but didn’t have -- They had
no or very little ownership in that fishery of actual shares,
and so maybe that’s a point where you could go back and look at
what we had there and pull from that.

CHAIRMAN FRAZER: I am going to actually look over to Dr.
Lasseter. Do you feel like you have enough direction at this point to craft that alternative?

DR. AVA LASSETER: I think we’ll craft it based on what you’ve provided, and then, some of these other issues, we’ll bring those up for the August meeting and have you provide clarification, because, at that time, we will go through more thoroughly these central actions, but we’ll go ahead and start drafting something, if this motion passes, to reflect it.

CHAIRMAN FRAZER: Thank you. Is there any other discussion on the motion? Seeing none, is there any opposition to the motion? No opposition, and the motion carries. Mr. Diaz.

MR. DIAZ: Thank you, Mr. Chair. I just want to kind of plant a seed a little bit. I have thought for some time that this document is very complicated, and we’ve been working on it for I would guess five years, and we did not get through the entire document at this meeting, but I have felt, for some time now, that maybe we should split this document again, and I plan to do some thinking on that between now and the next meeting and see if there is some natural break points, where we could split this document into stuff that maybe we could deal with and stuff that’s going to take a long time to deal with.

Anyway, I just wanted to mention to the committee that that’s some thoughts that I have been having, and I don’t know if any other folks think that’s a good idea or not, but I do intend on trying to put a fair amount of thought into it between now and the next meeting and see if there’s some natural break points. Thank you, Mr. Chair.

CHAIRMAN FRAZER: Thank you, Mr. Diaz. Martha, let’s continue on.

MS. GUYAS: In the interest of time, staff proceeded to Action 4, which would require accuracy in the estimated weights provided in advanced landing notifications. Cynthia Fenyk of NOAA GC Enforcement Section made a presentation via webinar on applying the penalty schedule for Magnuson-Stevens Act violations. Sergeant Carron, chair of the council’s Law Enforcement Technical Committee discussed the concerns of law enforcement that initiated this action.

The committee discussed the proposed range for which the estimated weights that would provide law enforcement with the tool to address inaccurate estimated weights, without unduly penalizing commercial fishermen.
Without opposition, the committee recommends, and I so move, in Action 4, to modify the alternatives to require that the estimated weight reported on advance landing notifications be within 20 percent, 25 percent, or 30 percent of actual landed weight per share category when the total weight onboard of that share category is more than: Option a: 100 pounds; Option b: 500 pounds; Option c: 750 pounds.

CHAIRMAN FRAZER: We have a committee motion on the board. Is there further discussion? John Sanchez.

MR. SANCHEZ: After thought and listening to discussion, I guess I would like to offer a substitute to move Action 4 to Considered but Rejected and get away from all of this, where we’re potentially penalizing people for making a bad estimate.

CHAIRMAN FRAZER: We’re going to get that motion on the board, but, while it’s getting up there, is there a second for that? It’s seconded by Ms. Boggs. Is there further discussion? Mr. Dyskow.

MR. DYSKOW: Mr. Chairman, I was simply going to second the motion, but Ms. Boggs beat me to it.

CHAIRMAN FRAZER: She’s a quick one. Is there any further discussion at this point? Dr. Crabtree.

DR. CRABTREE: I am going to support the motion. We have heard different things out of different law enforcement officers on this, but NOAA Law Enforcement at least has said they don’t believe this is necessary and don’t support it, and a lot of my concern grew over the course of this week, as I talked to a lot of these grouper fishermen, and you realize -- I think, in the past, we’ve just thought about this in terms of just red snapper and a very short trip, but, when you look at the kinds of trips a lot of the grouper guys are taking, they’re out for fourteen days, and they have got not just one share cap that they have to deal with this on, but they’ve got red snapper and tilefish and deepwater grouper and shallow-water multispecies and red grouper and gag.

It becomes a much more complicated task, because they’re having to report estimates for any number of species, and I expect, in a lot of cases, the captain is in the wheelhouse, and the crew are doing this, and the fish are packed in ice for a pretty long trip, and so it’s not like you can just go down and pull them all back out and take a look at them that easily, and so I think
it is a more complex task than we perhaps thought at first
blush, and so I’m going to support the motion.

CHAIRMAN FRAZER: Mr. Robinson.

MR. ROBINSON: I am not going to be able to support the motion.
In conversations with our law enforcement staff, they believe
this is a problem, and on multiple occasions they have brought
this up, and the fact that we have some fisheries that already
operate under trip limits and the conversations we’ve had with
our staff, our law enforcement staff, I have to oppose the
motion.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: I am with Lance. I mean, we’ve had -- This was
attempted at the prior meeting, and we’ve had folks discuss -- I
was, again, not in support at that time, and I’m not in support
of it now. Again, all the state enforcement agencies, or
enforcement sections within each of the marine fisheries
agencies, believe it’s a problem.

There is a lot more presence of those state enforcement officers
than there is of NOAA OLE at the dock, and we’ve heard Officer
Harwell say he’s got a -- He couldn’t even calculate or couldn’t
provide a number as to how much area he’s got to cover, and yet
there are many more state officers within that same area and
territory, and so they’re down at the dock more, and they see
things, and they kind of have a good feel as to what’s going on.

As far as the comments of making law breakers out of law-abiding
folks, I mean, we’re in the business of making regulations to
make people law breakers, and it’s just the nature of our
business that we do things, and we set up regulations to manage
the fishery.

I just -- Quite frankly, I find it a little baffling that they
can all reach their quotas in the last trip, because all of the
landings totals are just below that final number, but, all the
other trips, they just can’t manage to get those pounds
estimated correctly or within a reasonable range of weight, and
so, again, I just won’t be in support of the motion.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: That would be likewise for me as well, to Kevin’s
point, but it comes down to me to this, and especially I hear
the federal enforcement, but when our state law enforcement
officers are asking for help to do their job, I think we need to support them, and that’s what it really comes down to, for me, and so I’m not going to be supporting the substitute motion.

CHAIRMAN FRAZER: Mr. Dykso and then Ms. Bosarge.

MR. DYSKOW: Thank you, Mr. Chairman. I am going to support the motion, because I think these actions are unduly burdensome on a class of fishermen who are already being overburdened, and so I am going to speak in favor of the alternative motion.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Of course, you all know that I’m going to be in support of the motion, but, when we talked to law enforcement, and they gave some specific examples, there were other ways to catch those bad apples. Those fish have to enter commerce at some point, and so they’re going to have to end up going in a restaurant somewhere or going to a market or going -- Albeit it through a back door, but they have to enter commerce, and you can intercept them at that point.

If it crosses state lines, that’s when you bring in your partners, your NOAA OLE or whoever it may be, and I think there is ways to catch those bad apples, and, I mean, I know we hear about that there is not enough law enforcement presence to be at every unloading, and I get that, but I am looking at the number of permits in 2007.

In Mississippi, we had eight, and so we do a pretty good job of staying on top of those eight, but Alabama had only thirty-six, and that’s thirty-six boats, thirty-six fishermen, and not even all of those are active permits, and, if we have one or two bad apples out of thirty-six, it seems strange to me that we have to go this far when it’s only thirty-six boats that we’re trying to manage within that little bit of coastline, and I think we could surely pursue them, whatever that bad apple or two is, without having to go to this extreme.

I mean, some of the other states do have a good many. Florida has a good many permits, but Texas, the whole coast of Texas, only has seventy-six, and it’s just a handful of people that we’re really trying to regulate, and surely we could find a bad apple in those handful and go get them without having to punish everybody.

CHAIRMAN FRAZER: Is there any further discussion? Seeing none, we’re going to vote by way of hands on this particular motion.
All those in favor of the motion, signal by raising their hand;
all those opposed.

All right. I feel an obligation, as the Chair, to weigh-in on
this. Before I say what I’m going to say, what I’m concerned
about here are two things. One, I don’t want to create a
tension between this council and law enforcement or tension
between a federal law enforcement agency and a state law
enforcement agency. I think everybody at this table appreciates
the difficulty of the jobs that those enforcement officers have.

