

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 REEF FISH MANAGEMENT COMMITTEE

4  
5 Doubletree by Hilton Austin Austin, Texas

6  
7 APRIL 5-6, 2016

8  
9 **VOTING MEMBERS**

- 10 John Greene.....Alabama
- 11 Kevin Anson.....Alabama
- 12 Martha Bademan (designee for Nick Wiley).....Florida
- 13 Leann Bosarge.....Mississippi
- 14 Doug Boyd.....Texas
- 15 Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- 16 Pamela Dana.....Florida
- 17 Dale Diaz.....Mississippi
- 18 Myron Fischer (designee for Patrick Banks).....Louisiana
- 19 Kelly Lucas (designee for Jamie Miller).....Mississippi
- 20 Campo Matens.....Louisiana
- 21 Robin Riechers.....Texas
- 22 John Sanchez.....Florida
- 23 Greg Stunz.....Texas
- 24 Ed Swindell.....Louisiana
- 25 David Walker.....Alabama
- 26 Roy Williams.....Florida

27  
28 **NON-VOTING MEMBERS**

- 29 Jason Brand.....USCG
- 30 Glenn Constant.....USFWS
- 31 Dave Donaldson.....GSMFC

32  
33 **STAFF**

- 34 Steven Atran.....Senior Fishery Biologist
- 35 Assane Diagne.....Economist
- 36 Doug Gregory.....Executive Director
- 37 Karen Hoak.....Administrative and Financial Assistant
- 38 Ava Lasseter.....Anthropologist
- 39 Mara Levy.....NOAA General Counsel
- 40 Emily Muehlstein.....Fisheries Outreach Specialist
- 41 Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- 42 Bernadine Roy.....Office Manager
- 43 Carrie Simmons.....Deputy Director

44  
45 **OTHER PARTICIPANTS**

- 46 Pam Anderson.....PCBA, Panama City, FL
- 47 Patrick Banks.....LA
- 48 Greg Ball.....Galveston, TX

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2 Brad Boney.....Gulf Coast Leadership, Houston, TX  
3 Steve Branstetter.....NMFS  
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5 Gary Bryant.....Gulf Shores, AL  
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20 Brandi Reeder.....TPWD  
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25 Dave Sullivan.....Port Aransas Boatmen's Association, TX  
26 Steve Tomeny.....Fourchon, LA  
27 Ed Walker.....  
28 Daniel Willard.....EDF, Austin, TX  
29 Ted Venker.....CCA, Houston, TX

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31  
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PAGE 22: Motion to set Alternative 4 as the preferred alternative. [The motion carried on page 24.](#)

PAGE 33: Motion to add an Alternative 4, which would be to keep the closed season from June 1 to July 31, but have it open on March 1 instead of January 1. [The motion carried on page 33.](#)

PAGE 35: Motion to approve the framework action 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 36.](#)

PAGE 45: Motion for a new alternative in Action 1 to establish a harvest tag program that provides recreational anglers with annual allocation distributed in the form of harvest tags to be used specifically on charter vessels. [The motion failed on page 56.](#)

PAGE 61: Motion in Action 2 to add a new Alternative 5, as recommended by the advisory panel. [The motion carried on page 65.](#)

PAGE 68: Motion in Alternatives 2, 3, and 4 under Action 2, to add a sentence at the end of each alternative that says: Any vessel opting out from the red snapper management program for charter vessels will not be able to harvest red snapper. [The motion carried on page 69.](#)

PAGE 74: Motion to adopt the AP recommendation to distribute quota using the parameters in Alternatives 2, 3, and 5. [The motion carried on page 82.](#)

PAGE 85: Motion to add two new alternatives, an Option 5d, using the average landings for the years 2003 to 2012, excluding the landings in 2010, and then 5e to use 50 percent of the landings from 1986 to 2013 and 50 percent from 2006 to 2013, excluding 2010. [The motion carried on page 87.](#)

PAGE 87: Motion to add in Action 1 an alternative to establish a PFQ program that uses annual allocation, but not shares. [The motion carried on page 88.](#)

PAGE 88: Motion to, staff time permitting, reconvene the

1 Charter For-Hire AP prior to our June meeting, in order to  
2 continue work on their recommendations for Amendment 41. [The](#)  
3 [motion carried on page 89](#).  
4  
5 [PAGE 89:](#) Motion to ask the AP to take up this Alternative 5 to  
6 establish a harvest tag program that provides recreational  
7 participants with annual allocation distributed in the form of  
8 harvest tags and specifically evaluate this alternative. [The](#)  
9 [motion carried on page 90](#).  
10  
11 [PAGE 91:](#) Motion to remove Alternative 3 in Action 1 and Section  
12 C, Fishing Cooperatives, to the Considered but Rejected section.  
13 [The motion carried on page 92](#).  
14  
15 [PAGE 92:](#) Motion to have the staff examine the following  
16 traditional measures and report back to the council on how these  
17 measures impact season length for the charter for-hire sector:  
18 bag limits, split seasons, and a range of size limits. [The](#)  
19 [motion carried on page 97](#).  
20  
21 [PAGE 103:](#) Motion to ask the National Marine Fisheries Service  
22 to publish a control date of December 31, 2015 for participation  
23 in the reef fish headboat program. [The motion carried on page](#)  
24 [104](#).  
25  
26 [PAGE 121:](#) Motion in Action 2 to make Option 3b the preferred  
27 option for MSST. [The motion carried on page 121](#).  
28  
29 [PAGE 124:](#) Motion that the preferred alternative be Alternative  
30 1, no action. [The motion carried on page 126](#).  
31  
32 [PAGE 127:](#) Motion to set Alternative 4 as the preferred  
33 alternative. [The motion carried on page 127](#).  
34  
35 [PAGE 127:](#) Motion to make Alternative 2 the preferred  
36 alternative in Action 5. [The motion carried on page 127](#).  
37  
38 [PAGE 129:](#) Motion to make Alternative 3 the preferred. [The](#)  
39 [motion failed on page 130](#).  
40  
41 [PAGE 130:](#) Motion that the preferred be Option 2a. [The motion](#)  
42 [carried on page 130](#).  
43  
44 [PAGE 131:](#) Motion to take Amendment 45 to in-person public  
45 hearings. [The motion carried on page 136](#).  
46  
47 [PAGE 151:](#) Motion to make Alternative 5 the preferred  
48 alternative for Action 1. [The motion carried on page 152](#).

1  
2 [PAGE 153:](#) Motion to recommend the council approve the Framework  
3 Action to Modify Commercial Gear Requirements and  
4 Recreational/Commercial Fishing Year for Yellowtail Snapper, and  
5 that it be forwarded to the Secretary of Commerce for review and  
6 implementation, giving staff editorial license to make the  
7 necessary changes in the document. [The motion carried on page](#)  
8 [154.](#)  
9  
10 - - -  
11

1 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Doubletree by Hilton Austin,  
3 Austin, Texas, Tuesday morning, April 5, 2016, and was called to  
4 order at 8:30 a.m. by Chairman Johnny Greene.

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

10 **CHAIRMAN JOHNNY GREENE:** I would like to call the Reef Fish  
11 Committee together. This is a committee of the whole. It looks  
12 like almost everyone is here, and so we will continue on. With  
13 that, we have an agenda that has been presented to you. Is  
14 there a motion to adopt the agenda? Is there any changes or  
15 additions? Seeing no changes, the agenda will be adopted as  
16 written.

17  
18 The next item will be Approval of the Minutes. Any changes or  
19 additions or corrections? Seeing none, we will adopt the  
20 minutes as written.

21  
22 Action Guide and Next Steps, Tab B, Number 3, is presented for  
23 your reference. Thank you, Mr. Atran, for providing that for  
24 us. With that, we will go on to Action Item Number IV, Update  
25 on 2015 Recreational Red Snapper Landings. I guess someone at  
26 National Marine Fisheries will run us through that.

27  
28 **UPDATE ON 2015 RECREATIONAL RED SNAPPER LANDINGS AND**  
29 **RECREATIONAL SEASON PROJECTIONS FOR 2016**  
30

31 **DR. NICK FARMER:** Good morning, everybody. I am Dr. Nick  
32 Farmer. I'm with the Southeast Regional Office, and I'm going  
33 to tell you guys about the 2015 landings and then the 2016  
34 season length projections for Gulf red snapper.

35  
36 Our preliminary landings for 2015, you can see in this table  
37 we've got the landings broken out by mode, and so you have  
38 private and state charter in the first row and then federal for-  
39 hire in the second. I have the landings listed by state. Your  
40 sources for the private and state charter are MRIP, LA Creel,  
41 and TPWD. Your sources for the federal for-hire are MRIP, LA  
42 Creel, TPWD, and then the Southeast Region Headboat Survey.

43  
44 We've got landings listed by state, and you can see the totals  
45 here. For the private and state charter combined, we've got  
46 about 3.895 million pounds. That's 95 percent of the ACL and  
47 119 percent of the ACT. For the federal for-hire, we've got  
48 about two-million pounds. That's 68 percent of the ACL and 85

1 percent of the ACT.

2  
3 Just to look at kind of trends through time, this is the  
4 percentage of private landings in federal waters through time.  
5 The blue is 2011 and red is 2012. Light blue is 2013 and purple  
6 is 2014 and the green is 2015. It's arranged by state, as a  
7 percentage of the private landings in federal waters, as  
8 compared to state waters.

9  
10 One of the things that you will notice is, for most of the  
11 states, a declining percentage of red snapper overall private  
12 landings have been originating from federal waters, and that's  
13 especially true off of Louisiana and then Florida in 2015.

14  
15 The 2016 quotas, upon implementation of Reef Fish Amendment 28,  
16 Gulf-wide, the ACL is going to be 7.192 million pounds. The  
17 Gulf-wide ACT is going to be 5.753 million pounds. That will  
18 give you a private annual catch target of 3.3 and a for-hire  
19 annual catch target of 2.4 million pounds.

20  
21 Looking at the 2016 state seasons, because those have an  
22 important influence on the federal projected season length, and  
23 these are the preliminary data that we have, Florida is  
24 proposing a state season of seventy-eight days. That would be  
25 open Saturdays and Sundays in May, starting May 7, and open  
26 continuously May 28 through July 10. Then they would reopen  
27 Fridays, Saturdays, and Sundays and Labor Day in September and  
28 October.

29  
30 Alabama has told us to assume that they will do what they did  
31 last year, but this is also not finalized, and so we would look  
32 at the federal season plus thirty-one days, July 1 through 31.  
33 Mississippi is a similar story, federal plus 108 days. That  
34 would be the federal season plus three-day weekends in July  
35 through October. Then Louisiana, we're looking at a season up  
36 to 358 days. They open January 8 and they close when they hit  
37 the Louisiana quota of 763,560 pounds, and Texas plans to open  
38 year-round with a four-fish bag limit and a fifteen-inch minimum  
39 size limit in state waters.

40  
41 Another thing to note is that the state boundaries for Alabama,  
42 Mississippi, and Louisiana were recently extended through  
43 congressional action from three to nine nautical miles for red  
44 snapper management.

45  
46 For the projections for 2016, these are the data inputs. We  
47 have the Marine Recreational Information Program. That data  
48 runs from 2004 through 2015. From that data, we can obtain

1 landings and PSE, which is an expression of uncertainty in the  
2 landings estimates.

3  
4 The 2004 through 2013 landings that we used from that time  
5 series are the APAIS-adjusted landings that were used in the  
6 SEDAR 31 update, and so it's consistent with the landings that  
7 were used to generate the ABC recommendations. Then the 2014  
8 through 2015 landings are from the Southeast Fisheries Science  
9 Center's recreational ACL database, which is a QA/QC version of  
10 the MRIP data.

11  
12 Then Texas Parks and Wildlife Department provided us with some  
13 landings. Those landings are run through the Southeast  
14 Fisheries Science Center's ACL database. We have the landings  
15 from 2004 through 2014 from that, by wave. We also received  
16 2015 landings from TPWD staff, as well as PSE, or an expression  
17 of uncertainty in the landings estimates, from 2004 through 2015  
18 from TPWD staff.

19  
20 Then Louisiana Department of Wildlife and Fisheries has provided  
21 us with weekly landings and error estimates from 2014 through  
22 2015. In 2015, the LA Creel survey was the only source for  
23 charter estimates off of Louisiana, and so that was used in the  
24 projections.

25  
26 Then the Southeast Region Headboat Survey, and that includes  
27 data from the Headboat Collaborative Program in 2014 through  
28 2015, we get the monthly landings from that from the ACL  
29 database.

30  
31 We ran a bunch of projection scenarios. We looked at ten  
32 different types of projections for catch rates and mean weights.  
33 Five of those projection scenarios looked at recent data, and so  
34 we used catch rates and average weights from 2015, 2014, 2013,  
35 the mean of 2014 through 2015, and the mean of 2013 through  
36 2015.

37  
38 We also did five different regression-based projections. One  
39 was by state and by mode. Another was by state and by mode,  
40 dropping 2014, because the catch rates in 2014 were very, very  
41 high, because the season was short. We ran another one with  
42 east and west combined, and so east would be Florida, Alabama,  
43 and Mississippi. West would be Louisiana and Texas. Combining  
44 those minimizes some of the uncertainty and the noise in the  
45 data.

46  
47 Then we did those by mode as well. Then we did east and west by  
48 mode, dropping 2014, and then east and west by mode, scaling the

1 Headboat Collaborative catch rates from 2014. Because 2014 was  
2 such a short season for the for-hire mode, they only had nine  
3 days, the Headboat Collaborative guys, their catch rate, if you  
4 assume they would have caught everything they caught in the  
5 entire season in those nine days, looks a little out of whack  
6 with the rest of the lineup.

7  
8 They had much longer to fish, due to the structure of that  
9 program, and so we noticed that there was a pretty nice  
10 consistent proportional trend of what percentage of the headboat  
11 landings were originating from collaborative participants versus  
12 non-collaborative participants through time, and so that's what  
13 that scaling is about.

14  
15 Then we also, in these projections, in the regression models, we  
16 considered covariates, such as spawning stock biomass, which is  
17 projected from the stock assessment by east and west, state  
18 seasons by each state, because some of these projections were  
19 done on a state-by-state basis, federal season lengths for the  
20 for-hire and private mode, and then mean fuel prices. We  
21 thought that might be an important predictor.

22  
23 Google Trends, the Southeast Fisheries Science Center recently  
24 published a paper that showed that Google searches for red  
25 snapper season were actually a pretty fairly good predictor of  
26 in-season catch rates, and then also per capita GDP, which is  
27 the amount of money that people have to spend on things such as  
28 red snapper trips.

29  
30 Looking at the outputs from the projections, one of the take-  
31 home messages is there were different points of uncertainty.  
32 State catch rates is one and average weights is another.  
33 Another point of uncertainty would be which of those projection  
34 scenarios most accurately reflects the reality we would expect  
35 in 2016.

36  
37 Another thing would be what percent will the catch rates off of  
38 Alabama, Mississippi, and Louisiana increase, based on the  
39 change in state boundaries from three to nine nautical miles.  
40 In this particular graphic, you can see that we're using the  
41 base regression model with projected catch rates and average  
42 weights. In this one, we're assuming a 10 percent increase in  
43 Alabama, Mississippi, and Louisiana state water catch rates  
44 during time period when the state is open, but the federal  
45 season is not.

46  
47 There are a few take-home messages here. One of the things you  
48 can note is that the federal for-hire -- You can see the

1 breakout of where the landings are coming from, from various  
2 states, and so you can see a lot of that is coming from Florida  
3 and Alabama and the federal for-hire mode.

4  
5 You can also note that second column there, that's private and  
6 state charter in state waters during state seasons, as compared  
7 to the private catch in the third column there is in the federal  
8 season. You will note that the private and state charter  
9 combined is pretty close to the private and the federal season  
10 in terms of where the total red snapper private mode landings  
11 are coming from. Those would be the landings that would be  
12 attributed to the private mode ACT.

13  
14 Then the next graphic shows just a different set of assumptions.  
15 This one assumes 2015 catch rates and average weights and  
16 assumes a 200 percent increase in Alabama, Mississippi, and  
17 Louisiana state water catch rates, because they've got three  
18 times the area, or possibly even more, under state jurisdiction  
19 during those state seasons.

20  
21 In this particular projection, you will see that the private and  
22 state charter combined state-water jurisdiction landings  
23 actually exceed the private landings that come from the federal  
24 season.

25  
26 With that, this is a table of the season length projections from  
27 the ten different projection models. You can see that there is  
28 some variability in terms of the projected season lengths for  
29 the federal private season and for the federal for-hire season.

30  
31 The assumption here would be that these are not normally  
32 distributed, and so a good expression of kind of the overall  
33 trend in the median. In that instance, the median season length  
34 for the private is eight days, and the median season length for  
35 the for-hire mode is forty-eight days. This assumes that 10  
36 percent increase in state catch rates. The minimum for private  
37 is six and the max is nine, and the minimum for federal for-hire  
38 is thirty-eight, with a maximum of fifty-six.

39  
40 With that, I will leave you with any questions. I've got some  
41 follow-on slides if we want to talk about some additional  
42 details, but I figured that this table would probably be the  
43 thing that was most interesting to you.

44  
45 **CHAIRMAN GREENE:** Thank you, Dr. Farmer. Any questions? Ms.  
46 Bosarge.

47  
48 **MS. LEANN BOSARGE:** Mine was just a comment. I really

1 appreciate you showing all the data inputs and going through  
2 that. That really is helpful for us to understand where these  
3 numbers come from. Thank you.

4

5 **CHAIRMAN GREENE:** Mr. Diaz.

6

7 **MR. DALE DIAZ:** I guess my question is the charter for-hire,  
8 there was 68 percent of the ACL that was landed for the charter  
9 for-hire. How many pounds does that equate to? Do you know?

10

11 **DR. FARMER:** I actually have it in my notes on the PowerPoint.  
12 I don't have those in front of me, but 68 percent -- I am trying  
13 to recall, but I think that's close to a half-a-million or maybe  
14 a little bit more, 600,000 pounds.

15

16 **MR. DIAZ:** I know we had talked about trying to do a better job  
17 with the ACTs, and we've got a few things we're working on to do  
18 that. I mean this is kind of an example. The sectors are split  
19 now. That one is substantially below its ACT.

20

21 If we had a mechanism to do something to try to make it where  
22 that sector could fish that, that would be good, and we're going  
23 to talk about that later in this meeting in the document that  
24 we're going to start just working on today. I think we need to  
25 start looking at that and try to let these boats fish as much as  
26 possible. If it's a second season, that will be a good way to  
27 do it. Thank you.

28

29 **CHAIRMAN GREENE:** Thank you. Dr. Crabtree.

30

31 **DR. ROY CRABTREE:** I think Dale makes a good point, and we've  
32 done some internal discussions about some alternative ways to  
33 handle that, which I was going to bring up when we get to the  
34 amendment to look at reopening and things, but I think there are  
35 some things we could do to deal with that.

36

37 **CHAIRMAN GREENE:** Dr. Farmer.

38

39 **DR. FARMER:** Dale, to your question, that was a 32 percent  
40 underage, which equates to 958,735 pounds.

41

42 **MR. DIAZ:** Thank you.

43

44 **CHAIRMAN GREENE:** Thank you. Any further questions or comments  
45 for Dr. Farmer? Greg.

46

47 **DR. GREG STUNZ:** I have a quick question for you, Dr. Farmer. I  
48 was actually looking ahead towards some of the supplemental

1 slides you had in there. The one I'm looking at is Slide 20. I  
2 just want to make sure that I'm interpreting this correctly.  
3 This is assuming percentage increases in state waters in this  
4 impact of going from three to nine miles. Is that saying that  
5 the state waters really don't have a big impact on what you see  
6 in the season length?

7  
8 **DR. FARMER:** The expansion of state waters from three to nine  
9 nautical miles has some impact. I mean if you express that as a  
10 proportion of the private season length, then, proportionally,  
11 it reduces the season by a fair amount when you get into those  
12 higher percentages, but the reason that there is a control on  
13 the influence of that is, one, the assumptions we're making  
14 about what the state seasons are going to be.

15  
16 We've got an assumption about Alabama, in particular, of just  
17 the thirty-one-day opening in Wave 4, and their catch rates in  
18 Wave 4 last year were relatively low. Then Mississippi, just in  
19 general, has relatively low state-water catch rates. Then  
20 Louisiana, which has relatively high state-water catch rates, is  
21 managing towards a fixed amount. Although they catch that  
22 amount more quickly, they don't catch more under the assumptions  
23 of the model. The model assumes that Louisiana will close when  
24 they hit that amount. Thanks.

25  
26 **CHAIRMAN GREENE:** Thank you. Mr. Anson.

27  
28 **MR. KEVIN ANSON:** Dr. Farmer, thank you for the presentation.  
29 On the calculation regarding the state water season, you had 10  
30 percent increase for Alabama, Mississippi, and Louisiana, and  
31 that was 10 percent applied just to state water landings, based  
32 on the previous prior years, and not applied to federal landings  
33 as well? Is that correct?

34  
35 **DR. FARMER:** Correct. When the state season is open, but the  
36 federal season is closed, the assumption is that -- In 2015,  
37 they had a particular catch rate during that time period. That  
38 2015 catch rate is then multiplied by one plus whatever that  
39 scalar percentage is. In this case, it would be 110 percent  
40 times whatever that 2015 catch rate was.

41  
42 **MR. ANSON:** Thank you.

43  
44 **CHAIRMAN GREENE:** Any further questions or comments? Okay.  
45 Thank you, Dr. Farmer. With that, we will move on to our next  
46 agenda item, which is Final Action, Framework to Modify Red  
47 Grouper ACL. With that, I guess we will pick up on Review  
48 Framework Action, Tab B, Number 4.

1  
2 **FINAL ACTION - FRAMEWORK ACTION TO MODIFY RED GROUPER ACL**  
3 **REVIEW OF FRAMEWORK ACTION**  
4

5 **DR. CARRIE SIMMONS:** Good morning. I have a presentation, if we  
6 could go through the presentation first, if that's okay, Mr.  
7 Chairman.

8  
9 **CHAIRMAN GREENE:** Absolutely.

10  
11 **DR. SIMMONS:** Okay. It's online and it should also be on your  
12 thumb drives. At the January council meeting, we heard the  
13 results of the stock assessment and the recommendations by the  
14 SSC. We've tried to put together a document fairly quickly,  
15 based on our usual timeline, to try to get something done on red  
16 grouper as soon as possible. This is the first time you've seen  
17 this, and it does have "Final Draft" in the title.

18  
19 The stock status of red grouper, it's neither overfished or  
20 experiencing overfishing, and that was based on SEDAR 42 in  
21 2015. The SSC made a couple of different recommendations.  
22 Those included the yield stream projections for 2016 through  
23 2020. That was a declining yield stream. Then we also asked  
24 them for a constant catch yield stream, which you will see in  
25 the alternatives.

26  
27 This is just some information about recent commercial and  
28 recreational landings. It starts in the most recent time period  
29 and then goes backwards. I wanted to point out here that the  
30 recreational sector has closed in the recent two years, in  
31 October, and I also have some information on the percentage of  
32 the quota from the commercial sector that was landed for 2015,  
33 and that was about 84 percent. for 2014, that was 99.5 percent  
34 of the ACT. For 2013, that was about 83 percent of the ACT.  
35 For 2012, it was 97 percent of the ACT.

36  
37 The current recreational management measures are a minimum size  
38 limit of twenty-inches total length. The sector is managed with  
39 a two-grouper bag limit within the four-grouper aggregate. The  
40 annual catch target is 92 percent of the annual catch limit,  
41 based on landings, and you will see this throughout the  
42 alternatives, from 2012 through 2015, and that was running it  
43 through the ACL/ACT control rule.

44  
45 The accountability measures that are currently set up is the  
46 recreational landings are estimated. When the recreational  
47 landings are estimated to reach the annual catch limit, the  
48 Assistant Administrator will close the fishery for the remainder

1 of the year. If the annual catch limit is exceeded, in the  
2 following year the season length will be estimated based on the  
3 annual catch target and reduced to meet that annual catch  
4 target.

5  
6 Just some recent history about management with the recreational  
7 sector, we've made a lot of changes. I just wanted to point  
8 that out. That probably makes it a little bit more difficult  
9 for the Regional Office to try to estimate when the fishery will  
10 close.

11  
12 In March of 2012, the bag limit was increased to four fish.  
13 Then in July of 2013, the shallow-water closure was eliminated  
14 shoreward of twenty-fathoms. May 5 through December 31 of 2014,  
15 the bag limit was temporarily reduced to three fish, under the  
16 bag limit step-down, but then in 2015, it went back to four  
17 fish. Then in May of 2015, the council reduced the bag limit to  
18 two red grouper and removed the step-down accountability  
19 measure.

20  
21 For the commercial sector, it's currently managed with an IFQ  
22 program. A vessel is permitted to exceed its allowable quota  
23 allocation one time of the year, up to 10 percent. Some people  
24 use this at the end of the year. Some people don't use it at  
25 all.

26  
27 There is a multiuse allocation provision that's currently set up  
28 for red grouper and gag, and that requires a buffer between the  
29 annual catch limit and the annual catch target. The ACLs and  
30 ACTs for both sectors were established in Amendment 30B, and  
31 that was in 2008.

32  
33 To start getting into the document, the current allocation is 76  
34 percent commercial and 24 percent recreational. The current  
35 buffer is 5 percent between the ACL and the ACT for the  
36 commercial sector and 8 percent for the recreational sector, and  
37 those have not been changed throughout the range of alternatives  
38 we'll be going through.

39  
40 The current catch limits are as follows, in pounds gutted  
41 weight. The overfishing limit is about eight-million pounds  
42 gutted weight. The ABC is 7.93-million pounds gutted weight,  
43 and then you can see the ACLs and ACTs for each sector  
44 currently.

45  
46 The purpose of this document is to modify the allowable harvest  
47 for red grouper based upon the SSC's review and recommendations  
48 from the recent stock assessment. The need is to adjust the

1 allowable harvest based upon the best available science and  
2 manage by levels that achieve OY and prevent overfishing.

3

4 I went over the no action alternative in the previous slide.  
5 Now we'll start getting into the alternatives that we have in  
6 the document. Alternative 2 would use the declining OFL and ABC  
7 yield stream recommended by the SSC for 2016 through 2012, and  
8 then it would establish the annual sector annual catch limits  
9 equal to the annual acceptable biological catch limits, based on  
10 the allocation. The ABC is based on the allocation, and it  
11 would establish ACTs for each sector, using the 5 percent and 8  
12 percent buffers, 5 percent for the commercial and 8 percent for  
13 the recreational sector.

14  
15 For Alternative 3, it would use the constant catch OFL and ABC  
16 recommended by the SSC, but it would establish those ACLs equal  
17 to the ABC, based on the current allocation, and then establish  
18 ACTs for each sector using those same 5 and 8 percent buffers.  
19 All these values are in pounds gutted weight.

20

21 Alternative 4 would use the constant catch OFL and ABC  
22 recommended by the SSC, but then set the ACL and ACT below the  
23 constant catch OFL and ABC, and it would base them on the  
24 minimum ABC that came out of that declining yield stream of the  
25 10.77-million pounds gutted weight, and that was the 2020  
26 number, and use the current allocations on the minimum ABC to  
27 establish ACLs. Those are the resulting numbers with the 5 and  
28 8 percent buffers.

29

30 This table shows the positive differences in the proposed ACLs  
31 compared to the status quo, Alternative 1. You can see the  
32 alternatives across and then the difference for each of the ACLs  
33 and the status quo based on the years. This is the same thing  
34 for the commercial sector, the proposed ACLs and then the  
35 positive difference between the status quo, Alternative 1.

36

37 Just a little bit of additional information. Each alternative,  
38 besides no action, is currently estimated to allow for a year-  
39 round season with a two-fish per person bag limit. Any  
40 potential changes may not be in effect in time to allow for a  
41 continued season in 2016.

42

43 Currently, when we talked to the Reef Fish AP about this, Dr.  
44 Farmer had told us that the recreational sector is estimated to  
45 close anywhere from sometime in late September to early  
46 December, and they would probably need about a two-million-pound  
47 allocation to have a year-round season.

48

1 Something else also to keep in mind is if a mid-year increase of  
2 the red grouper quota occurs, the National Marine Fisheries  
3 Service would only distribute red grouper allocation and not the  
4 multiuse shares in 2016, to ensure that the gag ACL is not  
5 exceeded.

6  
7 With that, I can take some questions. I did want to point out  
8 that, on the website and also on your thumb drive, we had just  
9 some minor revisions in the alternatives. They're slightly  
10 different than what's in the amendment. It doesn't change the  
11 numbers, but it just kind of clarifies the intent. If the  
12 committee wants to review those, we can do that next or answer  
13 some questions before then.

14  
15 **CHAIRMAN GREENE:** Thank you. Any questions or comments? Ms.  
16 Bademan.

17  
18 **MS. MARTHA BADEMAN:** I want to say thank you to Carrie and staff  
19 for putting this together so quickly. I think this is one, if  
20 we can get it done and if everybody is comfortable with it at  
21 this meeting, I think it would be a good thing, so that we have  
22 a chance to get this increase hopefully before a recreational  
23 closure occurs this year. If we can avoid one that's  
24 unnecessary, then let's do that. I guess my question is to the  
25 SERO folks. If we do pass this today, do you think that's a  
26 realistic goal, that we could get this in place before late  
27 September?

28  
29 **DR. CRABTREE:** We'll do our best, and I think there's a good  
30 chance we can avoid a closure, but there's a lot of variables  
31 there, and so it's hard to say for sure.

32  
33 **CHAIRMAN GREENE:** Anyone else? Mr. Walker.

34  
35 **MR. DAVID WALKER:** Carrie, was there another alternative that I  
36 think the Reef Fish AP came up with on Friday?

37  
38 **DR. SIMMONS:** Yes, and I haven't gone through the AP report yet.  
39 I didn't know if people just wanted to ask some questions about  
40 the presentation first. Also, I believe Emily has some public  
41 comments, written comments, that we received as well, and so we  
42 can do those right now, if you would like.

43  
44 **CHAIRMAN GREENE:** Emily.

45  
46 **PUBLIC COMMENTS**

47  
48 **MS. EMILY MUEHLSTEIN:** We'll go ahead and do that. Since this

1 is a framework action, typically we don't do in-person public  
2 hearings and we produce a video and take online comments. We  
3 published that video on March 15. At last check, last week, we  
4 had 220 views of that video and we received twenty-eight  
5 comments. The following is just a quick summary of the comments  
6 that we got regarding the red grouper framework.

7  
8 There was support for every alternative, which doesn't really  
9 help that much. Some of the rationale was the council should  
10 select Alternative 3 and use the mean overfishing limit and  
11 acceptable biological catch to set the annual catch limits. The  
12 recreational season should be open year-round. That was a major  
13 concern from a lot of the people that commented, is they wanted  
14 to select an option that would allow for a year-round season.

15  
16 There was also a lot of concern for not being able to get this  
17 in on time, so that we would have a break in the recreational  
18 season, and people were really urging the council to do  
19 everything they could to do this quickly, so that we didn't have  
20 that season interruption for the recreational fishermen.

21  
22 It was suggested that the council should not raise the catch  
23 limit just yet. Instead, the stock should be allowed to  
24 stabilize at a higher level before greater harvest is allowed.  
25 In other words, that declining yield stream was a little bit  
26 off-putting for some people, and they were hoping that maybe we  
27 could leave some fish to swim and maybe keep a higher yield for  
28 years to come, rather than fish everything at the level that  
29 we're allowed to.

30  
31 Recreational anglers should be allowed three fish per person  
32 year-round. Some people were asking for a much higher annual  
33 catch limit, to allow us to restore that four-fish red grouper  
34 bag limit eventually that we used to have.

35  
36 The commercial sector should not be allowed 76 percent of the  
37 allocation. The allocation should be adjusted to allow the  
38 recreational sector a year-round four-fish bag limit. That's  
39 sort of another way to manipulate that same idea of getting that  
40 four-fish red grouper bag limit back for the recreational  
41 sector.

42  
43 The catch limit should not be raised. An increase would be  
44 disruptive to the commercial sector, and it will cause effort  
45 shifting in the recreational sector. There was concern about a  
46 big glut of red grouper coming into the commercial fishery if we  
47 went with that alternative that allows for that major increase.

48

1 Much like what happened with gag, the council should take no  
2 action, because the commercial annual catch limit is not being  
3 harvested anyway. Only raise the annual catch limit slightly.  
4 The Reef Fish AP and commercial fishermen don't feel that the  
5 biomass is as large as the stock assessment shows. There was a  
6 number of people that did express concern that maybe this  
7 potential giant raise in the annual catch limit was larger for  
8 some artificial reason.

9  
10 Then there were some other comments that were shoved in with  
11 these red grouper ones. There were too many red snapper in the  
12 Gulf, especially around oil rigs, and the council needs to do a  
13 better job with stock assessments and to stop voting in favor of  
14 commercial interests, and that there is need for anglers to  
15 understand how to prevent discard mortality, and so those two  
16 sort of extra things. If you have any questions, let me know.

17  
18 **CHAIRMAN GREENE:** Thank you, Emily. Any questions? Seeing  
19 none, we will go to the AP review and Dr. Simmons.

#### 20 21 **REEF FISH AP SUMMARY**

22  
23 **DR. SIMMONS:** Thank you, Mr. Chairman. I will be reviewing Tab  
24 B, Number 4(c). We did have an advisory panel conference call  
25 on Friday before the council meeting to try to get some input  
26 from them as quickly as we could to bring to the council at this  
27 meeting.

28  
29 We had eighteen members on the call out of twenty-three. The  
30 call went from 10:30 to around 12:00. Members of the AP, both  
31 commercial and recreational fishermen, expressed concerns about  
32 some of the alternatives provided in the document as being too  
33 high, based on their experience on the water.

34  
35 One member who attended the data review workshop on red grouper  
36 felt that the catch levels represented in Alternative 4 were  
37 reasonable, based on the current status of the stock and based  
38 on the information that the scientists said that they could be  
39 increased even higher than what was provided in Alternative 4.

40  
41 Several members, who were recreational fishermen, expressed a  
42 strong desire to have a year-round fishing season for red  
43 grouper and stated the importance of having this opportunity to  
44 harvest the fish, particularly for the for-hire industry in the  
45 Naples area, the Fort Myers area.

46  
47 One member also mentioned basically the stress that it had  
48 placed on the recreational sector when the season had closed in

1 early October of 2015. Commercial fishermen, however, expressed  
2 concerns about a large amount of quota being released later in  
3 2016, potentially flooding the market of red grouper.

4  
5 After some more discussion, the AP passed the motion below to  
6 add a new alternative that would increase the stock annual catch  
7 limit by 20 percent from the current 7.93-million pounds gutted  
8 weight to 9.52-million pounds gutted weight. This increase was  
9 expected to allow the recreational sector to have a year-round  
10 fishing season, based on the current bag limits and fishing  
11 behavior, while allowing a more conservative increase in the  
12 commercial quota.

13  
14 The motion is on the board for us. That motion was to recommend  
15 to the council that they add a new Alternative 5, a 20 percent  
16 increase of the ACL, to that 9.5-million pounds gutted weight.  
17 The commercial ACL would be 7.24-million pounds gutted weight  
18 and the recreational ACL would be 2.28-million pounds gutted  
19 weight.

20  
21 Staff tried to craft this alternative. We thought this is what  
22 it would look like. It's written in the report there for your  
23 review, and then there was a motion made to make Alternative 4  
24 the preferred alternative, but that failed by a vote of seven to  
25 ten. Then they made a motion to recommend to the council that  
26 in Action 1 a new Alternative 5 be the preferred alternative,  
27 and that motion carried by a thirteen-to-four vote.

28  
29 Then, after that, they had some other recommendations and  
30 discussions outside of the red grouper framework. I can see if  
31 there's questions and go back to those.

32  
33 **CHAIRMAN GREENE:** Thank you. Any questions about the Reef Fish  
34 AP and the red grouper? Okay. I don't see any questions or  
35 comments, Dr. Simmons.

36  
37 **DR. SIMMONS:** I will just review these quickly. Some of them  
38 you may want to consider for the next item, for triggerfish, I  
39 guess. They just ask that for the future meeting that some of  
40 the items that they would like to review be included on the  
41 agenda, such as the gray triggerfish bag limit, one-fish bag  
42 limit for the recreational sector, which I think we're looking  
43 at in the options paper that we're going to look at later,  
44 consideration of removing the captain and crew bag limit for  
45 gray triggerfish, consider modifying the red grouper sector  
46 allocations, consider developing tools to allow real-time  
47 transfer of foregone yield, for example the temporary transfer  
48 of the commercial ACT that was not landed to the other sector,

1 and then an individual emailed later and suggested that goliath  
2 grouper also be added to the agenda, allowing a limited harvest  
3 through a potential tag system. I let him know that we are  
4 receiving a goliath grouper assessment here later this year and  
5 that would be appropriate to add that to the agenda.

6  
7 Then we talked about when the best time to meet would be, and  
8 that information is in the report, as well as a list of failed  
9 motions. Mr. Chairman, that concludes the AP Report.

10  
11 **CHAIRMAN GREENE:** Okay. Any further questions or comments? Mr.  
12 Fischer.

13  
14 **MR. MYRON FISCHER:** Thank you, Mr. Chairman. Carrie, if you  
15 wouldn't mind going back to red grouper. I'm still trying to do  
16 the math on this new Alternative 5. I just wanted to understand  
17 where the reductions come from from the stock overfish limit all  
18 the way down. I think it may be in the buffers, but I just  
19 didn't get time to read the smaller print. What I'm trying to  
20 do is compare Alternative 5 to Alternative 4. Could you please,  
21 once again, discuss the differences?

22  
23 **DR. SIMMONS:** I believe that the new Alternative 5 is about a 20  
24 percent increase from the current ACLs equal to the ABC, and  
25 Alternative 4 I think is about a 35 percent increase, but I will  
26 have Assane or Steven check me, to make sure those percentages  
27 are correct.

28  
29 **DR. ASSANE DIAGNE:** That's correct, yes.

30  
31 **CHAIRMAN GREENE:** Any further comments? I guess, from this  
32 point, do you want to go back through -- I guess we're going to  
33 need to pick a preferred here at this point, and so I guess we  
34 should go back through and attempt to pick a preferred. I know  
35 there seems to be a consensus that people want to try to get  
36 this through, and so I think we need to try to do something with  
37 the preferred at committee, or at least by full council, but I  
38 know we're going to get some public testimony, but what is the  
39 feelings of the committee? Ms. Bademan.

40  
41 **SELECTION OF PREFERRED ALTERNATIVES**

42  
43 **MS. BADEMAN:** I will throw one out there for consideration, if I  
44 can get to the right page. **I will make a motion to set**  
45 **Alternative 4 as the preferred alternative for the one and only**  
46 **action.**

47  
48 **CHAIRMAN GREENE:** We are going to get it up on the board here.

1  
2 **DR. SIMMONS:** Mr. Chairman, could I just, again, clarify a  
3 little bit of the difference? There were just a few typos, I  
4 think, in the document for Alternative 4, and so if you're in  
5 agreement, she would pull the slightly-revised Alternative 4  
6 from that handout. That reads: To use the constant catch OFL  
7 and ABC recommended by the SSC, but set the ACL and ACT below  
8 the constant catch OFL and ABC. Base the ACL and ACT on the  
9 minimum ABC of that 10.77-million pounds gutted weight from the  
10 declining yield stream. Use the current allocations on the  
11 minimum ABC to establish the ACLs and set the ACTs for each  
12 sector where the commercial ACT or quota is set at 95 percent of  
13 the commercial ACL and the recreational ACT is at 92 percent of  
14 the recreational ACL. If that's okay, Mr. Chairman.