I do really appreciate the comments of Mr. Dyskow and Ms.
Bosarge, and I do not want to impose an unnecessary regulatory
burden on a group of people that I honestly believe, for the
most part, work really hard and are honest people. I think a
way around this simple yea or nay is perhaps, and I am just
talking out loud at this point, before I make my mind up, is to
offer perhaps an alternative where if the estimated weight is
perhaps 100 percent more, or something of that nature, and the
reason that I would say that is because all of the examples that
I have seen, whether they are from law enforcement or from
public testimony, have to do with egregious violations of the
law.

When we were talking to the General Counsel, when you look at
the payment schedules, I guess, or the fines, when you looked at
the categories, there was with intent, and those carried the
maximum fines. I think, if there is an egregious violation of
the law in this case -- I mean, I would agree with most people
that if you can’t estimate your fish within 100 percent that
that’s a big problematic and that perhaps would give the law
enforcement officers and those imposing the fines a little bit
more muscle and a little bit more teeth moving forward.

I don’t want to create a rift between the council, and nor do I
want to create a rift between the council and law enforcement,
and so I’m going to go ahead and oppose the motion, but I’m
going to offer a substitute, with an alternative that has an
extremely high weight that would indicate an egregious violation
of the law. The motion fails.

We will go back to the original motion. I would like to offer a
substitute motion, and it’s just a slight modification. At this
point, I would simply substitute, after the 20 or 25 percent or
30 percent, I would add another percentage, and I would call it
100 percent, and I’m okay with the options, I think, at this
point as well, and so if I can get a second. It’s seconded by
Dr. Mickle. Is there any further discussion? Mr. Dyskow.
MR. DYSKOW: Just to clarify this in my mind, a commercial fisherman could be fined for being off on an estimate, and he hasn’t broken any fishery laws, presumably, and we’re fining him for not being a good estimator, and does that make any sense?

CHAIRMAN FRAZER: I think that the problem, in my mind anyway, as I see this, is that there are instances that we’ve heard about where people report a relatively small weight, and let’s say 500 pounds, but almost without exception, the violation, or the underestimate that we’re talking about, is an example of an individual landing 1,500 pounds of fish. That’s even more than 100 percent.

The concern is that there is an intent there, obviously, to deliver 500 pounds of fish to the dealer, perhaps, and then, in a backroad way, get rid of the other 1,000 pounds for profit. To me, that’s criminal intent, and that’s what we’re trying to get rid of, and I think there are some examples of that. I think that they are few, and I don’t want to increase the burden, as you said, on the honest fishermen out there, and I think this provides a way, an alternative, to deal with that. Mr. Dyskow.

MR. DYSKOW: I am not trying to beat this to death, but how does this motion prevent that example from happening?

CHAIRMAN FRAZER: I think, again, if there is criminal intent -- Criminals will always find a way to get around the system, Phil, right? I think what this does is says there are two things, right? We recognize that there is a potential problem, and we’re trying to provide law enforcement with some teeth, should they actually catch an individual in the act of doing this, and it may not, in fact, deter them in any way, but it also recognizes the efforts of the law enforcement officials, and that’s important to me, because we do depend on what they do, and I want to be respectful of their efforts, whether they are federal or state, but I also am very, very sensitive to the fact that we want to reduce the regulatory burden on the fishermen, and I think that this accomplishes that. Mr. Sanchez.

MR. SANCHEZ: Thank you. I don’t want to beat the cat that is flat, but there is a -- There’s just a number of scenarios. If you have a guy who is fishing in a faster boat than the fleet, and he hails-in three hours, and he’s still doing some fishing, because he can make it back to port before then, and he gets -- The fish start biting, and now he’s frantically trying to catch some more fish, and now we’re asking him to estimate, and he may
be subject to a fine, and that’s why I just wanted to kind of move this to Considered but Rejected, but here we are, and so I guess we’ll see what happens. There is just a lot of scenarios, is the point I’m trying to make, where we are potentially penalizing a guy for being a bad estimator.

CHAIRMAN FRAZER: Mr. Swindell.

MR. SWINDELL: I voted for the previous motion, and for the reason that I think we’re going back again to placing a burden on our law enforcement that we shouldn’t be placing. I mean, already, as Roy has pointed out to me, yes, the unloading weight at the dealer is what we’re counting for the quota that the person has to contend with. If he wants to go sell some, like shrimpers do, or other people, and they sell to other people at a dock or whatever, and that’s still going to occur.

Why place the burden on law enforcement to try to keep a number of weight? They can’t count fish, like they can aboard a recreational charter boat or the recreational boats or anything, and that’s impossible, and so you’re back to having to do it by weight, and you’re asking the law enforcement people to try to get a good handle on the weight, and I think it’s absurd.

I don’t think that we should be doing it this way, and we’ve already got the weight and what the people are -- They are going to be more responsible to the dealer that has to report the weight, and, if the dealer is not reporting the weight, we’ve got another whole law problem there. I mean, that’s going to occur, and people will find a way to go around the system, but I think trying to put it all on the back of law enforcement at-sea is not the way to do it. Thank you, and so I am against your motion, because I don’t think we ought to have any percentage. Thank you.

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

DR. CRABTREE: Well, let’s remember that the original intent of this whole thing, when it was put in place, was to make sure that people have enough fish in their account, enough allocation in their account, to cover what they are landing, and so, when they do the initial report, if they’re reporting that they’re going to land more fish than they have allocation in the account, it gets flagged, and then that notice goes to law enforcement, so they can check out and see what’s going on, and so that was why this was put in place.

We did hear testimony about the fellow who had a go-fast boat, I
guess, and so he was fishing after he even made the notification, and I think the system allows you to amend your notification once, but we’re going to have to make sure we deal with that, if we make this a violation, because they are going to have to -- In those kinds of circumstances, they are going to likely amend, and so I guess I will vote for this motion, even though I would prefer that we drop it, but, if we are insisting on doing something with this, I do think putting something higher than 30 percent on it makes some sense to me, but --

CHAIRMAN FRAZER: Kevin.

MR. ANSON: To follow-up on Dr. Crabtree’s point, based on how the vote went for the substitute motion, and there is certainly quite a few members here on the council who would prefer that it just go away, I would just make a suggestion to you that maybe you might offer a second substitute motion that maybe has a 50, 75, 100, and drop the lower percentages, and that’s something for you to think about, Mr. Chair.

I appreciate the sentiment and your thoughts on the previous motion and vote, but, I mean, it is an extra burden on the fishermen, but, again, they have a unique privilege, at least those in the IFQ program, and that’s kind of where I am centering this and thinking of this, in terms of maintaining the integrity of the program and why the program was set up.

Each fishermen is given a share, and that share ultimately results in allocation, which are pounds of fish, and that’s how that species is managed, is in pounds, and so they are very much in-tune, or should be very much in-tune, as to what’s in their account and how many of those fish that they’re bringing over the side and how much they should weigh. I mean, that’s the whole intent of the system.

They should have a very good knowledge and a very good understanding of what’s going in that box, as it relates to their account. I mean, it’s that simple, and, you know, I will consider, at least, 100 percent, but that’s a lot. That’s twice as much, and it’s giving you twice the amount that you estimate, and I think these guys are better than that. I think they can estimate within two-times of what’s in a cooler or what’s in a fish box, and so I just -- Again, I think there needs to be -- We’ve heard from our state enforcement guys that there needs to be an additional tool that’s available to them to help manage this fishery, and so that’s all. Thank you.

CHAIRMAN FRAZER: Ms. Bosarge.
MS. BOSARGE: The path forward that I wanted obviously failed just a second ago, and so this is the lesser of the evils at this point, and so I am going to support this motion. At least it does give the fishermen a little bit more leeway, but I kind of agree with Kevin, what I think I heard Kevin say, is that maybe you would consider modifying some of those percentages to 50, 75, 100 percent.

I say that because, you know, we heard testimony yesterday of a gentleman that -- I think his dock said, hey, we’ve got 500 pounds leased for your bycatch of red snapper, and he was a grouper fisherman, and so that meant that he could keep 500 pounds of his bycatch, and you asked him that, well, but you couldn’t go over right, and what would happen if you go over, and he said, well, I couldn’t go over, and I think he told us at the beginning of that testimony that he only landed 347 pounds of snapper.

That’s as close as he could get it, and that’s 30 percent off right there, and that’s money out of his pocket, and so, believe me, he wanted to get as close as he could to that 500 pounds, and that was as close as he could possibly do it, and I bet he wouldn’t even have gotten that -- If he had a fine like this, he wouldn’t have even gone that far. I mean, that’s him trying the best he could, and it was 30 percent. Now you want us to do that for every single different species, and so, yes, I would be in favor of amending this substitute motion to the 50, 75, and 100 percent.

CHAIRMAN FRAZER: Okay, and so I’m happy to accept the friendly amendment, but I would -- I will leave four options in there of 25, 50, 75, and 100. Dr. Mickle, are you okay with the modification? Okay. Is there any further discussion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Ms. Bosarge.

MS. BOSARGE: I would like to offer a motion, and I hadn’t floated this at all, and we haven’t even really discussed it, and so it will probably catch everybody by surprise, but, in Action 4, that the requirement for accuracy on estimated weights applies only to underreporting. In Action 4, that the accuracy on estimated weights applies only to underreporting of those weights. If I get a second, I will explain.

CHAIRMAN FRAZER: Is there a second? It’s seconded by Ms. Boggs.
MS. BOSARGE: That seems to be the crux of the issue, that people say they have 500 pounds, for example, and then they really have 1,500 pounds on the boat, but their estimated weight says 500. If law enforcement doesn’t show up at the dock, then that bad apple actually reports -- His final report says he landed 500, when maybe he really landed 1,500, but we have a lot of fishermen that also overestimate, and we saw that in the data that was provided, and I don’t know if we got to that data during reef fish, but it’s in our presentation that Dr. Lasseter had for us.

I certainly don’t think that we need to punish a fisherman that is overestimating his weight, and I don’t think there’s anything wrong with that, and so I would suggest that these -- Especially with the size of these fines, that this only applies to if you are underreporting. That is what the bad apple is going to do.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. Is there any further discussion? Dr. Mickle.

DR. MICKLE: Just to clarify that the presentation that was given by Officer Carron, who is the LETC’s Chairman, from Mississippi, and he was giving that presentation, and his language was all for underestimated weight, and so this would be in parallel with his statements, and, again, he made it very clear that the state law enforcement folks, which he was speaking for, were -- They just didn’t have that tool, and so, if they actually even intercepted someone reporting 500 and had 5,000, they had no tool to use, and so that’s why his language was so strong when he gave that presentation.

Law enforcement needs these tools, and I just wanted to make that very clear, and so it seems like this is getting more contentious with each vote and each meeting. They want tools, and the fishermen don’t want to be overburdened, and I’m just trying to make it clear and understandable that there is no grudges or anything. They just -- We can’t make policy without giving the tools for enforcement. It’s a waste of time if we don’t, and so thank you.

CHAIRMAN FRAZER: Kevin Anson.

MR. ANSON: I will support this motion. I mean, I certainly don’t want to give people a fine for underestimating and such, and, as Dr. Mickle just stated, this is really what enforcement is looking for, is a tool to catch those that are trying to skirt the system and not report pounds, and so this should take away, theoretically, 50 percent of those instances, whether
you’re above or below, and so it takes away those, and so I will
be in support of it.

CHAIRMAN FRAZER: Mr. Boyd.

MR. BOYD: I too will support this motion. I believe that the
objective was to catch the people who are trying to move fish
under the system, and the problem we have there is a dual
problem. They are selling fish outside of the system, and they
are doubling their ability to catch fish, if they have an IFQ,
because they catch the fish, and they get rid of them, and then
they can go catch that same quota again, and so this particular
motion doesn’t overburden, and it gives some relief from the
possibility of a fine when it didn’t meet our objective, and so
I support the motion.

CHAIRMAN FRAZER: Okay. Any further discussion? Seeing none,
is there any opposition to the motion? Seeing none, the motion
carries. We will take a break, and we will come back and work
with the greater amberjack discussion.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: Okay. Martha, are you ready?

MS. GUYAS: I am, yes. All right. We are now on commercial
amberjack. Final Action on the Framework Action to Modify
Greater Amberjack Commercial Trip Limits, staff reviewed the
development timeline for the framework action and the council’s
requests of staff at the previous April meeting.

The public comments submitted were varied, with some members of
the public preferring no action and indicating target trips for
greater amberjack would not be economically viable below the
current 1,500-pound gutted weight trip limit. Other
stakeholders voiced support for a reduced trip limit to extend
the commercial season.

A summary from a meeting of the Reef Fish AP, held in May 2019,
was reviewed by the committee. The AP made a motion to
recommend a 500-pound gutted weight commercial trip limit,
followed by a step-down to 250 pounds gutted weight once 75
percent of the commercial annual catch target was met. However,
if the commercial season still closed before the end of the
fishing year, the Reef Fish AP recommended that the step-down
occur once 50 percent of the ACT was met in the following
fishing year. The committee was unclear as to whether the step-
down at 50 percent of the commercial ACT would be permanent if
enacted.

The committee discussed Figure 2.1.1, noting that approximately 50 percent of commercial trips land less than 500 pounds gutted weight, while approximately 30 percent of trips are landing more than 1,000 pounds gutted weight, indicating a number of targeted commercial trips for greater amberjack occur in the Gulf.

Staff reviewed the action and alternatives, noting that the committee could select any of Alternatives 1 through 4 in conjunction with Alternative 6, the step-down alternative, as its preferred alternative. The committee decided to table the discussion until after the public comment and revisit the document at Full Council. I will pause there.


MS. BOSARGE: I’m the one that brought this up during committee, and we had some discussion on it, but I didn’t throw any motions out, and we did have some public comment on it. I would like to throw a motion out and have some discussion and see where we land on this.

My motion would be, in Action 2.1, to make Alternative 2, which is that 1,000-pound trip limit, and Alternative 6 the preferred alternatives. Just so you will know what those are, Alternative 2 is establish a commercial trip limit for Gulf greater amberjack of 1,000 pounds gutted weight, and Alternative 6 is the step-down that says reduce the commercial trip limit for Gulf greater amberjack to 250 pounds gutted weight when 75 percent of the ACT is projected to be met. If I get a second, I will further --

CHAIRMAN FRAZER: It’s seconded by Chris.

MS. BOSARGE: Right now, they do have a fairly early closure in this fishery, and we know we do have discards of this species after that as a bycatch species for some fishermen, but we also heard testimony that we have some directed fishery for a portion of the year as well, and I know that we do have that in Mississippi, and we heard some testimony from Louisiana.

In Mississippi, those guys don’t own any snapper shares, and so this is important to them. They fish a little bit of everything, and, as we keep honing-in on our regulations and we’re taking species away that they can target, unless you own shares of it, it makes it tough.
I would like to do something that’s kind of a compromise, and
this will reduce bycatch, because it’s going to extend the
season, but it’s a high enough limit that it will allow those
guys that depend on this to still make a directed trip when they
need to, and so that’s my rationale.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Just to clarify, and the motion is fine, but it’s
just there is no action number, because there’s only one action,
and so it’s Chapter 2.1. but the action is just Action, just so
we’re clear.

CHAIRMAN FRAZER: Okay. Is there any further discussion on this
motion? Chris.

MR. SCHIEBLE: We heard some good testimony yesterday, I think,
from two different user groups, I guess, of this stock, and so
there’s some that consider it a bycatch fishery. They go out
there and they get other IFQ species and they pick up 250 or 500
pounds, somewhere in there, but then we also heard from folks in
Louisiana that gave us, I thought, very passionate testimony
that this is a primary fishery for them.

They target these fish at a certain time, and I think any
reduction below 1,500 is a hardship for them, but we’re willing
to go to 1,000 pounds with the Alternative 6 in there that 75
percent of the ACT gives us about an 18 percent, I think,
savings over what we had last year, and, if you look at
historical catch, it seems like 18 percent is above any of the
overage on the ACT, and so it should cover any potential overage
if we choose this option, and so it seems like this would be the
best solution to both groups.

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

MS. GUYAS: We don’t have it in the committee report, but this
was slated for final action. If that’s what we’re going to do,
then somebody has to make the motion.