15  
16 **CHAIRMAN GREENE:** Yes, I think that is the way to go. We have a  
17 motion on the board. Is there a second to the motion? It's  
18 seconded by Mr. Robinson. We've had some discussion about it.  
19 Does anybody want to add anything else? Ms. Bademan.

20  
21 **MS. BADEMAN:** I think this a little conservative. I know there  
22 were some concerns, it sounds like at the Reef Fish AP, about  
23 just going ahead and doing that big jump that would come in  
24 Alternative 2 and Alternative 3, depending on if you want to do  
25 constant catch or not, but this gets us to having a year-round  
26 season, potentially, for recreational, which I think is really  
27 important.

28  
29 This fishery, even though it's been in good shape for the last  
30 several years, there's been a lot of regulatory changes and  
31 uncertainties, and they've all been with the goal of being able  
32 to get the season to the end of the year, but we've fallen short  
33 several times, and so I'm hoping that this alternative will get  
34 us to where the recreational fishery is in a stable place.

35  
36 **CHAIRMAN GREENE:** Thank you. Any further discussion? Mr.  
37 Walker.

38  
39 **MR. WALKER:** I just wanted to get on the record that the science  
40 just isn't matching what we're seeing on the water. I think it  
41 was Alternative 5 -- I think a lot of the industry supports  
42 status quo, but Alternative 5, from what I understand, is a 20  
43 percent increase, and I think it was -- Someone communicated to  
44 me that it would only take 16 percent to give the recreational  
45 fishery a year-round fishery. I just wanted to make sure that  
46 was known to you.

47  
48 **CHAIRMAN GREENE:** Thank you. Ms. Bademan.

1  
2 **MS. BADEMAN:** I hear that, but if it's a really a difference  
3 between 16 and 20 percent, I don't want to cut it close here. I  
4 mean if the stock assessment tells us that we're okay here --  
5 Everything I'm hearing from recreational fishermen off of  
6 central and southwest Florida is that the fish are there.  
7 There's a reason why they're catching them at the rates that  
8 they've been catching them. Based on the information we have in  
9 front of us, this looks like something that we can do and we can  
10 do with some comfort that we're not going to be jeopardizing the  
11 stock.

12  
13 **CHAIRMAN GREENE:** Thank you. Any further discussion on the  
14 motion that we have before us? **Any opposition to the motion?**  
15 **Seeing no opposition, the motion carries.**

16  
17 I guess that wraps up red grouper, and is that correct? Is  
18 there anything else that anyone else wants to throw out before  
19 we leave red grouper? Seeing no further action on red grouper,  
20 then we will move on to the next agenda item, which will be  
21 Options Paper for Amendment 46, which will be Modify Gray  
22 Triggerfish Rebuilding, Tab B, Number 5, and Dr. Simmons.

23  
24 **DR. SIMMONS:** Thank you, Mr. Chairman. I guess, if the council  
25 is comfortable regarding red grouper, when we get to full  
26 council, we will have revised codified text with that  
27 information in it for your review. Then if, you agree, to  
28 forward to the Secretary and all that kind of stuff, once we get  
29 there during full council. The text I don't think is updated  
30 yet with that new preferred alternative.

31  
32 **CHAIRMAN GREENE:** Okay, and so we can just defer that to full  
33 council and be fine?

34  
35 **DR. SIMMONS:** Yes.

36  
37 **CHAIRMAN GREENE:** Okay. Thank you.

38  
39 **OPTIONS PAPER FOR AMENDMENT 46 - MODIFY GRAY TRIGGERFISH**  
40 **REBUILDING PLAN**

41  
42 **DR. SIMMONS:** I will go through Tab B, Number 5, Modifications  
43 to the Gray Triggerfish Rebuilding Plan. This is really just  
44 background right now, information and draft options. We need  
45 your feedback as far as if these are the right range of options  
46 and alternatives that we should be looking at.

47  
48 We will be working closely with the Regional Office staff to get

1 some information, some analyses, in there about what rebuilding  
2 plan you want to go with and what catch levels you want to use  
3 and then how much reduction we're going to need. That will all  
4 impact the range of alternatives for the management measures  
5 that you'll see later on.

6  
7 We want to make sure that we're looking at the right range as we  
8 go through here, and if there's things you would like to add or  
9 things that you may not be interested in looking at, now would  
10 be the time to let us know that.

11  
12 The recent SEDAR 43 standard assessment for gray triggerfish was  
13 completed and reviewed by the SSC in October of 2015. The  
14 assessment indicated that gray triggerfish are no longer  
15 undergoing overfishing, but remain overfished. You may recall  
16 in November of 2015 that National Marine Fisheries Service  
17 notified the council that adequate progress was not being made  
18 towards rebuilding.

19  
20 Based on this information, the council wrote a letter to the  
21 Science Center requesting some additional scenarios for  
22 rebuilding, based on the time scenarios of eight, nine, and ten  
23 years, with some recruitment scenarios built into that. Then,  
24 in January of 2016, the SSC accepted the low-recruitment  
25 scenarios for 2014 through 2018 as the basis for the  
26 projections, starting in 2017. Then the SSC recommended an ABC  
27 for three years, 2017 through 2019.

28  
29 Let's go to the purpose and need. It's on page 6. The purpose  
30 is to modify the management measures and the timeline to rebuild  
31 the gray triggerfish stock in the Gulf of Mexico. The need is  
32 to make adequate progress to rebuild the overfished stock and to  
33 achieve, on a continuing basis, the optimum yield from the  
34 federally-managed stock. That's currently what we have for the  
35 purpose and need, and so if you guys have any recommendations  
36 there as well, that would be helpful.

37  
38 The management options start on page 7. This would be Action 1,  
39 to Modify the Gulf of Mexico Gray Triggerfish Rebuilding Plan.  
40 Alternative 1, no action, is to maintain the gray triggerfish  
41 rebuilding plan at a constant fishing mortality rate defined as  
42 the fishing mortality rate at optimum yield, and that's from the  
43 2011 update assessment and what the council did in Amendment 37,  
44 and that was in 2013.

45  
46 Alternative 2 would modify the rebuilding plan to be the minimum  
47 number of years, or T<sub>min</sub>, to rebuild the stock based on the  
48 constant fishing mortality rate equal to zero, and that would

1 start in 2017, and use the SSC's recruitment scenarios that I  
2 talked about earlier. Based on that, the stock would recover at  
3 a biomass at 30 percent spawning potential ratio in six years,  
4 or by the end of 2020. That's if there's no fishing.

5  
6 Alternative 3 would modify the rebuilding plan for gray  
7 triggerfish to rebuild the stock within eight years, or by the  
8 end of 2024. Alternative 4 would modify the rebuilding plan for  
9 gray triggerfish to rebuild the stock within nine years, or by  
10 the end of 2025, and Alternative 5 would modify the rebuilding  
11 plan for gray triggerfish to rebuild the stock within ten years  
12 or by the end of 2026.

13  
14 What you will see is in the next action, based on these  
15 timelines that the council will be looking at for rebuilding the  
16 stock, that's going to determine the catch levels that you will  
17 see in Action 2. I will stop there for a second.

18  
19 **CHAIRMAN GREENE:** Any discussion? Mr. Sanchez.

20  
21 **MR. JOHN SANCHEZ:** More of a question. If we went to one fish,  
22 would that result in additional access days, and roughly how  
23 many, maybe?

24  
25 **DR. SIMMONS:** I think it would, and we have that currently  
26 drafted in here, but we don't have the information yet from the  
27 Regional Office and the Science Center, and so that's what we're  
28 trying to get, all of that together and what the council would  
29 like to see, and get it to the SSC in May and then to the  
30 council in June.

31  
32 **CHAIRMAN GREENE:** Thank you. Any further questions? Seeing  
33 none, Dr. Simmons.

34  
35 **DR. SIMMONS:** Thank you. Action 2 would establish annual catch  
36 limits and catch targets for triggerfish, and that starts on  
37 page 8. The current interim sector allocations for gray  
38 triggerfish are 21 percent commercial and 79 percent  
39 recreational, and that was established in Amendment 30A.

40  
41 Alternative 1 is the no action alternative. It would not modify  
42 the sector ACLs or ACTs from what was developed in Amendment 37,  
43 and that's been in effect, like I mentioned, since 2012. That's  
44 what we're currently operating under. You can see that table of  
45 the ABC of the 305,300 pounds whole weight.

46  
47 Alternative 2 coincides with the previous action, Alternative 2  
48 for Tmin, and it would set the sector ACLs and ACTs for gray

1 triggerfish at zero pounds until a new stock assessment has been  
2 completed. Alternative 3 would use the SSC's recommended  
3 rebuilding period of eight, nine, and ten years from the SEDAR  
4 43. Option a corresponds with the annual ABCs recommended for  
5 2017 through 2019 by the SSC and establishes the rebuilding of  
6 the stock in eight years, or by the end of 2024.

7  
8 Then you can see those are the resulting ABCs and the commercial  
9 and recreational ACLs and ACTs. To get those, and this is for  
10 the remaining alternatives, you will see we ran that through the  
11 recent years, from 2012 through 2015, through the ACL/ACT  
12 control rule that the council developed during the Generic  
13 Amendment for each sector. This results in an 8 percent buffer  
14 for the commercial sector and a 20 percent buffer for the  
15 recreational sector.

16  
17 Option b corresponds with the ABCs recommended by the SSC to  
18 rebuild the stock within nine years, or by the end of 2025.  
19 Again, it's using the same buffers that came out of the ACL/ACT  
20 control rule for each sector. You can see, from the table on  
21 the top of page 9, what the resulting catch limits would be for  
22 each sector and the ABCs.

23  
24 Option c corresponds with the annual ABCs recommended for 2017  
25 through 2019 to rebuild the stock within ten years, or by the  
26 end of 2026. Again, it's using those same buffers, and you can  
27 see what the resulting numbers would be in the table there.

28  
29 Alternative 4 uses a slightly different approach. It takes  
30 those same yield streams that the SSC recommended for 2017  
31 through 2012 and then it takes the average, or the mean, for  
32 each of those rebuilding times for each option for the eight  
33 years, with the resulting commercial and recreational sector  
34 allocations, or catch levels, for each year under each option.

35  
36 For the eight-year rebuilding plan, the mean ABCs you can see is  
37 the 225,333. Then the sector ACLs and ACTs and then the same  
38 thing for the nine and ten-year rebuilding plan. That's the  
39 range of alternatives that we have currently, or options, in  
40 this document.

41  
42 **CHAIRMAN GREENE:** Thank you. Any discussion? Dr. Crabtree.

43  
44 **DR. CRABTREE:** Just looking at it, this is kind of usual,  
45 because we've got a status quo that would be an ABC,  
46 essentially, of 305,000 pounds. Then you've got the ACLs that  
47 come out that. That's what is on the books now, and then we  
48 have a letter saying that we're not making adequate progress.

1 Then we have projections, some of which show actually higher  
2 catch levels than the current status quo.

3  
4 Where I have a hard time disconnecting is how we could  
5 reasonably argue how we could justify raising the catch levels  
6 as a response to not making adequate progress in rebuilding.

7  
8 I think it's very hard to build a rationale for anything that  
9 sets the catch levels above the status quo level right now, and  
10 I know the projections and things match those, but it's awful  
11 hard, it seems to me, to build a defensible argument of how a  
12 stock that's not rebuilding as it should, how we could respond  
13 to that by increasing the catch levels.

14  
15 I don't have a problem with having them in here as part of the  
16 range of alternatives, but it does seem, to me, that status quo  
17 or something lower is realistically what we're looking at,  
18 unless somebody has some good ideas of how to explain how we  
19 justify raising them.

20  
21 **CHAIRMAN GREENE:** Thank you. Mr. Williams.

22  
23 **MR. ROY WILLIAMS:** Roy, we were told that, though the stock is  
24 overfished, it's not undergoing overfishing. Why would we --  
25 What's wrong with the present catch levels? If they are not  
26 overfishing, it seems like they would be okay.

27  
28 **DR. CRABTREE:** I'm not saying there's anything wrong with the  
29 current catch levels. I think we could reasonably choose status  
30 quo catch levels and leave them where they are, but when you  
31 look at some of these options in here, they have the catch  
32 levels going up by, in some cases, a fair amount.

33  
34 If you look at Alternative 3c, they go up to 550,000 pounds, and  
35 so that's not quite double, but it's not far from double. Those  
36 are the ones that it seems to me to be hard to justify, but I  
37 think your rationale is right. I think you could argue to leave  
38 the catch levels where they are would be a reasonable response  
39 and that presumably, if the recruitments turn around, the stock  
40 would then rebuild.

41  
42 **CHAIRMAN GREENE:** Ms. Levy.

43  
44 **MS. MARA LEVY:** Thank you, and I just want -- When you're  
45 thinking about all of this, and obviously we're not at the point  
46 where we're picking preferreds or anything, but, as we go  
47 through the process, when you're choosing the rebuilding plan  
48 time period, which is the first action, it's the shortest time

1 possible, taking into consideration the needs of the fishing  
2 community.

3  
4 The idea of saying we're going to choose ten years because  
5 that's the longest and it gives us the highest catch rates that  
6 we can possibly do, there would need to be more rationale for  
7 going above what the minimum time period is. I'm not saying you  
8 can't choose a time period that's longer than the six years,  
9 which is no fishing mortality, or the eight years, which is the  
10 lowest catch limits, but think about what the shortest time  
11 possible really means in this context when you're going through  
12 this process. Thank you.

13  
14 **CHAIRMAN GREENE:** Thank you. Any further comments? Ms.  
15 Bademan.

16  
17 **MS. BADEMAN:** I guess when we're talking about the rebuilding  
18 plan, to me, part of the issue that we need to kind of keep in  
19 the back of our minds is when we can get this species set up for  
20 assessments. Whether we do the eight years or the ten years or  
21 whatever, we need to get a couple of assessments in, so we know  
22 what's going on and we can update as needed.

23  
24 **CHAIRMAN GREENE:** Good point. Mr. Diaz.

25  
26 **MR. DIAZ:** Unlike red grouper, the information that we're  
27 getting from fishermen is the exact opposite. The stock  
28 assessment, which, in all fairness, the terminal year ended a  
29 while back, but it's showing that the stock is in bad shape, but  
30 the feedback we're getting from people on the water is that the  
31 stock is actually in very good shape. At least that's the  
32 feedback I'm getting. It's just one of those we're in a tough  
33 situation with this. Thank you.

34  
35 **CHAIRMAN GREENE:** Thank you. Dr. Crabtree.

36  
37 **DR. CRABTREE:** I agree that there's going to be a need for a  
38 stock assessment, because my memory of the projections is they  
39 assume current levels of recruitment out for a few years and  
40 then they assume the recruitment jumps back up to I guess what  
41 the stock recruitment relationship -- I don't know if that's  
42 going to happen or not.

43  
44 It seems, to me, if we get out a few more years and the  
45 recruitment still hasn't gone up any, then you've got to start  
46 thinking maybe the productivity of the stock has changed some,  
47 because I don't think the stock can ever rebuild if the  
48 recruitments remain at the low levels that we've been seeing in

1 recent years.

2  
3 There is a lot of reasons why we need an assessment out there,  
4 but it would be nice to time that assessment so that it had a  
5 reasonable likelihood of being able to detect if the  
6 recruitments have actually changed some, and I don't know how  
7 long we would want to wait to be able to look at something like  
8 that.

9  
10 Maybe the fishermen are already seeing evidence of high  
11 recruitment, and so maybe we don't need to wait. Do we know if  
12 we have an assessment currently scheduled for gray triggerfish?  
13 Do you know, Clay? It seems to me that's something we ought to  
14 bring up, Mr. Chairman, at the next SEDAR Steering Committee,  
15 and look at when we could get to another assessment.

16  
17 **CHAIRMAN GREENE:** Thank you. Any further discussion? Mr.  
18 Rindone.

19  
20 **MR. RYAN RINDONE:** Thank you, Mr. Chair. I was just going to  
21 comment on the assessment schedule. Gray triggerfish is  
22 scheduled to be included amongst the Gulf Council's priority  
23 species for the MRIP update calibrations, and so we will get  
24 revised yield streams from the Science Center after that, and  
25 that is in 2017, and so late 2017 to early 2018, somewhere  
26 around there. The list that we provided to the Science Center  
27 had gray triggerfish up near the top for getting those done.

28  
29 **CHAIRMAN GREENE:** Dr. Porch.

30  
31 **DR. CLAY PORCH:** Just to clarify though, that's not a full  
32 update assessment. That's just looking at the effect of the  
33 potential change in the recreational catches due to the MRIP  
34 recalibrations.

35  
36 **CHAIRMAN GREENE:** Dr. Crabtree.

37  
38 **DR. CRABTREE:** With just doing that, Clay, we're not going to be  
39 able to pick up if there's been a change in recruitment from  
40 that, would we?

41  
42 **DR. PORCH:** Not if that's all we look at. We would need to  
43 update all the indices of abundance, et cetera, for a regular  
44 full update.

45  
46 **DR. CRABTREE:** That's a substantial increase in the amount of  
47 labor that goes into it or --

48

1 **DR. PORCH:** Yes.  
2  
3 **CHAIRMAN GREENE:** Thank you. Mr. Anson.  
4  
5 **MR. ANSON:** I don't know if I heard Martha correctly, but, based  
6 on Martha's comment, I took that to mean that, looking at the  
7 assessment schedule and the opportunities that we have in the  
8 short term and mid-term, that we might want to lean to a longer  
9 time series that we're looking at here. That would be my  
10 opinion.  
11  
12 **CHAIRMAN GREENE:** Ms. Bademan.  
13  
14 **MS. BADEMAN:** Yes, and I just meant that we need to be kind of  
15 mindful of that as we set our schedule. I mean I would hate to  
16 mistime the other assessments and the rebuilding plan so that we  
17 finish a rebuilding plan, but we don't have another assessment  
18 for two years or whatever and we don't really know what's going  
19 on. We just need to have those two things working together in  
20 concert, whatever option we choose.  
21  
22 **CHAIRMAN GREENE:** That's a good point. Anybody have anything  
23 else? Ms. Bademan.  
24  
25 **MS. BADEMAN:** Before we leave triggerfish, if I am remembering  
26 from the last meeting that we had, where we got public comment,  
27 I know I've gotten a few emails, and I don't know about other  
28 folks, about the season, at least on the recreational side. I  
29 think there has been some -- We have heard some comments about  
30 the desire to have it open in the spring, maybe March-ish, and  
31 so I don't know how the committee feels about that and how that  
32 would even play out in how long the quota would last, but I'm  
33 just wondering if other people had thoughts on it. I just  
34 wanted to throw it out there, if people wanted to comment on it  
35 during public comment tomorrow.  
36  
37 **CHAIRMAN GREENE:** I've heard some of that. I guess we'll find  
38 that further in the document. Dr. Simmons.  
39  
40 **DR. SIMMONS:** Yes, I will go through the rest of the document.  
41 On page 10, there is a couple of different actions, three  
42 different actions, for recreational management measures. We did  
43 currently keep the recreational and the commercial measures  
44 separated, because currently the commercial sector is not  
45 landing their ACT.  
46  
47 We did hear from the Reef Fish AP last year that they felt that  
48 the reason for that was that the trip limit may be too low, the

1 twelve-fish trip limit, and so that's why we're separating them,  
2 thinking that, in the end, they'll have to be maybe potentially  
3 different for each sector. We'll see if they can come back  
4 together and be the same closed season or not, but that's why  
5 they're currently separated the way they are.

6  
7 Action 3 would be to modify the recreational fixed closed  
8 season. No action, it's currently closed during peak spawning,  
9 June 1 through July 31. We were thinking that Alternative 2  
10 could be to modify the closed season to extend it to a more  
11 protracted spawning season. That would be from June 1 through  
12 August 31.

13  
14 Then Alternative 3 would modify the closed season to be from  
15 January 1 through July 31, and we came up with this because we  
16 thought we understood that people wanted it open later in the  
17 year, possibly when gag was open, but maybe we misinterpreted  
18 that, based on what Ms. Bademan just said.

19  
20 Action 4 would modify the bag limit. We're currently at two  
21 triggerfish per angler within the twenty aggregate bag limit,  
22 and so Alternative 2 would reduce it down to one fish, like Mr.  
23 Sanchez was suggesting earlier, within the twenty reef fish  
24 aggregate. That was also something the AP brought up in the  
25 call on Friday.

26  
27 Then Alternative 5 would modify the minimum size limit for gray  
28 triggerfish. We're currently at a fourteen-inch fork length,  
29 and we looked at increasing it to fifteen inches as Alternative  
30 2, and Alternative 3 would increase it to sixteen inches fork  
31 length. I will stop there. That's kind of what we have just  
32 started with for the recreational management measures.

33  
34 **CHAIRMAN GREENE:** Thank you. I think that certainly ties into  
35 some of the other discussion that we were having. Now, I had  
36 some email traffic about opening in March. Maybe not open in  
37 January, but maybe open in February or March or something to  
38 that effect, but I haven't heard anything with the thought of  
39 opening in July. However, does anybody on the committee have  
40 anything that they would like to add at this particular point?  
41 Ms. Bademan.

42  
43 **MS. BADEMAN:** I may not be remembering this right from the last  
44 time that we talked about triggerfish, but I think we chose June  
45 and July as the closed season because that was when peak  
46 landings were. I guess if we did go to an opening earlier in  
47 the year, whether it's March or whatever month, and there was  
48 fish -- I guess I would still want to look at maybe keeping June

1 and July closed, just because that is, I think, a high traffic  
2 time for bringing in triggerfish, but then if there's an  
3 opportunity to reopen again later, then that would be nice too,  
4 just so that we could have the opportunity there for folks to  
5 catch fish if the fish are available, but that's just me.

6  
7 **CHAIRMAN GREENE:** I agree. Thank you. Mr. Anson.

8  
9 **MR. ANSON:** Thank you. Johnny, I had heard also some comments  
10 in Alabama of possibly looking at a March 1 opening, and so  
11 maybe that might -- **I guess I would make a motion to add an**  
12 **Alternative 4, which would be to keep the closed season from**  
13 **June 1 to July 31, but have it open on March 1 instead of**  
14 **January 1.**

15  
16 **CHAIRMAN GREENE:** Mr. Sanchez. Hang on just a second. Kevin is  
17 making a motion. Is there a second for the motion? Mr. Sanchez  
18 is seconding the motion. I think we've had a fair bit of  
19 rationale for what we're doing here. We will get the motion on  
20 the board before we -- Mr. Anson.

21  
22 **MR. ANSON:** As Martha said, the landings were high during that  
23 period, but Dr. Simmons also mentioned that it's also during  
24 their peak spawning time, and so there is some multiple benefits  
25 there by maintaining that June 1 to July 31 season as a closed  
26 season.

27  
28 **CHAIRMAN GREENE:** Okay. Thank you. Any further discussion,  
29 while we're getting the motion on the board?

30  
31 **MR. ANSON:** Currently, the season opens January 1. What I am  
32 proposing is to have it close from January 1 to February 28 and  
33 open on March 1 and then close -- Keep the June 1 to July 31  
34 closure, and so it would be to add a closure from January 1 and  
35 not keep a closed season, but to add a closed season of January  
36 1 to -- That's for recreational. That captures my motion.

37  
38 **CHAIRMAN GREENE:** Thank you. We have a motion on the board. It  
39 has been seconded. Any further discussion? **Seeing no**  
40 **discussion, is there any opposition to the motion on the board?**  
41 **Seeing none, the motion carries.** Any further discussion on gray  
42 triggerfish? Carrie, does this wrap us up with triggerfish?

43  
44 **DR. SIMMONS:** I just wanted to quickly go through the commercial  
45 actions. The reason, just to remind the council that I think  
46 that we put in place the June 1 through July 31 closed season  
47 for both sectors originally, was that was during peak spawning  
48 for them in the northern Gulf, and their unique life history of

1 the nest building and the parental care of the eggs and things  
2 like that.

3  
4 It may also have been, and we would have to look at Amendment 37  
5 again, when the recreational effort was greatest as well, but I  
6 think we were also trying to give people a chance to fish for  
7 something else besides red snapper as well, and so there I think  
8 there were multiple reasons.

9  
10 To finish up my presentation, page 11 has two actions regarding  
11 the commercial sector. Again, as I mentioned earlier, this may  
12 not be necessary, based on the rebuilding plan and the  
13 alternatives that come out of the catch levels that the council  
14 decides to go with.

15  
16 Action 6 would modify the commercial fixed closed season. I  
17 have a no action alternative. It's currently closed for the  
18 commercial sector from June 1 through July 31. Alternative 2  
19 would modify the closed season from March 1 to July 31. The  
20 idea with that is it would be open later in the year, but it  
21 would still cover that protracted spawning period from May to  
22 August.

23  
24 Then Alternative 3 would modify the triggerfish closed season  
25 for the commercial sector to be from June 1 through August 31,  
26 and that's, again, that protracted spawning period, but, again,  
27 these may not be necessary. We just don't know yet, until we go  
28 with what rebuilding plan and then what catch levels the council  
29 is going to go with.

30  
31 Action 7 would modify the trip limit for gray triggerfish. We  
32 have the no action alternative, which is currently at twelve  
33 triggerfish per trip per day. We do have an alternative in  
34 there to increase it to fourteen, based on the information that  
35 we received from the Reef Fish AP in September that they felt  
36 like they weren't catching their ACT because the trip limit was  
37 too low, and so we put fourteen fish in there. Again, we don't  
38 have any analysis yet to see where that would put us, based on  
39 current catch levels. Then Alternative 3 would decrease it to  
40 ten. That completes my report that we have so far on  
41 triggerfish.

42  
43 **CHAIRMAN GREENE:** Thank you. Does anybody wish to add anything  
44 to Action 6 or 7 on the commercial triggerfish? Ms. Bademan.

45  
46 **MS. BADEMAN:** Just a question about the whole document. Does  
47 this come back to us again before we go out to hearings? I  
48 can't remember where we are with this.

1  
2 **DR. SIMMONS:** We're at the very early stages. We need a lot of  
3 information still. It's just very draft options, but we just  
4 wanted to see if we could get the range before the council right  
5 now, to make sure that we're including that in the analysis that  
6 we get to the SSC and then bring it back in June. We'll  
7 hopefully have a more complete options paper then.

8  
9 **CHAIRMAN GREENE:** Mr. Sanchez.

10  
11 **MR. SANCHEZ:** Hopefully by then we should have that one-fish  
12 analysis and see what that does to access? Thank you.

13  
14 **CHAIRMAN GREENE:** Thank you. Anything else on gray triggerfish?  
15 Okay. Mr. Gregory had advised me that we need to go back to red  
16 grouper and have a committee motion to submit it to the  
17 Secretary. Would anyone -- Mr. Atran.

18  
19 **MR. STEVEN ATRAN:** Normally at this stage, you would also review  
20 the codified regulations and recommend them to be deemed  
21 necessary and appropriate, but the codified regulations do not  
22 reflect the preferred alternative that you selected. I would  
23 suggest that you just keep in mind, when we get to full council,  
24 that you will have to add that to the final action. Right now,  
25 I think all you're doing is recommending that the amendment,  
26 with the preferred alternatives, be accepted and forwarded to  
27 the Regional Administrator.

28  
29 **CHAIRMAN GREENE:** Okay. Thank you. Ms. Levy.

30  
31 **MS. LEVY:** You do have a codified text in your briefing book.  
32 It does show you what provisions will change, given the  
33 preferred you selected. It doesn't have the numbers in there,  
34 because there was no preferred. You can do, if you want to, the  
35 traditional motion and deem the codified text as you have it,  
36 with the authority for staff to make the necessary editorial  
37 changes. I think the standard language that uses the codified  
38 text would work here. It's up to you what you want to do.

39  
40 **CHAIRMAN GREENE:** Okay. Ms. Bademan.

41  
42 **MS. BADEMAN:** I will make the motion. I am kind of watching the  
43 computer screen and hoping that those words are just going to  
44 appear on the page and I can read them. **I would recommend that**  
45 **the council approve the framework action and that it be**  
46 **forwarded to the Secretary of Commerce for review and**  
47 **implementation and deem the codified text as necessary and**  
48 **appropriate, giving staff editorial license to make the**

1 necessary changes in the document. The Council Chair is given  
2 the authority to deem any changes to the codified text as  
3 necessary and appropriate.  
4

5 **CHAIRMAN GREENE:** Is there a second for the motion? Mr. Sanchez  
6 seconds it. The motion appears to be correct. **Any opposition**  
7 **to the motion?** Does this require a committee roll call vote or  
8 anything, Mr. Gregory?  
9

10 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** No, a roll call is not  
11 required.  
12

13 **CHAIRMAN GREENE:** Thank you. **Seeing no opposition, the motion**  
14 **will carry.** With that, Chairman Anson, we are scheduled for a  
15 break at 10:30. We're at 9:45. Do you wish to carry on with  
16 Amendment 41 or take a break at this particular point, sir?  
17

18 **MR. ANSON:** I would say go ahead and carry on.  
19

20 **CHAIRMAN GREENE:** Okay. With that, we will move on to Draft  
21 Amendment Number 41, Red Snapper Management for Federally-  
22 Permitted Charter Vessels. I guess the staff lead will be Dr.  
23 Lasseter.  
24

25 **DRAFT AMENDMENT 41 - RED SNAPPER MANAGEMENT FOR FEDERALLY-**  
26 **PERMITTED CHARTER VESSELS**  
27 **REVIEW OF DRAFT AMENDMENT**  
28

29 **DR. AVA LASSETER:** Thank you, Mr. Chairman. We have brought you  
30 a revised draft of red snapper management for federally-  
31 permitted charter vessels. What I've put up here is the same  
32 version you have in your document, but I have integrated the AP  
33 recommendations alongside the actions, so that we can look at  
34 them in tandem. We're going to kind of do that Tab B, Number 6  
35 and 7 together, but we'll be based in the actual document here.  
36

37 If we could take a look at the table of contents, just so that  
38 we can see the Chapter 2, Management Alternatives, section. I  
39 just wanted to show you the overview of the structure of the  
40 document, the way it's at now.  
41

42 Our Section A is the introductory section, and these actions  
43 would apply regardless of the approach, the allocation-based  
44 management approach, you may select. The Action 1 will be  
45 addressing which type of allocation-based management approach.  
46 Again, here, if you do not intend to select an allocation-based  
47 management approach, Alternative 1 is there to allow traditional  
48 management, seasons and bag limits, to continue.

1  
2 Action 2 is the new action you requested at the last meeting  
3 about voluntary program participation. Action 3 is addressing  
4 how to distribute the quota among the charter vessels, and then  
5 we go into three separate sections that would address each of  
6 the possible alternatives for an allocation-based management  
7 approach. Section B addresses either IFQs or PFQs, these  
8 fishing quota programs, and Section C is the fishing  
9 cooperatives. and Section D is harvest tag program.

10  
11 We can go into Chapter 1, page 4. We have updated all of the  
12 information, the data in the tables, in Chapter 1. I won't go  
13 through this, but I just wanted to point out that all of this  
14 information has been updated.

15  
16 If you scroll down a little bit more, we can see a map there  
17 that reflect where these counties are. This is for the  
18 committee's convenience, if we wish to discuss further how some  
19 of these breakdowns in geographic regions are made. If we go to  
20 page 6 and 7, I will just point out that all of these tables  
21 have been updated with the values as of March 3, 2016.

22  
23 **CHAIRMAN GREENE:** Mr. Diaz.

24  
25 **MR. DIAZ:** Being as we're at this Table 1.1.4, I wanted to  
26 mention a couple of things here. I've been concerned about  
27 going down this allocation-based management approach, because we  
28 didn't have good catch histories to start. For a state like  
29 Mississippi, and I know you all have heard me say this before at  
30 the meetings, but MRIP does not always do a good job in a small  
31 state.

32  
33 I think you all know how MRIP reviews charter boats, and if you  
34 just look at this table, you can see that there is three years  
35 where Mississippi has zeroes out of these ten years. That's  
36 saying in those three years that our charter boats effectively  
37 caught nothing.

38  
39 Now, I noticed -- I read through the AP report, and it used to  
40 be people were talking about we're going to divide all the fish  
41 evenly, but that's not the way it is anymore. Now, a lot of the  
42 conversation is going towards we're going to look at the catch  
43 history of the area, and that's a concern I have for Mississippi  
44 fishermen.

45  
46 I am not saying Mississippi is a high-catch area, but it's going  
47 to be artificially lower than it should be because of these  
48 zeroes, and I don't think there's a way we can correct that. I

1 just have concerns that going down the allocation-based path, if  
2 we happen to go the route where we look at areas and their catch  
3 history, it's going to be something that's going to affect  
4 Mississippi fishermen forever.

5  
6 I think that's a real problem, and I just wanted to point that  
7 out as we were going past this table. The whole document here,  
8 when we started going down this road -- Originally, when we set  
9 up the AP, I did think we were going to look at some traditional  
10 management-type approaches, and we really haven't explored them  
11 very much.

12  
13 I am going back and forth, and I'm trying to listen to this and  
14 be open minded, but you know I kind of always keep coming back  
15 to I think maybe we should try some traditional management  
16 things and see if the charter fishery may be better off for  
17 everybody. I know there will be some winners and losers if we  
18 do this allocation-based system, but without having the catch  
19 histories and trying to do all of this stuff fairly, I just see  
20 it being a big, big challenge. Anyway, that's enough of that  
21 for now. Thank you.

22  
23 **CHAIRMAN GREENE:** Dr. Crabtree.

24  
25 **DR. CRABTREE:** I think you make some good points, Dale, that if  
26 we somehow pull regions into the allocation formula that would  
27 be problematic, but it does seem to me that we just need to be a  
28 little more creative in how we define the regions so that  
29 Mississippi is broadened out to at least enough coastal counties  
30 or a large enough area that we feel more comfortable with the  
31 catch estimates for that region and resolve some of that, but it  
32 does seem to me that if you're going to somehow pull region into  
33 whatever allocation there is, the regions will have to be  
34 defined broadly enough that you feel reasonably comfortable with  
35 the catch histories you have for that. I think you're right  
36 that it's a concern, but I think there may be ways to handle  
37 that, depending on how we go.

38  
39 **CHAIRMAN GREENE:** Thank you. Mr. Matens.

40  
41 **MR. CAMPO MATENS:** Dr. Crabtree, I appreciate your comments,  
42 because, in the same table, in 2010, Louisiana has zero. The  
43 next year, it was 4.8, and that's pretty hard to swallow. I  
44 appreciate your comments in that regard, sir.

45  
46 **CHAIRMAN GREENE:** Dr. Crabtree.

47  
48 **DR. CRABTREE:** Of course, 2010 was the oil spill, and so there's

1 reasons for why some of those --

2

3 **MR. MATENS:** Yes, I'm aware of that. It was the oil spill for  
4 everybody else, too.

5

6 **CHAIRMAN GREENE:** Thank you. Any further comments? Dr.  
7 Lasseter.

8

9 **DR. LASSETER:** Thank you, Mr. Chairman. If we could go on to  
10 the purpose and need section, which begins on page 9, the  
11 existing purpose and need of this action is provided, and then  
12 the text that's in these boxes, this reflects the AP  
13 recommendations. These are what's provided in your Tab B,  
14 Number 7, and so you will not see that in your Tab B, Number 6,  
15 in your actual document. This is just to facilitate presenting  
16 this in committee.

17

18 This is our first AP recommendation, and they provided some  
19 proposed wordsmithing of the existing purpose and need, and I  
20 underlined the differences, to kind of emphasize that. They  
21 modified it to add "enhance the sustainability of the red  
22 snapper population", and they also suggested the word  
23 "maximizes" instead of "increases", and they reworded the end of  
24 it, as far as -- Instead of "federal charter vessels and their  
25 angler passengers", to "anglers fishing on federally-permitted  
26 charter vessels".

27

28 I do want to just point out that staff would feel better with  
29 retaining the "increases" instead of "maximizes", because, in  
30 the AP meeting, we did discuss that our purpose and need and our  
31 goals -- If we go forward with this plan, we are going to have a  
32 review period at some point, and we're going to want to quantify  
33 and measure changes in progress.

34

35 Of course, how would we define maximize, but we could look at if  
36 opportunities have increased. This is one of the first AP  
37 recommendations. If there are no comments, we will go on to the  
38 next page.

39

40 The AP spent a substantial bit of time talking about proposed  
41 goals and objectives, and these are all motions that passed from  
42 them proposing their goals and objectives, what they would like  
43 to see for the program, and so we'll go through these.

44

45 The overall goals for Amendment 41 would be to increase fishing  
46 opportunities for anglers who use the federally-managed charter  
47 for-hire fishing fleet, reduce management uncertainty through  
48 improved catch and discard accounting, fair and equitable

1 allocation for all participating permit holders, the program  
2 should promote fleet stability, enhance the sustainability by  
3 improving catch monitoring, adhering to quotas, and reducing  
4 dead discards.

5  
6 Then, if we scroll down just a little bit, for each of those  
7 five goals, they then provided some example ways to  
8 operationalize those. For example, the goal to increase fishing  
9 opportunities for anglers, they would want the objectives to be  
10 one or more of the following: to provide year-round angling  
11 fishing opportunities for using the red snapper charter for-hire  
12 fishery; to increase number of fishing days or trips; the  
13 ability to select fishing days within a specified season; to  
14 eliminate overages; and extend fishing opportunities while  
15 staying within the ACL.

16  
17 For the goal of reducing management uncertainty through improved  
18 catch and discard accounting, they recommended one or more of  
19 the following: landings by the charter for-hire fleet remain  
20 under its prescribed ACL and not exceed ACT; the ability to  
21 decrease the management buffer from ACL through improved  
22 accountability and decreased management uncertainty; the ability  
23 to readily identify active permit holders who will be the  
24 participants in the red snapper for-hire fishery; and for the  
25 for-hire industry to become fully accountable, by use of  
26 electronic logbooks, tags, and/or other management tools.

27  
28 For the goal of fair and equitable allocation for all  
29 participating permit holders, they noted to utilize the annual  
30 charter for-hire allocation for red snapper by the participants.  
31 Finally, improve fleet stability for the for-hire fishery, as  
32 determined by socioeconomic analysis. We have four sub ones.  
33 It's the ability to select fishing days, increasing angling  
34 opportunity through an allocation-based system, maximizing  
35 marketing opportunities, and surveying fishery participants.

36  
37 This was the AP's recommendations for moving forward with goals  
38 and objectives of the program. If there's not any questions, we  
39 will move on into Action 1.

40  
41 Let's look at the little figure at the bottom of page 14. This  
42 reflects the table of contents that we initially looked at. The  
43 alternatives here would be between Alternative 1 and, of course,  
44 if the council did want to explore further these management  
45 options, such as bag limits and seasons, we could begin a  
46 framework action to address that.

47  
48 The other alternatives, Alternatives 2 through 4, would create

1 an allocation-based management program. Alternative 2 would be  
2 an IFQ or a PFQ. Those are the two options provided.  
3 Alternative 3 are the fishing cooperatives, and Alternative 4  
4 would be a stand-alone harvest tag program. Of course, harvest  
5 tags could be used as an enforcement and validation tool under  
6 any of the other programs as well.

7  
8 Let's scroll down to the next page. We just reviewed the  
9 alternatives. Let's take a look at the AP recommendations,  
10 which are provided in the little box here. In Action 1, the AP  
11 recommends selecting Alternative 2b as the panel's preferred  
12 alternative, which the permit fishing quota program. Their next  
13 recommendation was, as part of implementing a permit fishing  
14 quota program, use fish harvest tags solely as an enforcement  
15 and validation tool for the PFQ program and not as an allocation  
16 tool as part of Alternative 4 in Action 1.