CHAIRMAN FRAZER: At this point, I guess I’m going to again look
over at Mara. I mean, this is an action that was slated for
final action. With this particular change in the preferred
alternatives, are we okay to do that?

MS. LEVY: Yes. I mean, we haven’t changed the alternatives.
It was in there, and it was analyzed. You can pick a preferred
and then take final action.

CHAIRMAN FRAZER: Okay. I just want to make sure that there’s
no further discussion. If there’s not, we’ll take a roll call
vote.

MS. GUYAS: I think we need a motion to finalize -- I don’t know
that we looked at the codified text either, although it will
change, and so I don’t know if it’s worth going there, but I
think the -- if we’re going to have this go into effect for next
year, or at least have that chance, we have to take final action
today.

CHAIRMAN FRAZER: I understand that, but I guess I’m trying to
just work through the appropriate protocol right now, and so
we’re going to need a motion to take this to final action,
right? Okay. If we can get that language. Ms. Levy.

MS. LEVY: While she’s doing that, you do have draft codified.
Right now, it just has the 500 pounds with no step-down, because
you just added that, but we will update the codified and then
send it to the Chair to get re-deemed.

CHAIRMAN FRAZER: I understand. Okay. I think that’s where we
need to be, and so we’ll get the final touches on it. All
right, and so I will read the motion into the record. The
motion is to approve the Framework Action to Modify Greater
Amberjack Commercial Trip Limits and that it be forwarded to the
Secretary of Commerce for review and implementation and deem the
codified text as necessary and appropriate, giving staff
editorial license to make the necessary changes in the document.
The Council Chair is given the authority to deem any changes to
the codified text as necessary and appropriate. Again, any
additional discussion on this motion? We need a second. It’s

LT. ZANOWICZ: Thank you, Mr. Chairman. I just wanted to chime
in, from an enforcement side. I don’t see any major enforcement
concerns with this. However, it’s always ideal for enforcement
when regulations remain static throughout the year, be it size
limits, bag limits, or, in this case trips limits, so I can
foresee some confusion with the commercial trip limit changing
throughout the year, particularly with the red snapper amendment
that was passed at the last meeting, the Amendment 50, which is
a pretty dynamic thing, and so I can foresee some confusion, and
I don’t think there is any major enforcement concerns, but I at
least wanted to mention that, for the council’s attention.
CHAIRMAN FRAZER: Thank you for those comments. Any other comments or discussion? Seeing none, we’ll go ahead and do a roll call vote on this.

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

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Schieble.

MR. SCHIEBLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

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

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas is absent. Mr. Boyd.

MR. BOYD: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried sixteen yes and one absent.

CHAIRMAN FRAZER: Okay. I think we can continue on, Martha.

MS. GUYAS: All right. Draft Framework Action to Modify the Recreational For-Hire Red Snapper Annual Catch Target Buffer, staff reviewed the framework action, including the purpose and need and the recent landings, which show that the federal for-hire component for red snapper has not exceeded its component ACL since 2015.

Staff noted the difference between Alternative 2, which is ACT set 9 percent below the ACL, and Alternative 3, which is ACT set 5 percent below the ACL, was based on the results of the ACL/ACT control rule, reflecting more certainty in the landings for the more recent time series in Alternative 3 versus Alternative 2 and that, for the duration of the time series used for Alternative 3, the private angling and for-hire component landings were monitored independent of one another. Without opposition, the committee recommends, and I so move, in Action 1, to make Alternative 2 the preferred alternative.

CHAIRMAN FRAZER: Alternative 2 reads to apply the Gulf of Mexico Fishery Management Council’s ACL/ACT control rule, using federal for-hire landings data from 2014 to 2017, to set the component ACT buffer for the federal for-hire component. This
results in a federal for-hire component ACT set 9 percent below the federal for-hire component ACL. That’s a committee motion. Is there any further discussion on this motion? Seeing none, is there any opposition to the motion? Seeing no opposition, the motion carries.

MS. GUYAS: Staff will bring a final action version of the framework action to the council for consideration in August 2019.

Public Hearing Draft Amendment 51: Establish Gray Snapper Status Determination Criteria, Reference Points, and Modify Annual Catch Limits, the committee reviewed four actions that would establish or modify the status determination criteria and an action to modify the ACLs.

Action 1 would establish a maximum sustainable yield proxy for gray snapper. The SSC recommended that the MSY proxy be set at the yield when fishing at F 30 percent SPR, based on their review of the SEDAR 51 stock assessment. However, the committee discussed that the biology of the species and the characteristics of the fishery may allow for a lower MSY proxy, which would allow for a larger harvest for a given stock size. Without opposition, the committee recommends, and I so move, in Action 1, to make Alternative 2 the preferred alternative.

CHAIRMAN FRAZER: Okay, and so Alternative 2 reads: For gray snapper, the MSY proxy is the yield when fishing at 26 percent spawning potential ratio. That is a committee motion. Is there any further discussion on this motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

MS. GUYAS: The committee also discussed Alternative 5 in Action 1, which would streamline the process of modifying the gray snapper MSY proxy in the future based on a recommendation from the SSC. This alternative would allow, but not require, the council to accept an SSC recommendation for a new MSY proxy by noting the change in a plan amendment.

Without opposition, the committee recommends, and I so move, in Action 1, to make Alternative 5 a preferred alternative. Alternative 5 reads: For future assessments of gray snapper, the MSY proxy equals the yield produced by FMSY or proxy recommended by the Gulf of Mexico Fishery Management Council’s SSC and subject to approval by the council through a plan amendment.

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

MS. GUYAS: Next, the committee considered Action 2, which would modify the maximum fishing mortality threshold. The committee discussed that the MFMT should correspond to the MSY definition in Action 1.

Without opposition, the committee recommends, and I so move, in Action 2, to make Alternative 2 the preferred alternative. Alternative 2 is the gray snapper MFMT is equal to F 26 percent SPR.

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

MS. GUYAS: The committee reviewed Action 3, which defines the minimum stock size threshold. The council previously selected Alternative 4, which defines the minimum stock size threshold for gray snapper equals 0.5 times BMSY. Likewise, the committee reviewed Action 4 and noted they had previously selected Alternative 2, Option 2c as preferred. Finally, the committee considered alternatives in Action 5 that would modify the ACLs for gray snapper based on the gray snapper stock assessment.

Without opposition, the committee recommends, and I so move, in Action 5, to make Alternative 2, Option 2b the preferred. Alternative 2 is use the OFL and ABC yield stream associated with the MSY proxy of F 26 percent SPR to set OFL, ABC, and ACL. Do not set an ACT. Option 2b is apply the ACL/ACT control rule (landings from 2014 through 2017) to establish an 11 percent buffer between the ABC and the ACL. The ACL for gray snapper for the years 2019 through 2021 will be reduced from the ABC by 11 percent.

CHAIRMAN FRAZER: Okay, and so we have a committee motion on the board. Is there any further discussion of the motion? Seeing none, is there any opposition to the motion? Seeing no opposition, the motion carries.

MS. GUYAS: Staff will hold a public hearing via webinar prior to the August 2019 council meeting and prepare the document for final action at the next meeting. Discussion of Commercial Crew Size Requirements, staff reviewed the history of the crew size restriction --

MS. BOSARGE: I was just going to ask if staff could maybe put one more table in that document when we bring it back next time. When we did the other status determination criteria document, you had one in there for the MSSTs at the different levels, how long it would take to rebuild the stock with no fishing, with zero fishing, at each one of those levels, and I can get with you and tell you exactly what table that was, but I just would like to see it in this document too, so we know what we’re up against.

CHAIRMAN FRAZER: Staff, are you okay with that? Dr. Froeschke.

DR. FROESCHKE: I am, but it’s not overfished.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: We had a table. When we did Amendment 44, and we set the 50 percent of BMSY, you had a table in there, and I might have it pulled up in front of me here, that said, all right, at each one of those different levels of BMSY, and so 50 percent, 75 percent, blah, blah, blah, if it became overfished, how long would it take to rebuild with zero fishing, how many years.

DR. FROESCHKE: Okay. I got it.


MS. GUYAS: All right. Staff reviewed the history of the crew size restriction on dual-permitted vessels, which are vessels with both a commercial and a charter/headboat permit for reef fish. In 2012, the council increased the maximum crew size on dual-permitted vessels fishing commercially from three to four.

The committee discussed the rationale for the restriction. It was noted that the restriction serves as an impediment for dual-permitted vessels to be used for catch share experience trips. Presently, dual-permitted vessels engaging in catch-share experience trips are limited by the commercial crew size requirement. However, vessels with only a federal commercial permit and no federal charter/headboat permit are not limited by crew size. Permits can be transferred from one vessel to another, with administrative time needed to conduct the permit transfer between vessels.

Other Business, Red Grouper, Dr. Crabtree spoke with commercial longline fishermen targeting red grouper during a session after
the meeting who expressed concern over the status of red grouper, but also with the number of dead discards of red snapper.

The question posed by the fishermen was whether it was possible to apportion some amount of red snapper quota to avoid dead discards from longline fishing by retaining those fish. Moving the longline component of the fishery to a total-retention fishery would remove the issue of dead discards, but would need to be validated via observers, cameras, or some other suitable approach.

This would necessitate providing some amount of red snapper allocation to a vessel’s account, and, once that allocation is exhausted, that vessel would no longer be allowed to fish. Key to a total-retention fishery would be high-quality validation that no fish were being discarded, regardless of size or condition, and that the vessel ceases all fishing activity when its allocation is exhausted.

Discard mortality for red snapper from bottom longline vessels is thought to be between 50 and 60 percent, due to the depths in which fishing is occurring. The amount of quota for the incidentally-caught fish would be determined through an analysis by the Southeast Fisheries Science Center, which would identify the total dead discards from longline fishing. That amount of fish, in pounds, would be vetted by the council’s SSC, and, if approved by the council, added to the ABC and then apportioned directly to the longline vessels.

The respective plan amendment would include an action for this fleet-specific allocation within the commercial sector’s quota for red snapper. The committee decided to wait until after hearing public testimony to discuss this topic further.

CHAIRMAN FRAZER: Okay. We have had public testimony. Does anybody want to discuss this further? Ms. Bosarge and then Dr. Porch. Dr. Porch, you get to go first.

DR. PORCH: Thank you, Chair. I just suggest putting at least 50 to 60 percent and not between 50 and 60 percent, because I think I’m the one who said it, and the point was not just red snapper, but just, in general, fish caught at those depths have a high discard mortality rate, and it may actually be higher than that for red snapper, especially when they’re fishing in 600 feet of water, and so just replace “between” with “at least”, just to be consistent with what was actually said.
CHAIRMAN FRAZER: Okay. We can make that modification. No problem. Ms. Bosarge.

MS. BOSARGE: I guess I will look over at Dr. Crabtree, since he was the one that sort of brought this up. Is the grouper longline fleet not interested in this anymore, and I can see why, reading this. If it has to work that way, then yes, they probably wouldn’t be interested, because, once that allocation that was issued to them individually is gone, and that’s their choke species, the bycatch of snapper, and they would have to stop fishing for grouper, but I guess, in my mind, if you had the -- If you were able to have cameras, or however you were going to do the observation part of this, as long as they lease the snapper quota, and they had coverage for their bycatch in that way, they could still keep fishing, but I am just wanting some discussion.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Well, I can’t gauge how interested they are. There seems to be some interest by a couple of them, provided they were allowed to lease extra red snapper quota and keep fishing, which it seems to me, in concept, would be fine. I think the key with this was that they were total retention, and it was done in a way that kept us within the ABC and prevented overfishing and those things, and so it does seem to me that that would work, but whether the longline fleet as a whole -- How they feel about this, I don’t know.

I don’t know that they will decide how they feel about it, necessarily, until we see the results of the assessment that is going on now and what happens with their quota. If the red grouper quota goes down further, then they may feel more urgency in doing something. If it goes up, on the other hand, then they feel less, but we do have a problem in the longline fishery with discarded red snapper, and I think we have talked many times about searching for ways to get more quota into those guys’ hands, but we just haven’t figured out how to do it.

I don’t know where they overall are, and I think we would have to have more discussion with them, and I think they would need to have a better understanding of how this is going to work. I know Clay, last night, talked to a group of them and was going to have them facilitate some sort of meeting between them and some of the assessment folks, but that’s the best I can tell you at this point, Leann.

CHAIRMAN FRAZER: Kevin Anson.
MR. ANSON: Thank you, Mr. Chair. Dr. Crabtree or Dr. Porch, there is some extra work that would have to be done in order for something that you describe to come forward, and the timing of this relative to, in part, some sort of relief to them -- I guess I’m just trying to conceptualize or visualize that in my mind, is to how long would it take to do something as described in the committee report and actually get it on the ground and actually in practice and what would need to be done, and does that need to be done kind of simultaneous to the assessment?

I mean, would it help to start that now, or just wait the extra couple of months? What is the cost? Where is the money going to come from? I’m sure the agency is going to have to spend some resources and staff time and such to review camera data, if that’s in fact what is selected, and how long would it take to implement that? I know it’s been done before in pilot studies and such, but there is some big things that still need to occur for this to come to be as it’s described.

DR. CRABTREE: There would be some costs. There would be the costs to the fishermen of putting the camera equipment onboard the vessels, and I think that we could pull together cost estimates on that fairly easy, because recall we had an EFP application from Jason Delacruz a year or so ago, and part of that was to put camera equipment on, and I think we could find some estimates from the work we did on that.

Then there would be a cost to the agency, and someone would have to monitor that stuff, to figure out and ensure if they are total retention, and so we could look at that. It wouldn’t involve any substantial changes to the IFQ program, because we would just be adding quota to existing accounts, and so I don’t think it has any substantial cost to that.

If you’re interested in it, I think we could, in our LAPP branch, could maybe trip to flesh out some of how this might work in a little more detail and some of the decision points and think about it, and we could have another discussion at the next meeting. I mean, this isn’t something that we could do very quickly, because it would require an amendment.

We would have to figure out how to set aside in some fashion a portion of the quota that would go into this and those kinds of things, and then Clay is going to need to see if we can get more recent observer data, so we get a feel for how many pounds of fish we’re talking about, but, if you’re interested in pursuing it, we could try to flesh out a little more substance to it and
talk about it again at the next meeting, I think.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Being as at the next meeting -- The next meeting, we’ll get that red grouper stock assessment back? In October we will, and so, yes, I think if we could maybe see something with a little more detail fleshed out on maybe how this would work, and just a small presentation, and not any kind of document, in August, and, that way, that would give those guys a little time to think about this before they see the results of that stock assessment in October. If that’s not rosy, which it may not be, they have had time to maybe think about it and give us some direction, if they want to try and look further into that.

CHAIRMAN FRAZER: Mr. Diaz and then Mr. Anson.

MR. DIAZ: For Dr. Crabtree, first off, Dr. Crabtree, I would be interested in hearing more, if you all are willing to do the work to get us some more information. I am just trying to understand this full retention, and so I do understand what you originally proposed on full retention, with the cameras and all, but, after they exhausted that amount, we’re talking about if they lease some fish. If they were to lease fish to continue fishing, would it still be full retention at that point? That’s what I am trying to figure out.

DR. CRABTREE: I think so. It seems to me the key to having this work is that it’s full retention, so that it’s mortality neutral, and so, if red grouper becomes overfished and it’s in a rebuilding plan, then they would have to be within their quota for red grouper as well, but it does seem to me that it would still be full retention, although, when I say full retention, there would be exceptions to that.

I don’t think we would want them to retain goliath grouper, and clearly they’re not going to retain sawfish and turtles and things that have other protection, and they’re not going to retain sharks, for example, because that’s HMS, but, in terms of the reef fish that we’re concerned about, we would want full retention.