17  
18 A subsequent motion was to recommend to the council that a PFQ  
19 program be developed without shares, but to use annual  
20 allocation.

21  
22 The AP discussed this at length. The way the document is  
23 currently set up, a PFQ program does use shares and annual  
24 allocation, much like the commercial programs use that system of  
25 shares and annual allocation that is distributed given the  
26 amount of shares that are held.

27  
28 The AP is still interested in this permit fishing quota  
29 approach, but they do not want the durable shares to be  
30 attached, that would remain with the vessels. Rather,  
31 allocation would be annually calculated, and this could reflect  
32 changes in vessel ownership. Say a vessel permit is bought and  
33 moved across state lines. It might result in a different  
34 allocation the next year. I also forgot to note that we do have  
35 the AP Chairman here, Captain Jim Green, to provide any further  
36 clarification on this point as well.

37  
38 **CHAIRMAN GREENE:** Mr. Diaz.

39  
40 **MR. DIAZ:** Moving across state lines, why would that -- What's  
41 your thinking when you say that would affect the allocation?  
42 I'm just curious.

43  
44 **DR. LASSETER:** It depends on what alternative you would select  
45 for the distribution of quota, and I think that was because you  
46 mentioned the regional. If you did adopt an allocation that  
47 would include a regional component for distribution of quota,  
48 then it would be possible that -- Say a permit is bought from

1 Florida and it's then used in Texas. Rather than the amount of  
2 quota that was on that vessel in Florida, the allocation will be  
3 configured based on your formula that you select, however you  
4 select it, every year.

5  
6 The same amount of quota does not remain on that vessel. If it  
7 moves and you have selected a regional approach to allocation,  
8 then it could potentially affect how much quota that vessel  
9 would get.

10  
11 In turn, we'll use a Mississippi example. If you did select a  
12 regional approach to allocation and then Mississippi vessels had  
13 no quota, but then that permit was bought and moved to Florida,  
14 by redistributing the allocation every year and not using  
15 durable shares, that permit would then receive a proportionally  
16 greater amount of quota.

17  
18 That's the difference in using shares and annual allocation.  
19 Those shares are a fixed proportion of the quota as long as  
20 those shares remain with the original person to whom they were  
21 distributed. Depending on whether or not you allow  
22 transferability, a vessel's shares could change, but those  
23 percentages are distributed and they're fixed.

24  
25 Allocation only would be configured annually every year, based  
26 on your method of distributing the quota, and so a person's  
27 proportion of the total that they would get could vary each  
28 year, depending on changes that would be reflected in your  
29 allocation approach. Did I explain that clearly enough? Okay.

30  
31 Staff was a little curious as to why -- Actually, let me read  
32 through the last two motions and then we'll come back to this.  
33 The last two for this action is the AP recommended eliminating  
34 cooperatives from Amendment 41 and to move Alternative 4,  
35 harvest tags, to the considered but rejected appendix. They  
36 were not interested in pursuing Alternatives 3 and 4.

37  
38 Staff was trying to understand the difference between how they  
39 interpreted a permit fishing quota program, if they were not  
40 interested in the shares, but they did not want a harvest tag  
41 program. Some of the comments that we received, and it's  
42 included in your report, was that shares should not be held by  
43 charter operators, because they felt that they were seen as a  
44 management tool that leads to reduced capacity in the fishery,  
45 and there was concern that the distribution of quota among  
46 charter vessels should be able to reflect changes in the  
47 composition and characteristics of the fleet, and so that was  
48 very important to them.

1  
2 Then some of the other distinctions were that it was important  
3 to the AP members that there be a referendum, and they felt that  
4 it was possibly not a requirement under a harvest tag program.  
5 They were not sure if that would be considered an IFQ program,  
6 triggering a referendum, and the AP members did support a  
7 referendum for the purpose of ensuring that there is support  
8 fleet-wide for pursuing a program.

9  
10 Then there was another comment about with PFQs in contrast to  
11 harvest tags, that if they did want to introduce transferability  
12 in the future that it could more easily be done than with a  
13 harvest tag program. I think, in practice, it would likely work  
14 the same, but those were some of their reasons. Are there any  
15 questions there?

16  
17 **CHAIRMAN GREENE:** Mr. Anson.

18  
19 **MR. ANSON:** Ava, I apologize. You mentioned where we could find  
20 this document with the incorporation of the AP's comments, and  
21 where was that?

22  
23 **DR. LASSETER:** Actually, I didn't, because I didn't want to  
24 confuse you. I am happy to if you would be interested, but I  
25 did want to make it clear what's here. The reason I did it this  
26 way, if I can explain, is the AP report -- The AP report is  
27 provided chronologically, as the motions were given. However,  
28 they kind of jumped between Action 1, 2, and 3. For that  
29 reason, I organized the motions to reflect the actions here.

30  
31 **MR. ANSON:** Okay, and so another -- If you can scroll up to the  
32 goals and the objectives that were incorporated into this, your  
33 presentation here. I was trying to read it all, and I thought  
34 there was some reference to a goal would be the use of tags.  
35 For the for-hire industry to become fully accountable by the use  
36 of ELBs, tags, and/or other management tools was included in  
37 their goals here. Now they're talking about eliminating tags.  
38 I don't what the rest of the document holds as far as --

39  
40 **DR. LASSETER:** If I could speak to that. They do want to use  
41 tags as as validation and enforcement tool, but under a PFQ  
42 program. They did not want the program to be a stand-alone  
43 harvest tag program, but without the shares part of PFQs, staff  
44 was a little unsure of what was the distinction to the AP  
45 between -- If you're not going to use shares, then why not just  
46 jump to the harvest tag approach?

47  
48 Some of the reasons were they felt that the PFQ, keeping that as

1 the initial form of the distribution, even though it's really  
2 getting tags, would trigger a referendum, and they really wanted  
3 fleet-wide support if they go forward with this. Then there  
4 were some other comments about transferability, and I do have  
5 Captain Jim Green here, who is available to speak any further to  
6 this.

7

8 **CHAIRMAN GREENE:** Mr. Walker.

9

10 **MR. WALKER:** I was just going to mention that maybe it's some  
11 questions that Jim maybe could answer.

12

13 **MR. JIM GREEN:** Thank you, all. Dr. Lasseter has pretty much  
14 nailed it on the head. I guess some of the AP members felt that  
15 a tag program, just a tag program on its own, might not reflect  
16 what we were trying to do or give us versatility later on, if  
17 this program is implemented and we move forward concerning  
18 transferability and whether it's limited or what the future  
19 might hold.

20

21 I think the idea of just the tag program was, in some of their  
22 views, a little narrow. If we're doing all this work and we're  
23 putting forth all this effort, we wanted to have a suite of  
24 options. That's kind of what I gathered from that.

25

26 **CHAIRMAN GREENE:** Thank you. Okay, Dr. Lasseter.

27

28 **DR. LASSETER:** Thank you, Mr. Chairman. Let's go back down to  
29 the Action 1, the little text box there on page 15. As I noted,  
30 currently there is not an alternative in the document that  
31 reflects this annual allocation only form of PFQs, and so we  
32 would look to the council, if you were interested in seeing what  
33 that looks like, to request that staff add this to the document.  
34 Moving on to Action 2 --

35

36 **CHAIRMAN GREENE:** Dr. Stunz.

37

38 **DR. STUNZ:** Mr. Chairman, before you leave Action 1, I don't  
39 know if this is the appropriate time, because I have a motion  
40 regarding Action 1. I don't know if we want to go through the  
41 document now or discuss it at this point, but I think it might  
42 broaden the range of alternatives that we currently have. If  
43 this is the right time, I am happy to do it now, or if we want  
44 to go through the whole document first. You let me know.

45

46 **CHAIRMAN GREENE:** Let's do it now.

47

48 **DR. STUNZ:** I feel like at least -- She is going to put the

1 motion up there. Within those alternatives in Action 1, they're  
2 all reasonable there, but we're not quite going far enough, in  
3 terms of having a wide range of alternatives, where we actually  
4 -- This is along the lines, I think, of Dale's issue a little  
5 bit and what we were just talking about, in terms of the tags.

6  
7 It's just like Alternative 4, except it would -- **This is my**  
8 **motion and I will explain it further if I get a second.** It  
9 would provide the tags to the actual recreational participants  
10 for them to choose the charter captains that they would like to  
11 fish with. I will explain my justification and reasoning in  
12 just a minute, if we get a second.

13  
14 **CHAIRMAN GREENE:** Thank you. We have a motion on the board.  
15 It's seconded by Dr. Lucas. Dr. Stunz.

16  
17 **DR. STUNZ:** What I'm imagining here with this program is that  
18 you have a harvest tag program that individual private anglers  
19 can apply for. I've got this idea of we're all riding in Über  
20 cabs and we can pull up an Über cab right now and see where  
21 they're at. In ten minutes, they will be at our front door and  
22 they can rate us. We can rate them. We exchange money through  
23 electronic means. Of course, I'm talking about electronic tags  
24 here.

25  
26 We go on our trip and you get out of the car. They deliver you  
27 where you wanted to go and the transaction is done. I think  
28 modeling a program after this, through another alternative,  
29 would add a broad range of alternatives.

30  
31 For example, imagine a system where you get the tag a day or a  
32 week in advance or however. There's a whole variety of ways we  
33 could do it, and there's somewhat of a use-it-or-lose-it  
34 provision. In other words, if it's bad weather or for whatever  
35 reason the trip doesn't occur, those tags go back into the  
36 system and they could be used again.

37  
38 It provides a very accountable and very data collection  
39 intensive mechanism, where the free market determines where  
40 these -- I should point out that this is just for using quota  
41 within the for-hire sector. The tags would go back into the  
42 system to be used again, and individuals could apply to get  
43 these tags and we could continue the system until the quota was  
44 met, essentially.

45  
46 I will be happy to discuss some more details, but I think this  
47 maximizes access by anyone in the country that wants to fish for  
48 red snapper. It deals with a lot of data collection and

1 accountability issues, and it also gives us access back to some  
2 private anglers to use the charter captains.

3  
4 **CHAIRMAN GREENE:** Thank you. Is there further discussion? Mr.  
5 Williams.

6  
7 **MR. WILLIAMS:** A question for Greg, if I may. How does somebody  
8 that's come to Destin or Panama City from Poughkeepsie or South  
9 Dakota, how do they get these tags? I mean they haven't really  
10 thought it out months in advance.

11  
12 **DR. STUNZ:** Of course, we would have to think a lot through  
13 this, Roy, but, for example, I don't see this much different  
14 than the way hunting occurs, and we've had a lot of discussion  
15 around this table about tags in the recreational sector in  
16 general.

17  
18 There's an application process through your Smartphone or  
19 whatever, or a call-in, and you get the tag and then your  
20 ability to use that tag with a number -- I mean you could get  
21 really fancy, where you've got it on your phone and your tap  
22 your phone to the charter captain's phone and the transfer  
23 occurs.

24  
25 You go fishing and you enter the data collection after the trip,  
26 but you could even get more tags. When you complete the use of  
27 those tags, you're back into the system again to get more.  
28 Maybe, where you're probably going at, somebody is coming down  
29 to Florida for the weekend or several days, we could build in an  
30 option where you get multiple days' worth of stamps or tags or  
31 whatever we're going to call them.

32  
33 Then it's a use-it-or-lose-it thing. If they're not used after  
34 a period of time, they go back into the general pool that you're  
35 eligible to get again. Of course, by having this real-time  
36 monitoring, you know where you're at with the quota and you know  
37 how many tags are available and you can -- I would envision a  
38 very short turn-around time, and so you make these available  
39 again to other anglers wanting to go fishing.

40  
41 By the way, just a back-of-the-envelope calculation, depending  
42 if you base it off of landings that occurred last year or you  
43 base it off of the annual catch target or limit or whatever,  
44 you're looking at 100,000 to 300,000 tags, total, that would be  
45 issued.

46  
47 I just did an eight-pound average and just generally put it in  
48 the ballpark. We're not talking about millions and millions of

1 tags floating around. It's a pretty easily controllable series  
2 of tags that would be out there and available.

3

4 **CHAIRMAN GREENE:** Thank you. Dr. Lucas.

5

6 **DR. KELLY LUCAS:** I was just going to say thanks to Dr. Stunz  
7 for thinking outside the box. I think this is something that  
8 can be explored. I have heard it mentioned several times from  
9 people about having the actual anglers be drivers behind the  
10 system, and I think this is one way of getting at having those  
11 anglers be the ones who are driving the market, instead of  
12 having the top-down approach.

13

14 **CHAIRMAN GREENE:** Mr. Anson.

15

16 **MR. ANSON:** I would certainly concur with Dr. Stunz and his  
17 motion and thinking outside the box. Certainly there will be a  
18 few items that will need to be fleshed out, and I guess, Dr.  
19 Stunz, if you've had some thought into -- Obviously those tags -  
20 - You mentioned 100,000 to 300,000, and that would be -- They  
21 would be allocated to an individual state, correct, and then  
22 that person, if they were going to plan a vacation in Destin,  
23 then they would go get a Florida tag and it would be counted  
24 against Florida's allocation, and is that what you're  
25 envisioning?

26

27 **DR. STUNZ:** I guess, Kevin, we obviously need to think through  
28 this more and whether you want to allocate those on a regional  
29 basis. Maybe to start that's the way it works, and then, let's  
30 say towards the end of the season and there's still some left,  
31 you could open it up. I don't think at this point -- I don't  
32 have a detailed plan of how that would work, but there's a  
33 variety of scenarios.

34

35 I mean I would be in favor of opening it up as broadly as  
36 possible, and I guess anglers could choose what state they go  
37 to. I think it would sort of work out in the end that people  
38 are going to certain regions anyway, but you could do it on a  
39 state-by-state basis.

40

41 Now, I've thought some about who administers this program. Is  
42 it a state-administered program or a federal? I still think it  
43 would be a federal program that would administer it, but maybe  
44 there is some checks and balances first to ensure that tags are  
45 dispersed proportionately or something, but I don't know.  
46 Obviously this is not something we can -- We've got to think  
47 this through.

48

1 **CHAIRMAN GREENE:** Mr. Sanchez.  
2  
3 **MR. SANCHEZ:** I appreciate that we're discussing something  
4 meaningful now, like tags and this and that, but, for me, I  
5 don't know. I think it really doesn't belong a whole lot in  
6 this document. I think we're looking at something completely  
7 different, and I won't be supporting this.  
8  
9 **CHAIRMAN GREENE:** Dr. Crabtree.  
10  
11 **DR. CRABTREE:** But your intent is that you would have to -- To  
12 fish with these tags, you would have to be onboard a federally-  
13 permitted charter boat, is that correct?  
14  
15 **DR. STUNZ:** Yes, most certainly. You would have to be on a  
16 federally-permitted charter boat. In other words, it doesn't  
17 affect the sector separation or the sector in terms of what  
18 allocation they get, but it just allows individuals to choose --  
19 In other words, imagine a situation, Roy, where charter captains  
20 are taking preferred clients over ones that aren't preferred and  
21 a whole variety of things that others have brought up. This  
22 puts the case back on the anglers to choose what captains that  
23 they get to go with within that program.  
24  
25 **DR. CRABTREE:** My remembrance, in Florida, when the recreational  
26 fishing license was put in place, there were discussions about  
27 what to do with charter boats. They could have made it so that  
28 every angler who goes on a charter boat has to buy a  
29 recreational fishing license, but, instead, they issued the  
30 license to the vessels so that the anglers didn't have to do  
31 that.  
32  
33 I think that's the same in Alabama, at least. I don't know  
34 about how Texas does it, but it seems like the precedent with  
35 the states is to issue things to the charter boats so that their  
36 anglers don't have to go through the burden of doing that.  
37  
38 It just seems a little going the other direction from that,  
39 because these guys are to be getting tags, but a lot of them  
40 wouldn't have any requirement to have a fishing license, but  
41 would you be willing, Greg, to at least modify your motion to  
42 make it clear, because someone who just looks at that could read  
43 that we're contemplating a recreational tag program for the  
44 whole recreational fishery.  
45  
46 **DR. STUNZ:** **To that point, Mr. Chairman, sure.** I should have  
47 probably made that clear, that we're talking about the for-hire  
48 sector. Roy, do you have a suggestion of where you would like

1 to see -- "In the form of tags specifically to be used in the  
2 for-hire sector", and would that -- Did you guys get that?  
3 After that "harvest tags.", "specifically for the use in the  
4 federally-permitted -- It's up there.

5  
6 Distribute in the form of harvest tags to specifically be used  
7 on federally -- How do we want to say that? Federally-permitted  
8 charter vessels or reef fish -- Now we've got to --

9  
10 **MS. LEVY:** My suggestion would be we're looking at the charter  
11 amendment, and so we've separated charter and headboat. This is  
12 what we've defined as federally-permitted charter vessels.

13  
14 **DR. STUNZ:** Then I think we need to make this clear, from  
15 Alternative 4, in the middle of the sentence there that provides  
16 angler participants, and get rid of "recreational angler  
17 participants", or am I messing this up now? After the word  
18 "provide", put "recreational anglers with annual". I think did  
19 that fix it?

20  
21 **CHAIRMAN GREENE:** Roy, did you have something to that point?

22  
23 **DR. CRABTREE:** I think that makes it clearer. I guess my  
24 question would be for Jim. Did you all talk about -- When you  
25 talked about a tag program, did you talk about something like  
26 what Greg is describing, and then you guys decided that wasn't  
27 somewhere you wanted to go, or have you talked about this?

28  
29 **MR. GREEN:** No, Dr. Crabtree. We didn't talk about this. I  
30 think everybody that showed up at that AP and put in their hard  
31 time and effort into it was looking at a way of stabilizing  
32 their business and providing more access to the anglers who  
33 utilize our business.

34  
35 On face value, I don't agree with Dr. Stunz's motion, but I'm  
36 not going to say -- I'm not going to limit myself to what  
37 options we have, but I will tell you that everybody that showed  
38 up to these meetings and took the time to really think this  
39 through and create a real thoughtful list of recommendations,  
40 and that doesn't exclude people that, as Mr. Diaz was saying,  
41 that regional -- That was just a part of it, the regional catch  
42 history, and a lot of that had to do with optimize charter boats  
43 down in south Florida not catching as much as we do up here in  
44 the northern Gulf.

45  
46 That wasn't just the only way it was going to be a part of it,  
47 but I really -- We haven't considered this, but we considered a  
48 lot of options to not have fleet reduction and offer a lot more

1 angling opportunity. I know that was a long answer, but no,  
2 sir, we haven't, not specifically like this motion reads.

3  
4 **CHAIRMAN GREENE:** Thank you. I have several people here who  
5 wish to speak. Leann.

6  
7 **MS. BOSARGE:** I liked the motion before the revision to it,  
8 simply because what I was going to mention, in a different part  
9 of this committee discussion, was something based on the  
10 presentation that we saw earlier with the round-about eight-day  
11 federal season coming up for private anglers.

12  
13 At that point, in my opinion, if I'm a private angler and I'm  
14 trying to go out and catch red snapper during a federal season,  
15 it's sort of a crap-shoot as to whether I really get to go catch  
16 them or not. It depends on my work schedule and what the  
17 weather forecast looks like, if I only have essentially a week  
18 to go out there.

19  
20 At that point, when you get down to something that minimal for  
21 the federal side -- There is still going to be state seasons,  
22 and they can fish however they choose to fish in that state  
23 season, but I believe a tag for what's left of that federal --  
24 It's essentially a federal allocation now. There's a small  
25 portion that's still allocated to federal fish, and I think  
26 there should be a tag program for that little piece of  
27 allocation that's left, to give those people across the Gulf a  
28 more flexible avenue to go and try and catch those few federal  
29 fish, rather than an eight-day season.

30  
31 When you had it just open, where you were just talking about  
32 tags recreationally in general, I mean that kind of pointed  
33 towards where I was headed later in this committee.

34  
35 **CHAIRMAN GREENE:** We're kind of getting off the topic of the  
36 motion here. We're up against a break and I want to get through  
37 this, and so I've got people that's been waiting. Ms. Bademan.

38  
39 **MS. BADEMAN:** I'm not going to advocate for this one way or the  
40 other. I think it's an interesting idea, but I did want to  
41 speak to one of the points that Dr. Crabtree brought up about  
42 this kind of being unprecedented.

43  
44 Yes, in Florida, we don't license the anglers that are going on  
45 a charter trip, necessarily. If that's all they're doing is a  
46 charter trip, then they would fish under that charter boat's  
47 license, but for our tarpon tag program, we have a little bit of  
48 a different system, where we allocate tags that can be issued to

1 guides only, and then we also allocate tags that can be issued  
2 to an angler.

3  
4 The anglers can use those tags either on a guided trip or they  
5 can use them on a private trip, but there is a mechanism for  
6 guides to also get tags, so that they kind of have them in their  
7 pocket for customers that come on the boat. That potentially  
8 could be something that could be an option here, something like  
9 that. I know that this is only we're talking about the charter  
10 allocation here, but, again, flexibility.

11  
12 **CHAIRMAN GREENE:** Thank you. Mr. Williams.

13  
14 **MR. WILLIAMS:** A couple of questions for Greg. Greg, are you  
15 contemplating expanding this kind of alternative for the private  
16 angler as well for their share of the catch, their fifty-some  
17 percent share of the catch? Then, two, what do you do if the  
18 average catches are -- You calculated eight pounds, but using  
19 tags, people are probably going to try to target the biggest  
20 fish they can get, or bigger fish anyway. What happens -- Do  
21 you have any kind of plan to compensate if those fish are coming  
22 in considerably larger than the average eight pounds?

23  
24 **CHAIRMAN GREENE:** Dr. Stunz, to that point.

25  
26 **DR. STUNZ:** Two things, and I think this answers Leann's point a  
27 little bit. As far as moving this beyond the for-hire sector  
28 here, I mean we're talking about Amendment 41, and so that's why  
29 it's directed towards the for-hire permit, but it certainly  
30 would work in the private recreational side as well.

31  
32 On the size of fish targeted, I mean that was just the brief,  
33 back-of-the-envelope calculation. I don't see how tags, Roy,  
34 would really -- I think people are going to want to go after the  
35 largest fish they can get whether they have a tag or just open  
36 access fishery or whatever, in general.

37  
38 At least that would be the goal, to catch large fish, and so I  
39 don't -- That would just have to be -- I think that's outside of  
40 this actual alternative that I have of what size that you're  
41 catching.

42  
43 **CHAIRMAN GREENE:** Mr. Sanchez.

44  
45 **MR. SANCHEZ:** I just don't see this working, because I can see a  
46 hypothetical where a private angler purchases these tags and  
47 then these tags are kind of limited for the intended purpose of  
48 going and utilizing them on a federally-permitted charter

1 vessel.

2  
3 Then they don't go and then we've undermined the whole purpose  
4 and need for this document, which is to promote stability in the  
5 federally-permitted charter for-hire industry by,  
6 hypothetically, recreational tags being purchased and they don't  
7 get on the boat and they're not used and then where does that  
8 leave these folks after all their hard work?

9  
10 I just don't see this working. I will fully support the use of  
11 development of a tag program for the recreational sector if it's  
12 done as it should be, for them in that context, for private use,  
13 but this, I don't see how this helps this document that's been  
14 labored at for a long time.

15  
16 **CHAIRMAN GREENE:** Thank you. Mr. Fischer.

17  
18 **MR. FISCHER:** Thank you, Mr. Chair, and I don't want to answer  
19 the question for Greg, but I think he mentioned that they go  
20 back into the pool and that these were electronic tags and they  
21 would revert back, but we may not support the motion, but I did  
22 want to state that harvest tags -- Talking about high-grading,  
23 harvest tags actually are a method of avoiding high-grading.

24  
25 When we did the exempted fish permit study on out-of-season  
26 snapper using tags, the fish had to be tagged immediately upon  
27 capture and put in your chest. You couldn't redo your tag. You  
28 were only given your amount of tags, and agents actually did  
29 make a case from a boat fishing that had untagged fish in their  
30 boat. Now, whether they wanted to high-grade or they forgot to  
31 tag the fish or they didn't realize what it was, but they were  
32 written up for fish out of season, because their fish weren't  
33 tagged.

34  
35 It would avoid high-grading, and that's one of the things we do  
36 like about harvest tags. If it would be implemented into the  
37 system somewhere, it could avoid high-grading and, therefore,  
38 discarding dead fish.

39  
40 **CHAIRMAN GREENE:** Thank you. Ms. Levy.

41  
42 **MS. LEVY:** Thank you. Just to think about, if you end up adding  
43 this to the document, that there are going to then need to be a  
44 number of additional actions that flow from this. We have  
45 different things in Action 1, you know IFQs and PFQs and  
46 cooperatives, and under each of those, there are actions that  
47 would actually be necessary to implement one of those programs.

48

1 This is a completely different animal, and so it wouldn't just  
2 be adding this action, but it would then be adding a whole  
3 section that has actions about what would be necessary to  
4 implement something like this.

5

6 **CHAIRMAN GREENE:** Thank you. Dr. Lasseter.

7

8 **DR. LASSETER:** To further add to what Mara is saying, the Action  
9 3, the distribution of quota, is based on distributing to  
10 charter vessels, and so, in that separate section, we would also  
11 need a separate action to address how to distribute. Then that  
12 could address the regional issues here.

13

14 Then I did just want to point out, for everybody's record, that  
15 in the harvest tag section, page 39, the math is done there on  
16 different average weights, to give you a sense of the amount of  
17 tags, and so Greg is right in the numbers, but the specifics are  
18 provided.

19

20 **CHAIRMAN GREENE:** Okay. Dr. Stunz.

21

22 **DR. STUNZ:** To Mara's point, I mean I certainly didn't say it  
23 was going to be easy. I think we know that -- I feel that it  
24 would be worth it to think through what it would look like. I  
25 am still a little unclear to John's point. Why would tags be  
26 right in one fishery and not the other? It's really the same,  
27 but yes, to answer your question, those tags would quickly -- If  
28 they weren't used by a short time period after they were issued,  
29 whatever we would define, they would go quickly back into a pool  
30 that could be available to use again, and I would make the  
31 argument that, rather than restricting access, this provides  
32 probably the most access to anyone to be able to access the  
33 fishery.

34

35 **CHAIRMAN GREENE:** Roy Williams.

36

37 **MR. WILLIAMS:** Another question for Greg. Would I be able to  
38 apply for these and say get eight tags and then call Jim and  
39 say, Captain Green, I've got eight tags and I want to go red  
40 snapper fishing? If you get a party, I've got the tags and I'm  
41 going with you. Could I do that? It would be sort of a Stub  
42 Hub kind of thing, where I am scalping them, more or less?

43

44 **DR. STUNZ:** I don't know, but I mean I would assume that the  
45 captains would also facilitate their clients in getting these  
46 tags. In other words, they're obviously available for-hire and  
47 clients call them to go fishing and they say, well, log on and  
48 get your tags and I have availability for this particular day.

1  
2 I don't see that that works -- That argument, I guess, Roy,  
3 works just as well in reverse, where the captains have the tags  
4 and they're looking for high-tipping, high-paying clients and  
5 may be cutting out the little guy that can't do that. It works  
6 both ways.

7  
8 **CHAIRMAN GREENE:** Mr. Sanchez.

9  
10 **MR. SANCHEZ:** Just to that point, I guess, given that this was -  
11 - The genesis of this was from the industry. Perhaps something  
12 -- If there has to be the tag component, which I don't think  
13 there's opposition to a correct, so be it, form of a tag  
14 component, but if the tags were allocated to these permits  
15 through whatever allocation process these permitted vessels get  
16 them and then they go to the recreational angler, via that  
17 conduit, then you're addressing some of the concerns that Roy  
18 brought up, and I guess I have less heartburn with this the way  
19 it is open-ended like that.

20  
21 **CHAIRMAN GREENE:** Dr. Crabtree.

22  
23 **DR. CRABTREE:** I guess if the motion was to -- I guess we're  
24 going to reconvene this AP at some point. If the motion was to  
25 reconvene the AP and have them discuss this and make  
26 recommendations to us about it, that I would probably be in  
27 favor of, but I'm concerned about putting this in.

28  
29 You know, when I ran a charter boat -- Part of my reservations  
30 with this is it seems to me that the most straightforward way to  
31 get the harvest tags to the guys who are getting on the charter  
32 boats is through the vessels and not the other way around.

33  
34 I know when I ran a charter boat in the Keys that you did get  
35 some walk-on traffic. You got guys who just showed up at the  
36 dock and said, hey, can you take me out the next day? It was  
37 like yes, I'm open tomorrow and let's go. Those guys are cut  
38 out, because it's not likely they're going to be able to go  
39 somehow get on a computer or a phone or whatever and get a tag  
40 to go the next day.

41  
42 It just seems to me there's going to be a host of things like  
43 that that -- You know, I fished a lot of guys that weren't from  
44 Florida. They were from who knows where, and they wanted to go  
45 fishing. They weren't going to get on some lottery and fool  
46 with these tags. They wanted to book a charter boat, and they  
47 wanted you to have everything. They wanted you to have the  
48 fishing rods and the bait and everything. They wanted to come

1 in and get on the boat and go fishing.

2  
3 I just don't think they're going to want to go through all of  
4 this. They're going to expect that to be done by the vessel  
5 that they're getting on, and so if the motion was to look at a  
6 harvest tag program for the recreational fishery and the private  
7 sector, I would be fine with something like that, and maybe a  
8 harvest tag program works in the charter boat sector, although  
9 the AP didn't seem to think that it was a good -- It just seems,  
10 to me, that the way we're distributing these separate from the  
11 charter vessels themselves isn't the efficient way to go.

12  
13 I guess I could support the motion is it was to have the AP talk  
14 about this and come back with recommendations to it, but to just  
15 put it in the amendment at this point gives me pause, because I  
16 don't think that they've thought through all the logistics of  
17 how this would actually work in their businesses.

18  
19 **CHAIRMAN GREENE:** Kevin Anson.

20  
21 **MR. ANSON:** A couple of points, to follow up on Dr. Crabtree's  
22 comments. In regards to the licensing and the charter boats and  
23 the states, Florida and Alabama, having a charter boat license  
24 and that allows their passengers to be carried without having a  
25 license, that was done in Alabama twenty-five years ago.

26  
27 Technology has changed. You can do your banking with your phone  
28 and you can tap a phone at the register now and pay the vendor,  
29 and so I mean there is opportunities, I think, in technology  
30 that we can avoid some of the things that you had discussed  
31 regarding access for those that just want to walk up and take a  
32 charter.

33  
34 Those individuals can still take a charter. We're talking about  
35 fish that are desirable to certain individuals, and it's not  
36 necessarily if you don't have a snapper tags that you don't go  
37 fishing for that day, but you just don't get snapper that day.

38  
39 Again, it's an interesting idea, and I think maybe giving an  
40 opportunity for the AP to look at it and they can kick it around  
41 a little bit and kind of discuss some of these problems that  
42 might be there or they might not be there, but, anyway, it's  
43 just an interesting idea.

44  
45 **CHAIRMAN GREENE:** Okay. Thank you. We're up against a break  
46 right now. We've had a lot of discussion on this. I'm sure you  
47 will get a lot of public testimony as well and move forward.  
48 **With that, by a show of hands, all those in favor of the motion**

1 on the board, please raise your hand, seven; all those opposed,  
2 please raise your hand, seven. The motion fails seven to seven.  
3 With that, we will take a fifteen-minute recess.

4  
5 (Whereupon, a brief recess was taken.)  
6

7 **CHAIRMAN GREENE:** We're going to go ahead and call the Reef Fish  
8 Committee back together. We are currently still in Section 1.  
9 Before we leave Section 1, Ms. Bademan had a question that she  
10 would like to ask.

11  
12 **MS. BADEMAN:** A few people have asked me the question about the  
13 referendum and how that applies to this action. Specifically,  
14 people have been asking whether you would have to have a  
15 referendum in the PFQ situation as opposed to the IFQ, and I  
16 think I know the answer, but it would be helpful to maybe hear  
17 it from Mara or staff.

18  
19 **MS. LEVY:** I think, functionally, an IFQ and a PFQ -- A PFQ is  
20 an IFQ. I think they're pretty much the same thing and that  
21 they would both require referendums. Potentially, almost  
22 certainly, although I would double check this, a tag program  
23 that issues tags to permit holders would similarly be an IFQ.  
24 They're all giving a portion of the quota to a person for  
25 exclusive use, which is a summary of the definition of an IFQ.

26  
27 **CHAIRMAN GREENE:** Thank you. Ms. Bademan, you're good? Okay.  
28 With that, is there any further discussion before we leave  
29 Section 1? Okay, Dr. Lassetter.

30  
31 **DR. LASSETER:** Thank you, Mr. Chairman. Were there any other  
32 further comments or discussion on Action 1? Okay. Then we'll  
33 move on to Action 2, which begins on page 19. At the last  
34 council meeting, the council requested the addition of an action  
35 to consider voluntary participation in a charter vessel  
36 management program, and so the staff provided a series of  
37 alternatives here for you.

38  
39 These are modeled on the voluntary alternatives that were in the  
40 sector separation document, Amendment 40, and so I will review  
41 these alternatives. Alternative 1 would be no action, and, in  
42 this sense, we're perceiving no action -- The red snapper  
43 management program would apply to all charter vessels.

44  
45 Once we get past the initial Action 1, subsequently, these new  
46 Alternative 1 -- Since we don't have the management system in  
47 place, it's slightly different than Alternative 1 would usually  
48 be, because we don't have a status quo.

1  
2 In this case, Alternative 1 would not be voluntary. Everybody  
3 would be required to participate. Alternatives 2 through 4  
4 would allow for voluntary participation, and the difference  
5 between them is the frequency with which participants could join  
6 and leave the program.

7  
8 Alternative 2 would establish a voluntary red snapper management  
9 program for charter vessels. The program would include only  
10 charter vessels with a valid or renewable federal for-hire  
11 permit for reef fish who elected to join the red snapper  
12 management program for charter vessels.

13  
14 An endorsement to the federal for-hire permit for reef fish  
15 would be issued to these charter operators who elected to join  
16 the program for charter vessels, and this would be to  
17 distinguish them from the people that are not participating.

18  
19 Opportunities to join or to opt out from the red snapper  
20 management program for charter vessels are offered, in  
21 Alternative 2, once at the implementation of the program. You  
22 decide at the time whether you're going to join this or you're  
23 going to remain under a traditional management structure.

24  
25 Alternative 3 provides opportunities to join or to opt out from  
26 the red snapper management program every year, and Alternative 4  
27 provides for every three years.

28  
29 Important parts of the discussion address that the decision to  
30 opt in or opt out would need to be made, or at least NMFS would  
31 establish a declaration period, that would be some amount of  
32 months before the year when allocation would need to be  
33 determined and distributed, so that they have time to configure  
34 and compute the allocation and ensure that everybody has had the  
35 chance to make clear their intent to participate or not  
36 participate. Are there any questions on these alternatives?

37  
38 **CHAIRMAN GREENE:** Ms. Levy.

39  
40 **MS. LEVY:** I just wanted to point out one other thing is that if  
41 you choose a program that actually provides shares to people,  
42 then you can't really do an opt-in/opt-out after those shares  
43 have been distributed, and so people can opt in or out at the  
44 implementation of the program and they either get shares or they  
45 don't, but there is no mechanism to take back shares and  
46 reallocate them if people opt in again. The only way that the  
47 opt-in/opt-out past implementation works is if you do an  
48 allocation only program, and so you're not issuing shares.

1 You're just issuing allocation each year. If people opt in,  
2 then the allocation would be distributed based on who is in and  
3 who is out.

4

5 **CHAIRMAN GREENE:** Mr. Williams.

6

7 **MR. WILLIAMS:** Following up to Mara's point, under the permit  
8 program, PFQ, the permit, where they would only be getting an  
9 allocation, you could opt in or opt out every year, because  
10 that's what their plan is.

11

12 **MS. LEVY:** Currently, as we discussed before, both the PFQ and  
13 the IFQ distribute shares. The advisory panel had discussed  
14 adding something that would be a PFQ-type of program that would  
15 not distribute shares, but that's not currently in the document.

16

17 You would need to add another alternative that was establishing  
18 a PFQ allocation only, which we talked about was kind of like  
19 doing a fish tag to the charter vessels. In that case, you're  
20 only issuing them allocation.

21

22 **MR. WILLIAMS:** Maybe the difference is subtle here, but they  
23 don't want -- Under their permit fishing system, they don't want  
24 quotas or allocations that can be exchanged between vessels.  
25 They want it to remain with that permit, and you would be able  
26 to sign in every year as to whether you wanted to be part of  
27 that system or not part of that system. If you move to the east  
28 coast for two years, you could just not be part of it. Then, if  
29 you came back -- In that case though, they're not getting --  
30 They are only getting an annual allocation. They're not getting  
31 -- And it would vary every year, depending upon quotas and how  
32 many vessels are in the permit system.

33

34 **MS. LEVY:** If you add that alternative to Action 1, that could  
35 happen, depending on what type of transfer restrictions you put  
36 in with respect to allocation, but, currently, in the document,  
37 the PFQs and IFQs are both distributing shares and allocation.  
38 I don't think when we talked about the AP's recommendation that  
39 the committee actually made a motion to add an additional  
40 alternative. Am I correct, Ava?

41

42 **DR. LASSETER:** In regard to the PFQs, they only suggested adding  
43 the other Alternative 5 and so yes, actually, Mr. Williams,  
44 currently, the -- What Mara is saying is the PFQs would only  
45 allow Alternative 2 here. The way the document is set up, PFQs  
46 are shares. The AP is recommending to the council to add an  
47 alternative to let PFQs be allocation only.

48

1 **MR. WILLIAMS:** So if I want to incorporate what the AP had  
2 recommended, I need to go back at some point and modify the  
3 alternatives in Action 1? Okay. I might do that at full  
4 council, or I might do it later today, but I don't have a motion  
5 ready.  
6

7 **CHAIRMAN GREENE:** Thank you. Any further questions? I have one  
8 question for Mara. Ms. Bademan had asked you a question earlier  
9 about referendums on tags, IFQs, and PFQs. Based on the last  
10 discussion of a PFQ with an annual allocation, does that require  
11 a referendum?  
12

13 **MS. LEVY:** My preliminary determination, which I'm pretty sure  
14 will stand, is that they're all going to require a referendum,  
15 because they're all essentially IFQs. In each case, you are  
16 giving a federal permit to harvest a quantity of fish expressed  
17 by a unit or units representing a percentage of the total  
18 allowable catch of the fishery that may be received and held for  
19 exclusive use by a person.  
20

21 Whether you're doing it as an IFQ or a PFQ or as tags, you're  
22 still giving that portion of the quota for exclusive use to a  
23 person, and that seems to very well fit under the definition of  
24 IFQ.  
25

26 **CHAIRMAN GREENE:** Thank you. Any further comments? Dr.  
27 Lassetter.  
28

29 **DR. LASSETER:** Thank you, Mr. Chairman. When staff put together  
30 this action, and I mentioned that we modeled it on the voluntary  
31 alternatives in Amendment 40, and staff understood this to mean  
32 if you join the program, you would be receiving the shares or  
33 allocation, whichever is selected. Those people that opt not to  
34 participate would be fishing under whatever remaining quota is  
35 left that is not assigned to vessels that are participating in  
36 the program, and that's the way it was set up in sector  
37 separation as well.  
38

39 I will get to this in a moment, but we're going to go to the AP.  
40 The AP had a different interpretation of voluntary. Actually,  
41 let's scroll up to the previous page. Let me present that.  
42

43 The AP felt that the entire quota for the for-hire allocation-  
44 based management plan would be for vessels that participate in  
45 the program, and so you have the choice to participate in the  
46 program or, if you do not participate in the program, there is  
47 not an established traditional management, if you will, season  
48 with the remaining quota, which is essentially an open access

1 scenario.