Otherwise, I don’t know that you could consider it neutral, in terms of mortality, but I can’t think of a reason why, if one of the vessels used up their red snapper allocation, and then they leased some additional, and they had red grouper and grouper quota, I can’t think of a reason why they couldn’t continue fishing until they caught that.
MR. DIAZ: Thank you, Dr. Crabtree.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Dr. Porch, I know you probably already thought of this, but, to carry on those conversations, as Dr. Crabtree mentioned that you had, just as soon as possible and try to make sure you’re both on the same page, so that, when you start investing the time to come back with some of this information, it’s got a good focus and it’s kind of within at least the ideas of what the fishermen are thinking about, and that would be great. Thank you.

CHAIRMAN FRAZER: Dr. Porch.

DR. PORCH: Yes, we have already started thinking about it and started actually gathering the discard information, and, as Roy alluded to, the biggest practical concern I have from the science side is the expense to read all the video and make sure that fish aren’t getting discarded over the side, and, if we had it, we would also want to use it to characterize the full mortality.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: As you guys are thinking about this, I’m kind of trying to think about species beyond red snapper too, and so we know like mutton snapper -- Most of the fishery in the Gulf is coming off of the bottom longline fleet, and there’s only -- It’s a pretty small quota, and maybe like 10,000 pounds of that is recreational, and I’m trying to figure out how that plays into this as well.

If they ended up meeting that quota because they are not catching a ton of grouper and end up on more mutton snapper, is that also a choke? I am just trying to think this through beyond red snapper, because a lot of these guys are going down to the Keys, and so they’re encountering -- Yes, they’re encountering red snapper, but they’re encountering a suite of other things with small quotas as well.

CHAIRMAN FRAZER: Okay. Any additional comments here? At this point, I just want to make sure that we’re all on the same page. Clay and Roy, in your shop, you guys are going to proceed, and you don’t need any additional direction or data requests or anything from the council at this point?
DR. CRABTREE: No, and we’ll try to have a brief PowerPoint that goes through some of the nuts and bolts of this and some of the complications and decision points, and then I was just talking to Clay about trying to have the observer data up through 2018 at that point, so we can get some idea of the magnitude of the fish.

Then I will ask Jessica to take a look at -- Because we’re talking additional red snapper being harvested, and that will generate additional cost recovery fees, the 3 percent, and so there would be some revenue that would come in, and so we’ll try to see if that might be enough that we could cover some of the costs of reviewing the videos, and we’ll see how that ticks up, and then we’ll try to also get some estimates of what the video cameras would cost and maybe try to get someone with some expertise to talk to us about how successful we could be with cameras, in terms of verifying a full-retention fishery.

CHAIRMAN FRAZER: Okay. That’s great, and so we’ll expect to get an update at the August meeting, and we’ll put it on the agenda. Any other discussion? Okay. Seeing none, go ahead, Martha.

MS. GUYAS: Recreational Greater Amberjack, at the recent Florida Fish and Wildlife Conservation Commission meeting, a great deal of consternation was expressed about the lack of a spring season in 2019 for recreational greater amberjack. This issue was also talked about during the council’s Reef Fish AP meeting in May. The AP discussed a split quota, divided between the fall and spring seasons. However, this approach does not allow for a payback to the portion of the season which may exceed its seasonal quota.

Generally, the AP desired a solution which would afford the opportunity to fish for greater amberjack in both the spring and the fall seasons, which could also include changing the recreational fishing season back to the calendar year.

Committee members noted that, if the fishing season changes back to the calendar year, fishermen in the western Gulf of Mexico would lose access to the species in the fall if the recreational ACT is caught in the spring season. One proposed solution was to open the recreational season on May 1 and close it on May 20 until the fall season.

MS. GUYAS: I will just put a motion out there, just to get the party started, and let’s just cut to the chase here. My motion would be to direct staff to develop a framework amendment for recreational greater amberjack. The purpose of the amendment would be to ensure May and fall harvest seasons. This framework should include options including changing the fishing year, fractional bag limits, and modifications to the current season structure. If I get a second, I can expound on that.

CHAIRMAN FRAZER: It’s seconded by Dr. Shipp.

MS. GUYAS: Okay, and so, obviously, a lot of these things have been explored in past amendments, and we attempted to do this in our past work on the recreational greater amberjack season structure and all that, and we didn’t quite get there. The goal was to have this May season and then have something happening in the fall, and we fell short, and the fishery, at least in Florida, has some serious problems because of that.

Really, my thought here is to, again, put all the options on the table. We have already talked to someone about fractional bag limits and changing the fishing year, and my thought about modifying the current season structure is kind of going to the point that I think Dylan Hubbard brought up about maybe you have to shorten the spring part or the fall part a little bit to make it work, but making sure we have opportunities in both May and the fall.

CHAIRMAN FRAZER: Kevin Anson and then Dale Diaz.

MR. ANSON: I am on the fence a little bit about this, Martha, this motion. We’ve just had one year, essentially, of this new management style, or scheme, and I can empathize with the guys in the Panhandle and how it affected and impacted their season this year, this spring, but, you know, we tried to set it up such that we could spread out that fish amongst the Gulf and make it a little bit more accessible to other folks that historically have not had access.

I think I mentioned it the last time we had this discussion, and I will just mention it now, but, you know, talking about the fall seasons, there was lots of desire amongst those same Panhandle captains to have that October part of the year, so they could have part of their October rodeo, at least in this part of the world, and, I mean, it’s just tough trying to please everybody, and so I’m still on the fence. Thank you.

CHAIRMAN FRAZER: Mr. Diaz.
MR. DIAZ: Martha, is it your intention that the split seasons would have their own quotas and we would set up paybacks specific to those seasons?

MS. GUYAS: From my understanding when we talked about this before, that’s easier said than done, because we have annual catch limits and accountability measures on an annual basis, and so I think that was the idea that the Reef Fish AP brought up, but I think, when we talked about that before, it’s not been feasible, and it looks like Dr. Crabtree is going to --

CHAIRMAN FRAZER: Sure. To that point, Dr. Crabtree?

DR. CRABTREE: The trouble with the split season is that the fall season is only three months, and so, by the time you got the catch estimate for the three months, it would be already over, and so, if they caught too much, you wouldn’t have a May, and, if they didn’t, then you would have a May, but it’s not like you can monitor it and shorten the fall season, because they’re catching too much, and it would have already all happened, and so I don’t think, practically speaking, that’s very workable.

CHAIRMAN FRAZER: Okay. Any further discussion on the motion? Dr. Crabtree.

DR. CRABTREE: Now, we could project what we think they’re going to catch, but that, of course, is subject to a lot of error, and then we could close it and find out that they caught a lot more or less than we projected, and so --

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Pardon my ignorance, and I know this would undo everything that we did, but I think the first thing is the calendar year issue, right? If you want to have paybacks that will go to, essentially, certain portions of the Gulf, because that is who is fishing at certain times of the year, you’ve got to get back on a calendar year, so that that lines up with your seasons.

If you go back to a calendar year, and you split it 60/40 or 70/30, however you want to do it, with a portion of it being in the spring or whenever you want it, and then a portion of it being in the fall, to get both sides of the Gulf, then, if you have overages, it would come off the next year, and you could make it to where those overages would come off whichever portion
it came from, right, or no?

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: I don’t know if a payback is what you’re talking about, meaning, if you want to ensure -- What you’re trying to say is you want to ensure that each of these different seasons has an opening. The problem is that we have to look at what happened in the first season, whenever that is, and see if there’s anything left for the second season.

Whether the season pays it back the next year, you’re still looking at the total as you move forward, and so it can’t be like May went over by 100,000 pounds, and they’re going to pay it back next year, so we can let fall have their season minus that 100,000 pounds. It’s an annual catch limit, and we have to stay within the annual catch limit annually, regardless of whether we’re going to pay it back the next year. We can’t knowingly go over once we know we’ve already caught it.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: I have tried thinking about this hard this week, and there is no quick solution. Whatever you do to benefit or address an issue on one side of the Gulf, it seemingly impacts the other side of the Gulf, and then you try to look at it from a long game/short game perspective, and what do you do to provide some, I guess, more immediate relief in the short run, until we get to a more long-term solution to this that’s probably more long-term oriented, and then it brings you to things that I’ve heard in public testimony about effort and do we reduce effort, because apparently moving the start dates and these things has consequences east or west Gulf.