2  
3 Their first motion was to recommend to the council that the  
4 permit fishing quota program be the only access to red snapper  
5 by federally-permitted charter for-hire vessels and do not allow  
6 non-participating vessels to use allocation to harvest red  
7 snapper in an alternative federal water season.

8  
9 To further clarify what they meant by this, they recommended the  
10 wording of an alternative and to make this panel's preferred.  
11 This is the next alternative, which states -- It would be  
12 Alternative 5. Establish a red snapper management program for  
13 charter vessels. The program would include only charter vessels  
14 with a valid or renewable federal for-hire permit for reef fish  
15 who elected to join the program. An endorsement would be issued  
16 to those charter operators who elected to join the program.

17  
18 Opportunities to opt into the red snapper management program for  
19 charter vessels are offered every year. In the sense that they  
20 don't want there to be a separate outside season -- If you opt  
21 in the program, you have access to red snapper. Those that  
22 aren't participating, perhaps are not interested or are in areas  
23 that do not have red snapper, they would not join. Then the  
24 quota would be distributed amongst all of those participating  
25 vessels. Are there any comments? Was I confusing?

26  
27 **CHAIRMAN GREENE:** Ms. Levy.

28  
29 **MS. LEVY:** I am trying to compare them, but is the wording in  
30 the panel's Alternative 5 any different than what's in  
31 Alternative 3? I mean it doesn't seem to say anything about  
32 what you were just saying about no separate season.

33  
34 **DR. LASSETER:** The significance is that the word "voluntary" was  
35 not there. The AP crafted this alternative, and so, instead of  
36 it being voluntary, they removed that part and it's you opt in  
37 and you do this and that's how you join the program or, if you  
38 don't opt in, their intent was you did not have access then to  
39 red snapper.

40  
41 **MS. LEVY:** So I hear the intent. I don't necessarily get, from  
42 reading the words of the alternative, that that's what meant,  
43 just by removing the term "voluntary". I am just suggesting  
44 that adding this alternative isn't really going to accomplish, I  
45 don't think, what the AP was trying to do and that maybe it's  
46 the discussion, in terms of what's meant by the alternatives, or  
47 changing the word here to expressly say that it's an all or  
48 nothing proposition would be helpful if you're contemplating

1 adding something like this.

2  
3 **CHAIRMAN GREENE:** Okay. Any further discussion? Mr. Williams.

4  
5 **MR. WILLIAMS:** Is it appropriate for me to offer Alternative 5  
6 as a motion to be added to this document, to be added as an  
7 alternative? I mean it takes an action by the council to do  
8 that, right? **In the case, I am going to move that we add -- In**  
9 **Action 2, that we add a new Alternative 5, as recommended by the**  
10 **advisory panel.**

11  
12 **CHAIRMAN GREENE:** We have a motion on the floor. Is there a  
13 second for the motion? Mr. Walker seconds the motion. Is there  
14 discussion? Mr. Robinson.

15  
16 **MR. LANCE ROBINSON:** A question here. If you go with this  
17 alternative, you create a system where a properly-licensed and  
18 permitted federal vessel who opts out is totally excluded from  
19 the fishery, even though they're properly documented.

20  
21 **MR. WILLIAMS:** I think that's directed to me, and so I believe  
22 that's the case. If they decide they want to opt out, then they  
23 are excluded from this and they would fish under the private  
24 boat system.

25  
26 **MR. ROBINSON:** 30B would -- I mean you wouldn't be able to --  
27 That boat wouldn't be able to fish at all, correct?

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

30  
31 **DR. CRABTREE:** That's how I'm reading this, that if you want to  
32 harvest -- If you're a charter boat operator and you want to be  
33 able to take customers out to harvest red snapper, you've got to  
34 be in this program, but when I look at all of these voluntary  
35 ones, it's not clear to me exactly what that means.

36  
37 Where I think Lance is coming is -- Are you thinking of a kind  
38 of system where the vessels that want to have PFQ or whatever --  
39 They get it and then we issue them all of the allocation and  
40 then we hold some amount back and then set up a season for  
41 people who don't want to be in the PFQ to then run charter boats  
42 in?

43  
44 **MR. ROBINSON:** No, I wasn't making a suggestion. My question  
45 was really a point, that if you created an opt-in system, I mean  
46 you've got to opt in if you're going to fish for red snapper,  
47 and if you chose to opt out, then you're a federally-permitted  
48 vessel, but, based on this, you would not be able to fish red

1 snapper, if you opted out of the program, at all.  
2  
3 **DR. CRABTREE:** I think that's right, and so the only reason I  
4 can imagine that a vessel wouldn't get in the program is if they  
5 just don't fish for red snapper, period, and they fish for tuna  
6 all the time and they just happen to have the permit and they  
7 don't want to fool with it. Otherwise, it's hard for me to  
8 figure why anyone would opt out.  
9  
10 **CHAIRMAN GREENE:** Mr. Robinson.  
11  
12 **MR. ROBINSON:** Another question to the motion. Are you  
13 suggesting or recommending that this motion be made the  
14 council's preferred?  
15  
16 **MR. WILLIAMS:** No, that preferred language is the AP's. I'm  
17 just asking that it be added as an alternative to the Action 2  
18 list.  
19  
20 **CHAIRMAN GREENE:** Dr. Lucas, did you have your hand up?  
21  
22 **DR. LUCAS:** I have a question. I think maybe I'm getting  
23 confused. This kind of goes to Mara's point. In the beginning,  
24 you have to choose to either opt in or opt out, to go with the  
25 PFQ or whatever program. If this person chose to opt out and  
26 they're not going to fish for red snapper, they never fish for  
27 red snapper. If they sold their permit, then that permit would  
28 be -- The PFQ that went with it would be a non-red-snapper-  
29 fishing federal for-hire permit?  
30  
31 **MR. WILLIAMS:** For that year, but they could always get back in  
32 the following year. For that year, yes. They wouldn't have any  
33 allocation associated with the permit.  
34  
35 **CHAIRMAN GREENE:** Dr. Crabtree.  
36  
37 **DR. CRABTREE:** That's if we go back and add an alternative to  
38 Action 1 that's just allocation-based and doesn't include  
39 shares, right? Every year, however many vessels there are,  
40 based on some distributed function we come up with, everybody  
41 who is in gets so many fish, and that's what they've got for the  
42 year and they can't transfer it. Then if some go out and some  
43 come in the next year, we redo it again.  
44  
45 **MR. WILLIAMS:** That's the way I understand it. We do have  
46 Captain Green that -- But that's the way that I understand it,  
47 yes.  
48

1 **DR. CRABTREE:** So we would have to go back into the Action 1,  
2 like you brought up earlier, and add something in, but that's  
3 kind of how that would go, if I understand it properly.

4

5 **CHAIRMAN GREENE:** Mr. Fischer.

6

7 **MR. FISCHER:** Thank you, Mr. Chair. Just a question for Captain  
8 Green. Was there a burning desire for a voluntary program on  
9 the AP, because it seems the voluntary program just complicates  
10 it. It's either the council create a program or we don't create  
11 it. I don't like where the voluntary program falls.

12

13 **MR. GREEN:** Yes, sir, and the way I understood it, I believe the  
14 voluntary part came from the actual council. That wasn't part  
15 of the AP's -- The AP's feeling on it was -- All of these  
16 recommendations are based on our premise that it would be --  
17 Because we keep going back to allocations and shares.

18

19 Once that got pointed out to us, it was very apparent to the AP  
20 members that we didn't want a share. We wanted an allocation  
21 pool, and we wanted it to rotate, and so all of these  
22 recommendations are on the premise that it was an allocation-  
23 based fishery and not a share-given fishery.

24

25 No, we didn't -- We spoke against voluntary, because that kind  
26 of just puts us back into the slide of where we were. We wanted  
27 to get something new and fresh that was accountable and moved us  
28 up to that accountability level and not slide back to -- Not let  
29 people slide back into the old way.

30

31 **MR. FISCHER:** If I could add. But your committee created this  
32 motion, but, overall, you weren't in favor of it, or were not in  
33 favor of the theory of voluntary?

34

35 **MR. GREEN:** No, sir. We never once wanted voluntary. We wanted  
36 it to be a whole fleet thing that was participating in that  
37 fishery.

38

39 **CHAIRMAN GREENE:** Dr. Crabtree.

40

41 **DR. CRABTREE:** But if you look at this motion, it says "who  
42 elected to join". That, to me, implies that this is voluntary,  
43 because you have to elect -- I can see two ways this could go.  
44 We could do a PFQ and every permit holder is going to get some  
45 amount of fish, whether he wants it or not, but what I'm reading  
46 by this though is someone could elect not to have any, because  
47 maybe he's going to Alaska for the next five years and he's  
48 going to hold his permit, but he isn't going to be fishing. He

1 doesn't want to be issued PFQ, because that takes fish away from  
2 the guys who are going to fish.

3  
4 I suspect that's a small number of vessels that would be  
5 involved, but I don't really know, but, I mean, Jim, it does  
6 have that voluntary nature to it, and it's not clear to me how  
7 this is really different from the voluntary and the others. It  
8 seems to me that you still can elect or not elect.

9  
10 **CHAIRMAN GREENE:** Dr. Lucas.

11  
12 **DR. LUCAS:** Dr. Crabtree addressed my concern.

13  
14 **CHAIRMAN GREENE:** Chairman Anson.

15  
16 **MR. ANSON:** Ava had a point.

17  
18 **DR. LASSETER:** I just wanted to clarify and build on what Dr.  
19 Crabtree just said. There were two issues here that the AP saw  
20 as different. There was the voluntary, meaning you either --  
21 Voluntary meaning you participated in this program or, if you  
22 didn't, there would be quota available for a season, some season  
23 length set based on that amount of quota for non-participating  
24 vessels.

25  
26 The AP did not want that, but they wanted the opt-in or opt-out,  
27 and so they wanted -- There was a slight difference there, but,  
28 in terms of whether or not the people that are opting out have  
29 available quota for them to use, and so that's the difference  
30 between the language of voluntary and then the language of  
31 opting in and opting out.

32  
33 **CHAIRMAN GREENE:** Chairman Anson.

34  
35 **MR. ANSON:** I'm wondering, maybe Dr. Crabtree, would a voluntary  
36 opting in and opting out and everybody has a reef fish permit  
37 and some people are in the program and they can keep red  
38 snapper, but how do you envision getting paperwork that would be  
39 easy for enforcement, when they board a vessel and there's fish  
40 onboard, to signify that they're able to be harvesting red  
41 snapper at that time?

42  
43 **DR. CRABTREE:** Well, we would have to work that out. You know  
44 we have things with the IFQ program with accounts and all of  
45 that and there would have to be validation and people met at the  
46 dock and hail-in and hail-out and all those kinds of record  
47 keeping. It works pretty well, I think, in the IFQ program.

48

1 The difference that I see between these, in terms of the  
2 compliance piece, is that with the IFQ program you have the  
3 dealer, which kind of gives you a somewhat independent, and you  
4 don't have that here, and so you're going to have to have  
5 dockside management.

6  
7 The thing with the voluntary program -- If you have it that it's  
8 voluntary and the boats who don't volunteer to be in the program  
9 then get some other season, what do you do if five boats decide  
10 they don't want to be in and everybody else does and now you're  
11 going to set up a separate season for a very small number of  
12 boats.

13  
14 I think at some limit the voluntary part, where we are trying to  
15 manage it both ways, is kind of administratively difficult to  
16 pull off, but I think this, in terms of tracking the catch and  
17 all, just requires enough dockside validation and enough bells  
18 and whistles on the reporting and hail-in and all of those kinds  
19 of things that we're able to enforce it.

20  
21 **CHAIRMAN GREENE:** Thank you. I will share this with you. I was  
22 at one of the AP meetings we had originally, and Captain Ed  
23 Walker, from the south part of Florida, had made a comment that  
24 he didn't really fish for a lot of red snapper and that he would  
25 like to see a way that he could opt in or opt out, but wanted to  
26 be included every year, in case the red snapper population grew  
27 to the point that he could harvest them, that he would have the  
28 opportunity to opt in at a later date. I think that's where a  
29 lot of this is coming from.

30  
31 **DR. CRABTREE:** That's my read on what this one does, but some of  
32 the other voluntary ones that are in the amendment, I read those  
33 as if you don't volunteer to do it that you're going to get some  
34 alternative season, which doesn't sound like what Ed was talking  
35 about, and I think that may or may not be workable. At the  
36 extreme, you could have one vessel who doesn't want to be in the  
37 programs, and now you've set up a whole season for one person.  
38 That doesn't seem to make much sense, on the surface.

39  
40 **CHAIRMAN GREENE:** Thank you. Any further discussion? We have a  
41 motion on the floor. We've had a good bit of discussion.  
42 Anybody else? **Seeing that, is there any opposition to the**  
43 **motion? Seeing no opposition, the motion carries. Mr. Fischer**  
44 **was in opposition, so with one in opposition.** Dr. Lasseter.

45  
46 **DR. LASSETER:** Thank you, Mr. Chairman. We have one more AP  
47 recommendation.

48

1 **CHAIRMAN GREENE:** Hold on a second, Dr. Lasseter.  
2  
3 **DR. CRABTREE:** Just before you leave that, I mean we've got this  
4 series of voluntary options in there. Do you want to keep this  
5 set up in a way that people who don't opt in have expectations  
6 of an alternative season they can fish, or is your vision of  
7 this that if you're going to harvest red snapper on charters  
8 that you've got to be in this, and, if you opt not to be in it,  
9 then you don't get to harvest red snapper that year?  
10  
11 **CHAIRMAN GREENE:** Is there discussion? Mr. Williams.  
12  
13 **MR. WILLIAMS:** Well, it would seem, to me, that if you opted not  
14 to be in that you should still be able to fish during the  
15 private boat season. I don't know why any charter boat would do  
16 that, but why would we exclude them from that?  
17  
18 **DR. CRABTREE:** Because they have their own quota, and so if you  
19 catch fish on a charter boat, you're in the charter component's  
20 quota, and so I don't think you can just have some of those  
21 vessels shift and start catching fish counted against the  
22 private quota, because they're not private -- In that sense,  
23 they're still going to be taking passengers out, and so I don't  
24 think that works, because that would mean allocation issues and  
25 things.  
26  
27 **CHAIRMAN GREENE:** Discussion? Mr. Williams.  
28  
29 **MR. WILLIAMS:** If I could follow up. What I'm seeing then is  
30 that we should probably strike the word "voluntary" in these or  
31 we create a separate season or allocation for those charter  
32 vessels to fish under, right?  
33  
34 **DR. CRABTREE:** I tend to agree with where the AP came down, that  
35 if we set this program up -- If you're a charter vessel and  
36 you're going to take passengers, then you're in the program. If  
37 you opt not to be in it, that means you're not going to be  
38 taking passengers out fishing for red snapper, and that seems to  
39 be, to me, the most workable way to do it.  
40  
41 **CHAIRMAN GREENE:** Mr. Williams.  
42  
43 **MR. WILLIAMS:** So do you have a recommendation here on  
44 Alternatives 2, 3, and 4? Should we just strike them out of  
45 here at this point?  
46  
47 **CHAIRMAN GREENE:** Ms. Levy.  
48

1 **MS. LEVY:** This is probably going to confuse matters more. Like  
2 I said before, all of these are voluntary, meaning people can  
3 opt in to them. What happens to the people that don't opt in is  
4 in the discussion. The alternatives themselves don't say  
5 anything about whether you have a separate season for those that  
6 don't opt in or whether they're completely out of the red  
7 snapper fishing for that year.

8  
9 I don't know that we necessarily needed a new Alternative 5. I  
10 think what we needed was clarification from the council about  
11 what the intent is with respect to those people that don't opt  
12 to participate, and that's really what we're coming down to.

13  
14 The words in the alternatives are almost identical, and they're  
15 all voluntary, because they're allowing people -- We're not  
16 saying everybody is in and gets some sort of allocation no  
17 matter what, but we're saying you can say you don't want an  
18 allocation, and so they're all voluntary.

19  
20 It's what happens with those that decide not to take an  
21 allocation. Are you going to set up some mini season for the  
22 few vessels that don't, which seems to be administratively  
23 problematic, or are you going to say you're just out for that  
24 year? I think we can take care of that by the council deciding  
25 what they want to do and putting that in the discussion. I  
26 don't think we necessarily need to change the alternatives. I  
27 mean we can take out the word "voluntary". It doesn't change  
28 the fact that it is voluntary.

29  
30 **CHAIRMAN GREENE:** Chairman Anson.

31  
32 **MR. ANSON:** I think, to make it clear though, we ought to make  
33 or add one sentence, I think, to each of the, at least  
34 Alternatives 2 through 4, that says that any vessel that doesn't  
35 opt into the program for that particular year is not going to be  
36 able to access the red snapper charter portion of the quota.  
37 That would be my recommendation, at least.

38  
39 **CHAIRMAN GREENE:** Ms. Levy.

40  
41 **MS. LEVY:** I think that would probably be clearer, and if you  
42 want a decision point on the record, then somebody could make a  
43 motion to add that language to each of the alternatives and you  
44 could vote on whether that's something you want to do. Then the  
45 new Alternative 5 that just got added is sort of obsolete at  
46 that point, if that's the way you decide to go.

47  
48 **CHAIRMAN GREENE:** Is there discussion?

1  
2 **MR. ANSON:** I will make a motion then for Alternatives 2, 3, and  
3 4 under Action 2, to add a sentence at the end of each  
4 alternative that says: Any vessel opting out from the red  
5 snapper management program for charter vessels will not be able  
6 to harvest red snapper.  
7  
8 **CHAIRMAN GREENE:** Mr. Fischer, are you seconding it?  
9  
10 **MR. FISCHER:** I second it, and I thought you wanted to add that  
11 it doesn't circumvent the 30B rule, but I think that's what you  
12 mean, implicitly.  
13  
14 **MR. ANSON:** Yes, I think so.  
15  
16 **CHAIRMAN GREENE:** We have a motion. It's seconded by Mr.  
17 Fischer. Any further discussion? Mr. Fischer.  
18  
19 **MR. FISCHER:** So opting out does not allow a vessel to fish  
20 state waters, unless -- Any time. Isn't that right, Roy?  
21  
22 **DR. CRABTREE:** I think that would be correct, because the  
23 condition of the permit is you have to be in the program, and so  
24 the only reason I would see a vessel to opt out is that they  
25 just have no intention of fishing for red snapper, which there  
26 may well be some. I don't know.  
27  
28 **CHAIRMAN GREENE:** Ms. Bosarge.  
29  
30 **MS. BOSARGE:** Is it appropriate to put that in the Alternative  
31 2, where there is only one chance, at the implementation of the  
32 program, to opt in or out? I guess my concern there was I think  
33 this is probably going to be the bulk of the fleet that's going  
34 to want to do this.  
35  
36 That seems to be the avenue, but I just didn't know -- Do we  
37 have a handle on how many might would opt out at this point?  
38 Because I'm with you. If it's only a handful of boats, I don't  
39 think there's going to be enough season there to really provide  
40 them much anyway. I just didn't know if that was in Alternative  
41 2 --  
42  
43 **DR. CRABTREE:** I don't have any feel for how many vessels might  
44 opt out. It could be, as this is developed, that some of the  
45 alternatives aren't really -- There is no reasonable expectation  
46 that anyone would opt out on some of them, because the opt-out  
47 means that you're getting out forever, and why would anyone do  
48 that? I can't think of a reason.

1  
2 **CHAIRMAN GREENE:** Thank you. Any further discussion? **Seeing no**  
3 **further discussion, is there any opposition to this motion?**  
4 **Seeing no opposition, the motion carries.** Dr. Lassetter.  
5

6 **DR. LASSETER:** Thank you, Mr. Chairman. Given the last two  
7 motions, staff is hoping that we can take license to clean this  
8 up and make it reflect the broader discussion as well, because,  
9 as Mara pointed out, the new alternative that you added may be  
10 redundant.  
11

12 The AP did make one last recommendation in regards to Action 2,  
13 which we have up here on the board. This is to recommend to the  
14 council to include, as a prequalifier for vessels that are  
15 opting in, a VMS unit or another acceptable electronic  
16 validation tool, a federal charter for-hire reef fish permit,  
17 and a state charter fishing license and payment of the cost  
18 recovery fee associated with the allocation-based system.  
19

20 If there is no questions or discussion, we will move on to  
21 Action 3, which begins on page 21. Action 3 addresses the  
22 distribution of quota to the charter vessels. At the last  
23 meeting, the council requested the addition of two alternatives,  
24 and we have renumbered them.  
25

26 Alternative 2 now is to -- Let's begin with Alternative 1, no  
27 action, do not specify a method for distributing quota to  
28 charter vessels. Then Alternatives 2 through 7 are various  
29 methods for distributing the quota.  
30

31 Alternative 2 is to distribute quota equally among all charter  
32 permit holders. Alternative 3 is to distribute quota based on  
33 the passenger capacity of charter vessels, and Alternative 4  
34 kind of fine-tunes that. It's to distribute quota based on  
35 tiers of passenger capacity of charter vessels, and there is two  
36 options provided, such that vessels with a passenger capacity of  
37 six receive one unit and those seven and greater receive two  
38 units. Option 4b breaks it down for those six-packs. No COI  
39 receive one unit and passenger capacities of seven to twenty-  
40 four receive two units. Passenger capacities of greater than  
41 twenty-four receive three units.  
42

43 Again, as I noted, the information on passenger capacity by  
44 vessels and regions as well is provided and has been updated in  
45 Chapter 1.  
46

47 Alternative 5 would distribute the quota based on the average  
48 landings of charter vessels in each geographic region using

1 three options for time series. Option 5a is average landings  
2 for 2004 to 2012. Option 5b is 2004 to 2012, excluding landings  
3 from 2010, the year of the oil spill, and Option 5c is average  
4 landings for just 2011 and 2012. Alternative 6 would distribute  
5 the quota by -- I see a question.

6  
7 **CHAIRMAN GREENE:** Mr. Sanchez.

8  
9 **MR. SANCHEZ:** Mr. Chairman, can I ask Jim if he wants to sit  
10 here? It seems like he's being punished or something.

11  
12 **CHAIRMAN GREENE:** Jim, you're welcome to take a seat, if you  
13 would like.

14  
15 **MR. GREEN:** I appreciate that.

16  
17 **CHAIRMAN GREENE:** Dr. Crabtree.

18  
19 **DR. CRABTREE:** Ava, on Alternative 5, do we define -- Somewhere  
20 we have defined geographic regions? How are they defined, as  
21 states?

22  
23 **DR. LASSETER:** Yes, and thank you, Dr. Crabtree. If we go back  
24 in the document, back to page 4, we have the regions. It's best  
25 laid out on page 4. Currently, the way we have the regions  
26 broken up, Florida is broken down into three regions, with  
27 Alabama, Mississippi, Louisiana, and Texas each representing  
28 their own state.

29  
30 We did this because we had the average landings by regions  
31 already analyzed by Andy. It was a presentation that Andy  
32 Strelcheck had given, and so we just used these same regions.  
33 We would encourage you, the committee, to discuss if these  
34 regions are appropriate or should they be modified in some way.  
35 Then the map provided shows you the breakdown for the three  
36 Florida regions as well.

37  
38 **CHAIRMAN GREENE:** Dr. Lucas.

39  
40 **DR. LUCAS:** I have a question. On Alternative 5, the average  
41 landings, the timeframes that were picked, was there any  
42 discussion regarding using the timeframes from the sector  
43 separation document?

44  
45 **DR. LASSETER:** Actually, that's one of the AP's recommendations,  
46 is to add that as an alternative. Why these were in here, this  
47 was the same analysis that Andy Strelcheck had provided. These  
48 were the years he used, and so that's why these are here, but

1 yes, the AP has recommended the addition of several alternatives  
2 to this action, actually, and that's one of them.

3

4 **CHAIRMAN GREENE:** Any further discussion? Dr. Lasseter.

5

6 **DR. LASSETER:** Thank you, Mr. Chairman. Then, just so you can  
7 see, here, again, is just showing you where the regions are. As  
8 we discussed earlier, the Table 1.1.4 on page 7 does provide the  
9 average proportions based on these regions.

10

11 Let's go back to Action 3, which is on page 21. Alternative 6  
12 proposes to distribute the quota by auction. All eligible  
13 participants are allowed to place bids, and then, finally,  
14 Alternative 7 was also requested at the last council meeting.

15

16 Alternative 7 proposes to distribute a portion of the quota by  
17 auction and the remaining by the method of distribution selected  
18 amongst the previous alternatives. There is an error here. It  
19 could be Alternatives 2 through 5 as well. You could select  
20 Alternative 2 and Alternative 7 and then, of course, the  
21 Alternative 2 would be the respective side of the column, where  
22 it says Alternatives 3 through 5.

23

24 This provides three options, 7a to 7c, with varying proportions  
25 of how much of the quota would be distributed through auction  
26 and then the remaining proportion would be distributed by  
27 whichever of the other alternatives the council selects as  
28 preferred. You have 7a, 25 percent auction, 75 percent your  
29 other preferreds; 7b is 50/50 among those two; and 7c is 75  
30 percent by auction and the remaining 25 percent by your other  
31 preferred alternatives. I will turn this over for a moment for  
32 discussion.

33

34 **CHAIRMAN GREENE:** Is there discussion? Mr. Williams.

35

36 **MR. WILLIAMS:** Thank you, Ava. Does the Magnuson Act say we  
37 must include auction as an alternative or that we may?

38

39 **DR. LASSETER:** I believe, and Mara will correct me, but I think  
40 it says that you must consider an auction, and so it's included.  
41 If you do an IFQ program, you must consider an auction, but let  
42 me check with Mara.

43

44 **MR. WILLIAMS:** Because I don't like auction, only because it  
45 creates more instability for a fishery that's already got a lot  
46 of instability associated with it, and that's why we're doing  
47 all of this. It seems sort of counterproductive, to me, to be  
48 putting auction in here. That probably works good where you've

1 got two or three big players bidding on a forest or some massive  
2 amount of black cod off of Alaska, but I just doubt whether it's  
3 going to work well here at all, and I think it's going to create  
4 more instability and more bureaucracy. Personally, I think we  
5 ought to scratch all of that, but if we need to leave it for --  
6 I would make a motion to take it out, except, if we need to  
7 consider it, then maybe I won't.

8  
9 **CHAIRMAN GREENE:** Ms. Levy.

10  
11 **MS. LEVY:** Correct. You do need to consider some type of  
12 auction system in establishing limited access privilege  
13 programs, which is what this would be. I think you're correct  
14 that one of the reasons for not doing it, especially if you're  
15 doing an allocation-based only program, is that it probably  
16 would create instability. If you're actually going to issue  
17 shares though, it probably wouldn't, because that's a one-time  
18 deal.

19  
20 You auction off the shares and folks have the shares, unless you  
21 set up a system where you do an auction every five years or  
22 something like that. I think it's something that needs to be in  
23 there, because you need to consider it and then make a reasoned  
24 decision about why not to do it.

25  
26 **MR. WILLIAMS:** So it would be inappropriate for me to ask that  
27 we take it out at this time. All right.

28  
29 **CHAIRMAN GREENE:** Thank you. Is there further discussion? Mr.  
30 Diaz.

31  
32 **MR. DIAZ:** I am just thinking about this number 5, where we're  
33 talking about distributing the quota by geographic region. I am  
34 just thinking about how hard of a time we had in Amendment 39 in  
35 agreeing to an allocation. I don't know if we had that type of  
36 problems here, but I spoke earlier about how I do not like the  
37 MRIP program for what it does for Mississippi, and we might even  
38 consider some different regions, but these issues are always  
39 difficult.

40  
41 I don't know how much problem we'll have getting through that if  
42 we decide to go down that road, but it concerns me a little bit.  
43 I have heard splitting up by region a couple of times this  
44 morning for different things. Every time I hear it, I just  
45 cringe a little bit. Thanks.

46  
47 **CHAIRMAN GREENE:** Thank you. Is there further discussion? Dr.  
48 Lasseter.

1  
2 **DR. LASSETER:** Thank you, Mr. Chairman. I wanted to point out  
3 one more thing about these alternatives. It is possible to  
4 select Alternative 3 or 4, one of the passenger capacity  
5 approaches, in addition to Alternative 5. Then there's an  
6 example, using a hypothetical fleet, provided in the document  
7 that shows the math of how that would work. You could mix  
8 regional distribution and passenger capacity as well. I just  
9 wanted to point that out.

10  
11 The AP made several recommendations for this action. If we  
12 could scroll up, I put a text box just above. The first  
13 recommendation in Action 3 was to recommend to the council that  
14 the AP does not support consideration of Alternatives 6 and 7,  
15 because it does not coincide with the fair and equitable goal of  
16 Amendment 41. Alternative 6 was the auction and Alternative 7  
17 was the mix of auction and your other preferreds.

18  
19 Their next motion, in Action 3 also, was to recommend a new  
20 alternative that would distribute quota using these three  
21 components. Distribute quota equally among charter permit  
22 holders, which is currently Alternative 2. Based on the lesser  
23 of the COI of the vessel or permit capacity, and they're saying  
24 use passenger capacity. Third is distribute quota based on  
25 historical or regional landings, which is Alternative 5.

26  
27 I will clarify a little something about the based on the lesser  
28 of the COI of the vessel or permit capacity. They're speaking  
29 to either Alternative 3 or 4, basing it on passenger capacity,  
30 but, within that, a decision still needs to be made as far as  
31 which passenger capacity to use. There is quite a bit of  
32 discussion on this in the introductory chapter, and I don't  
33 think we need to definitely finalize this now, but this is  
34 something to be thinking about, is that the permit -- Since  
35 they've been under a moratorium, you have your baseline permit  
36 capacity, which cannot be increased if that permit is  
37 transferred, and you also have the vessel's Coast Guard  
38 passenger capacity.

39  
40 If they don't have a COI, then they're limited to six. If they  
41 do have a COI, it would be specified exactly, and so, for so  
42 many vessels, this is different. These are not the same, and  
43 that's outlined in Chapter 1.

44  
45 Coming back to the AP's motion or recommendation, they are  
46 expressing here not only to use passenger capacity, but their  
47 preference is to use the lesser of the COI of the vessel or the  
48 permit's passenger capacity.

1  
2 Their next motion was to create options for their previous  
3 motion's new alternative, and they provided five options, where  
4 they had various mixtures of the proportions that they would use  
5 for each of these Alternative 2, 5, and 3, distributing quota  
6 equally across all charter vessels, regional historical  
7 landings, whatever is picked for Alternative 5, whichever option  
8 for which years to use, and also this permit capacity. You can  
9 see the various proportions. They vary under each of the  
10 options. Are there any questions? Okay. There a couple more  
11 motions, if we scroll down past the Action 3. Let me pause a  
12 moment.

13  
14 **CHAIRMAN GREENE:** Mr. Williams.

15  
16 **MR. WILLIAMS:** They had asked that we add a new alternative that  
17 incorporated these. Are we going to talk about this? Because I  
18 would like to talk about it. I mean we assembled this advisory  
19 panel to come up with alternatives for this program. They've  
20 done it, and I think we ought to try to adopt what they've said.  
21 I'm not sure how to incorporate it in a motion, but I think we  
22 should add another alternative that considers the three  
23 components equally among charter holders, based on the lesser of  
24 the COI or vessel permit capacity, and then based on historical  
25 landings.

26  
27 I'm going to make a motion, and I'm going to have to -- **I would**  
28 **offer a motion that we adopt the AP recommendation to distribute**  
29 **quota using the parameters in Alternatives 2, 3, and 5.**

30  
31 **CHAIRMAN GREENE:** We have a motion we're putting up on the board  
32 now.

33  
34 **MR. WILLIAMS:** If I may, Mr. Chairman, this is all on page 6 of  
35 the AP Report, near the top.

36  
37 **CHAIRMAN GREENE:** We have a motion on the floor. It was  
38 seconded by Mr. Sanchez. Mr. Sanchez, did you wish to speak as  
39 well? Mr. Sanchez, please go ahead.

40  
41 **MR. SANCHEZ:** Thank you, and I would ask staff if we could look  
42 at that as we're looking at that three-tiered approach that  
43 looks at baseline history and vessel capacity, if we could  
44 equate some kind of percentages to them, so that the AP, as per  
45 their discussions, they have the ability to kind of weight those  
46 a certain way.

47  
48 **CHAIRMAN GREENE:** Mr. Sanchez had made a comment there. I just

1 want to make sure the staff understood what his comment was,  
2 just to make sure. Mr. Diaz.

3  
4 **MR. DIAZ:** I am just trying to figure out if this motion is even  
5 needed. The ability to do all of these things is already in the  
6 document. For right now, I'm against doing anything that has to  
7 do with distributing the quota based on geographic regions, for  
8 the reasons I raised earlier, but I just question -- I do  
9 understand that Mr. Sanchez is asking for some options with some  
10 different percentages. Maybe that changes it, but I still don't  
11 know that we need that in here at this time.

12  
13 **CHAIRMAN GREENE:** Ms. Bademan.

14  
15 **MS. BADEMAN:** To me, I'm struggling a little bit with these  
16 options. I'm wondering, and maybe, Jim, you can explain this,  
17 but where these percentages came from. I mean I think we're  
18 going to have to have some kind of rationale if this is  
19 something that's going to stay in there. Some of them seem kind  
20 of pretty similar.

21  
22 **MR. GREEN:** The rationale behind the different percentages, even  
23 though they were similar, it has to do with, kind of going back  
24 to what Mr. Diaz's concerns were, it was that what makes it  
25 palatable for the fleet.

26  
27 We've made it pretty clear that we want the fleet behind this  
28 and concerns about data collection in various states was also  
29 part of our discussion, and the idea behind this is that --  
30 There was discussion from -- Some of the guys from south Florida  
31 said, you know, we realize that a six-pack boat out of  
32 Clearwater, or below Clearwater, shouldn't necessarily get the  
33 same amount of snapper allocation as a six-pack boat from  
34 Destin.

35  
36 It was -- This came out of a culmination of a bunch of different  
37 discussions that we can maybe tweak different things to make it  
38 to where we optimize the harvest for the fleet and we don't over  
39 allocate to areas that don't necessarily need it and we don't  
40 over allocate to those that historically catch more snapper.

41  
42 The idea behind all of this was to kind of give us more of a  
43 nuts-and-bolts picture of exactly what this would look like, to  
44 where we can tweak it and steer it and make it something that  
45 the whole fleet could get behind. That was the premise of this  
46 motion from the AP.

47  
48 **CHAIRMAN GREENE:** Okay. Ms. Bademan, to that point?

1  
2 **MS. BADEMAN:** I guess what I'm asking is why 25, 50, 25 percent?  
3 Why 30, 40, 30? To me, these seem kind of arbitrary, and we're  
4 talking essentially about allocations here, or quotas, and we  
5 can't just pull numbers out of the air or just kind of put them  
6 together and see what looks good. We have to have rationale, I  
7 would think, for each one of those options.

8  
9 **CHAIRMAN GREENE:** Mr. Fischer.

10  
11 **MR. FISCHER:** Thank you, Mr. Chair. It's just something I was  
12 going to ask Captain Green if it was discussed, and if not -- We  
13 may have brought it up at meetings, but we've definitely heard  
14 people at the podium talk about it, and that's using the COI.  
15 You may know. You're in the industry, but there's people with  
16 forty-passenger vessels, but they will tell us routinely they  
17 only take eighteen or twenty on the boat and they never take  
18 their maximum. If there was another proxy for using COI, maybe  
19 off of -- If they're in the headboat program and they are  
20 turning how many passengers per day through that, and so there's  
21 other historical methods of coming up with what they take out.

22  
23 It's just one of the things we do know, that six-pack boats  
24 generally carry five or six people, but forty and fifty-  
25 passenger vessels seem like they generally carry a considerable  
26 lower percentage, and so that may not be fair.

27  
28 The other thing I would like to see is I like the divisions, and  
29 maybe the committee discussed it and felt everyone was equal,  
30 but I would like to see a small bonus, even a 5 percent bonus --  
31 When you get old like me, you like to see a bonus in there for  
32 history in the fishery.

33  
34 We have some people that had permits from the very first day  
35 permits were allocated. Some people just got in the industry a  
36 couple of years ago, and maybe do we take care of these  
37 historical people, because it's tough on them.

38  
39 **CHAIRMAN GREENE:** I didn't think I was old, but I've had a  
40 permit since day one but, Mr. Williams.

41  
42 **MR. WILLIAMS:** Trying to respond to Martha's question about how  
43 the weighting came about, I was not at the meeting and so I  
44 don't know, and I did not listen to it on the webinar, but I  
45 would guess you would probably start with a third, a third, and  
46 a third and then, depending on what you believed was important,  
47 you would weight one up and have to weight another one down to  
48 go along with it.

1  
2 We've got a bunch of alternatives here. I don't see them as  
3 arbitrary. I just see them as various alternatives, depending  
4 upon what you believe is more important, whether it's regional  
5 history is more important or the size or the COI permit capacity  
6 is more important.

7  
8 It seems to me that you would weight up or down according to  
9 that. Then, at some point, I would like the committee to get  
10 back together and give us a firm recommendation as to what they  
11 think we ought to do. I don't really see it as arbitrary I  
12 guess is what I'm saying.

13  
14 **CHAIRMAN GREENE:** I have Mr. Sanchez and then Dr. Stunz.

15  
16 **MR. SANCHEZ:** To that point, I would agree with Roy that I don't  
17 see this as arbitrary either. The AP was kind of the driving  
18 force behind the genesis of this document, and if they're coming  
19 up with it and it's up to us to maybe tweak the percentages to  
20 have them make a little more sense, but, to me, this is no more  
21 arbitrary than what we did in king mackerel, where we had one  
22 representative from the southern zone on it, and we really  
23 listened to the AP and we came up with some arbitrary  
24 percentages to throw around the different subareas, and so it's  
25 no more arbitrary than that.

26  
27 **CHAIRMAN GREENE:** Dr. Stunz.

28  
29 **DR. STUNZ:** This is along the same lines, and I'm not speaking  
30 in opposition to this motion at all, but -- Maybe this is just  
31 because of me coming in at this relatively new and not  
32 understanding, but it seems like these higher-capacity vessels  
33 are adding a little bit of confusion.

34  
35 Are they charging per person on these vessels or is it a -- The  
36 reason I'm asking is that I'm still not quite clear of why  
37 you're in the headboat side if you happen to have reported to  
38 the headboat, and maybe this is to Roy, and I don't know, but  
39 how that historically came out, and is there some opportunity  
40 here to streamline these and maybe sort out some of these  
41 vessels?

42  
43 I don't know, and maybe there's a lot of opposition to that or a  
44 lot of support, but it seems like this is mainly -- We talk a  
45 lot about these six-pack-type vessels, but then you have this  
46 layer of confusion with these multi-passenger things. I don't  
47 know, and it's confusing for me, and so I'm wondering if there's  
48 some way to sort all of that out.

1  
2 **CHAIRMAN GREENE:** Ms. Bademan.

3  
4 **MS. BADEMAN:** To respond to John and Roy, I am not trying to dog  
5 this thing. I'm just trying to make sure that we are going to  
6 have the rationale in here to back any of these up. With  
7 mackerel, when we were setting those allocations, those came  
8 from the AP.

9  
10 When we discussed them the first time, we felt like we really  
11 didn't have the rationale to do what they were asking us to do,  
12 and so we went back to the AP and they discussed it at length.  
13 Then we discussed it at length and came up with the rationale,  
14 and that's where we ended up, and that's fine, but, to me, I  
15 don't see, at this point, why we would choose a, b, c, d, or e  
16 and where those percentages came from. They're just up there.  
17 That's all. I'm just trying to build a record of why these  
18 things are here and understand and that's all.

19  
20 **CHAIRMAN GREENE:** Ms. Bosarge.

21  
22 **MS. BOSARGE:** Thanks. I'm a very visual person, and so I  
23 definitely would like to see this added to the document. I  
24 think Dale is right that we have the ability to do these things  
25 without actually having to have a new alternative, but, for me,  
26 that's not real transparent.

27  
28 If we could put this in there, I feel like we have a starting  
29 point to essentially come to a compromise around the table and  
30 weight these factors. Like you said, in Mississippi, there's  
31 not a lot of landings on that chart, and so this, to me, is a  
32 starting point for us to have a discussion and say, okay, how  
33 are we going to weight each one of these and come up with  
34 something that maybe doesn't pick as many winners and losers,  
35 per se, and so I think this is a great place to start.

36  
37 I think, as we have those discussions, if we find one of these  
38 options that we feel is not justifiable with some good  
39 rationale, that it may be arbitrary, then we can toss that from  
40 the document at that point, but I think this is a good starting  
41 point.

42  
43 **CHAIRMAN GREENE:** Mr. Fischer.

44  
45 **MR. FISCHER:** Thank you, Mr. Chair. Actually, Greg asked a  
46 question, but there was no intent to answer it. We just went  
47 into the next round of questions, and mine almost echoes. If we  
48 have a headboat program and we're taking a sizeable amount of

1 COI boats and putting them in a headboat program, my question is  
2 how many are left in the charter boat program? It may only be a  
3 handful of boats, and I have no earthly idea. If someone could  
4 dig that up, that would be great.

5  
6 **DR. LASSETER:** That's the Table 1.1.1 that we've had up. If we  
7 could go back to that, on page 4.

8  
9 **MR. FISCHER:** Okay, because I'm on a whole different document  
10 here.

11  
12 **DR. LASSETER:** Karen, page 4 of the document, please, of the  
13 amendment. It's the next page. It's 1.1.2, page 6. Here is  
14 passenger capacity as of March 3, 2016. It also includes the  
15 number of historical captain permits in the far-right column.  
16 We have highlighted those because, while the other charter  
17 vessel permits are transferable, the historical captain permits  
18 are not. That historical captain must be on the vessel that is  
19 permitted.

20  
21 Here is the passenger capacity just straight. Then, if we could  
22 scroll down just a bit, we provided a table also with passenger  
23 capacity broken down across the regions that are currently  
24 provided in the document.

25  
26 **CHAIRMAN GREENE:** Mr. Fischer.

27  
28 **MR. FISCHER:** Now these are vessels that are positively not in  
29 the Beaufort program?

30  
31 **CHAIRMAN GREENE:** Dr. Crabtree.

32  
33 **DR. CRABTREE:** This is their permit passenger capacity. Do you  
34 have a table that shows permit passenger capacity and COI,  
35 whichever is lower, as the AP suggested?

36  
37 **DR. LASSETER:** We don't have it in a table. We have it in the  
38 text, and it's on page 5. We just compare whether or not it's  
39 higher or lower, but you're correct that these are all based on  
40 the permit's passenger capacity and not the COI.

41  
42 **DR. CRABTREE:** That sort of made sense to me, because that's  
43 really the cap on how many passengers they can actually take out  
44 on the boat, and that makes sense to me as to what we would want  
45 to focus on.

46  
47 **DR. LASSETER:** I will add to that. If you have a share-based  
48 system, that might be preferable. Possibly, if it's an

1 allocation-only-based system, it would be -- The AP's  
2 recommendation is to use the lower of the two, because you may  
3 have a thirty-passenger vessel.

4  
5 **DR. CRABTREE:** That's what I'm advocating. The lower of the two  
6 makes sense to me, because that's the limit on how many people  
7 they can take, and so why would we give them extra allocation  
8 for passengers they're not allowed to take anyway?

9  
10 **CHAIRMAN GREENE:** Dr. Stunz.

11  
12 **DR. STUNZ:** I am just looking here at this Table 1.1.3, and  
13 you've got, and I am trying to quickly do the math, but close to  
14 fifty-something, it looks like, vessels that are carrying more  
15 than fifty people. Some of them are eighty. Obviously they're  
16 charging on a per-person basis, and so I'm trying to figure out  
17 at what point did we decide you're in the headboat program and  
18 you need to report and at what point did we decide you're a  
19 charter captain, under this scenario?

20  
21 I don't know, and maybe we want to keep this. I have no idea,  
22 but it just seems to be adding a layer of confusion to the whole  
23 process, and this might be an opportunity to streamline some  
24 things here, between 41 and 42, assuming that was even what we  
25 wished to do.

26  
27 **CHAIRMAN GREENE:** Ava, to that point.

28  
29 **DR. LASSETER:** Thank you, Mr. Chairman. Yes, the entire 41 and  
30 42 documents are set up on -- 42 addresses participants in the  
31 headboat survey, because they have historical landings. This  
32 document addresses everybody that is not in the headboat survey,  
33 and so that's been laid out from the beginning. If the council  
34 wishes to change that, that's different, but this is how the  
35 document is set up.

36  
37 **CHAIRMAN GREENE:** Dr. Lucas.

38  
39 **DR. LUCAS:** I did have one question, and this maybe can't be  
40 answered around this table, but several of our headboat -- Well,  
41 I think all of our headboats in Mississippi do not charge by the  
42 head. They were asked to participate as part of the headboat  
43 program so that we would have landings and stuff in Mississippi.

44  
45 A couple of them have asked, do we still have to be a headboat  
46 and can't we just be a charter boat and be included in 41, and  
47 so, if at some point in time, somebody could address an answer  
48 to that question, that would be fabulous.

1  
2 **DR. LASSETER:** Actually, I believe Dr. Diagne, when he  
3 approaches Amendment 42 -- This issue is addressed in that  
4 document, and I'm going to let him answer this.  
5

6 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. In Amendment 42, this  
7 is one of the issues that is up for discussion, how we would,  
8 once and for all, set the universe of who is a charter vessel  
9 and who is a headboat. We are going to discuss that, I guess  
10 this afternoon, and offer some alternatives. Thank you.  
11

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

14 **MR. ANSON:** I don't want to muddy up the current motion too  
15 much, but if it's something that we need some more information  
16 on, parsing out how many credits or allocation a particular  
17 sized vessel could get, we've been participating, at least in  
18 some of the states, over the time series of the last fifteen or  
19 twenty years, fifteen years, a telephone survey with charter  
20 boat captains. Not headboats, but just charter boats.  
21

22 It depends on if they're selected and if we're able to reach  
23 them during a particular time period, but at least to kind of  
24 characterize and merge that with the permit database information  
25 and their COI, or capacity, and we can probably get some  
26 information as to what their average capacity is during the red  
27 snapper season for that particular year, or over the years.  
28

29 That might be something that we can get that isn't so arbitrary  
30 that has some information that, again, was provided by the  
31 captains and is used for management.  
32

33 **CHAIRMAN GREENE:** I think that's everybody on the list. Dr.  
34 Stunz, I will try to address some of the questions that you and  
35 Mr. Fischer had. I wanted to let everybody else have their  
36 opportunity to speak.  
37

38 On certificate of inspected vessels that carry seven passengers  
39 or more, there is an increased burden, both financially and  
40 everything, to have that opportunity to do that. Typically, you  
41 follow the size of the boats, along with the passenger loads, as  
42 they're noted, from six or less to seven to twenty-four or  
43 twenty-five and greater. You typically see that the value of  
44 the boat will increase as the passenger loads increase.  
45

46 You're certainly not going to put a ton of people on a small  
47 boat, because the Coast Guard is simply not going to allow it,  
48 and so there is a financial burden that goes along with it, and

1 I think some of that is why they were looking at having this  
2 multi-tiered deal, because typically a larger boat, such as  
3 mine, that carries forty passengers and is sixty-five feet long,  
4 there's a lot of days that I go fishing that some of the smaller  
5 boats don't go fishing, and so you have all of these innuendos  
6 of how they fit in.

7  
8 Now, in the Sustainable Fisheries Committee, about a year-and-a-  
9 half ago, we really struggled with what is the meaning of a  
10 headboat and, when we were first starting with 41, what is the  
11 meaning of a headboat and what is the meaning of a charter boat.  
12 We had a lot of discussion about the fact that a boat like mine  
13 does not fit in anywhere, nor do the other 200 boats that are in  
14 this that carry seven people or more, but do not charge by the  
15 head.

16  
17 It basically comes down to -- They said, okay, if you have been  
18 selected by the Center Director, you will participate in a  
19 headboat program. If you're not, everybody else will report  
20 accordingly, and that's how they agreed to handle it.

21  
22 That's kind of how that came on. I believe it was before you go  
23 on, or right as you were coming on, that we had a lot of  
24 discussion about that. Ultimately, we settled on that, and  
25 that's where it ended up. I agree with you that when you read  
26 the language -- I am not a headboat, but, when you look at it  
27 through the language for the fisheries, it is.

28  
29 Now, through the Coast Guard, it's something different, and that  
30 has always been kind of a big outstanding issue with that.  
31 That's just kind of a little background for you to follow back  
32 on, and I would be glad to talk to you outside of this in more  
33 detail, if you would like, to help you clear it up.

34  
35 However, at this point, we are up against our lunchtime. We  
36 have a motion on the floor. We've had a bunch of discussion  
37 about this. Is anyone else dying to weigh in on this motion  
38 before we vote? I've been on a roll this morning, and so here  
39 it goes again. **Is there any opposition to the motion on the**  
40 **board? Seeing one in opposition, the motion carries.**

41  
42 Dr. Lasseter, where does that put us within this document?

43  
44 **DR. LASSETER:** We have some remaining AP recommendations, and  
45 then I was going to ask if there were any further motions as far  
46 as addressing what's in the document and if you wanted me to go  
47 through the remaining sections and the sub-actions within each  
48 of those, in Sections B, C and D. We could go either way.

1  
2 **CHAIRMAN GREENE:** Chairman Anson, it is 12:15. How would you  
3 like for us to proceed?  
4

5 **MR. ANSON:** Seeing that my lunch has already been ordered and is  
6 probably waiting for me, I would say let's go ahead and take  
7 lunch break now.  
8

9 **CHAIRMAN GREENE:** What time do we need to be back?

10  
11 **MR. ANSON:** I think it's 1:45.  
12

13 **CHAIRMAN GREENE:** Let's be back at 1:45. Thank you.  
14

15 (Whereupon, the meeting recessed at 12:15 p.m., April 5, 2016.)  
16

17 - - -  
18

19 April 5, 2016  
20

21 TUESDAY AFTERNOON SESSION  
22

23 - - -  
24

25 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
26 Management Council reconvened at the Doubletree by Hilton  
27 Austin, Austin, Texas, Tuesday afternoon, April 5, 2016, and was  
28 called to order at 1:45 p.m. by Chairman Johnny Greene.  
29

30 **CHAIRMAN GREENE:** Before we move on, we need to kind of finish  
31 up where we are. With that, Dr. Lasseter, I will hand it back  
32 over to you. I know we have just a little bit more to go, and  
33 we'll get started when you're ready.  
34

35 **DR. LASSETER:** Thank you, Mr. Chairman. We will put back up the  
36 document. We're in Action 3, page 21. I want to take a look at  
37 the AP recommendations that were right in front of it, to make  
38 sure we covered all of those. If we go to the end of Action 3,  
39 there should be another box that looks like this.  
40

41 The reason for doing all of this really was to try and minimize  
42 confusion, and so apologies that we've got a little bit of  
43 confusion. This is page 25. Again, these AP recommendations  
44 are in Tab B, Number 7. I have cut them for each action that  
45 they related to and just tacked it in here, and so these are not  
46 actually in your document. This way, you don't have to have two  
47 documents open on your desktop. The AP recommendations are from  
48 the AP Report, which is B-7. This is B-6.

1  
2 These are the remaining recommendations from the AP on the  
3 Action 3, which, again, is the distribution of quota among  
4 charter vessels. In Action 3, Alternative 5, the AP recommended  
5 creating a new option using average landings for the years 2003  
6 to 2012, excluding landings in 2010. As a refresh, the  
7 Alternative 5, the year ranges went from 2004 to 2012, and so  
8 this backs up a year to the permit moratorium. I see a  
9 question.

10  
11 **MS. BADEMAN:** If you don't mind, why is 2012 the cutoff year?

12  
13 **DR. LASSETER:** Originally, it was because we got those data from  
14 an analysis that Andy Strelcheck had presented, and so he had  
15 already provided those years. We brought that in the initial  
16 version of this document to you, and we did request did you have  
17 any suggestions for changes or whatnot.

18  
19 Subsequently, in looking at the data after 2012, and I would  
20 probably need Dr. Farmer to help me be specific about this, but  
21 -- Did he leave? Let's see, but we only had LA Creel for one  
22 year, and I am so sorry, but I'm not remembering right now why  
23 we did not want to use 2013, or why we would not recommend using  
24 2013. Dr. Crabtree, can you -- Is this familiar to you? Let me  
25 get back to you on that. I apologize.

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

28  
29 **DR. SIMMONS:** Thank you, Mr. Chairman. I think it had to do  
30 with the MRIP calibrations, but let's look at that up, and then  
31 2014 was the certification of the LA Creel running  
32 simultaneously with MRIP. I don't believe those were run at the  
33 same time, but let's check the years, to be sure, on that, but I  
34 think there is some issues with that, and that's why it hasn't  
35 been included to date. We are trying to work on that with the  
36 Regional Office.

37  
38 **CHAIRMAN GREENE:** Thank you. That sounds good. Okay, Dr.  
39 Lasseter.

40  
41 **DR. LASSETER:** Thank you very much. The next recommendation  
42 from the AP is to establish a new option under Action 3,  
43 Alternative 5, which would be Option 5e, to establish a  
44 timeline as found in Amendment 40, and so this is the one on  
45 which the establishing the quota for the private and the federal  
46 for-hire components was established, and that leads to the next  
47 motion, which was to recommend that the panel's preferred  
48 allocation timeline be the same one that was in Amendment 40,

1 and we've provided that here for reference, which was 50 percent  
2 of landings, average historical landings, from 1986 to 2013 and  
3 50 percent from 2006 to 2013, excluding landings from 2010.  
4 Again, here, in this case, we do have 2013. That was included  
5 in Amendment 40, sector separation. Are there any questions on  
6 these recommendations?

7

8 **CHAIRMAN GREENE:** Thank you. Mr. Williams.

9

10 **MR. WILLIAMS:** At least in my copy, the options for Alternative  
11 5 go through 5c, and so am I missing something? I mean I'm  
12 prepared to make this 5e, but --

13

14 **DR. LASSETER:** I believe that was the AP making a  
15 recommendation, and we perhaps didn't catch it. No, I'm sorry,  
16 but I believe they did make another recommendation. Yes. The  
17 previous motion in Action 3, Alternative 5, to create a new  
18 option of 2003 to 2012, and so that will be 5d.

19

20 **MR. WILLIAMS:** Okay.

21

22 **DR. LASSETER:** Then 5e will be similar to Amendment 40.

23

24 **MR. WILLIAMS:** So could I offer a motion then, Mr. Chairman? I  
25 would offer a motion to add two new alternatives, an Option 5d,  
26 using the average landings for the years 2003 to 2012, excluding  
27 the landings in 2010, and then 5e would be to use 50 percent of  
28 the landings from 1986 to 2013 and 50 percent from 2006 to 2013,  
29 excluding 2010.

30

31 **CHAIRMAN GREENE:** Thank you. We have a motion. They are  
32 getting the motion up on the board. I think most of you heard  
33 it as it was being read. Is there a second for this motion?  
34 It's seconded by Mr. Sanchez. Is there further discussion? Ms.  
35 Levy.

36

37 **MS. LEVY:** Just a question. What was the reason for wanting the  
38 2003? I'm just curious, because there were some years that --  
39 The options that were already there started in 2004. Was there  
40 a particular reason that the AP wanted to include 2003, as  
41 opposed to some other beginning year?

42

43 **CHAIRMAN GREENE:** Captain Green.

44

45 **MR. GREEN:** At this time, I don't remember exactly why they  
46 chose that one. I think they were trying to get a more relative  
47 timeline, but that motion was made and we kind of pushed through  
48 with it and then it got real quick into we should do what's in

1 Amendment 40, because that's how we got 41 started. I  
2 particularly can't remember the exact reason, but it was pushed  
3 aside once we realized that Amendment 40 needed to be the basis  
4 of the timeline.

5

6 **CHAIRMAN GREENE:** Thank you. Any further discussion? Ms. Levy.

7

8 **MS. LEVY:** Just considering that, I would just ask the question  
9 of whether that's an option that the council really wants to  
10 consider, meaning it's changing the start year for one of the  
11 options from 2004 to 2003, not really changing anything else,  
12 and then the AP seemed to go away from that and then put another  
13 alternative out there and then picked it as what they would like  
14 to see happen eventually. You can see certainly add it. I'm  
15 just not sure it will add anything to the analysis, because  
16 you're changing one year, 2003, instead of 2004.

17

18 **CHAIRMAN GREENE:** Thank you. Mr. Williams.

19

20 **MR. WILLIAMS:** Mara, I don't know why they did either, but it  
21 does occur to me that 2003 to 2012 does give you a ten-year time  
22 series, and so it might be as simple as that, whereas the others  
23 are eight or nine, a nine-year time series.

24

25 **CHAIRMAN GREENE:** Thank you. Any further discussion? We will  
26 let them get the motion on the board and make sure before we  
27 vote on it. Does anybody else want to weigh in before we -- Mr.  
28 Williams.

29

30 **MR. WILLIAMS:** John Sanchez had just asked me, was it the  
31 intention of the AP that in Option 5e that the first 50 percent,  
32 1986 to 2013, was it their intention to exclude 2010 landings?  
33 I would guess that it was.

34

35 **MR. GREEN:** Yes, Mr. Williams, and thank you. We basically took  
36 it verbatim out of Amendment 40. We wanted whatever we used in  
37 Amendment 41, if it passed, we wanted it to be exactly what got  
38 us started on the road to -- I would say that I guess there's a  
39 reason why it wasn't excluded on the top one, on the 1986 to  
40 2013, but I don't exactly --

41

42 **MR. WILLIAMS:** I would think we would exclude it in both of  
43 them. I mean 2010 is not a good year to use and let's not use  
44 it.

45

46 **CHAIRMAN GREENE:** Thank you. Dr. Lasseter.

47

48 **DR. LASSETER:** It's inferred, but it's both. We just didn't

1 repeat it for each line, but it's 50 percent this and 50 percent  
2 this for both of them, excluding landings from 2010.

3  
4 **CHAIRMAN GREENE:** Okay, and so we have a motion on the board.  
5 Let's make sure it's correct. I believe it's correct. We have  
6 a motion that was seconded, and we've had discussion. **Is there**  
7 **any opposition to the motion on the board before you? Seeing no**  
8 **opposition, the motion carries.** Dr. Lasseter.

9  
10 **DR. LASSETER:** Thank you, Mr. Chairman. If we could look back  
11 at the document, that completes the AP recommendations that were  
12 specific to the document. In the AP Report, the summary report,  
13 there are two additional recommendations that didn't reflect a  
14 specific action here, and so I will just read those to the  
15 committee.

16  
17 The first one addresses the pending Amendment 45, Reef Fish  
18 Amendment 45, and the AP recommends to support the initiation  
19 and approval of a plan amendment to remove the sunset provision  
20 for sector separation that is approved in Reef Fish Amendment  
21 40. That motion carried eleven-to-one, with one abstention.

22  
23 Then the other motion was that the AP requests that the council  
24 consider that they reconvene the Charter For-Hire AP panel after  
25 the April meeting in Austin to continue to work on preferred  
26 alternatives on Amendment 41 and prior to the June meeting.  
27 That motion was carried with no opposition. If there's no  
28 further discussion on the -- Mr. Williams.

29  
30 **CHAIRMAN GREENE:** Mr. Williams.

31  
32 **MR. WILLIAMS:** Mr. Chairman, I've got two motions. If you  
33 recall we said that in Action 1 that we needed to add -- There  
34 was no alternative in there to establish a PFQ program that used  
35 only allocation and not shares, and so I would like -- **I would**  
36 **move to add, in Action 1, an alternative to establish a PFQ**  
37 **program that uses annual allocation, but not shares.**

38  
39 **CHAIRMAN GREENE:** We have a motion on the board. Is there a  
40 second for the motion? It's seconded by Mr. Walker. We had a  
41 fair bit of discussion earlier. Would anybody like to  
42 contribute to the discussion now any further? Mr. Williams.

43  
44 **MR. WILLIAMS:** To accommodate that Alternative 5 that provided  
45 for the PFQ-type of program, Mara had pointed out that we needed  
46 to put something like this back in Action 1, and so we either  
47 have to do it now or at full council, and we might as well do it  
48 now.

1  
2 **CHAIRMAN GREENE:** Thank you. Any further discussion? **Is there**  
3 **any opposition to the motion on the board? Seeing no**  
4 **opposition, the motion carries.** Mr. Williams.

5  
6 **MR. WILLIAMS:** Then my other motion is that, since the AP would  
7 like to get together again prior to our June meeting in  
8 Clearwater, I would offer a motion that we reconvene the Charter  
9 For-Hire AP prior to our June meeting, in order to complete  
10 their work on their recommendations for Amendment 41.

11  
12 **CHAIRMAN GREENE:** Thank you. We have a motion going on the  
13 board now. It was seconded by Mr. Walker. Dr. Lucas.

14  
15 **DR. LUCAS:** I just wanted to hear from staff about their  
16 timeline and kind of if they thought that they would have enough  
17 material or something to cover or if they should wait a little  
18 bit longer before they meet.

19  
20 **CHAIRMAN GREENE:** Yes, ma'am. Mr. Gregory.

21  
22 **EXECUTIVE DIRECTOR GREGORY:** Yes, thank you. I can understand  
23 that, but we also had the same request from the Shrimp AP, and  
24 every time we have an AP meeting, they make that request, that  
25 we can have another meeting right after the next council  
26 meeting. I understand the need for momentum and stuff, and I  
27 can't say if we can have one now or not, but I would certainly  
28 appreciate it if was left up to us to see if we can work it in,  
29 if we can get enough information together to have one between  
30 now and June.

31  
32 We have a lot of different amendments and a lot of different  
33 things on our plate, and sometimes we just can't do all of that.  
34 This one, this discussion already, is substantial changes on  
35 this amendment. I understand the need for moving forward as  
36 quickly as we can, and I certainly don't want to impede that,  
37 but just having multiple meetings of all the APs every time they  
38 meet is problematic.

39  
40 **CHAIRMAN GREENE:** I understand. That's a good point. Mr.  
41 Williams.

42  
43 **MR. WILLIAMS:** Well, I mean I would modify this, or we could  
44 just simply understand that if staff can do it, fine, and if  
45 they can't -- **I would be willing to stick in there the words**  
46 **"staff time permitting, to reconvene the Charter For-Hire**  
47 **Advisory Panel".**

1 **CHAIRMAN GREENE:** Okay. Mr. Walker, you were the seconder. Do  
2 you agree? Okay. I think that pretty well covers it. Any  
3 further discussion? Mr. Fischer.

4  
5 **MR. FISCHER:** I was going to say while you all were changing --  
6 Instead of "complete their work", how about "to further advise",  
7 because what we're doing is mandating them to complete their  
8 work. It's to continue it, to further advise us.

9  
10 **MR. WILLIAMS:** "Continue" would be fine with me, Mr. Chairman.

11  
12 **CHAIRMAN GREENE:** All right. We have a motion. Any further  
13 discussion about the motion on the board? **Seeing no further**  
14 **discussion, is there any opposition to the motion? Seeing none,**  
15 **the motion carries.** Dr. Lasseter.

16  
17 **DR. LASSETER:** Thank you, Mr. Chairman. That completes the AP  
18 recommendations. I did want to return to the document. There's  
19 a question.

20  
21 **CHAIRMAN GREENE:** Dr. Stunz.

22  
23 **DR. STUNZ:** Based on this motion that just passed and discussion  
24 with a lot of people around the people after we discussed this  
25 potential for adding that Alternative 5 that put the annual  
26 allocation issue on the table with the harvest tags, I would  
27 like to make a motion that at this -- **I can craft it better here**  
28 **in just a second, but that we have this AP, when they meet, take**  
29 **up this Alternative 5 to establish a harvest tag program that**  
30 **provides recreational participants with annual allocation**  
31 **distributed in the form of harvest tags and specifically**  
32 **evaluate this alternative.**

33  
34 That's part of the motion, and if anyone would like to add to  
35 that, I am totally fine with that, but what I would specifically  
36 would want in this situation is not considered but rejected, but  
37 provide some constructive feedback of how an alternative like  
38 this would be possible, in the spirit of having a wide range of  
39 alternatives that fully encompasses the options that are in  
40 front of us within this amendment.

41  
42 **CHAIRMAN GREENE:** We have a motion on the floor. Is there a  
43 second for the motion? The motion is seconded. Any further  
44 discussion? Mr. Williams.

45  
46 **MR. WILLIAMS:** How does this differ from the motion we defeated  
47 earlier, Greg?

48

1 **DR. STUNZ:** The motion that was on the table earlier today was  
2 to add this as a separate Alternative 5 into Action 1. This is  
3 just asking that this group take up this as one of the  
4 alternatives, and, just like they've done with a variety of  
5 other alternatives, provide us with some feedback of pros and  
6 cons and how could it work and what would be some of the  
7 mechanisms to implement a program like that.

8  
9 **CHAIRMAN GREENE:** Thank you. Is there further discussion?  
10 **Seeing no further discussion, is there any opposition to the**  
11 **motion on the board? Seeing no opposition, the motion carries.**  
12 Dr. Lasseter.

13  
14 **DR. LASSETER:** Thank you, Mr. Chairman. If we could go back to  
15 the document, we're finished with the AP Report, but I do want  
16 to finish reviewing the remainder of the document. If we could  
17 take a look, again, at the table of contents of the document.

18  
19 We have really focused so far on Actions 1 through 3. The  
20 subsequent sections address each of these different types of  
21 allocation-based management programs, and you can see under  
22 Section B, for fishing quota programs, there are sub-actions  
23 that consider the transferability and maintenance of shares as  
24 well as transferability of allocation, because, under these  
25 quota programs, these use both shares and allocation and, of  
26 course, a cap on shares action as well.

27  
28 The cooperative section, Section C, addresses formation and  
29 membership, transferability of vessel allocation, and caps on  
30 vessel allocation. I wanted to point out at this time -- At  
31 your last meeting, the council recommended removing the  
32 cooperative section from Amendment 42, and we did not do that  
33 for 41 and staff -- We did provide additional discussion and  
34 development of this section of cooperatives, and I just wanted  
35 to point that out and see if there was any further discussion on  
36 this. Is there committee interested in retaining this in the  
37 document?

38  
39 **CHAIRMAN GREENE:** Is there committee discussion? Does anybody  
40 want to weigh in on cooperatives? Seeing none, Dr. Simmons.

41  
42 **DR. SIMMONS:** Thank you, Mr. Chairman. I guess, Dr. Lasseter,  
43 the AP did weigh in on the cooperatives and made some  
44 recommendations, right, regarding this?

45  
46 **DR. LASSETER:** The AP recommended removing the fishing  
47 cooperative alternative from the document, yes.

1 **CHAIRMAN GREENE:** Mr. Anson.  
2  
3 **MR. ANSON:** On what basis did they make that recommendation?  
4  
5 **DR. LASSETER:** Let me look at the report, because I actually --  
6 When they were discussing fishing cooperatives, they noted that  
7 there was too much room for misuse and that too much power could  
8 potentially be held in one person's hands.  
9  
10 Also, in contrast to the Headboat Collaborative, which had less  
11 than twenty participants, the AP members felt that it might be  
12 difficult to organize the much larger group of charter operators  
13 into cooperatives.  
14  
15 Right now, the document is quite cumbersome, and staff is  
16 interested in identifying any components that you may be  
17 interested in removing. If you're not ready to remove it at  
18 this time, if you would like us to further develop it, we're  
19 happy to do so, but this was removed in 42, which is why we were  
20 just curious if you were interested in retaining it. I just  
21 wanted to call attention to it.  
22  
23 **CHAIRMAN GREENE:** Thank you. Captain Green, did that pretty  
24 much cover the AP's feelings of that?  
25  
26 **MR. GREEN:** Yes, sir. It was just being a fisherman, you put  
27 the power in another fisherman's hands that presides over you  
28 and there was -- I'm not saying that it would ever happen, but  
29 it was a fact that we would much rather have a -- If somebody is  
30 running an allocation program for us, we would rather it be NOAA  
31 or NMFS or somebody other than a fellow fisherman, just to  
32 remove that worry.  
33  
34 **CHAIRMAN GREENE:** Thank you. Mr. Williams.  
35  
36 **MR. WILLIAMS:** In the interest of parallel construction with  
37 Amendment 42 and the recommendation of the AP, I would move then  
38 that we remove Section C, Fishing Cooperatives, from this  
39 document.  
40  
41 **CHAIRMAN GREENE:** Okay. Let's get it on the board. It was  
42 seconded by Mr. Fischer. Dr. Lasseter.  
43  
44 **DR. LASSETER:** May I make a request that you move it to  
45 considered but rejected? Actually, looking down at Mara too, is  
46 that appropriate?  
47  
48 **CHAIRMAN GREENE:** Ms. Levy.

1  
2 **MS. LEVY:** That's fine, but I will also say that you probably,  
3 in doing that, want to remove Alternative 3 from Action 1,  
4 because that's the alternative that's saying we want to do a  
5 cooperative. I think if you remove that, you remove everything  
6 that has to do with creating cooperatives.  
7  
8 **CHAIRMAN GREENE:** Mr. Williams.  
9  
10 **MR. WILLIAMS:** Then the motion would be to remove Alternative 3  
11 in Action 1 and Section C, Fishing Cooperatives, to the  
12 Considered but Rejected section.  
13  
14 **CHAIRMAN GREENE:** Any further discussion of the motion on the  
15 board? Seeing no further discussion, is there any opposition to  
16 the motion on the board? Seeing no opposition, the motion  
17 carries. Dr. Lasseter.  
18  
19 **DR. LASSETER:** Thank you, Mr. Chairman. In the interest of  
20 time, and we're actually well past our time, I was going to  
21 review the sub-actions under the quota program and the harvest  
22 tag program, but I'm thinking that, because -- Possibly, we  
23 should move on to 42, and with the new additions to the  
24 document, perhaps it would be more appropriate to review the  
25 rest of the remaining actions at a later time, or would the  
26 committee like me to review these actions?  
27  
28 **CHAIRMAN GREENE:** Does the committee have any opinion here?  
29 Okay, Chairman Anson, have you got any --  
30  
31 **MR. ANSON:** I would say let's move on to 42. Then, if we have  
32 the time and desire, then we can come back.  
33  
34 **CHAIRMAN GREENE:** Yes, sir. Mr. Diaz.  
35  
36 **MR. DIAZ:** I'm going to throw a motion up there. I don't know  
37 that it necessarily has to be under 41, but it pertains to this.  
38 I will see if I get a second, and then I will have some  
39 discussion.  
40  
41 **Have the staff examine the following traditional measures and**  
42 **report back to the council on how these measures impact season**  
43 **length for the charter for-hire sector: bag limits, split**  
44 **seasons, and a range of size limits, but I would be happy to add**  
45 **anything else if I get a second, or delete maybe, considering**  
46 **what the discussion says.**  
47  
48 **CHAIRMAN GREENE:** Thank you. We have a motion by Mr. Diaz.

1 It's seconded by Dr. Lucas. Is there any further discussion?  
2 Mr. Diaz.

3  
4 **MR. DIAZ:** I will give some rationale. I don't know that we  
5 have something to compare what we're doing here. I don't know  
6 that this cleanly fits under this document right now, the way  
7 the purpose and need is written, but we don't really have  
8 anything good to compare to.

9  
10 If fishermen are out there trying to figure out if they like  
11 this idea or not like this idea -- If they could see what they  
12 might be comparing it to if this doesn't go forward, at least it  
13 will give some comparison.

14  
15 I am somewhat concerned about staff time. I know we've got the  
16 staff fairly well bogged down, but I think the one-fish bag  
17 limit has been done. It probably could be updated, and I don't  
18 know that that would be a tremendous amount of work. Split  
19 seasons, I mean if -- I've had a few different charter fishermen  
20 tell me at times that generally, in June and July, they can sell  
21 trips. Right now, we open up snapper season on July 1, but you  
22 know maybe we want to open up a snapper season and we could talk  
23 about the percentages here.

24  
25 I'm pretty much open to whatever the council thinks, but say we  
26 open up a first season, and I'm just using it for an example,  
27 with 50 percent of the fish allotted to this sector, and I'm  
28 just throwing out a date and it doesn't have to be this date,  
29 but April 1 and we let 50 percent of those fish get caught on  
30 April 1. When that 50 percent is caught, we shut it down.

31  
32 It might likely be shut down in the June and July timeframe,  
33 when you can sell trips. A lot of people tell me they can sell  
34 trips in a lot of areas. I'm sure that doesn't apply to  
35 everybody, but it's a little bit busier time of the year, more  
36 tourists.

37  
38 Then we would open up a second season at some time during the  
39 year with the other 50 percent. That could be August 1 or  
40 September 1 or whatever we decide, and it may turn out, for a  
41 lot of charter businesses, this might be a good option for them  
42 to consider, but if they don't have it to compare it to, it  
43 won't be there.

44  
45 You know it might be something where it might not just be one  
46 thing. It might be we might look at what one fish would do in  
47 addition to a split season, in addition to maybe a seventeen-  
48 inch size limit or a fifteen-inch size limit, and just figure

1 out if this is a good way to help enhance the charter fishing  
2 sector.

3  
4 I would love to get more input on how to handle some of this  
5 stuff from people, rather than try to say right now, at this  
6 moment, we want April 1 with 50 percent. It might be we might  
7 want a couple of things. We might want 75 percent at the first,  
8 but I would like to get some input from the charter for-hire  
9 folks before we even go that far with it, and we could take that  
10 up at full council, if this motion passes. I would love to hear  
11 any more input other council members might have.

12  
13 **CHAIRMAN GREENE:** Thank you. Dr. Lasseter.

14  
15 **DR. LASSETER:** To assist Dale in this, in the previous meeting,  
16 at your January meeting, we still had those traditional  
17 management measures, actions, in the document, and suggested  
18 that they be used in a framework. I just sent the text, if we  
19 could put that up.

20  
21 This one is just bag limit and size limits. That's pretty  
22 straightforward, but, as far as alternatives and options for the  
23 season, I am providing here what we had in the document, and I'm  
24 wondering if that could be a starting point, where you could at  
25 least -- If this motion does pass, you could provide guidance to  
26 staff as to what you would want us to consider and look at.

27  
28 I think we have them up on the board. Again, these were just  
29 options that staff threw out to have the committee respond to  
30 what we should consider, and I don't believe that we really  
31 discussed this at the last meeting.

32  
33 Alternative 1 would retain the June 1 start of the season and  
34 end when the annual catch target is estimated to be caught. You  
35 could potentially, under Alternative 2, remove the June 1  
36 fishing season start date and have a different start date, and  
37 we came up with these three options.

38  
39 Then Alternative 3, there is two parts in this. It would  
40 establish the split season, such that the initial season, and  
41 here we just picked April 1, and closes when the selected  
42 percent of the ACT is estimated to be caught. Option 3a and 3b  
43 is 50 percent. 3c and 3d is 75 percent.

44  
45 Then the supplemental season will begin on the selected month  
46 and end when the ACT is estimated to be caught. 3a and 3c  
47 consider September 1. 3b and 3d are October 1. That was just  
48 kind of a structure to throw out there.

1  
2 **CHAIRMAN GREENE:** Thank you, Dr. Lasseter. It seems like  
3 they've got some of what you're after there, Dale. Mr.  
4 Williams.

5  
6 **MR. WILLIAMS:** Dale, I would like to accommodate you here. You  
7 have accommodated most of my requests today, but I mean I know,  
8 in the end, I'm going to vote against this, after staff has done  
9 their analysis. I mean this charter fishery has so much fishing  
10 effort in it compared to the amount of yield that's out there.

11  
12 I just don't think these traditional fishing methods can work,  
13 and I think they're going to introduce uncertainty into the  
14 fishery and they're going to create or continue a derby, and I  
15 really think the only thing that can work is we've somehow got  
16 to limit effort in this fishery, whether it's a PFQ or an IFQ.

17  
18 I think the ship has sailed past these traditional fishing  
19 methods. There's just too much effort compared to the amount of  
20 yield that's out there, and I am not going to support it, and  
21 I'm going to vote against it, as much as I would like to try to  
22 accommodate it.

23  
24 **CHAIRMAN GREENE:** Mr. Diaz.

25  
26 **MR. DIAZ:** To respond, Roy, and you might be right. I certainly  
27 don't have a crystal ball, but if we ever get to a referendum  
28 and people have to vote, they would have more information in  
29 front of them to make an informed decision. You might be right.  
30 Maybe the ship has sailed, but I just thought it might be  
31 valuable for people to have, and I would certainly like to see  
32 it. Thank you.

33  
34 **CHAIRMAN GREENE:** Dr. Stunz.

35  
36 **DR. STUNZ:** Certainly, as a scientist, I'm always wanting more  
37 information, and so I'm speaking in favor of your motion here,  
38 Dale, but, also, at some point in the -- I'm sorry that I don't  
39 remember where it is offhand, but there is some discussion about  
40 reopening the season right when there is leftover catch that  
41 hasn't been met, and maybe that would somehow be built into this  
42 potentially extending the season that you're talking about.  
43 That would be a way to incorporate that, opening it in the later  
44 season or something, and so I think there's some value in  
45 getting some more information on how all that would play out.

46  
47 **CHAIRMAN GREENE:** Mr. Fischer.

48

1 **MR. FISCHER:** Thank you, Mr. Chairman. Dale, I think you said  
2 something that's going to make me vote for this. It's really  
3 what if the referendum fails. Then where do you go to?  
4

5 **CHAIRMAN GREENE:** Thank you. Is there further discussion?  
6 Seeing no further discussion -- Ms. Bosarge, go ahead.  
7

8 **MS. BOSARGE:** If we took up this type of issue in an amendment,  
9 what kind of timeframe, generally -- I mean if we don't, as a  
10 council, muddy the waters too much and keep adding and adding  
11 and adding, but what kind of timeframe are we looking at on  
12 something like that, where we could get to a point where we  
13 could take final action on it?  
14

15 I was thinking about this as more of a -- I like what we're  
16 doing in 41 and 42, and that may be the way we end up going, but  
17 this may be something that could provide some benefits to the  
18 for-hire sector in the interim.  
19

20 If it turns out that, sort of like the commercial IFQ, that it  
21 kind of takes a while to get there and hash it all out, this may  
22 extend their fishing season a little bit in the interim, but,  
23 there again, that's why I'm wondering about the timeframes. If  
24 this is going to take us two years to get through and implement,  
25 then I don't know if that's a valid point or not.  
26

27 **CHAIRMAN GREENE:** Dr. Crabtree.  
28

29 **DR. CRABTREE:** They could all be implemented through a framework  
30 amendment, and so probably pretty quickly, but the thing is  
31 we've looked at all of this, on I don't know how many occasions,  
32 and going to one fish would extend the season quite a bit, but  
33 we looked at it and most people didn't want to go to one fish.  
34

35 We've looked at all these start dates, but, consistently, what  
36 we've heard is the majority of them want the fishery to open on  
37 June 1. That's why we've never changed it, and so I -- This is  
38 stuff that's all been analyzed before, and we have, over the  
39 last few years, I don't know how many times we've gone around  
40 about it, but it could be done pretty quickly. The problem is  
41 us coming to any agreement to do any of it, because the  
42 constituents will be very divided on almost all of it, I would  
43 imagine.  
44

45 **CHAIRMAN GREENE:** Thank you. Any further discussion? We're  
46 back to the motion on the board. I'm going to try again. Any  
47 opposition to the motion on the board? We're going to go to a  
48 hand vote. **All those in favor of the motion on the board,**

1 please raise your hand; all those opposed like sign. The motion  
2 carries. Dr. Lasseter, are you --

3  
4 **DR. LASSETER:** I guess, again, the bag limit and the size limit,  
5 those are pretty simple. The season options, and we just  
6 provided the text that was in the previous version, but does  
7 this encompass the range of options for season structure that  
8 you would want explored? Is there anything we could remove?