Then you get to, all right, well, we’ve taken guesses on things before in this experiment, or we’ve tried, and it apparently hasn’t worked real well for some folks, and do you reduce the bag limit, as they said, and go to fractional bag limits, something to try to stretch the season out?

Then, if we roll those dice, I don’t know that one fish per two persons, which seems to be what the collective masses were asking for -- When we apply that, is that going to get us to where we want to be? Is it going to be another failure, and then what are our options there? One fish for twenty people? I don’t know. This is absolute madness.

In order to get, I think, the people most involved, the
stakeholders in this, I would like to see us put an amberjack, and maybe throw triggerfish in there ad hoc together, and look at this while we work on this document and get some direction from the industry. Put them together and let them slug it out, all sides of the Gulf, and come up with some solutions, because I, for one, cannot find one that seems to work. I would love to hear from the stakeholders.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: My personal opinion is I think we need to give the current season at least another year to work, because I know that August, September, and October can be volatile at best, and, if you’ve got a year where you have a lot of tropical occurrences in that timeframe, which is the peak of the season, then May is going to look pretty good.

I talked to some of the captains in the fleet in Orange Beach, and they tend to agree that let’s give it some time and see how it works, and I don’t know how we’re going to balance this, because you’ve got one user group that wants May and August, September, and October, and that’s going to be tough to do, I think. The fractional bag limit versus boat limits, my fleet is split on that, and so I don’t know what to say about that.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: Kind of to hit on that point a little bit, I think some of the frustration that’s coming out of this -- I mean, last fall was a year where we had a major tropical event. We had a Category 5 hurricane hit the group of people that are fishing this fishery, and so they were out during the fall, and then, once they were rigged up again to start fishing in the spring, this closed, and triggerfish closed, and they’re stuck at the dock.

They have come and they’ve said this is an emergency situation for them, and I’m sure that Dr. Crabtree can tell us why this wouldn’t qualify for an emergency rule, but this is a big deal for this group of people.

CHAIRMAN FRAZER: Chris.

MR. SCHIEBLE: I would like to just say that we agree with Kevin and Susan on this. I think we’re doing so many things so rapidly here, and how are we going to be able to track changes if keep changing things within one-year periods, and we’re looking at a recovering fish stock, and how are you going to
know what’s working, and how are you going to know what’s not working?

Secondly, I would like to point out, when you look at the total landings from August, September, and October, Florida and Alabama still caught two-thirds of the total, and Louisiana was close to one-third, and then the rest is between Texas and Mississippi, and so we’re talking about a user group that needs these fish in the spring, but yet they still managed to, through a Category 5 hurricane, land that portion of the fish, and so I think we need to wait a little bit.

CHAIRMAN FRAZER: John Sanchez and then Dr. Crabtree.

MR. SANCHEZ: Again, there is no easy solution, and I am mindful that we have these unique differences east and west, and then there’s differences in the way that people pursue the fishery. There is some big amberjack to the west, and you’ve got to go further for them.

As you go to fractional bag limits, maybe it’s not feasible anymore to go that far for these things, and I am mindful of these things, and then you go to the east, and they surely need that season in the spring, and I don’t know what gets us there, and that’s why I’m thinking that I would love to hear some input from the people and get real creative with this, because, while we’re chipping away at finding the solution, as we go to maybe something more of a long-term-oriented solution, like some regional management down the road or something, then, while we’re disrupting all of this, we’re disrupting the historical landings and maybe shifting them around, and so I’m at a loss, and I don’t know what to do.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: I am thinking about timing, because we come back in, and our next meeting is August, and so the fishery will already be open, and so we’re not going to get a bag limit change before the fall season is over.

I guess, if you were interested in switching the fishing year back to a calendar year, but then have the May season be short, like two weeks or something, to ensure that you’re still going to have a robust fall season, you might could get that done and get it in place before the fishery opened up in May, but I don’t see how --

I mean, we’re not going to get bag limits, especially because we
aren’t even decided as to what we would do anyway, and it would be difficult to do anything, but the only balance I could see is -- I know we’re trying to achieve some balance between the east and west and the fall and the spring, but the shift we made tended to shift all of it to the fall, and so there might be a way to have a smaller spring season and give them at least a couple of weeks there and still have a pretty good fall season, and it’s just a matter of striking a balance, and it seems like the balance may have gone further than we thought, but it’s hard for me to see how we would get something done that got them to a May season without shifting the fishing year back.

Of course, it could work out that this year they don’t catch as many fish in the fall, and we could have a May season, and there is just a lot of uncertainty in predicting that kind of thing.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Roy, will our, I guess, ability to kind in-season track these landings a little better, will that improve a little next year, with the rollout of your logbooks? I am just thinking about -- I mean, you all are trying to close this season and make sure that season has some fish left, and will that start to get better next year or not?

DR. CRABTREE: Well, we hopefully will have the charter guys reporting next year, but I don’t anticipate that we’ll be able to use those landings for a while, because the program is going to have to have the validation and some of that.

Now, it might be though that, even before we use the program for catch estimation, that we are able to use it to get some idea of are catches higher than we projected or lower, and we might be able to use it in a way to fine-tune projections, and so that may be valuable. Of course though, that’s still only one component of the catch, and you’ve got the remainder, and so it will help, I think, but I don’t know if it will -- How much it will help next year will depend on how smoothly the implementation goes.

CHAIRMAN FRAZER: Kevin Anson.

MR. ANSON: I am going to support the motion, and I’m going to support the motion in the spirit of talking about some things and opening this document back up, essentially, but I think, as we’ve gone into year-one, there has to be some recognition amongst the guys that are coming to the table that there might need to be some serious thoughts about the fall season and
making sure that there’s opportunities for the rest of the folks in the Gulf, and so I will be in support of the motion.

**CHAIRMAN FRAZER:** Okay, and so I’m just thinking about this a little bit. I mean, at one point, there was some work done on a very similar amendment, and so I was just talking to Dr. Simmons. I am not sure that we could have a complete amendment in place for the August meeting.

We could probably get to work on that, and we were trying to get a Reef Fish AP meeting as well in October, but we’re having a hard time getting a quorum there, but perhaps, with both of those things in concert, we can make a start on the framework amendment and try to convene the Reef Fish AP and also make that a topic of discussion, but it does get to Roy’s point. If we go that route, it’s not going to happen quickly, and I’m not sure we’re going to be in a position to do anything in the short-term, and so, Ms. Boggs.

**MS. BOGGS:** I just have a question, because, when the fishing season changed and you went to the kind of split season, and I heard a lot of testimony yesterday that they were promised, and Martha’s motion here says “ensure”, and I don’t know how you can ensure anything. I mean, I don’t want to give the fishermen false hope, because, if you reset it to January 1 and in May you overfish, then you cannot ensure that you’re going to have a fall harvest season, and I’m not going to support this motion.

**CHAIRMAN FRAZER:** Ms. Guyas.

**MS. GUYAS:** Maybe a way to word that would be that the goal of the amendment is to have a May and fall harvest seasons, if that’s -- It’s a little softer, but I think everybody gets what I am trying to say here.

**CHAIRMAN FRAZER:** Bob Shipp, are you okay with that change?

**DR. SHIPP:** Yes.

**CHAIRMAN FRAZER:** Okay. Dr. Crabtree.

**DR. CRABTREE:** I will support the amendment. I mean, Susan is right. There is no way to guarantee any of this, but you can do things that increase the likelihood that you will have those, but, to be sure you’re going to have those seasons, you would have to set it up in a way that had really big buffers, and so that means that, most years, you may leave fish uncaught at the end of the year.
CHAIRMAN FRAZER: To that point, I think those types of discussions could be had in the AP committee meeting. Mr. Swindell.

MR. SWINDELL: In Louisiana, Patrick and the Department of Wildlife and Fisheries have used three-day weekends as a good way to lengthen the harvest season. Would there be any consideration for using three-day weekends in the month of May for this particular motion?

CHAIRMAN FRAZER: I think those are the types of discussions that would be fleshed out in the amendment itself and the discussions with the AP, Ed. Okay. Is there any further discussion on this motion? I am going to have a show of hands on this one. All those in favor of the motion, signal by raising their hand; all those opposed. The motion carries nine to six. Go ahead, Martha. Excuse me. Dr. Stunz.

DR. STUNZ: I just want to throw something out there, and I wanted to dispense of that motion first, and, every time this sort of has come up, I have said that amberjack is like the poster child for regional management kind of thing here, and so, while I know we’re dealing with sort of some immediate issues and some more concerns of the fishery, I really think we need to start talking about, whether it’s an EFP or whatever we need to do, and I know the regional management of red snapper is still not really even underway, outside of its own EFP, but I think we really need to start going down that road, and, maybe out of this AP discussion it will come up, but that would solve a lot of these problems, where, of course, it’s going to be an allocation issue, just like red snapper, but I think we’ve sort of had some of those battles already, hopefully, and can work through an easier process.

It gets around a lot of these issues with all these nuanced state differences and seasons that you have, and I don’t know. It just seems like a reasonable way to go, and I know that’s another big amendment to swallow kind of thing, but I think, at some point, we’ve got to be realistic that, through a broad, one-size-fits-all, we’re probably never going to get there with amberjack, because of all these issues that, obviously, just keep coming up. Again, I’m not ready to do anything at this point, at this meeting, but I think it’s certainly something that that AP needs to have some serious discussion on.

CHAIRMAN FRAZER: Ms. Guyas.
MS. GUYAS: On that topic, because it has kind of come up in some discussions that I’ve had, and I think it’s an interesting idea. I don’t think we’re there yet. I mean, in Florida and Louisiana, there is data collection for amberjack beyond MRIP, but nowhere else, at least to my knowledge, and so, if we’re going to go down that road, like we did with red snapper, we’ve got -- We have some ways to go, I think, with data, and it’s just interesting, right? Like there’s charter components to this, and there is private, and it may be a little different than red snapper, if we end up going down that way, but I hear what you’re saying, and yes.

CHAIRMAN FRAZER: Okay. We will go ahead and continue on with the almaco jack.

MS. GUYAS: All right. The South Atlantic Fishery Management Council recently established a commercial minimum size limit for almaco jack of a twenty-inch fork length, and the Florida Fish and Wildlife Conservation Commission is establishing a consistent size limit for state waters.

Gulf fishermen have asked the FWC for a similar minimum size limit to be established in the Gulf. Committee members noted that the species is becoming more popular regionally by commercial and recreational anglers and as a candidate for mariculture.

CHAIRMAN FRAZER: Okay. This was brought up as an Other Business item. Does anybody want to discuss it further at this meeting? Leann.

MS. BOSARGE: Do we have to have a motion to have something brought back to us to discuss this further, or no?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Yes, it would be nice to have a motion, so we have some clarity as to what you would like us to look at. I think the South Atlantic only did this for the commercial sector, and I could be -- Just maybe a little bit more. If you want to see something, just tell us a little bit more what you would like to see.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I think that we should look at a minimum size limit, and I’m not sure what the South Atlantic’s rationale was for just doing it on commercial. Maybe they predominantly have
only commercial landings of this species, and I don’t know what
Florida is going to do, if they’re going to do commercial and
recreational, but we had some testimony about it, and they said
it’s pretty easy to string up some small fish, and so I think
that would be a wise move, from a conservation standpoint.

I know we tend to get into a lot of stuff when we look at
anything in a document, and so I did ask those guys -- I said,
now, is that all you’re wanting to look at, is a minimum size
limit, and are you not wanting any kind of trip limits or
anything like that, and they were like, no, we don’t want trip
limits. We just want to make sure that people don’t bring in
small fish, and so I will put that out there.

CHAIRMAN FRAZER: Ms. Beckwith, do you want to weigh-in on this?

MS. BECKWITH: This was a request that came out of our visioning
process, and it was a request by the commercial industry to us
directly, and so we just agreed with it and moved on, but it was
not a request from the recreational.

CHAIRMAN FRAZER: I guess I’m just thinking about that, and
there is some language, obviously, some perhaps template type of
language, that would be available from the South Atlantic
Council to start things. Martha.

MS. GUYAS: First, just to clarify what my commission did. They
approved setting the same minimum size limit for commercial
harvest on the Atlantic coast, and then the discussion was,
based on the testimony that they got, of, hey, can you talk to
the Gulf Council about doing this on the Gulf side, just because
people were supportive of that, and it wasn’t really clear what
people were asking for, if it was recreational or commercial,
and we heard both in testimony yesterday.

I mean, I’m kind of wondering if it might be good to start just
with like a white paper kind of thing about -- Learn a little
bit more about this stock. We don’t talk about it very much,
and maybe learn a little bit about what the South Atlantic did
and their rationale and life history and basic stuff, and then
see where we want to go after that.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I guess, if I’m going to make a motion, I think I
would make a motion to -- If it’s possible, let’s put this on
the SSC’s agenda, because I think it is kind of crazy for us to
just grab a size limit out of the air, and I would like some
scientific feedback on when do they mature, at what size, and
what do think are some options, maybe, and so let the SSC take a
look at this, and then it will be in our SSC report, and we’ll
have some more information on the biology.

Surely, if we’re using aquaculture for this stock, we know what
size it matures at, and so the motion would be to put this on
the SSC agenda for them to discuss minimum size limits and give
us some feedback. I’ve got a second. Okay.

CHAIRMAN FRAZER: We’ve got a second for the motion from Dr.
Mickle, but I see John Sanchez has his hand up.

MR. SANCHEZ: That was an attempt to second it.

CHAIRMAN FRAZER: Okay. Then we go back to Dr. Mickle.

DR. MICKLE: I appreciate it, and I think it’s a good idea, and
we always try to use the best available science. Being almaco
jack, I know very, very little, almost zero, about this species,
but I would assume, based on the interest in mariculture, that
there is a lot of scientific literature out there on
reproductive capabilities and age class and all that, and so I
think it won’t even be that large of a task to drum up the
literature out there, I’m guessing, just because of the interest
from the aquaculture side and their knowledge from the
ecological standpoint as well. Thank you.

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

MR. DIAZ: It’s just a comment for Dr. Simmons. I don’t know if
this would be a good candidate to do that or not, but, in the
past, you all have done some of those hot-sheets, and I find
those are really helpful for me when I’m going through the
briefing book to see it, and, if you all could, and you wouldn’t
mind putting together a hot-sheet on this almaco jack, I think
it would be beneficial for me. Thank you.

EXECUTIVE DIRECTOR SIMMONS: We can do that.

CHAIRMAN FRAZER: Kevin.

MR. ANSON: Just briefly, that’s what I was -- I wasn’t quick
enough to make a comment to that in the motion, was to add some
sort of additional information that the SSC would review, but
then also would be carried to the council that we could have to

161
kind of look at landings and some general biology and that type of thing, and that would be helpful. Thank you.

CHAIRMAN FRAZER: I am looking at Dr. Simmons, and we can accommodate that? Go ahead, Carrie.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. I think we’re -- I would have to look at the agenda again, but I think we’re pretty close to having the July agenda finalized for the SSC meeting, and so we can see if we can squeeze this in, but it may not happen until September, but we can get something together.

CHAIRMAN FRAZER: Okay. Ms. Guyas, is that the end of the reef fish report?

MS. GUYAS: Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you so much. Okay. We’re at the end of our agenda. Is there any other business? Dr. Mickle.

DR. MICKLE: I just want to take this opportunity to thank Doug Boyd for his service. I never got a chance to. Two years ago, to this week, actually, I was -- We were at our meeting in Naples, and it was my first meeting with my training wheels completely off, on my own, and I sat next to Doug, and we didn’t vote the same way on a single item, and he was encouraging, and he respected my opinions, and he thanked me for the honesty that I provided, when he brought up to me why I voted certain ways, and he respected my opinion, and so I just wanted to thank you, and I appreciated that, and it’s always nice to have senior leadership when you’re scared and just starting something out of this caliber, with this level of respect. Thank you, Doug. I appreciate it.

CHAIRMAN FRAZER: I would just thank Doug, and I think everybody is appreciative of your service, and it will be a loss not seeing you at the table, but the best of luck moving forward. All right. If I don’t see any other business, the meeting is adjourned.

(Whereupon, the meeting adjourned on June 6, 2019.)

- - -

162