9  
10 **DR. DIAZ:** If you're talking to me, I think that's -- I am  
11 satisfied with that, but I would surely like to hear from folks  
12 like Johnny and Pam, and, if we get some public testimony, we  
13 could adjust it, if we got some specific things that were asked  
14 for, but those seem reasonable to me, but, like I said, I would  
15 like to hear more.

16  
17 **CHAIRMAN GREENE:** Okay. Anybody else with to weigh in? As Mr.  
18 Diaz asked, I mean I think these are reasonable alternatives to  
19 look at, and I know we have had a lot of conversation about this  
20 in the past. I do concur that in my area that June and July are  
21 very heavily tourist-oriented times, and I believe that we could  
22 sell trips in different times if that was the case. However, I  
23 know some of the guys in Texas don't want to fish much in the  
24 spring, because of the weather patterns, and they want the June  
25 type of stuff. I don't know if we would ever come to consensus  
26 on it, but I think it's certainly something that we should  
27 explore. With that, is there anyone else that would like to  
28 weigh in? Then, Dr. Lasseter.

29  
30 **DR. LASSETER:** That completes everything for me. We will take  
31 this as the direction to head and work it in with our timeline.  
32 I will turn it back to you, Mr. Chairman. Thank you.

33  
34 **CHAIRMAN GREENE:** Okay. Thank you. Next up on our list is  
35 Draft Amendment Number 42, Federal Reef Fish Headboat  
36 Management, and Dr. Diagne. I'm sorry. Mr. Gregory.

37  
38 **EXECUTIVE DIRECTOR GREGORY:** We've had the June season for a  
39 long time, and so I hope you don't have high expectations for  
40 the quality of data we're going to have on what's going to be  
41 caught in April and October. There's only old data.

42  
43 For the split seasons, I guess our first step would be to ask  
44 the APs what they would prefer to do, but the data is going to  
45 be old for those particular months of harvest rates, but we can  
46 use it to get a rough estimate of catch rates.

47  
48 **CHAIRMAN GREENE:** I certainly don't disagree with that, because

1 it's been a long time since we've snapper fished in April or  
2 October, and so I certainly concur with that. Dr. Crabtree.

3  
4 **DR. CRABTREE:** You know we've had discussions about the buffer  
5 and trying to change the buffer, but then if we start moving the  
6 seasons all around to areas, it's going to throw way more  
7 uncertainty in all the projections and things, and so -- Because  
8 Doug is right that there's -- We don't really have anything.

9  
10 There will have to be some assumption made that the catch rates  
11 in some other time of the year will be less or more than what  
12 they are in the summer, and there's not a real good basis for  
13 any of that, and so we're putting more uncertainty into all the  
14 management when we look at these things.

15  
16 **CHAIRMAN GREENE:** Thank you. Is there further discussion? With  
17 that, we will move on into Draft Amendment Number 42 and Dr.  
18 Diagne.

19  
20 **DRAFT AMENDMENT 42 - FEDERAL REEF FISH HEADBOAT MANAGEMENT**

21  
22 **DR. DIAGNE:** Thank you, Mr. Chair. I will ask staff to put the  
23 presentation on the board, please. Thank you. While they are  
24 looking for it, the draft amendment is Tab B, Number 8 in our  
25 briefing book.

26  
27 A few things that we would like to discuss with you today.  
28 We've put together a short presentation to help support your  
29 discussion. We will revisit this issue of the definitions, to  
30 be able to make the distinction between headboats and charter  
31 vessels.

32  
33 We will offer an opportunity to look at the purpose and need and  
34 take your modifications, if any. Then summarize the management  
35 alternatives, and we will finish by discussing with you the  
36 timeline that we are thinking about, looking at the next steps.

37  
38 First, when it comes to the definition or the distinction, if  
39 you would, between headboats and charter vessels, and this would  
40 go to one of the points that you raised earlier, we have a  
41 federal for-hire reef fish permit. In it, we have, obviously,  
42 charter vessels and headboat vessels.

43  
44 For Amendment 42, we looked at those vessels that do have catch  
45 histories, and the catch history, landing history, would come  
46 from the survey, if you would, the southeast survey of  
47 headboats, and so those are the vessels that we are targeting  
48 for Amendment 42, and everybody else that has a federal for-hire

1 permit, reef fish that is, would be in Amendment 41.

2  
3 We are looking at the vessels that obviously have the permit and  
4 have landings in the surveys. To date, it's sixty-seven  
5 vessels. The difference between the two, all the for-hire  
6 permits and these sixty-seven vessels -- The 1,247, those are  
7 going to be your charter vessels.

8  
9 In discussing this, it became very clear that participation in  
10 the survey can vary in the future, and so it could be the case  
11 that we develop a program and apportion the shares and then find  
12 out that some new vessels have been chosen to be in the survey,  
13 and so that obviously would have a moving target that we are  
14 trying to catch up with all the time.

15  
16 To avoid this problem in the future, maybe we have an  
17 opportunity here to once and for all clearly define the two  
18 sets, define the universe of headboat vessels, and everyone else  
19 would be a charter vessel.

20  
21 The easiest way to do that, to have an action in this amendment  
22 to look at that, would be to either create an endorsement or  
23 split the permits, but, to move forward, perhaps we would have  
24 to set a control date, a date by which anybody who does not meet  
25 our criteria could not be considered as a headboat. I will stop  
26 here first and perhaps see if you have suggestions in that  
27 regard.

28  
29 Looking at the control date, let's say, for example, as of April  
30 31. I mean we are in April and I just picked the date  
31 arbitrarily, but anybody who doesn't meet the set of criteria  
32 that we have, let's say has the landings history and has the  
33 permit and participates in the survey, would not be a  
34 participant really in Amendment 42.

35  
36 **CHAIRMAN GREENE:** Okay. Thank you. Dr. Crabtree.

37  
38 **DR. CRABTREE:** I think that is something that we need to do,  
39 because vessels move in and out of the headboat survey  
40 periodically, and if we go forward with putting this program in  
41 place, we're going to have to define what vessels are in it with  
42 a headboat permit of some sort, because we're not going to want  
43 vessels just moving in and out of it, and so it does make sense  
44 to me that a control date, letting people know that we're  
45 looking at this and considering this, would be appropriate.

46  
47 **CHAIRMAN GREENE:** Thank you. Any further discussion? Seeing no  
48 further discussion --

1  
2 **DR. CRABTREE:** If you want to establish a control date, you're  
3 going to need to put a letter together and ask the Fisheries  
4 Service to put a control date in place.  
5

6 **CHAIRMAN GREENE:** Do we need to come up with that control date,  
7 or is that something that your shop will do? Ms. Levy.  
8

9 **MS. LEVY:** A control date sort of letting folks know whether  
10 they're headboats or charter vessels, what program they would be  
11 in, my suggestion would be to link it to the allocation years  
12 that are being considered. Right now, in terms of deciding  
13 initial apportionment of shares, the terminal year used, the  
14 last year in all of the alternatives, is 2015, because we're  
15 still in 2016.  
16

17 If we're going to base the allocation on some period of time  
18 that ends in 2015, then maybe that's where the cutoff should be,  
19 the end of 2015. If you make the cutoff this month, but the  
20 allocation alternatives don't change to include 2016, then you  
21 might end up with a problem. I mean we could always change  
22 those alternatives as well, but it was just a suggestion.  
23

24 **CHAIRMAN GREENE:** Thank you. What about a situation like in  
25 Mississippi, where they have charter boats that are operating  
26 under the headboat deal, and have been for the last couple of  
27 years? I know that I've had some discussion with that.  
28

29 Will there be a review period where the Southeast Regional  
30 Headboat Survey is going to look at those vessels and make sure  
31 they meet the criteria, because anyone can report to that, I  
32 believe. I know they have to be picked by the Science Center  
33 Director, but there are some boats in Mississippi that I don't  
34 think meet that qualification. Is that correct, Dr. Lucas?  
35 Would you like to weigh in here, please?  
36

37 **DR. LUCAS:** Yes, that's the way they expressed it to me, and so  
38 I think if we can just get some clarification for them, that  
39 would help.  
40

41 **CHAIRMAN GREENE:** In all fairness, that's the only case that I  
42 know of, but it has been brought up to me. I think it's five  
43 boats, and so I just want to make sure that that is put out  
44 there now. Ms. Levy.  
45

46 **MS. LEVY:** I'm not exactly sure what you're getting at. The way  
47 I understand it is the Science Center folks that run the  
48 headboat survey decide who is in and out of that survey. If

1 they meet the criteria and the Science Center has included them  
2 in the survey, then they would have that landings history for  
3 however long they've been in the survey, but if they're not  
4 included by the Science Center, then, to me, they're not a part  
5 of the survey. They won't have that history. I don't think the  
6 vessels are deciding that.

7  
8 **CHAIRMAN GREENE:** I guess, Dr. Lucas, we'll need to kind of  
9 follow up and make sure of what we're doing, because I was  
10 looking at those boats and their operation and wondering the  
11 difference between them and mine and why they were in that  
12 particular program and had noticed that and had had some other  
13 conversations.

14  
15 I guess what I'm saying is we need to double check and make  
16 sure, because it was odd to me that they showed up in  
17 Mississippi. Now, I don't know how they got in there. I don't  
18 know who told them to go in there. I don't know how it all came  
19 down, but it is something that I just want to make sure that if  
20 we're going down this deal and we're going to set a control date  
21 and we have a handful of vessels in Mississippi, which there's  
22 only a handful to begin with, that we put them in the right  
23 category and make sure they're taken care of.

24  
25 **DR. CRABTREE:** You think those vessels are in the headboat  
26 survey or not in the headboat survey?

27  
28 **CHAIRMAN GREENE:** Dr. Lucas.

29  
30 **DR. LUCAS:** We have five vessels that are listed in the headboat  
31 survey. One of the captains specifically told me that he had  
32 the discussion with him about not necessarily meeting the  
33 criteria to be in the headboat survey, but that they were like,  
34 well, we need to have landings. We need to have somebody from  
35 Mississippi in there, and so that's kind of how he got in. I  
36 could be wrong. I probably need to check on that, but that was  
37 kind of how the discussion went.

38  
39 **CHAIRMAN GREENE:** Dr. Diagne.

40  
41 **DR. DIAGNE:** Thank you, Mr. Chair. As Dr. Lucas mentioned, yes,  
42 in the amendment, we have five vessels from Mississippi that are  
43 considered as headboats, meaning that they have the landings  
44 history, meaning that they will be part of this program, unless  
45 they opt out, because we did discuss an opportunity to allow  
46 vessels to opt in or out. I think there is a table in the  
47 amendment that specifies that we have five vessels from  
48 Mississippi, and I guess those are the five vessels that you are

1 referring to.

2  
3 **CHAIRMAN GREENE:** We will work on that between now and full  
4 council, and maybe we can pick that back up. Dr. Stunz.

5  
6 **DR. STUNZ:** Again, maybe it's because I wasn't here when these  
7 previous discussions -- Please stop me if you guys have hammered  
8 this out, because it sounds like there have been -- Johnny,  
9 maybe, since you're most involved with this, is there a feeling  
10 that there is individuals that would prefer to be under 42 that  
11 are in 41, or is this just a non-issue?

12  
13 It just seems, to me, just sort of coming into this deal, in  
14 terms of how these were -- It was sort of arbitrarily decided by  
15 someone that, by the way, you're now in the headboat thing,  
16 because you did meet some criteria, but, by the way, we need  
17 some people from Mississippi, and so you guys are in it, too.

18  
19 If this is a non-issue, then let's move on, but if there's an  
20 issue where it makes more sense and it's logical for certain  
21 boats to be in one program or the other, this is an opportunity,  
22 obviously, to do that and I just don't want to pass it up, but  
23 if it's not an issue, then we can move on. I just don't know.

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

26  
27 **DR. CRABTREE:** The issue is really do we have landings histories  
28 for the boats or not. If they haven't been in the survey for  
29 some period of time, they're not going to have landings  
30 histories, and so you could take a headboat now that has not  
31 been in the survey and put it in, but you're not going to have  
32 any landings histories for it, and so the allocation options,  
33 and really why this is different than the charter boat projects,  
34 is because this based on landings histories.

35  
36 It's only the vessels that have been in the survey for some  
37 period of time that would have the landings histories that you  
38 could make this work for.

39  
40 **CHAIRMAN GREENE:** In all fairness, I think, if we go back to  
41 what Ms. Levy suggested and we use the last year, which was 2012  
42 or 2013 -- It was 2015. Never mind. I don't think it's going  
43 to be a big issue, but I just wanted to point out that fact, and  
44 so we will move on from there. Dr. Diagne.

45  
46 **DR. DIAGNE:** Thank you, Mr. Chair. Just to circle back and  
47 finish this point, do I take it that we should send a letter to  
48 Dr. Crabtree on your behalf with a control of December 31, 2015?

1  
2 **CHAIRMAN GREENE:** Mr. Williams.  
3  
4 **MR. WILLIAMS:** I would offer a motion in that direction, and my  
5 motion would be to ask the National Marine Fisheries Service to  
6 publish a control date for participation in the reef fish  
7 headboat program.  
8  
9 **CHAIRMAN GREENE:** Dr. Diagne.  
10  
11 **DR. DIAGNE:** If I may, Mr. Williams, would you also specify the  
12 date itself, meaning I guess December 31, 2015, per the  
13 suggestion?  
14  
15 **MR. WILLIAMS:** Can they be retroactive? Yes, I would be glad  
16 to. **Ask National Marine Fisheries Service to publish a control**  
17 **date of December 31, 2015.**  
18  
19 **CHAIRMAN GREENE:** Thank you. We've hammered out a motion here.  
20 Is there a second for this motion? Mr. Fischer.  
21  
22 **MR. FISCHER:** I would doubt if it happened, but what happens if  
23 someone entered the program in the last few months? Then I  
24 don't think you can make it retroactive. I'm not sure, but I  
25 don't think anybody has entered in the last few months.  
26  
27 **DR. CRABTREE:** If they did, we wouldn't have any landings  
28 histories for them, and so I'm not sure how we could fit them  
29 into this program.  
30  
31 **CHAIRMAN GREENE:** We have a motion on the board. Mr. Swindell.  
32  
33 **MR. SWINDELL:** Can a new vessel get into the headboat program?  
34  
35 **DR. CRABTREE:** Yes, I think the Science Center can change the  
36 vessels that are in it. Now, I don't know how often that  
37 happens and I don't know if any vessels have been added to it  
38 that recently or not.  
39  
40 **CHAIRMAN GREENE:** Okay. We need to get a second for this  
41 motion. Mr. Fischer, thank you. Mr. Fischer, go ahead. Sue.  
42  
43 **MS. SUE GERHART:** Just to answer that question, we do know there  
44 was one vessel added for 2016. However, we don't know if that  
45 vessel will have landings, but they don't have landings during  
46 any of the time periods that are currently in the amendment for  
47 doing the allocation.  
48

1 **CHAIRMAN GREENE:** Thank you. I wasn't trying to cut you off,  
2 Mr. Fischer, but I thought you might want to hear what she had  
3 to say, and so please go ahead.

4  
5 **MR. FISCHER:** It may not be a problem, but if you do this, and  
6 if there's no trading of allocation, then these are the boats  
7 locked in. There can be no new entrants into the system if they  
8 won't have any history. I don't know if it's what we -- I'm  
9 just pointing it out. I'm not saying this is the direction we  
10 do or don't want to go into.

11  
12 **CHAIRMAN GREENE:** Dr. Crabtree.

13  
14 **DR. CRABTREE:** I think that's true, and so those are some of the  
15 decisions we're going to have to think about, is how do you  
16 provide for new entry? Do you want to allow a charter boat who  
17 wants to become a headboat to buy into the program, and how  
18 would all those work?

19  
20 **CHAIRMAN GREENE:** Thank you. Is there further discussion?  
21 **Seeing no further discussion, we have a motion on the board, and**  
22 **is there any opposition to the motion on the board? Seeing no**  
23 **opposition, the motion carries.** Dr. Diagne.

24  
25 **DR. DIAGNE:** Thank you, Mr. Chair. Now on to the purpose and  
26 need for this action. For those of us who want to follow on the  
27 document itself, it's on page 9. Essentially, the purpose and  
28 need for action here is to reduce the management uncertainty and  
29 improve the economic conditions for Gulf reef fish headboat  
30 operators/owners and provide some flexibility by increasing  
31 fishing opportunities for angler passengers through a management  
32 program for Gulf headboats participating in the survey.

33  
34 The need for this action is to prevent overfishing while  
35 achieving, on a continuous basis, the optimum yield from the  
36 harvest of reef fish by headboats and taking into account and  
37 allowing for variations among fishery resources and  
38 participants.

39  
40 That is the purpose and need that we have in this amendment to  
41 date, and if you think that it should be revised, you would let  
42 us know and give us suggestions to that effect, but, if not, for  
43 now I will just continue, and if you have suggestions, you would  
44 just mention them to us.

45  
46 The first action that we have here, which is on page 10, I  
47 think, in the amendment, deals with the type of management  
48 program that we would have for the headboat survey vessels,

1 meaning the headboats as we defined them before.

2  
3 We have a no action alternative, and essentially, under the no  
4 action alternative, we would continue to use the traditional  
5 methods that we have, whatever they may be. For those, we  
6 wouldn't really need Amendment 42. We can just turn around and  
7 have a framework amendment and establish whatever management  
8 approach the council would recommend.

9  
10 Alternative 2 would establish an IFQ program for the headboat  
11 vessels, and Alternative 3 is a permit-based fishing quota. The  
12 difference between the two being the fact that for a PFQ the  
13 shares are attached to the permit, meaning you wouldn't be able  
14 to trade a portion of the shares. You would just sell the  
15 permit and transfer all the shares with it. The second action  
16 that we have here deals with -- I will stop for a minute. Mr.  
17 Diaz has his hand up.

18  
19 **CHAIRMAN GREENE:** Mr. Diaz.

20  
21 **MR. DIAZ:** I'm not sure if this is the right place to ask this  
22 question, but it's the first time in this document that we're  
23 talking about splitting off into allocations. For the last  
24 document, we talked a little bit about if a referendum was  
25 required. I know when the commercial IFQ program went into a  
26 referendum, it was a vote, but it was weighted.

27  
28 I don't see how that could apply to 41, because we don't have a  
29 catch history, but we do have a catch history for this group of  
30 boats. If there was a referendum vote, would it be weighted or  
31 is that something the council would decide if it was weighted,  
32 or how would that work?

33  
34 **DR. DIAGNE:** I will let Ms. Levy complete the answer, but, so  
35 far, we have conducted a referendum for the red snapper IFQ. It  
36 was weighted votes. The referendum for the grouper and tilefish  
37 IFQ, it was not a weighted vote. It was one permit and one  
38 vote.

39  
40 As far as I know here, when the referendum comes, that would be  
41 a decision that the council would make, presumably, whether  
42 these votes should be weighted or one headboat permit and one  
43 vote, but Dr. Crabtree or Ms. Levy would add to that.

44  
45 **DR. CRABTREE:** The language in the statute is permits that have  
46 substantially fished, and so we would have to go in and define  
47 what "substantially fished" means, and then those would be the  
48 vessels that would be allowed to vote.

1  
2 When we've done this in the -- You know in the red snapper IFQ  
3 referendum, the weighting and all was set by Congress. That's  
4 in the statute. In the grouper one though, we worked through  
5 the AP and the council and then the Fisheries Service did a  
6 proposed and final rule to establish the voting procedures, but  
7 the real threshold, as I recall, was substantially fished, and I  
8 think we had some landings threshold that we set. If they had  
9 landings above that, they got to vote. If they didn't, they  
10 didn't get to vote.

11  
12 **CHAIRMAN GREENE:** Martha.

13  
14 **MS. BADEMAN:** Just a question on what you said, Roy. You said  
15 we had to do a final rule to establish the procedures. Does  
16 that mean we would have to do another amendment to go along with  
17 this, or is that just a NMFS thing?

18  
19 **DR. CRABTREE:** No, what we did is we got the -- This is for the  
20 grouper/tilefish IFQ. We got the amendment to the Draft  
21 Environmental Impact Statement point, where everything was  
22 analyzed and we had chosen all the preferred alternatives.

23  
24 The Fisheries Service just did a proposed rule saying these are  
25 the voting procedures, which the council had passed motions for,  
26 but not an amendment, and we had a comment period, I think  
27 probably thirty days, on it. Then we published the final rule  
28 saying these were the voting procedures.

29  
30 Then we sent the Draft Environmental Impact Statement out to all  
31 the folks who get to vote, and they had some time period to send  
32 back in their vote. We totaled them up, and that's how it  
33 works.

34  
35 **CHAIRMAN GREENE:** Thank you. Is there further discussion? Dr.  
36 Diagne.

37  
38 **DR. DIAGNE:** Thank you, Mr. Chair. On to Action 2. Action 2  
39 discusses the species to be included in this management program.  
40 The no-action alternative would not define any species, and so I  
41 guess no program.

42  
43 Alternative 2 would mirror the species that were included in the  
44 exempted fishing permit for the headboats, meaning red snapper  
45 and gag. Your preferred alternative would include the five  
46 major reef fish species.

47  
48 By major, I mean the five reef fish species for which we have

1 clear allocations between the commercial and the recreational  
2 sector. Preferred Alternative 2, this amendment would include  
3 the five major species: red snapper, gray triggerfish, greater  
4 amberjack, gag, and red grouper.

5  
6 In Action 3, essentially we developed this after the council's  
7 discussion suggesting that we needed an opt-in and opt-out  
8 mechanism in this amendment, and so this would determine the  
9 participation at the onset of the program. Here, we have to  
10 stress the fact that this is going to be done once, at the  
11 beginning of the program. After that, essentially we would have  
12 apportioned shares and allocations and then the program would  
13 take off.

14  
15 Here, you would see that we have left a date. We were waiting  
16 to have this discussion with you, to be able to fill it in.  
17 Presumably then, this is going to be then December 31 of 2015.  
18 By that date, all of the headboat vessels would participate in  
19 the program. Essentially, the no-action alternative would not  
20 allow anybody to opt in or opt out. Everybody would be in.

21  
22 Alternative 2, in contrast, would allow some vessels to opt out  
23 of this management program, and they would have to notify the  
24 agency, NMFS, by October 1, so that at least we would have  
25 enough time to compute the -- They will have enough time to  
26 compute the initial allocations.

27  
28 One question that we need some guidance or some feedback on is  
29 how should we manage those vessels who decide to opt out of this  
30 program? Let's say we have ten headboats who are not interested  
31 in this management approach. What should we do with them?  
32 Should we essentially just turn them over to 41, to Dr.  
33 Lasseter, or is there some other way that you would envision  
34 managing those vessels?

35  
36 **CHAIRMAN GREENE:** Mr. Williams.

37  
38 **MR. WILLIAMS:** Assane, it seems to me that anybody who  
39 participated in the red snapper -- For the red snapper aspect of  
40 it, they should be turned over to Amendment 41. I mean if  
41 they've got a reef fish for-hire permit, they should be part of  
42 Amendment 41. For the other species, I guess they would simply  
43 be managed as part of the recreational regulations that apply to  
44 everyone, right? That's how I would see it. Do you need a  
45 motion on that? You don't, do you?

46  
47 **DR. DIAGNE:** No, and I mean if that's the understanding, then  
48 the discussion will reflect that this is what the council has

1 considered, that anybody that opts out for red snapper obviously  
2 would be part of the for-hire component, but, for all the other  
3 reef fish species, that's the recreational sector as we know it.  
4 Thank you.

5  
6 **CHAIRMAN GREENE:** Does anyone else wish to weigh in on that? I  
7 will weigh in on it. If you had a headboat who had a  
8 substantial catch history that went in, and we have determined  
9 allocation split between 41 and 42, what happens to the  
10 allocation?

11  
12 **DR. DIAGNE:** It seems to me that we will need to adjust those,  
13 to reflect the fact that we have fewer vessels on the headboat  
14 side.

15  
16 **CHAIRMAN GREENE:** Okay. Any further discussion? Dr. Diagne.

17  
18 **DR. DIAGNE:** Thank you. Action 4 deals with this idea of  
19 creating an endorsement or splitting the permits, and, again,  
20 to, once and for all, settle who is a headboat and who is a  
21 charter vessel. Now we will have a control date, and that will  
22 allow us to put these headboats here, but now we will go one  
23 step further by establishing an endorsement for the headboats,  
24 an endorsement to the reef fish permit for the headboats, and  
25 that is Alternative 2.

26  
27 Alternative 3 would simply split the permits and have a headboat  
28 permit and a charter vessel permit. Now let's go back to  
29 Alternative 2. A question was asked about what should be done  
30 or could be done for new entrants.

31  
32 Depending on the decisions that you will make when it comes to  
33 the transferability of the endorsement, for example, if you  
34 decided to have one, then you would be able to allow other folks  
35 that have a for-hire permit, let's say a charter vessel, to buy  
36 an endorsement then from some headboat who wants out of the  
37 business and then be able to join this program if the  
38 endorsement is transferable to anybody with for-hire permits.

39  
40 You could also restrict the transferability only to headboat  
41 vessels, other headboat vessels, who opted out of the program in  
42 the previous action. Let's say someone opts out and goes and  
43 fishes under the recreational sector for some years, but then  
44 wants to become a member in this program. Then they could  
45 presumably buy an endorsement from someone who wants out of the  
46 fishery.

47  
48 Those are some of the options that you could consider, and one

1 of the options would be, of course, to not allow any  
2 transferability, meaning the sixty-seven original members would  
3 be the only ones with the endorsement, and, essentially, that  
4 would be the membership in this program.

5  
6 Alternative 3 would establish a different permit. This is going  
7 to be then a Gulf reef fish headboat permit for the survey  
8 vessels. Here, the options that we have, we can make this  
9 permit fully transferable to anyone, if you would, or limit the  
10 transferability to those vessels that opted out of the program.  
11 Some of the headboats who decided to not participate can then,  
12 at a later date, buy a permit from someone, a headboat permit  
13 that is, and join this program.

14  
15 Depending on what it is that you would want to do with allowing  
16 new entries or restricting entry by a certain group, that would  
17 determine the options that you would choose in this action.

18  
19 Action 5 would need to allocate a portion of the various quotas  
20 to this program, to the headboat management program, if you  
21 would. We have a no-action alternative, and we have here a set  
22 of years. We will use the most recent five years, let's say  
23 2011 to 2015, the longest time series that we have available to  
24 us, which starts in 2004 until 2015, and then we can do 50/50.  
25 One of the options here for Alternatives 3 and 4 would be to  
26 exclude 2010 or to leave it in.

27  
28 Just as an example, an overview of the percentages that may be  
29 allocated to this program. For red snapper, it will be  
30 somewhere in the neighborhood of a maximum of 13 percent here,  
31 and, for all the other species, at most it will be 9 percent,  
32 and that will be for gray triggerfish, if we chose Alternative  
33 3, but, in general, a very small proportion of the recreational  
34 quotas would be allocated to this program, less than 10 percent  
35 in most cases, except for red snapper.

36  
37 **CHAIRMAN GREENE:** Dr. Crabtree has a comment. Hold on, Dr.  
38 Diagne.

39  
40 **DR. CRABTREE:** On the allocation years, Assane, I think when we  
41 did red snapper, and I think when we did the grouper/tilefish,  
42 we let them pick their best years, like over a ten-year period,  
43 but they picked their best six or seven years, something like  
44 that, and I wonder if we shouldn't think about that here.

45  
46 My understanding is more than half of the vessels in the survey  
47 have been in it since 2004, but that means there's going to be  
48 quite a few vessels who haven't been in the whole time series,

1 and we're either going to have to figure out how to deal with  
2 incomplete time series on some vessels, but maybe letting them  
3 pick their few best years would get us around that. Have you  
4 looked at that or spent any time looking at the consequences of  
5 that?

6  
7 **DR. DIAGNE:** Yes, Dr. Crabtree, and that's a great point. We  
8 actually did look at those. This action here deals with  
9 allocating a portion of the quota to the entire component, and  
10 the so the point that you are making, I think, would apply  
11 better to Action 7.1, when it comes to the apportionment.

12  
13 In terms of the units of measurement, given the way in which  
14 headboats fish, I mean carrying a whole lot of customers and so  
15 forth, there is this issue when it comes to the reporting.  
16 Should they report in pounds or in numbers of fish? Those are  
17 the two alternatives that we have here.

18  
19 It could be the case that once we get the individual shares, or  
20 the individual allocations, we convert those into numbers of  
21 fish and give them those number of fish. Essentially, they will  
22 report in terms of number of fish. On the backend, of course,  
23 that would be re-converted into pounds, to track how much of the  
24 allocation they have used. Those are the two alternatives that  
25 we have here.

26  
27 In terms of allocating now portions of the headboat quota to  
28 individual vessels, and here we will start with the idea that  
29 Dr. Crabtree was just discussing, by looking at the time period,  
30 and we have a variety of years here.

31  
32 We could start with the most recent years, we could take the  
33 most recent five years, we could omit the years of the lowest  
34 landings, or we can pick the years of the highest landings a  
35 vessel may have and base their share on that. These are some of  
36 the options that we looked at. That's for the time period.

37  
38 The other side of this would deal with the distribution methods.  
39 Three things that we could potentially consider. One would be  
40 to distribute a portion of the quota equally amongst the sixty-  
41 seven vessels. Another one would be to use a portion of the  
42 quota and distribute it based on the respective catch histories,  
43 using the timeframe that you selected in the previous action.

44  
45 Finally, you could decide to auction off a portion of the quota.  
46 That makes for a lot of combinations here, but if you looked at  
47 the two tables at the bottom, Alternatives 3 and 2, let's say,  
48 for example, you decided, for argument's sake, to pick Option

1 3b.

2  
3 3b says that 25 percent is distributed according to Alternative  
4 2. Then you would come under Alternative 2, knowing that 25  
5 percent of the quota would be based on one of these options, 2a  
6 to 2e, and the other 75 percent would be auctioned off.  
7 Depending on -- I will stop here. Mr. Greene, you have a  
8 question.

9  
10 **CHAIRMAN GREENE:** Mr. Anson.

11  
12 **MR. ANSON:** Dr. Diagne, going back to Dr. Crabtree's point with  
13 some of these boats not having fairly long catch histories, I  
14 guess, and thinking of red snapper specifically and how the  
15 quota has changed from I think 2004 to 2012 is the time period  
16 we're looking at here, but it's gone down during those first few  
17 years, after 2004, and stayed relatively low.

18  
19 I am just trying to think of those vessels with the shorter  
20 histories, as to this formula or using these percentages and the  
21 distribution, if they could be, I guess compensated to some  
22 degree, for lack of a better term, for not being involved in the  
23 fishery when the quota was higher earlier on in the time series.  
24 Do you understand what I'm saying? Is that a concern?

25  
26 **DR. DIAGNE:** Yes, it could be, but if you look at the timeframe  
27 here for initial apportionment, meaning dividing that portion of  
28 the quota amongst the sixty-seven vessels, minus those who opted  
29 out, the earliest year is 2011. The 2004 reference goes back to  
30 allocating a portion of the recreational quota to the headboat  
31 sector. Here, again, we have the options of letting them pick  
32 their highest years. If everyone did that, hopefully that will  
33 mitigate that concern.

34  
35 **MR. ANSON:** Thank you.

36  
37 **CHAIRMAN GREENE:** Any further discussion? Dr. Diagne.

38  
39 **DR. DIAGNE:** Thank you. Now, on to transferability of shares  
40 and also transferability of annual allocation. Depending on  
41 some of the objectives that you want to achieve at the end, you  
42 would consider a variety of transferability measures or  
43 restrictions on transferability, as the case may be.

44  
45 Alternative 1 would be the no action, and essentially the shares  
46 would not be transferable then. Alternative 2 would require a  
47 valid reef fish permit and an endorsement or a permit for the  
48 headboats, which we talked about in Action 4, to be able to

1 receive shares through transfers. Of course, the shares can  
2 only be acquired by U.S. citizens or permanent resident aliens.

3  
4 Alternative 3 would open it up to anybody, if you would, to any  
5 citizen or permanent resident alien, and it would not require a  
6 permit at all. We are discussing this only for IFQs, because a  
7 PFQ ties the shares to the permit. You don't have an option of  
8 transferring a portion of your shares. It's an all or nothing.  
9 You sell the permit and the shares would go with it.

10  
11 **CHAIRMAN GREENE:** Mr. Fischer.

12  
13 **MR. FISCHER:** Assane, just for my clarification, so if it was a  
14 PFQ system and the shares are tied, there would be no  
15 transferability and it would strictly be on that permit?

16  
17 **DR. DIAGNE:** Yes, Mr. Fischer. The only thing you could do is  
18 sell your permit, and then the shares would follow the permit  
19 then.

20  
21 **MR. FISCHER:** Thank you. Is that the main difference in the PFQ  
22 and IFQ?

23  
24 **DR. DIAGNE:** Yes, that's really the main difference there. In  
25 terms of maintaining shares, to perhaps address some of the  
26 concerns, if you would, that we have seen in other IFQ programs,  
27 by which one could let their permit lapse and continue to own  
28 shares, that could be addressed here by requiring a reef fish  
29 permit with an endorsement or a headboat permit to continue to  
30 hold shares. This is a way of ensuring that the person would  
31 still be a participant in the fishery, if you would.

32  
33 Alternative 3 would require either a reef fish permit, with or  
34 without the endorsement, or a headboat permit to hold shares.  
35 Alternative 3 would open it to the charter vessels, essentially.  
36 Alternative 2 would require that shares can only be maintained  
37 by headboat vessels.

38  
39 Action 10 is the transferability of annual allocation. We have  
40 here similar types of restrictions. Require the reef fish  
41 permit and an endorsement or a headboat permit or opening it up  
42 to the charter vessels and, finally, allowing any U.S. citizens  
43 or permanent resident alien to hold one of these.

44  
45 We are required to consider putting ownership caps, and the  
46 alternatives that we are looking at here would, in the case of  
47 Alternative 2, set the cap at the highest percentage given to an  
48 individual or an entity during initial apportionment. This is

1 the way in which we set the cap, I believe, in the red snapper  
2 and in the grouper and tilefish IFQs, on the commercial side.

3  
4 Alternative 3 looks at percentages, maximum percentages, that  
5 could be owned by a person or an entity. The options here for  
6 your consideration go from 2 to 10 percent. The one point that  
7 perhaps we would like to stress is that when we pick a maximum  
8 ownership, we have determined the minimum number of vessels that  
9 could potentially control the fishery.

10  
11 If you pick a cap of 10 percent, you are saying that you are  
12 comfortable with having ten vessels owning the entirety of the  
13 quota, and so that will be, I guess, a consideration in the  
14 future, when the time comes to select an ownership cap.

15  
16 Here, because we have a multispecies program, it will be  
17 possible to pick let's say a cap of 2 percent for red snapper,  
18 but 3 percent or 5 percent for another species and so forth.  
19 The percentages selected could vary across the species.

20  
21 For allocation caps, we can put a cap on the maximum amount of  
22 allocation one entity owns at a specific point in time, at any  
23 point in time, or cumulatively throughout the year. That is an  
24 option to be looked at.

25  
26 We have an action to deal with quota adjustments, if the quota  
27 were to increase or, for that matter, decrease. The  
28 alternatives that we have here would distribute the increase  
29 equally amongst participants, and that's Alternative 3, or  
30 proportionately, and that is Alternative 2.

31  
32 We also have an alternative that would allow NMFS to hold back  
33 some quota in anticipation for a decrease in quota that we would  
34 see happen mid-year, because once you distribute the allocation,  
35 obviously you won't be able to take it back, but if we know that  
36 in June we are going final on a decrease in quota, then this  
37 alternative would give the Regional Administrator the authority  
38 to withhold a portion of the quota. If the anticipated decrease  
39 does not take place, then the quota would be released to the  
40 headboat sector.

41  
42 Finally, cost recovery fees, we have to look at ways of  
43 recovering the costs of administering these programs. We are  
44 still considering a variety of ideas, but, for now, the two  
45 options here would be to base the cost recovery on a standard  
46 price, because in the Act, in the MSA, the cost recovery is a  
47 function of the cost, of course, but you withhold up to 3  
48 percent of the ex-vessel value of the fish.

1  
2 Obviously this is a recreational-based program and there is no  
3 ex-value to be spoken of, and so we need to find some ways of  
4 approximating that. One of the ideas that we are still  
5 considering is to potentially withhold a portion of the annual  
6 allocation and turn around and then auction it off to let's say,  
7 for example, the smaller owners or the other headboats, and then  
8 take the proceeds and use those to recover the costs of  
9 administering the program, but we are still looking at a variety  
10 of options here.

11  
12 I believe that was the last action that we have in this  
13 amendment, to date. To conclude, we can look at the potential  
14 timeline that we have here, the next steps. Next month, in May,  
15 we are convening the AP. We will give them a summary of your  
16 discussions and revisions to the document and collect their  
17 recommendations.

18  
19 We are planning on discussing the AP recommendations with you at  
20 the June meeting and collect from you any suggestions to update  
21 and revise the amendment and possibly, at the August meeting,  
22 bring you a public hearing draft for Amendment 42. I think, for  
23 now, that's what we have. Thank you.

24  
25 **CHAIRMAN GREENE:** Okay. Thank you. Mr. Anson.

26  
27 **MR. ANSON:** Assane, considering the last action item, for the  
28 cost recovery, did you all discuss a willingness to pay scenario  
29 or a cost? NOAA has, from time to time, done economic surveys  
30 within the recreational sector and tried to identify what the  
31 value is a recreational fisherman for increases and decreases in  
32 bag limits and such, and I was just wondering if that was  
33 discussed as a potential way to try to get at that cost.

34  
35 **DR. DIAGNE:** Yes, we have considered it, and maybe some of the  
36 options would have something to do with the willingness to pay,  
37 but one of the issues to consider here is the willingness to pay  
38 is by the angler. It's an angler's willingness to pay for a  
39 fish or for the experience and so forth. The cost recovery is  
40 to administer the program that we have set up for the headboat  
41 operators and owners, and so there is a slight difference there.

42  
43 **CHAIRMAN GREENE:** Mr. Anson.

44  
45 **MR. ANSON:** I guess, to justify any further option that might be  
46 included, did you all take a look at, based on the commercial  
47 IFQ costs and the number of vessels here, and would that be  
48 sufficient, the cost that you've determined based on the

1 dockside value of these species and the 3 percent?

2  
3 **DR. DIAGNE:** We haven't yet done that. Either way, you cannot  
4 withhold more than 3 percent, even if it is not sufficient, but,  
5 as additional programs come online, I am assuming that this  
6 would use, to some extent, the platform that has already been  
7 built. Then you can begin to benefit from economies of scale,  
8 if you would, and then hopefully lower the costs across the  
9 board, but, at this point, we don't know whether the 3 percent  
10 that we are going to withhold would be sufficient to cover the  
11 costs of administering the headboat portion of the program.

12  
13 **MR. ANSON:** Thank you.

14  
15 **CHAIRMAN GREENE:** Dr. Crabtree.

16  
17 **DR. CRABTREE:** Assane, one of the things I have often thought  
18 that I wished we had done different in the red snapper program  
19 was we did the initial allocations and then, as the quotas  
20 increased, as the stock recovered, we followed that same formula  
21 for all of those quota increases, and so the largest -- Folks  
22 who got the largest allocation got the largest -- Have you  
23 considered in this in doing the initial allocation, but then  
24 having some alternative formula that would apply to quota  
25 increases that occur after that point, that would maybe look at  
26 distributing some of it equally among them, something that would  
27 give more of the quota increases to the smaller guys or  
28 something like that?

29  
30 Because I think what we've got on -- Amberjack is in this and  
31 gray triggerfish, and so we have two overfished stocks that have  
32 potential for quota increases down the road. As we've just  
33 found with red grouper, sometimes they are potentially  
34 substantial quota increases, and sometimes you don't know well  
35 in advance that they're going to come and they come in one big  
36 chunk.

37  
38 If you don't have something laid out in advance, given how  
39 difficult all these allocations are, it tends to slip by you  
40 before you can do anything, and I wonder if that's not something  
41 we ought to give some thought to at the outset of the program,  
42 rather than waiting until it's happening and trying to scramble  
43 to deal with it.

44  
45 **DR. DIAGNE:** Yes, Dr. Crabtree. We have partially considered  
46 this. For the distribution of quota adjustments, we have an  
47 alternative that would distribute the increases equally amongst  
48 participants, but I think, at the IPT level, we are going to

1 think about this some more and perhaps look at additional  
2 options that are going to more explicitly look at the smaller  
3 shareholders.

4  
5 **DR. CRABTREE:** Thank you. That's good, and I would encourage  
6 you all to explore how that might work.

7  
8 **DR. DIAGNE:** Thank you. We will.

9  
10 **CHAIRMAN GREENE:** Thank you. Any further discussion? Okay. I  
11 guess that will wrap us up for Amendment 42, unless anyone has  
12 anything. Staff, you guys are good to go? Okay. We are  
13 scheduled for a break at 3:30, and I think we're going to go  
14 ahead and do that, and we will pick back up with --

15  
16 **DR. DIAGNE:** Excuse me, Mr. Chair. I am sorry, but I just have  
17 a very quick question, or perhaps just a very quick point, to  
18 bring to your attention. When we look at the catch histories,  
19 you could do it by vessels or you could track the landings  
20 history by permits.

21  
22 Right now, in the amendment, when it comes to some of the  
23 summary statistics that we have provided, those are done by  
24 vessels, but, of course, vessels do change hands and, of course,  
25 permits also change hands, but we are thinking that in the next  
26 iteration of this that we will have had enough time to match the  
27 landings back to the permits and update everything. From that  
28 point forward, everything would be based on the permits. That's  
29 all. We just had to bring it to your attention.

30  
31 We are going to shift the information from the vessels to the  
32 permits, unless you have a compelling reason for us to just  
33 stick with the vessels.

34  
35 **CHAIRMAN GREENE:** Mr. Anson.

36  
37 **MR. ANSON:** Wouldn't that then bring in vessels, potentially,  
38 that were headboats at some point and now are charter boats, if  
39 you just looked at the permits?

40  
41 **DR. DIAGNE:** No, we are still getting the landings from the  
42 headboat survey, but now the question is somebody, in this case,  
43 I guess Dr. Stephens from SERO, needs to match those vessels to  
44 the permits. All of those landings would be assigned to a  
45 specific permit, and then the initial apportionment and  
46 everything else would be based on a permit-by-permit basis.

47  
48 **CHAIRMAN GREENE:** Mr. Swindell.

1  
2 **MR. SWINDELL:** You've got in here some of the stuff saying that  
3 a person can't have more than 3 percent or 10 percent or  
4 something of the allocation, but what if that person owns three  
5 or four vessels? You've got to be careful, to me, how you  
6 allocate stuff like that. It's got to be by the vessel or some  
7 other allocation and not just by the person, because a lot of  
8 times there are going to be multiple -- Owners are going to own  
9 multiple vessels. There's no doubt about it.

10  
11 **DR. DIAGNE:** Absolutely, Mr. Swindell, but here, we are  
12 switching from the vessels to the permit. A person may own  
13 three permits, and so each one of those permits would have their  
14 own allocation, just as right now each one of those permits is  
15 on a separate headboat and that headboat is fishing. You are  
16 going to decide on an ownership cap. Once you have a cap, it  
17 will apply to a person for all of their holdings.

18  
19 **CHAIRMAN GREENE:** Dr. Crabtree.

20  
21 **DR. CRABTREE:** I think the way now it is, it's that an entity  
22 can't have more than X shares. It gets really complicated  
23 though with corporate ownerships and multiple people and  
24 figuring out how to track all of that, but that's been the  
25 general idea, is that one entity couldn't have more than the  
26 cap, but it's tricky to track it all and be confident that  
27 you're tracking it properly.

28  
29 **MR. SWINDELL:** Yes, and it's just the use of the words "persons"  
30 or "person" in here that I --

31  
32 **DR. CRABTREE:** If you remember from a few years ago though,  
33 corporations are people.

34  
35 **DR. DIAGNE:** Mr. Swindell, in the amendment sometimes, we use  
36 "person", and it's just to be consistent with its use in the  
37 Magnuson Act. The person is a legal person, if you would. It  
38 is an individual or an entity, for example a corporation and so  
39 forth. That is meant in that sense.

40  
41 **CHAIRMAN GREENE:** Thank you. Any further discussion? We're  
42 going to take about a fifteen-minute break and we will get back  
43 with hogfish.

44  
45 (Whereupon, a brief recess was taken.)

46  
47 **CHAIRMAN GREENE:** We're going to go ahead and get started. We  
48 are behind, and we really want to try to get through the

1 majority of this today. We are going to pick up with Public  
2 Hearing Draft of Amendment 43, Hogfish, and Mr. Atran.

3  
4 **PUBLIC HEARING DRAFT - AMENDMENT 43 - HOGFISH STOCK DEFINITION,**  
5 **SDC, ACL, AND SIZE LIMIT**  
6 **REVIEW OF DRAFT AMENDMENT**  
7

8 **MR. ATRAN:** Thank you, Mr. Chairman. We're getting ready to go  
9 to public hearings on this amendment in May, and so what we're  
10 asking the council to do is to select preferred alternatives,  
11 where you don't already have them, and to approve us to go to  
12 public hearing on this.

13  
14 You have reviewed earlier versions of this, and so I'm not going  
15 to spend a lot of time on the background. We have five actions,  
16 to define the Gulf of Mexico stock of hogfish, set status  
17 determination criteria, determine ACLs and ACTs, and address  
18 some gear issues.

19  
20 I am going to go straight to the first action, which is on page  
21 16. It's called Definition of the Management Unit. The last  
22 stock assessment that was done by Florida FWC looked at hogfish  
23 all around the Atlantic and Gulf coast and they divided the  
24 hogfish into three stocks, a West Florida stock, which is the  
25 Gulf of Mexico. There are some landings of hogfish from the  
26 other Gulf states, but they are fairly sporadic. There was an  
27 East Florida/Florida Keys stock, which the southern end of that  
28 extends somewhat into the Gulf Council's jurisdiction, and then  
29 a Georgia to North Carolina stock that's completely outside of  
30 our area. We don't really have to worry about that.

31  
32 The stock in the Gulf of Mexico, the West Florida stock, is  
33 healthy. It's neither overfished nor undergoing overfishing.  
34 The other two stocks are overfished and undergoing overfishing,  
35 and so the South Atlantic Council has to come up with rebuilding  
36 plans for those stocks.

37  
38 In our case, what we need to do is define the boundary that  
39 separates the West Florida stock from the Atlantic/Florida Keys  
40 stock, so that we would request that -- I forgot the exact  
41 wording, but that NMFS allow the South Atlantic Council to  
42 include those fish in their stock that extend somewhat into the  
43 Gulf's jurisdiction to be included in their management plans.

44  
45 We have four alternatives in Action 1 for defining where that  
46 boundary is. Alternative 1, the no action boundary, would leave  
47 the dividing line at the jurisdictional boundary between the  
48 Gulf Council and the South Atlantic Council. That's quite a way

1 south of what the stock assessment used. The stock assessment  
2 used the Monroe/Collier County line as the dividing line.  
3  
4 Alternative 2, which you have selected as a preferred  
5 alternative, is to set the boundary just south of Cape Sable, on  
6 a line extending west from 25 degrees, 9 minutes North latitude,  
7 out to the outer boundary of the EEZ. This is the boundary that  
8 was recommended by Florida FWC, and I believe it's also the  
9 preferred alternative for the management plan that's being put  
10 together by the South Atlantic Council.  
11  
12 Alternative 3 is off of an area called Shark Point, which is at  
13 25 degrees, 23 minutes North latitude. That's further north.  
14 That was the original recommendation of the Florida FWC, but,  
15 after speaking with their enforcement people and their fishermen  
16 in the south Florida area, they decided that the Cape Sable line  
17 would be a better way to go.  
18  
19 Then Alternative 4 would be to set the boundary at the  
20 Monroe/Collier line. That exactly matches the division that's  
21 used by the stock assessment to divide the two stocks. As I  
22 said, you have a preferred alternative to use the line that's  
23 just south of Cape Sable. If there is any comments or any  
24 changes, I will pause at this point. Otherwise, I will go on to  
25 the next action.  
26  
27 Action 2 is on page 20. It's titled "Status Determination  
28 Criteria for Hogfish in the Gulf of Mexico Fishery Management  
29 Unit". This is defining the proxy we're going to use for  
30 maximum sustainable yield, define what we're going to use for  
31 the maximum fishing mortality threshold, and also define what  
32 we're going to use for minimum stock size threshold.  
33  
34 Alternative 1 is no action. Maximum sustainable yield, there  
35 would be no proxy defined. The minimum stock size threshold  
36 would also be undefined. The maximum fishing mortality  
37 threshold is defined as the fishing mortality rate corresponding  
38 to F 30 percent SPR. That was adopted back in 1999 as part of  
39 our Generic Sustainable Fisheries Act Amendment.  
40  
41 Alternative 2, 3, and 4 would redefine all of these. They all  
42 have the same general format, which is define what proxy we're  
43 going to use for MSY, define MFMT in terms of that proxy, and  
44 then also define MSST in terms of that proxy.  
45  
46 Alternative 2 would use the actual point estimate of MSY, rather  
47 than use a proxy, from the most recent assessment, and then the  
48 maximum fishing mortality threshold would be the fishing

1 mortality that corresponds to FMSY in the most recent stock  
2 assessment.

3  
4 Minimum stock size threshold, we provided three options for each  
5 of these alternatives. Option a would be to set it using the  
6 formula one minus M times SSB MSY. That's the formula we've  
7 been generally using the set minimum stock size threshold. In  
8 this case, M is the natural mortality rate, which, for hogfish,  
9 corresponds to a value of 0.179.

10  
11 Option 2 would basically set the minimum stock size threshold at  
12 approximately 82 percent of the MSY level. Option 2b would set  
13 the minimum stock size threshold at 75 percent of the spawning  
14 stock biomass at MSY, and Option 2c would set it at 50 percent  
15 of the MSY level, which is the lowest we're allowed to go under  
16 the National Standard Guidelines.

17  
18 Alternative 3 is the preferred alternative. It would set MSY at  
19 the equilibrium yield corresponding to F 30 percent SPR. That  
20 is the proxy that we use for most of our stocks. Not all of  
21 them, but most. The maximum fishing mortality threshold would  
22 be the fishing mortality rate at F 30 percent SPR.

23  
24 Although you have selected this as a preferred alternative for  
25 the the proxy, you have not selected a preferred option for  
26 MSST. Again, it's the same three options that were in  
27 Alternative 2, only with respect to 30 percent SPR.

28  
29 Option 3a uses the formula which would set the minimum stock  
30 size threshold at approximately 82 percent of SSB at 30 percent  
31 SPR. Option 3b would set it at 75 percent and Option 3c at 50  
32 percent.

33  
34 Then Alternative 4 would be the most conservative. It would set  
35 MSY at an equilibrium yield corresponding to F 40 percent SPR.  
36 If we use F 40 percent, we often use it more in relation to  
37 defining OY than MSY. The rest of this follows the same format.  
38 Maximum fishing mortality rate would be the rate at F 40 percent  
39 SPR. Minimum stock size threshold would be one of those three  
40 options: the formula, which results in 82 percent of the MSY  
41 level; Option b, which would be 75 percent; or Option c, which  
42 would be 50 percent.

43  
44 As I said, right now, you have selected Preferred Alternative 3,  
45 which is to use 30 percent SPR as your MSY proxy, but you  
46 haven't selected which MSST option you would like to go with.

47  
48 **CHAIRMAN GREENE:** Okay. Thank you. Mr. Sanchez.

1  
2 **MR. SANCHEZ:** I move 3a.  
3  
4 **CHAIRMAN GREENE:** Do we have a second for this motion? It's  
5 seconded by Mr. Williams. In Action 2, to make Option 3a the  
6 preferred option. Preferred Alternative 3 is MSY equals the  
7 equilibrium at -- I can't read that.  
8  
9 **MR. ATRAN:** May I suggest that after "preferred option", that  
10 you say "preferred option for MSST"? That would clarify what  
11 we're looking at.  
12  
13 **CHAIRMAN GREENE:** Okay. We have the motion on the board. It  
14 has been seconded. Is there any further discussion? Dr.  
15 Crabtree.  
16  
17 **DR. CRABTREE:** I generally would stay away from the one minus M  
18 formula. I think it sets the minimum stock size threshold  
19 unreasonably close to the target and it's going to trigger, in  
20 my view, needless rebuilding plans, and so I would rather see us  
21 go with 3b or even 3c. **I will make a substitute motion to go**  
22 **with Option 3b, which kind of splits the difference.**  
23  
24 **CHAIRMAN GREENE:** Is there a second for the substitute motion?  
25 Ms. Bademan seconds it. Further discussion? Dr. Crabtree.  
26  
27 **DR. CRABTREE:** I still think that's pretty conservative to set  
28 the MSST at 75 percent of BMSY. That's what we've been doing  
29 for a number of stocks, both in the Gulf and we've been doing  
30 that as well in the South Atlantic. That would make it, instead  
31 at being at 82 percent of BMSY, we could go down to 75 percent  
32 before you would trigger a rebuilding plan.  
33  
34 I think, under the Magnuson Act as it's written now, with the  
35 requirements to end overfishing immediately and these types of  
36 things, I just really don't think there's a need to trigger  
37 rebuilding plans that quickly.  
38  
39 **CHAIRMAN GREENE:** Thank you. Is there further discussion?  
40 **Seeing no further discussion, is there any opposition to the**  
41 **substitute motion on the board before you? Seeing none, the**  
42 **motion carries.** Mr. Atran.  
43  
44 **MR. ATRAN:** Thank you, Mr. Chairman. The next action is Action  
45 3, which is on page 24. By the way, I left it out under Action  
46 1, but the Law Enforcement Technical Committee also supported  
47 the preferred alternative from that action.  
48

1 This action, Action 3, is on page 24. This sets the annual  
2 catch limit and, optionally, the annual catch target for  
3 hogfish. The Alternative 1, the no-action alternative, would  
4 leave the hogfish ACL equal to 208,000 pounds whole weight and  
5 the ACT at 179,000 pounds whole weight.

6  
7 These were based on using Tier 3a, which is a data-poor method  
8 of determining ABC, using the average of 1999 to 2008 landings  
9 and then adjusting that upward by I believe two standard  
10 deviations for OFL and one standard deviation for ABC. It did  
11 not use the data-rich portion of our data control rule.

12  
13 Alternative 2 is a declining yield stream for hogfish. In this  
14 case, we've looked at some other declining yield streams, even  
15 in stocks that are rebuilding and there's been some questions  
16 about what's happening with the recruitment. In this case, it  
17 makes sense, because it appears that hogfish is above our target  
18 levels, and so we would be fishing them down to the target  
19 levels.

20  
21 The years of 2016 to 2018, for 2016, the ACL would be equal to  
22 240,400 pounds. 2017 would be 216,800 pounds. 2018 would be  
23 200,800 pounds. If there has been no revisiting of the yield  
24 streams by 2018, then in 2019, the ACL would revert to its  
25 eventual equilibrium yield of 159,300 pounds.

26  
27 I need to point out that we've been getting some conflicting  
28 advice from the SSC regarding these equilibrium yields. In  
29 September of last year, when we got these yield streams, because  
30 the long-term yield streams continued to go down, they had  
31 recommended that we not stay at that 200,800 pounds, because  
32 eventually that would lead to overfishing. If we didn't have a  
33 new yield stream, they suggested that we go to that equilibrium  
34 yield.

35  
36 More recently, in January of this year, during discussion of the  
37 red grouper stock assessment, they declined to even present the  
38 equilibrium yields to the council, because they said they had no  
39 confidence in those long-term numbers. You might want to keep  
40 that in mind if you want to leave this drop-off in 2019 on these  
41 alternatives or not. There could be some danger in leaving the  
42 stock at the 2018 level if we're fishing it down, but, as I  
43 said, the SSC really doesn't have a whole lot of confidence in  
44 the long-term equilibrium yields.

45  
46 For annual catch target, we have two sub-options. Option a says  
47 ACT will not be defined. Option 2b says that ACT will be set at  
48 87 percent of the ACL, based upon the ACL/ACT control rule. We

1 don't have an allocation for hogfish, and so all of these  
2 numbers refer to the combined landings of both commercial and  
3 recreational fishing.

4  
5 The ACT does not really play any part in hogfish management.  
6 The accountability measure, if we exceed the ACL, is that in the  
7 following year that NMFS will monitor the resource and close the  
8 season whenever it's projected to reach the ACL. The ACT  
9 doesn't even come into being, and so there's really no reason to  
10 have to have an ACT for this stock.

11  
12 Alternative 3 uses a constant catch ABC at 219,000 pounds, which  
13 is the average ACL/ABC of the years 2016 to 2018. Again, if,  
14 after 2018, the yield stream has not been reevaluated, this  
15 calls for the ACL to drop down to the long-term equilibrium  
16 level of 159,300 pounds. Again, the same options with the ACT.  
17 Option 3a is the ACT would not be defined. Option 3b is the ACT  
18 would be set at 87 percent of the ACL.

19  
20 Alternative 4 would just use that equilibrium level right off  
21 the bat. A constant catch ACL is set at the equilibrium ABC of  
22 159,300 pounds. That will remain in place for the foreseeable  
23 future, until modified by any subsequent rulemaking. Again, the  
24 two options on ACT are Option a, the ACT will not be defined,  
25 and Option b is the ACT would be set at 87 percent of the ACL.  
26 With that, I will pause to see if anybody has any questions or  
27 would like to make a preferred alternative.

28  
29 **CHAIRMAN GREENE:** Okay. Mr. Swindell.

30  
31 **MR. SWINDELL:** In the action we just took, Option 3b, it shows  
32 an MSY of 162,000 pounds. How can we possibly be approving an  
33 ACL a good bit higher than that?

34  
35 **MR. ATRAN:** I believe that 162,000 pounds is the equilibrium  
36 value. Where are you looking, if I could ask? I see. Maximum  
37 sustainable yield, MSY, corresponds to the OFL and not the ABC,  
38 and so the ABC is a reduction from OFL. Does that answer the  
39 question?

40  
41 **CHAIRMAN GREENE:** Mr. Williams.

42  
43 **MR. WILLIAMS:** Would you like a motion on this? I would like to  
44 make a motion, if we're at that point.

45  
46 **CHAIRMAN GREENE:** Hang on. I want to make sure that Mr.  
47 Swindell is comfortable with where we are.

48

1 **MR. SWINDELL:** I'm not real comfortable with that answer,  
2 because maybe I just don't understand all the nomenclature yet,  
3 but MSY is always important to me, and now I'm seeing that the  
4 annual catch limit is going to be higher, and so I just don't  
5 follow.

6  
7 **MR. ATRAN:** We have several reference levels with regard to  
8 catch. OFL is the yield when fishing at MSY. That's where that  
9 162,000 pounds came from. ABC is a reduction from the OFL to  
10 account for scientific uncertainty. We have an ABC control rule  
11 that I won't get into here, but it looks at various factors of  
12 scientific uncertainty and comes up with a formula for how far  
13 below OFL the ABC should be set, and so that's where the 159,300  
14 pounds for the equilibrium ABC came from. It's a reduction to  
15 account for scientific uncertainty.

16  
17 Prior to 2006, we didn't have this differentiation. These are  
18 terminologies that were introduced with the Magnuson-Stevens Act  
19 in 2006. Then the ACL is the actual catch level that you folks  
20 set. It can be set at the ABC or lower, but it can't be set any  
21 higher than the ABC.

22  
23 **CHAIRMAN GREENE:** Dr. Crabtree.

24  
25 **DR. CRABTREE:** The bottom line is there's a lot of fish out  
26 there right now, and so these higher catch levels that you see  
27 are not sustainable. That's why they go down every year until  
28 we end up with a sustainable catch level that's less than MSY.  
29 You're catching those extra fish that are out there, in theory,  
30 and that's going to drive the stock level down to some point.

31  
32 **MR. WILLIAMS:** If I may, every yield stream we ever see goes  
33 down, down, down, down, down, like a ball bouncing down the  
34 steps. That's the way they always are. I don't really  
35 understand why that is, but they always are, which is why we've  
36 kind of gone to constant catch.

37  
38 It is hard to understand, Ed. It's hard for me to understand  
39 it, too. It's hard for me to understand why every one we ever  
40 see it goes down, down, down, and I truly don't understand that,  
41 but that's the way they always are.

42  
43 That notwithstanding, I think, it looks to me like Alternative 3  
44 is a constant catch ACL of 219,000 pounds, based on the constant  
45 catch ABC recommendation for the years 2016 to 2018 of the SSC.  
46 **I would move our preferred alternative be Alternative 3, Option**  
47 **3a.**

48

1 **CHAIRMAN GREENE:** Okay. Mr. Williams is moving Alternative 3 in  
2 the motion. Is there a second for this motion? Ms. Bademan  
3 seconds it. Any discussion? Ms. Bademan.

4  
5 **MS. BADEMAN:** I'm going to support this motion. I like the  
6 constant catch scenarios. The only thing in here that maybe  
7 gives me a little bit of pause is once we get to 2019 and if we  
8 don't have another assessment, we have a pretty big drop, but I  
9 am emailing Luiz right now to figure out what our plan is for  
10 assessing this next, and so maybe we'll have an assessment by  
11 2019.

12  
13 **CHAIRMAN GREENE:** Thank you. Dr. Crabtree.

14  
15 **DR. CRABTREE:** I was just going to point out what Martha did.  
16 It's constant, but only for three years. Then it's a pretty  
17 substantial drop. Now, maybe a new assessment and that changes,  
18 and I don't know.

19  
20 **MR. WILLIAMS:** Well, if I may, to follow up, it's not any better  
21 in Alternative 2. It's not any better in Alternative 4. I mean  
22 the only other alternative is Number 1, no action, which is --  
23 We could have 208,000 pounds as our ACL. Is that perhaps a  
24 better alternative, to do nothing? It's less consequential,  
25 that's for sure.

26  
27 **DR. CRABTREE:** That's up to you. I mean it depends on how  
28 difficult you think, if we get out into 2018 and 2019 and have  
29 to deal with a reduction, and that's hard to predict.

30  
31 **CHAIRMAN GREENE:** Mr. Atran.

32  
33 **MR. ATRAN:** One piece of information that might be useful in  
34 determining whether or not you want to stick with Alternative 1.  
35 At that ACL, there was an overage in 2012 of 85,000 pounds.  
36 That was a 40 percent overage. As a result, the catches were  
37 monitored. In 2013, the season was closed on December 2. That  
38 was still an overage, a 35,000-pound overage, and so the stock  
39 was monitored again in 2014, but there was no ACL reached. It  
40 did not reach the ACL in either 2014 or 2015, and so we had two  
41 years when the ACL was exceeded, 2013 and 2014.

42  
43 **CHAIRMAN GREENE:** Okay. Mr. Williams.

44  
45 **MR. WILLIAMS:** I will tell you that I've had second thoughts now  
46 about my motion. I don't know if the seconder would agree, but  
47 I think I would like to just withdraw it and stay with  
48 Alternative 1, no action.

1  
2 **CHAIRMAN GREENE:** The motion has been withdrawn. You're going  
3 to move Action 1 as preferred, no action? We have a second from  
4 Ms. Bademan. Any discussion? Ms. Bademan.

5  
6 **MS. BADEMAN:** I'm still trying to figure out when the assessment  
7 will be, if we have a plan at this point. I am digging through  
8 my emails. I know I have it.

9  
10 **CHAIRMAN GREENE:** Okay. I guess if there's an issue that you  
11 have with that, Ms. Bademan, we can pick it back up at full  
12 council and modify it then accordingly. With that, unless  
13 anyone else has any further discussion, we have a motion on the  
14 floor. **Any opposition to the motion? Seeing no opposition, the**  
15 **motion carries.** Mr. Atran.

16  
17 **MR. ATRAN:** Thank you, Mr. Chairman. The next action is Action  
18 4 on page 29. This is hogfish minimum size limit, and we're not  
19 differentiating between commercial and recreational. This would  
20 apply to all sectors.

21  
22 Right now, no action, the minimum size limit would remain at  
23 twelve inches fork length. We did have some recommendations  
24 from our Reef Fish AP to increase the size limit, and so we've  
25 looked at three options, set the size limit at fourteen inches,  
26 and that's Alternative 2. Alternative 3 would be to raise it to  
27 fifteen inches, and Alternative 4 would be to raise it to  
28 sixteen inches.

29  
30 If I remember correctly, the AP had recommended fifteen inches.  
31 One AP member would have liked to see sixteen inches, and I've  
32 been told that the South Atlantic Council has a preferred  
33 alternative in their FMP to raise it to sixteen inches on the  
34 Atlantic coast. That really doesn't affect us, but it might  
35 affect Florida if they want to keep consistent regulations on  
36 both sides of the state.

37  
38 **CHAIRMAN GREENE:** Thank you. Any discussion? Mr. Williams.

39  
40 **MR. WILLIAMS:** Steven, is this -- I am trying to remember.  
41 Hogfish are a protogynous fish? They start life as females?

42  
43 **MR. ATRAN:** Yes, they start as females. We're well above the  
44 size of female maturity. 50 percent female maturity is  
45 estimated to occur between six inches and seven-and-a-half  
46 inches fork length, and the transition from female to male is 50  
47 percent transition is estimated to occur at about 16.8 inches.

1 **CHAIRMAN GREENE:** Ms. Bademan.  
2  
3 **MS. BADEMAN:** Given that information, and that the South  
4 Atlantic is looking at sixteen, I want to throw out a potential  
5 preferred alternative here. **I will make a motion to set**  
6 **Alternative 4 as the preferred.** Mostly, I would really like to  
7 get feedback on it from the public, that alternative in  
8 particular.  
9  
10 **CHAIRMAN GREENE:** Thank you. Ms. Bademan is moving Alternative  
11 4 as the preferred. It was seconded by Mr. Williams. Any  
12 further discussion? **Seeing no further discussion, is there any**  
13 **opposition? Seeing no opposition, the motion carries.** Mr.  
14 Atran.  
15  
16 **MR. ATRAN:** Thank you, Mr. Chairman. The final action is Action  
17 5, which is on page 35. This deals with a provision that's  
18 currently in the codified regulations regarding a prohibition on  
19 the use of powerheads to target reef fish in the stressed area.  
20  
21 As a result of some quirks in the evolution of the stressed area  
22 regulations, we have ended up with that prohibition applying to  
23 all reef fish, except there is a specific exemption for hogfish.  
24 You are allowed to target hogfish with a powerhead in the  
25 stressed area. I don't know why anybody would. Even if you  
26 could get the powerhead to go off, I don't know if you would  
27 have much of a fish left, but it just seems to be kind of an  
28 annoying regulation that doesn't really do anything.  
29  
30 We have Alternative 1, no action, that would leave that in  
31 place. Alternative 2 would remove that provision that exempts  
32 hogfish from the prohibition on the use of powerheads to take  
33 Gulf reef fish from the stressed area. They would be treated  
34 just like any other reef fish.  
35  
36 **CHAIRMAN GREENE:** Thank you. Is there discussion on Action 5?  
37 Mr. Williams.  
38  
39 **MR. WILLIAMS:** I would move **Alternative 2.**  
40  
41 **CHAIRMAN GREENE:** Is there a second for moving Alternative 2?  
42 Ms. Bademan. I've had pretty good discussion by Mr. Atran on  
43 that. It's kind of a commonsense thing, but does anybody want  
44 to add anything to that discussion? **Any opposition to this?**  
45 **Seeing no opposition, the motion carries.** Mr. Atran, does that  
46 wrap us up on hogfish?  
47  
48 **MR. ATRAN:** That completes all of the actions. We have public

1 hearings scheduled. I believe it's May 8 and 9 in Naples and  
2 Clearwater or St. Petersburg, somewhere in the Tampa Bay area.  
3 Then the Wednesday of that week, we're going to have a webinar-  
4 based public hearing, and do we need a motion to approve this  
5 for public hearings or is that just assumed? I'm not sure.  
6 That's a question for Doug Gregory.

7  
8 **EXECUTIVE DIRECTOR GREGORY:** You will have to repeat the  
9 question. I was looking for a data collection report.

10  
11 **MR. ATRAN:** Do we need a motion to approve the amendment for  
12 public hearings, or, since we've already selected the public  
13 hearing locations and dates, can we just go out with the  
14 preferred alternatives?

15  
16 **EXECUTIVE DIRECTOR GREGORY:** I mean it doesn't hurt, but if the  
17 council understands that's what we're going to do, then we can  
18 just do it. A motion is not necessary.

19  
20 **CHAIRMAN GREENE:** If the motion is not necessary and the  
21 committee is fine with it, then we will just, by consensus, let  
22 that move forward. With that, that will wrap up hogfish. We  
23 will move on to the next agenda item, which is Number X, Draft  
24 Amendment 45, Extend or Eliminate the Red Snapper Sector  
25 Separation Sunset Provision, and Dr. Diagne.

26  
27 **DRAFT AMENDMENT 45 - EXTEND OR ELIMINATE THE RED SNAPPER SECTOR**  
28 **SEPARATION SUNSET PROVISION**

29  
30 **DR. DIAGNE:** Thank you, Mr. Chair. I will just go directly to  
31 the management alternatives of the action. This is a single  
32 action amendment, and essentially it looks at an action to  
33 revise the provision that sunsets sector separation.

34  
35 As you recall, in Amendment 40, sector separation is set to  
36 sunset at the end of 2017. That is our Alternative 1, no  
37 action, for this amendment. The second alternative, Alternative  
38 2, would extend the separate management of the federal for-hire  
39 and private angling components for an additional three, five, or  
40 ten years, and those are Options 2a, 2b, and 2c. 2b, for  
41 example, five calendar years, sector separation would be  
42 effective until the end of 2022. It's 2020 for Option a and  
43 2017 for Option c.

44  
45 Finally, Alternative 3 would remove the sunset provision for  
46 sector separation and continue the separate management of the  
47 for-hire and private angling components, that is until the  
48 council decides to change it at a later date. Thank you. These

1 are the three alternatives that you have in the document, and I  
2 will pause here.

3

4 **CHAIRMAN GREENE:** Thank you. Mr. Sanchez.

5

6 **MR. SANCHEZ:** No surprise here. **I will move to make Alternative**  
7 **3 the preferred.**

8

9 **CHAIRMAN GREENE:** Mr. Sanchez moves Alternative 3, to remove the  
10 sunset provision. Is there a second for this motion? Second by  
11 Mr. Williams. Is there discussion? Dr. Stunz.

12

13 **DR. STUNZ:** I have some discussion. I can't support the motion  
14 to remove it altogether. I think we've still got a lot of work  
15 to do with what's going on within 40. I could buy extending it  
16 potentially some, such as under Option 2a or something,  
17 potentially, but I don't know that we really know if we're any  
18 better off than we were before what we had under the current  
19 system.

20

21 I know the advisory panels are meeting and a lot of balls are in  
22 the air in terms of where this will end up, but I'm not prepared  
23 now to totally do away with the provision.

24

25 **CHAIRMAN GREENE:** Further discussion? Mr. Matens.

26

27 **MR. MATENS:** Thank you, sir. This is, again, there's no  
28 surprise, but I have a real problem here. In Mobile, when we  
29 passed sector separation, there was a lot of discussion about if  
30 there was a sunset provision, would this make people more  
31 comfortable.

32

33 No one can say whether that changed anybody's mind. No one  
34 knows what seventeen people thought, but we're in a situation  
35 where I think a deal is a deal. I am in concurrence with Greg.  
36 At the glacial pace that this council moves, I certainly could  
37 support extending it, but not doing away with it. Thank you.

38

39 **CHAIRMAN GREENE:** Thank you. Is there further discussion? Ms.  
40 Bademan.

41

42 **MS. BADEMAN:** I'm kind of where Greg is, I think almost, also at  
43 this point. I don't think I can support this preferred  
44 alternative at this point. In terms of an extension, I just  
45 don't know yet, and so I'm really not ready to pick a preferred  
46 on any of these at this point, but I can't support this motion.

47

48 **CHAIRMAN GREENE:** Dr. Crabtree.

1  
2 **DR. CRABTREE:** Just coming back to Mr. Matens' comments, I mean  
3 my memory of the sunset was to give us time to complete our work  
4 on Amendment 39, which was the regional management amendment,  
5 which at the last meeting the council voted to stop work on. It  
6 seems, to me, we've done what the sunset was for and decided  
7 we're not moving forward with it.

8  
9 **CHAIRMAN GREENE:** Further discussion? Seeing no further  
10 discussion -- I was going to say is there any opposition, but I  
11 think my luck has run out. **By a show of hands, all those in**  
12 **favor of the motion on the board, please raise your hand; all**  
13 **those opposed. The motion fails.** Is there further discussion?  
14 Mr. Williams.

15  
16 **MR. WILLIAMS:** I would offer a motion that the preferred  
17 alternative be Option 2b, five years.

18  
19 **CHAIRMAN GREENE:** We have a motion on the floor. It's seconded  
20 by John Sanchez. Is there discussion? I think we pretty much  
21 know where we're at this, but Mr. Matens.

22  
23 **MR. MATENS:** I would like to make a substitute motion that the  
24 preferred be Option 2a.

25  
26 **CHAIRMAN GREENE:** I have a substitute motion, and it was  
27 seconded by Dr. Stunz, to move Option 2a, which would be three  
28 calendar years. Is there discussion? Seeing no discussion, I  
29 will give them a second to get it on the board. **All those in**  
30 **favor of the substitute motion, please raise your hand; all**  
31 **those opposed like sign. The motion passes nine to four.** Any  
32 further discussion on this particular -- Dr. Diagne.

33  
34 **DR. DIAGNE:** Thank you, Mr. Chair. Perhaps just one last thing.  
35 What you have before you is a public hearing draft, essentially,  
36 for the amendment. You have just selected a preferred, and so  
37 what do you want us to do for the next step? We could either go  
38 to public hearings or have electronic hearings. Given the fact  
39 that this is a single-action amendment and there is nothing else  
40 in it, we could produce the video and collect comments and bring  
41 you those comments in June, in time for you to take final  
42 action, if that is suitable.

43  
44 **CHAIRMAN GREENE:** Mr. Anson.

45  
46 **MR. ANSON:** My brain was telling me that you were going out to  
47 public hearings on another amendment, but it was for hogfish,  
48 and so it wouldn't be Gulf-wide, more than likely. I don't have

1 any preference, I guess.  
2  
3 **CHAIRMAN GREENE:** Mr. Robinson.  
4  
5 **MR. ROBINSON:** I would prefer to go out for public hearings. If  
6 we're going to go out, let's go out for the public hearings, to  
7 the states.  
8  
9 **DR. STUNZ:** I think we should go out for public hearings as  
10 well.  
11  
12 **CHAIRMAN GREENE:** Dr. Diagne.  
13  
14 **DR. DIAGNE:** In that case then, please, when you see fit, just  
15 suggest the locations and we will go to public hearings between  
16 now and the June meeting and have this ready for you to take  
17 final action. Thank you.  
18  
19 **CHAIRMAN GREENE:** I guess Mr. Robinson has made a motion to take  
20 the amendment to public hearings and Dr. Stunz has seconded  
21 that. I guess we will need to populate the list of locations.  
22 I don't guess that we need to vote on it. Dr. Crabtree.  
23  
24 **DR. CRABTREE:** So would this be at public hearings that were  
25 already scheduled and we're holding for other amendments at the  
26 same time or are these going to be a whole new set of public  
27 hearings that wouldn't happen otherwise, because, boy, I can't  
28 think of much that we've had more hearings on than this issue.  
29  
30 **CHAIRMAN GREENE:** Mr. Diaz.  
31  
32 **MR. DIAZ:** Just for my peace of mind, I was going to ask Mara.  
33 If we were to do electronic hearings, would that meet all the  
34 standards we're supposed to meet legally, Mara?  
35  
36 **MS. LEVY:** You have a lot of discretion about where you hold  
37 public hearings. I mean it's supposed to be in locations that  
38 are appropriate, but I will remind you that these council  
39 meetings are public hearings, and so you're potentially holding  
40 a public hearing now with a comment period coming up. Whenever  
41 the document comes back, that would be a public hearing. You  
42 have a lot of discretion about how many public hearings and  
43 where, in terms of what you think is necessary.  
44  
45 **CHAIRMAN GREENE:** Ms. Bademan.  
46  
47 **MS. BADEMAN:** Me personally, I think we should go beyond just  
48 having it at a council meeting. I am just trying to think how

1 to get the most bang for our buck here, whether it's electronic  
2 or doing in-person meetings. I don't know if it's just having -  
3 - Again, this is a staff workload thing, but maybe staff  
4 available to answer questions about 41 and 42 at the same time.  
5 I don't know, but I'm just --  
6

7 **CHAIRMAN GREENE:** Dr. Stunz.

8  
9 **DR. STUNZ:** I feel pretty strongly about in-person meetings. I  
10 mean I think there's a lot to gain. I understand electronics  
11 and all of that is efficient many times, but having individuals  
12 have access to staff and a council representative is very  
13 important for the process, to me.  
14

15 **CHAIRMAN GREENE:** Mr. Matens.

16  
17 **MR. MATENS:** I concur with Dr. Stunz. At least in the case of  
18 Louisiana, we don't have the issues that Florida has, and one  
19 meeting would suffice for us.  
20

21 **CHAIRMAN GREENE:** Mr. Gregory.

22  
23 **EXECUTIVE DIRECTOR GREGORY:** We're having very low attendance at  
24 all our public comment venues except the council meeting. For  
25 the last round of nine public hearings, we had a total of  
26 twenty-six people show up, and each public hearing costs us  
27 about \$2,500.  
28

29 We're also getting low attendance on our electronic webinars,  
30 and so I mean that's not a cure-all, but I think if we go to  
31 public hearings that we're not going to hear anything different  
32 than what we've heard from the stakeholders. I think what we  
33 hear at the meeting would suffice for what we need.  
34

35 We have been asked to hold three AP meetings between now and  
36 June, and, if I could remind you all, there's eight weeks  
37 between council meetings. If you take away the two weeks for  
38 the briefing book preparations, there is six weeks between  
39 council meetings, and we have to coordinate all of our documents  
40 with National Marine Fisheries Service through what's called the  
41 IPT process that involves six writers and twelve reviewers for  
42 each amendment. They have to meet at least twice between  
43 council meetings to coordinate their efforts.  
44

45 That's where our time crunch is coming from, and that's why two  
46 years ago I asked the council if we could go to four meetings a  
47 year and relieve some of that pressure. We're scrambling from  
48 meeting to meeting anyway, and so every time you throw a round

1 of public hearings on us, that takes up a week or two of our  
2 time.

3  
4 Right now, we're short-staffed with admin staff. We only have  
5 two admin staff, possibly three, that can actually travel, and  
6 so, unless you feel very strongly about in-person meetings for  
7 this, going with an electronic webinar would definitely be nice  
8 for us.

9  
10 **CHAIRMAN GREENE:** Dr. Stunz.

11  
12 **DR. STUNZ:** I certainly hear you, Doug, and I am well aware of  
13 the issues with the staff and costs. If this was an issue that  
14 -- You know this has been such a big issue. This was not one of  
15 the ones that was poorly attended in many of the areas, as you  
16 well know, and I think this issue is just too important.  
17 There's too many differing viewpoints.

18  
19 I don't know that we're not going to learn new information from  
20 doing this. That's the whole reason that we would have a public  
21 hearing. If we were talking about something much less  
22 controversial, I would be all about streamlining this and being  
23 more efficient, but I think there's too much on the line here  
24 for a lot of different people not to have some say in this in  
25 person.

26  
27 **CHAIRMAN GREENE:** Dr. Lucas.

28  
29 **DR. LUCAS:** I was just going to say one thing that's changed  
30 since some of the last time we did this is people have actually  
31 had the opportunity to see what sector separation looks like and  
32 how it operated, and so there might be a chance that you get  
33 kind of a different round of comments, but I don't want to  
34 really overburden the staff. If there's some way the state  
35 could help out by -- I'm happy to, if you do public hearings,  
36 send out emails to everybody that's a part of our list or  
37 whatever. If there's a way we can ask a question for you -- I  
38 know that only gets to the sampling universe of those who are  
39 actually fishing, but we would be willing to help in any way we  
40 could.

41  
42 **CHAIRMAN GREENE:** John Sanchez.

43  
44 **MR. SANCHEZ:** I don't think we're going to get anything new. I  
45 think everybody kind of sits where they sit on this issue, but,  
46 if we're hell-bent on doing it and we're going to do it, I just  
47 hope that we've got our hearings done before the sunset expires.

48

1 **CHAIRMAN GREENE:** Ms. Bademan.

2  
3 **MS. BADEMAN:** Well, we have a little bit of time, and I know  
4 some probably some people won't like this, but is it really that  
5 important that we do them before the June meeting? I mean, if  
6 staff doesn't have the time to do them between now and then, is  
7 it that big of a deal to do them before August?

8  
9 **CHAIRMAN GREENE:** Leann.

10  
11 **MS. BOSARGE:** I just wanted to make a broader-view comment. I  
12 don't have a problem going out to public hearings on this, and I  
13 think, as Greg said, it was something that was heavily attended.  
14 I guess my problem and my frustration with it is that I do feel  
15 we're probably going to get a lot of the same feedback,  
16 especially from the private anglers, and that's because since we  
17 put into effect sector separation, we have yet to even form a  
18 group to start talking about something different for those  
19 people.

20  
21 I am sure they are frustrated, and that frustrates me, that we  
22 implemented this sector separation to work on their own  
23 management plan that would give them more flexibility and we  
24 haven't gotten there yet.

25  
26 **CHAIRMAN GREENE:** Mr. Gregory.

27  
28 **MR. GREGORY:** There is another approach that the South Atlantic  
29 Council has been experimenting with, and that is we could set up  
30 listening stations or public hearing stations at say an office  
31 of each of the state directors and do a webinar through the  
32 computer system or TV screen or a projector at the state  
33 director's office.

34  
35 We could have people there in the audience in person, and then  
36 we can answer the questions over the webinar, as well as the  
37 state directors can answer questions. It's like a combination  
38 of in-person/webinar thing. I think it's had mixed reviews with  
39 the South Atlantic Council, but part of the problem they're  
40 having is they also let the public call into the webinar from  
41 anywhere in the country or world they are, and I don't think I'm  
42 proposing that. The fishermen, the people, would have to go to  
43 their state director's office and participate in person, and  
44 that's similar to our public hearings.

45  
46 **CHAIRMAN GREENE:** Ms. Bademan.

47  
48 **MS. BADEMAN:** We've had some experience with that on the

1 Atlantic side, and we haven't necessarily done them at an FWC  
2 office, but we've had staff travel to wherever. It's usually  
3 been somewhere where the fishermen are, and I think what the  
4 public likes about it is that everybody is getting the same  
5 presentation, which is good, at one time, but there also is  
6 somebody in the room there that they can talk to and have little  
7 side conversations if they need to do that or get their very  
8 specific questions answered. I think maybe this is the time to  
9 try it on the Gulf side.

10  
11 **CHAIRMAN GREENE:** Thank you. Chris, did you want to weigh in?

12  
13 **MR. CHRIS CONKLIN:** Martha pretty much summed it up, but we  
14 usually do have at least one council member there or some AP  
15 members. Usually there is one staff person there setting up the  
16 equipment, because it is a little bit of a process.

17  
18 **CHAIRMAN GREENE:** Thank you. Dr. Stunz.

19  
20 **DR. STUNZ:** In principle, I certainly like the idea and I think  
21 that improves efficiency, but I would make the recommendation  
22 that this is not the one to test that. I mean if something went  
23 wrong, you talk about angry anglers.

24  
25 We have a system that I know, Doug, you're stressed for staff  
26 and expense, but at least it works and you know the drill and  
27 that kind of thing. Test this out on an amendment or a hearing  
28 where there's not so much at stake and so much controversy  
29 surrounding it.

30  
31 **CHAIRMAN GREENE:** Further comments? We have a motion on the  
32 floor. Before we pick locations, I guess we need to vote it up  
33 or down. Mr. Swindell.

34  
35 **MR. SWINDELL:** Up or down which way? What are we voting? Is it  
36 just public hearings and not a webinar or anything? Okay.  
37 Thank you.

38  
39 **CHAIRMAN GREENE:** I hate to assume anything, but the motion to  
40 take Amendment 45 to public hearings, in my opinion, would be  
41 the traditional route that Dr. Stunz was talking about. Is that  
42 correct?

43  
44 **DR. STUNZ:** That is my understanding, the traditional route of  
45 in-person public hearings, like we've done in the past.

46  
47 **CHAIRMAN GREENE:** Okay, and so if we add "in-person public  
48 hearings". Is everyone clear on -- Okay. **All those in favor of**

1 the motion on the board, please raise your hand; all those  
2 opposed. The motion passes. I think I hear someone making a  
3 motion about meeting locations. I know I hear it somewhere.  
4 Somebody? Chairman Anson.  
5  
6 **MR. ANSON:** For Alabama, I will go first. Mobile.  
7  
8 **CHAIRMAN GREENE:** Texas?  
9  
10 **MR. ROBINSON:** Houston/Galveston area and Port Aransas.  
11  
12 **CHAIRMAN GREENE:** Mississippi?  
13  
14 **DR. LUCAS:** Biloxi.  
15  
16 **CHAIRMAN GREENE:** Louisiana?  
17  
18 **MR. FISCHER:** Baton Rouge.  
19  
20 **CHAIRMAN GREENE:** Florida?  
21  
22 **MS. BADEMAN:** I am going to say definitely St. Pete and then --  
23 We know what the people in Destin are going to say. I almost  
24 want to do Panama City, just because that's kind of a -- There's  
25 people on both sides of that issue over there.  
26  
27 **CHAIRMAN GREENE:** Sorry, but which one?  
28  
29 **MS. BADEMAN:** Let's go with St. Pete and Panama City. Let's do  
30 that.  
31  
32 **CHAIRMAN GREENE:** Thank you. Any further discussion? Okay,  
33 Chairman Anson. We have five minutes left. Do you want to get  
34 into the next -- Martha.  
35  
36 **MS. BADEMAN:** I just had a suggestion. Instead of Panama City,  
37 can I specify Panama City Beach? Apparently we have better  
38 attendance beachside.  
39  
40 **CHAIRMAN GREENE:** Sure. Okay. Mr. Gregory.  
41  
42 **EXECUTIVE DIRECTOR GREGORY:** Could we have the option, depending  
43 on facility availability? We always have difficulty finding a  
44 place in Panama City Beach and even finding a good place in  
45 Panama City.  
46  
47 **MS. BADEMAN:** Sure.  
48

1 **EXECUTIVE DIRECTOR GREGORY:** But we will strive for Panama City  
2 Beach.

3  
4 **CHAIRMAN GREENE:** All right. Thank you. Any further  
5 discussion? Chairman Anson, do you want to try to finish the  
6 agenda as scheduled today?

7  
8 **MR. ANSON:** I don't know. I would bounce the question back to  
9 you, or maybe to Steven. Steven, do you have a sense as to how  
10 long this might take, the next item?

11  
12 **MR. ATRAN:** The two items that are left, I don't think either of  
13 them we can complete in fifteen minutes. We do have an hour of  
14 time tomorrow morning, and so I'm not sure if we can get totally  
15 through both items within an hour or so.

16  
17 **DISCUSSION OF RED SNAPPER RECREATIONAL SEASON RECOMMENDATIONS**

18  
19 **MR. ANSON:** Johnny, there was one other -- I mean I don't want  
20 to muddy up the water or your schedule here, but there was one  
21 item that we discussed earlier today that I don't think was  
22 totally fleshed out, and that was related to the red snapper  
23 season. It appears that the council should weigh in on what Dr.  
24 Farmer had proposed earlier, as far as the recreational season  
25 or seasons for the private and for-hire sectors.

26  
27 If you have any strong feeling that one of those numbers that  
28 were provided is the one that we should recommend that the  
29 service puts for this year, again for one or both of the  
30 sectors, we ought to take an opportunity. It might prove  
31 helpful to Dr. Crabtree to have some input from the council.

32  
33 I would say give a maximum number of days, Dr. Crabtree. That  
34 would be my recommendation. Is that going to be the feeling  
35 from the council? Does everyone agree that we recommend that  
36 the maximum number of days is what the service should provide  
37 this year?

38  
39 **MR. FISCHER:** Was it the maximum amount in the chart, or was it  
40 the maximum up to 365?

41  
42 **MR. ANSON:** I was referring to what was eligible in federal  
43 waters, and so it would be nine days, as I recall, for the  
44 private sector and fifty-six for the charter for-hire.

45  
46 **MR. FISCHER:** Could you refresh us on where we stand with the  
47 buffer going into next year? Is it still on the 20 percent, or  
48 is it --

1  
2 **DR. CRABTREE:** Yes, it's still 20 percent. You know, I  
3 appreciate your comments, but you need to understand that just  
4 saying the maximum is really not useful. I have to pick a  
5 number that has a reasonable probability of hitting the ACT that  
6 you as a council established with the buffer, based on all of  
7 the analyses we have. We will make a good decision on it, but I  
8 can't just start picking numbers because it gives the maximum  
9 number of days.

10  
11 **MR. ANSON:** You may have mentioned this earlier, Dr. Crabtree,  
12 but you suspect within the next week or two weeks that you will  
13 have the final number selected for the season?

14  
15 **DR. CRABTREE:** We'll see. I don't know when it will be decided.

16  
17 **CHAIRMAN GREENE:** Okay, Chairman Anson.

18  
19 **MR. ANSON:** Taking into account Steven's comments regarding  
20 taking more than fifteen minutes for those additional items that  
21 remain on this portion of the agenda, I think we might want to  
22 try and stay a little bit.

23  
24 I realize there are a couple of things that we've got. We've  
25 got Dr. Crabtree and his sit-down session for Q&A with folks.  
26 Then we have also an event this evening, the fishermen's social  
27 reception, at seven o'clock.

28  
29 That's put on by the Charter Fishermen's Association, Share the  
30 Gulf, and the Gulf of Mexico Reef Fish Shareholders' Alliance.  
31 Again, that starts at seven, and so if we can maybe stay fifteen  
32 or twenty minutes and maybe see if we can get through one of  
33 those things, at least.

34  
35 **CHAIRMAN GREENE:** We can do that or start at seven in the  
36 morning and get it knocked out. I mean whatever you want to do,  
37 Mr. Chairman. It's up to you. Steven, is this something we can  
38 do in twenty minutes or so, honestly?

39  
40 **MR. ATRAN:** I think maybe I can just go through the briefing  
41 document and then people can think about it and decide what we  
42 want to do in the morning. That's probably about the most  
43 hopeful thing I can say.

44  
45 **CHAIRMAN GREENE:** Well, if you run through the briefing document  
46 fairly quickly -- I mean it's an important deal. It's the  
47 mechanism to allow the recreational red snapper season to  
48 reopen, and give some people some time to think about it. Maybe

1 that would be a good solution at this particular point.

2  
3 **PRELIMINARY OPTIONS AND DISCUSSION - MECHANISM TO ALLOW**  
4 **RECREATIONAL RED SNAPPER SEASON TO REOPEN IF ACL IS NOT EXCEEDED**  
5

6 **MR. ATRAN:** Okay, Mr. Chairman. The briefing document is Tab B,  
7 Number 11. We don't have an IPT put together yet, and so  
8 basically this is in very rough draft. It more or less  
9 represents my train of thought on what we needed to do. At this  
10 stage, I'm mainly looking for guidance from the council to see  
11 if this is the direction you want to go in or if you want to do  
12 something else with this. Then we should be forming an IPT  
13 pretty soon, and we can come back with a more structured  
14 document.

15  
16 Right now, as Dr. Crabtree mentioned, he sets the seasons based  
17 upon when the ACT is projected to be reached. The ACL is the  
18 actual quota. It's what we would like the recreational sectors  
19 to catch, but, since the codified regulations only allow him to  
20 reopen a season if the ACT hasn't been reached, we need to give  
21 him that new authority to exceed the ACT and target the ACL in  
22 cases where we're under harvesting the resource.

23  
24 I believe, and Mara can correct me if I'm wrong, that because  
25 we're looking to give the Regional Administrator a new authority  
26 that he doesn't currently have, any actions that we would do  
27 would have to be done through a full plan amendment and not a  
28 framework procedure, and so that kind of rules out trying to get  
29 anything done this year, but we can possibly get something done  
30 in time for next year.

31  
32 There are a number of considerations, and so I'm not going to  
33 read the briefing that covers the first few pages. I will just  
34 go through the draft actions and alternatives that I came up  
35 with that would start on page 4.

36  
37 First of all is Action 1. First of all, we would need to decide  
38 whether or not we want to give the Regional Administrator  
39 authorization to reopen the season. If we do reopen the season,  
40 would we want that new opening to be a continuous season, or  
41 would we want it to be weekends only?

42  
43 I suggested, as some alternatives, no action, the Regional  
44 Administrator is only authorized to reopen a component of the  
45 red snapper sector if the ACT is not projected to be reached,  
46 and only for the amount of days projected to reach the ACT.

47  
48 By the way, under sector separation, since we have separate ACLs

1 for the for-hire sector and the private sector, I'm anticipating  
2 that each of those could be considered separately, as a separate  
3 item under these.

4  
5 Alternative 2 would allow the Regional Administrator to reopen  
6 one of those components if the component has not filled its ACL.  
7 Alternative 2 would open the component on October 1. Then it  
8 would remain open until the closing date. I didn't put any  
9 options for something other than October 1. If you want to have  
10 a range of other reopening dates, you can, but that's been the  
11 date that we've been using in the past when we've put a  
12 supplemental season in effect.

13  
14 Alternative 3, again, is if we had the ACT closure, but have not  
15 reached the ACL, the Regional Administrator would be authorized  
16 to reopen the season, but it would be reopened on weekends only  
17 until the ACL was projected to be reached and then there's a  
18 couple of sub-options. Weekends could either be Friday through  
19 Sunday or they could be Saturday through Sunday, whichever you  
20 prefer.

21  
22 Action 2 is titled "Closure Target". Now, even though we're  
23 trying to reach the ACL, we still have the problem that we don't  
24 want to go over the ACL, and so do we want the new closure date  
25 to be right on the projection date when the ACL is going to be  
26 met or do we want to provide at least some smaller buffer, not  
27 the 20 percent, but some smaller buffer?

28  
29 Alternative 1, no action, we don't provide any buffer. If the  
30 season is reopened, it would close on the date when the entire  
31 ACL for that component is projected to be reached. Alternative  
32 2 would reopen it until 95 percent of the component ACL is  
33 projected to be reached, and Alternative 3 is reopen it until 90  
34 percent of the component. This is related to the existing ACT,  
35 which we close it when 80 percent of the ACL is projected to be  
36 reached. That allows us to get closer to the ACL, with  
37 hopefully not exceeding it.

38  
39 Action 3 says establish a minimum number of days for reopening  
40 the season. The thought was if we can't give them a reasonable  
41 season, at least a couple of days, should we open the season at  
42 all? Also, when I was writing this, and this was shortly after  
43 I read an article about a recreational lake sturgeon season up  
44 in Minnesota, I think, but they had a recreational season this  
45 past January that lasted four hours. We do have examples of  
46 seasons that are open for less than a day, but I don't think  
47 that's really feasible for red snapper.

48

1 Alternative no action would say if we can open the season at  
2 all, then reopen it, even if it's for less than a day.  
3 Alternative 2 would require that we be able to open the season  
4 for at least a day before it's reopened.

5  
6 Alternative 3 would say we need at least two days to be able to  
7 reopen the season, and then Alternative 4 is we would have to  
8 reopen it for at least five days, and if you want to have some  
9 other options in there, we can do that. Those seemed like a  
10 reasonable amount of minimum timelines to reopen the season when  
11 I was writing this.

12  
13 Then the final action that I looked at is if we want to do our  
14 best to try to extend that supplemental season, do we want to  
15 reduce the bag limit temporarily to one fish during that season?  
16 Action 4, no action is Alternative 1, leave the bag limit at two  
17 fish during the supplemental season, and Alternative 2 would  
18 reduce it to one fish per person during the supplemental season.  
19 It would go back up to two fish the following year during the  
20 regular season.

21  
22 Like I said, I was trying to anticipate what are the issues that  
23 we need to deal with in determining whether or not to reopen the  
24 season and what authorities do we need to give to the Regional  
25 Administrator. Again, each of these actions would apply  
26 separately to the for-hire component and the private  
27 recreational component.

28  
29 **CHAIRMAN GREENE:** Thank you. Any discussion? Dr. Crabtree.

30  
31 **DR. CRABTREE:** I mean I think Action 2 would kill this  
32 amendment. This isn't about redefining the target and the  
33 buffer, and if we did redefine the buffer, it would need to be  
34 larger than 20 percent and not smaller. If we go down this path  
35 of trying to reopen in the fall, which has more uncertainty  
36 associated with it than the season we've been using, and then  
37 try to get that close to the ACL, we're going to be right back  
38 into going over again, which got us in trouble to begin with.

39  
40 To me, this is the wrong direction. We ought to be looking at a  
41 larger buffer, probably, if we're going to do this, and not  
42 smaller. I would suggest that we probably ought to have another  
43 action in here that looks at this from a different perspective.

44  
45 If you recall, we went over the proposed National Standard 1  
46 Guidelines that came out back in January. One of the provisions  
47 they talk about in there is carryover. They have a provision  
48 that allows councils to modify their ACL control rules to allow

1 carryover of uncaught quota in one season to the following year.

2  
3 I think that the NS 1 Guidelines -- Potentially, a final rule  
4 may come out over the summer sometime. I don't really know, but  
5 probably before we're finished with this, but it might be that  
6 one way to come at this would be to take the amount of quota  
7 that was below the ACL, when all is settled and done, and set up  
8 a modification to our control rule that specifies that that  
9 uncaught quota will be added into the next year. It goes before  
10 the SSC sometime early in the year and they give it their  
11 blessing in terms of the ABC, and then it's added into the quota  
12 for the next year.

13  
14 The current buffer is then applied to all of that, but then,  
15 when we get into the season, you know if we're -- If we had a  
16 million pounds below the ACL the year before, then that could be  
17 carried over the next year and added into the quota.

18  
19 We have historically had underages on the order of a few hundred  
20 thousand pounds in the commercial fishery, and some of that  
21 could be carried over to the following year, potentially, as  
22 well.

23  
24 There may have to be some reductions applied of carryover to  
25 account for natural mortality or various things like that. I  
26 don't know, and that would be something that we would have to  
27 work out with the SSC, but I think that might be a way to come  
28 at this as well and gets you into a situation where you're  
29 catching more of the available fish, but I wouldn't go down the  
30 path of trying to reduce the buffers like Action 2 here does,  
31 because I don't think that will work, but you ought to have some  
32 discussion of the carryover, and that may be something -- I  
33 think what Steve probably needs to do, if you're interested in  
34 looking at carryover, is pull together a plan development team  
35 to go back and work with Mara and look through some of this and  
36 come out with a more polished set of alternatives.

37  
38 **CHAIRMAN GREENE:** Good idea. Mr. Anson.

39  
40 **MR. ANSON:** To Dr. Crabtree's point regarding Action 2, and,  
41 Steven, correct me if I'm wrong, but my take is that Alternative  
42 2 and 3 looks at the percentage of the ACL, which is the 20  
43 percent buffer. For instance, if the -- I'm sorry. I thought  
44 it was ACT. It says "ACL quota". I got it confused. I thought  
45 the ACT was the quota that Steven mentioned earlier. I  
46 apologize.

47  
48 **MR. ATRAN:** We all get confused on that. On Action 2, to give

1 you an example, let's say we close and we're right at the ACT.  
2 That means NMFS has done a very good job, but we're leaving a  
3 million-plus pounds of unused quota. If we were going to reopen  
4 the season that fall for a supplemental season, would we want to  
5 try to take the entire one-million pounds or maybe take just  
6 half of it, so that, in case we have an overage again, we won't  
7 go over the ACL? That's basically what I was trying to do with  
8 Action 2.

9

10 **CHAIRMAN GREENE:** Mr. Diaz.

11

12 **MR. DIAZ:** I am just trying to think through it. If we had the  
13 situation that Steven just said, we get in a situation where  
14 there's poundage left, like what happened to the charter sector  
15 this year -- I mean they fished 68 percent of the ACL, if I  
16 remember right, which leaves somewhere close to a million  
17 pounds.

18

19 I don't know if the verbiage is right or this needs to be  
20 reworked, but that sector -- What I would like to see happen is  
21 we reopen that again in the fall and we apply a new buffer to  
22 it. It's a smaller number, and we do need to be conservative  
23 and we might need to do things like a one-fish limit for that  
24 fall season, to try to not go over that ACL. I do not want us  
25 to do that, but I just would love to see us have a way to fish  
26 more efficiently and try to fish closer to OY without going  
27 over. I do not want us to go over, but I really like the fact  
28 that we're exploring this.

29

30 We might need to polish it or something, and I do understand Dr.  
31 Crabtree's concerns, and hopefully we can come up with something  
32 that's better than what we have that helps groups like that. I  
33 mean how good would that have been for the charter industry this  
34 year if this would have been in place and we could have opened  
35 something back up on October 1 for a million pounds? If we had  
36 to have a 25 or 20 percent buffer or 30 percent buffer, whatever  
37 it is, you all would have got some more days, some more  
38 opportunities.

39

40 At the end of the year, we would be closer to OY. We just have  
41 a new ACT in place and some new mechanisms, and so I would love  
42 to see us keep working on this in some way and polish it to  
43 where it's acceptable to everybody.

44

45 **CHAIRMAN GREENE:** Thank you. Is there further discussion? Dr.  
46 Crabtree.

47

48 **DR. CRABTREE:** I agree with Dale that this is something we need

1 to keep working on, and I would encourage the team, when they  
2 sit down and look at this, to look at the carryover language in  
3 the Guidelines and see how that might work.

4  
5 You know, from what I've heard from most of the for-hire fleet,  
6 if we reopened in October, I am not sure they would catch the  
7 extra fish that are available, because that's just not when  
8 they're fishing, and I suspect, if the for-hire fleet have the  
9 option of opening in October to catch some more fish or having  
10 those extra pounds added into their quota the next year, so they  
11 got to fish longer during the summer, I suspect that's what they  
12 would probably prefer.

13  
14 The other problem we've got, of course, is if we were to do re-  
15 openings in the fall, we would have to come to some  
16 understanding with the states as to what they're going to do, so  
17 that we wouldn't end up opening a federal season up and then  
18 having much longer state openings come up and then we would have  
19 to pull it all back again, and I don't know how easy that would  
20 be to work out. Carryover seems to have more appeal to me at  
21 this point, in some ways, than reopening. It might be more  
22 straightforward.

23  
24 **CHAIRMAN GREENE:** Thank you. Mr. Fischer.

25  
26 **MR. FISCHER:** We have probably gotten years of public testimony  
27 on this, and we just might be getting some more rather soon. I  
28 guess the decision is do you want a quick season that comes up  
29 spur of the moment? If you're in the charter business and you  
30 don't have plans to book your charters and you already have  
31 other things planned, you might be booked, but it wasn't a  
32 snapper charter.

33  
34 For this limited, maybe five-day or one-week or two-season, and  
35 then, from the private sector, it may not be over a day or two,  
36 a day, I think it's harder to make plans. I think until we have  
37 enough fish to extend the season for many months for both  
38 components, I think the carryover sounds like the better answer.

39  
40 **CHAIRMAN GREENE:** Thank you. To that point, Dale?

41  
42 **MR. DIAZ:** Mr. Fischer might be right. I don't know, but I  
43 would love to hear some public testimony on it and see. If you  
44 look at it from the point of view of a charter fisherman, I  
45 guess you think about it one way, but we also have got to take  
46 into consideration that there's a private recreational sector  
47 out there.

1 I know we had a red snapper summit in Mississippi, and there was  
2 a pretty good percentage of people that wanted a fall season in  
3 Mississippi. They say that's the best time to fish for red  
4 snapper off of our coastline, and so it might be good for one  
5 sector, but not for the other, or there might be a different  
6 plan for one sector than the other. Thank you.

7

8 **CHAIRMAN GREENE:** Mr. Matens.

9

10 **MR. MATENS:** Thank you, sir. I think Roy makes a very good  
11 point when he's concerned about a buffer in this kind of  
12 concept, and I certainly agree with that. I do think that in  
13 Louisiana that the fall has been a very -- In the past, it's  
14 been a very popular snapper season for recreational fishermen.

15

16 October is before duck season, but it is during football season.  
17 If this thing were to be fleshed out, I would be -- Suppose we  
18 have a hurricane in the nine-day season that we get? I would  
19 like to see an October opening, weekends only, a three-day  
20 weekend. Whether that's one or two fish, I really don't care,  
21 but October really can be beautiful in our part of the world.  
22 Thank you.

23

24 **CHAIRMAN GREENE:** Ms. Levy.

25

26 **MS. LEVY:** Thank you. Just a suggestion that the IPT actually  
27 have a chance to be formed and talk about what's in there now  
28 and add some alternatives or actions related to a carryover, so  
29 that there's a chance to evaluate both, like have both ideas in  
30 the document so that you can actually look at what doing a fall  
31 season would mean versus what doing carryover would mean. It's  
32 all addressing the same issues, and so they seem like reasonable  
33 alternatives to each other.

34

35 An IPT hasn't even gotten to look at this and sort of talk about  
36 all these issues, and so it would probably be helpful to let  
37 that happen and then come back with a document that fleshes some  
38 of this out a little bit more.

39

40 **CHAIRMAN GREENE:** Mr. Gregory.

41

42 **EXECUTIVE DIRECTOR GREGORY:** My question is for Roy or Mara.  
43 Can we do carryover now, or would we have to wait for the  
44 National Standard Guidelines to be implemented? If we can't do  
45 them now, then wouldn't it be a little odd to be putting them in  
46 the document and analyzing it?

47

48 **DR. CRABTREE:** Well, we could do carryovers. In fact, we have

1 done carryovers. The last time I remember was after the oil  
2 spill. We carried some fish over, but you've got to go back to  
3 the SSC and get a new ABC. This would just set up -- I think  
4 the way the guidelines are setting it up is that you modify your  
5 control rule and it makes it kind of proforma, so the SSC gets  
6 it and they agree that yes, these are the landings and that's  
7 the control rule and it gets blessed in a much more routine kind  
8 of way, but I think you could do carryover now.

9  
10 Now, how you do it -- In some cases in the past when we've been  
11 under, we've rerun the projections with the actual landings.  
12 That, I guess, is one way. Maybe the SSC would go along with  
13 carryover. The fish, you're going to have some natural  
14 mortality, I suppose, of the fish before the next year. You're  
15 going to have some growth of the fish before the next year. How  
16 they would want to deal with those things would have to be  
17 figured out, but I think is allowed.

18  
19 The difficulty with it has been that you can't exceed the ABC,  
20 and we have to make sure that we don't exceed the OFL under any  
21 circumstances. It's just that it hasn't been explicitly  
22 addressed in the guidelines like it was in the proposed. The  
23 answer to your question is I think yes, you could do it now.

24  
25 **CHAIRMAN GREENE:** Further discussion? Mr. Atran, does that give  
26 you some stuff to work with?

27  
28 **MR. ATRAN:** Yes, and, as Dr. Crabtree said, we need to get that  
29 IPT put together. I need to see what the exact wording is in  
30 the proposed NS 1 Guidelines, in order to know what we can and  
31 cannot do. I can think of various objections in my mind, but I  
32 don't want to throw water on this right now. It's a good idea  
33 if we can make it work, and so let's just see where we can go  
34 with it.

35  
36 **CHAIRMAN GREENE:** Chairman Anson.

37  
38 **MR. ANSON:** Dr. Crabtree, looking at our current data systems,  
39 the recreational landings aren't final until early April, mid-  
40 April, and then we have a June 1 opening now, and I assume we'll  
41 have that going forward. Is there enough time to have the SSC  
42 meet and do what they need to do and come back to the council  
43 and the council blesses it and you go through your normal  
44 notification?

45  
46 **DR. CRABTREE:** Not if you want to hold out for complete final  
47 landings, because we don't get the landings from Texas, for  
48 example, until well into it, and so there would have to be some

1 degree of judgment as to how many landings -- Then, of course, a  
2 lot of this comes down to how long are the states going to allow  
3 fishing to occur? Are they going to fish up into December,  
4 which pushes it further off? There's a lot of unknowns that  
5 would have to be figured out.

6  
7 **CHAIRMAN GREENE:** Further discussion? I guess that wraps us up  
8 for today. Chairman Anson, any final comments?

9  
10 **MR. ANSON:** Doug Gregory has some.

11  
12 **EXECUTIVE DIRECTOR GREGORY:** Concerning the social tonight,  
13 we've talked to the concierge, and we're hoping to have a  
14 shuttle available to go to the restaurant. Then we can call  
15 them and come back later in the night, at 8:30 or 9:00, but it's  
16 not definite, because their priority is taking people to the  
17 airport. He thinks that he will be back from his 5:30 run to  
18 the airport by 6:30 or 6:45, and so I would say anybody that  
19 needs a ride, meet me in the lobby at 6:45 and we'll just play  
20 it by ear. We may be twenty minutes late getting to the party,  
21 but we'll get there sooner or later.

22  
23 **DR. CRABTREE:** How far is it, Doug?

24  
25 **EXECUTIVE DIRECTOR GREGORY:** It's about a mile.

26  
27 **MR. ANSON:** Dr. Crabtree, you're going to be meeting just right  
28 out here in the audience, at the tables? Okay.

29  
30 (Whereupon, the meeting recessed at 5:22 p.m., April 5, 2016.)

31  
32 - - -

33  
34 April 6, 2016

35  
36 WEDNESDAY MORNING SESSION

37  
38 - - -

39  
40 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
41 Management Council reconvened at the Doubletree by Hilton  
42 Austin, Austin, Texas, Wednesday morning, April 6, 2016, and was  
43 called to order at 8:30 a.m. by Chairman Johnny Greene.

44  
45 **CHAIRMAN GREENE:** Good morning. I would like to call the Reef  
46 Fish Committee back together. We finished up everything that  
47 was scheduled yesterday, even though we ran a little bit late.  
48 We're going to pick up under Day 2, which would be the Framework

1 Action to Modify the Commercial Gear Requirements and  
2 Recreational/Commercial Fishing Year for Yellowtail Snapper. We  
3 will start off with Tab B, Number 12, and there's a couple of  
4 different versions of that as well. Mr. Rindone, if you're  
5 ready.

6  
7 **FINAL ACTION - FRAMEWORK ACTION TO MODIFY COMMERCIAL GEAR**  
8 **REQUIREMENTS AND RECREATIONAL/COMMERCIAL FISHING YEAR FOR**  
9 **YELLOWTAIL SNAPPER**  
10 **REVIEW OF FRAMEWORK ACTION**

11  
12 **MR. RYAN RINDONE:** Thank you, Mr. Chair. This is the framework  
13 action for yellowtail snapper gear requirements and the season  
14 change. The purpose of this framework action is to address  
15 inconsistencies between the Gulf and South Atlantic Councils'  
16 regulations for yellowtail in Gulf waters and to increase  
17 operational efficiency in the yellowtail snapper component of  
18 the commercial reef fish fishery.

19  
20 The need is to achieve optimum yield and to decrease the burden  
21 of compliance with differing regulations, based on separate  
22 regulatory agencies across multiple jurisdictions.

23  
24 If we go to Chapter 2, or Action 1, which addresses changes to  
25 hook requirements for commercially-harvested yellowtail snapper  
26 in the Gulf of Mexico, we have five alternatives here, including  
27 the no-action alternative.

28  
29 Alternatives 2 through 5 all refer to some area within which the  
30 current circle hook requirement would no longer be required when  
31 commercially fishing for yellowtail snapper with natural bait.  
32 Alternative 2 would remove that requirement throughout the EEZ  
33 of the Gulf of Mexico. Alternative 3 would remove that  
34 requirement south of 28 degrees North latitude, which is  
35 approximately Clearwater Beach in the Gulf.

36  
37 Alternative 4 would remove that requirement south of 25 degrees,  
38 23 minutes North latitude on the west coast of Monroe County,  
39 which we refer to as Shark Point, south to the council  
40 jurisdictional boundary. Alternative 5 would remove the  
41 requirement south of 25 degrees, 9 minutes North latitude on the  
42 west coast of Monroe County, which is approximately Cape Sable,  
43 south to the council jurisdictional boundary. That fifth  
44 alternative is what coincides with some of the FWC's other  
45 management lines.

46  
47 The Gulf Reef Fish AP, when they last discussed this, had  
48 recommended Alternative 4, but that was before Alternative 5 was

1 included. Generally speaking, their recommendation was for this  
2 to apply to the smallest area feasible, since the yellowtail  
3 snapper fishery in the Keys is really focused -- For the Gulf of  
4 Mexico anyway, it tends to be more focused around the Tortugas,  
5 and this fishing practice that we have previously described,  
6 which if you guys want me to go through it again I can, is  
7 really practiced mostly by the Keys fishermen. Emily also has  
8 some public comments and written comments received, if you would  
9 like to hear those.

10  
11 **PUBLIC COMMENTS**  
12

13 **MS. MUEHLSTEIN:** Thank you. We hosted two in-person meetings  
14 for the yellowtail snapper issue. Because we were doing  
15 mackerel things in the area where yellowtail is frequently  
16 harvested, we decided to tack on these quick public hearings in  
17 person for this issue. We went to Key West, and we were also in  
18 Sarasota. We had nobody show up in Sarasota. However, in Key  
19 West, two commercial fishermen came.

20  
21 For Action 1, they both supported Alternative 5. The rationale  
22 they provided is that the fishery is unique down there. They  
23 use really tiny hooks and light line on a pluck rod, which is  
24 kind of like a cane pole. Additionally, they have done some of  
25 their own studies and found that j-hooks both increase  
26 efficiency in the fishery and also decrease bycatch mortality,  
27 because there is less instance of gut-hooking.

28  
29 They also wanted to sort of emphasize that the bycatch of other  
30 species, like groupers and things, wouldn't be a problem,  
31 because they really fish in a way that is pretty clean. It's  
32 pretty much only yellowtail snapper that they chum up to the  
33 boat, and they're pretty much sight-casting them. They wanted  
34 to make clear that that shouldn't be a concern with the  
35 changeover from the circle hooks.

36  
37 **SELECTION OF PREFERRED ALTERNATIVES**  
38

39 **MR. RINDONE:** To continue on with Action 1, if you guys go down  
40 to Figure 2.1.2, which is on page 23, this is the Stephens and  
41 McCall analysis from the SEDAR 27 stock assessment, which looked  
42 at Southeast yellowtail snapper.

43  
44 What this analysis does is it looks at the relative likelihood  
45 of catching one species while targeting another, and so it gives  
46 you an idea of which species are likely to be caught while  
47 yellowtail snapper fishing, where a positive regression  
48 coefficient means that -- The more positive the regression

1 coefficient, the more likely it is that that species will be  
2 caught when targeting the subject species. Then the more  
3 negative that value, then the less likely.

4  
5 This was broken up across the entire South Florida area and also  
6 the core area, which was more spatially restricted to focus on  
7 the area in which red snapper are primarily harvested in the  
8 Southeast, which is from the Dry Tortugas eastward and northward  
9 to Jupiter Inlet.

10  
11 We expanded upon this analysis to get a better idea of what  
12 potential bycatch issues might arise from this gear exemption  
13 and what species might likely be affected, and you can see the  
14 results of that progressing in Figures 2.1.3 through 2.1.5.

15  
16 What we did was we selected only Statistical Area 2 to examine  
17 catches, because it's within that statistical area that  
18 fishermen were telling us that the primary yellowtail snapper  
19 commercial harvest in the Gulf occurs, and it's mostly around  
20 the Tortugas.

21  
22 We constrained it to 2010 to 2015, just to use more recent data,  
23 but also to exclude non-IFQ years. From 2010 and beyond, both  
24 red snapper and all the shallow-water grouper and deepwater  
25 grouper species were all part of some IFQ program.

26  
27 The landings were represented as the sum of the total pounds  
28 landed, both gutted and whole weight, by species across all  
29 trips. They were separated into single-day trips, which is in  
30 Figure 2.1.4, and multiday trips, which is 2.1.5. We also  
31 filtered out any species that were not in the Reef Fish FMP,  
32 because, if they're not in the Reef Fish FMP, you don't have use  
33 circle hooks anyway.

34  
35 Lastly, or just kind of a parting note on this, is that  
36 approximately 40 percent of all single-day trips selected by the  
37 analysis landed only yellowtail snapper, while the same was  
38 shown for approximately 55 percent of multiday trips, and so you  
39 can see Statistical Area 2 in Figure 2.1.3.

40  
41 Then in Figure 2.1.4, we have the single-day trips. Primarily,  
42 these single-day trips, where they're going after yellowtail  
43 snapper, that's pretty much what they're catching. There's some  
44 red grouper that are caught in there, and we know some of the  
45 Keys guys that have Gulf commercial reef fish permits do have  
46 some shallow-water grouper quota, and so that makes sense. Then  
47 gray snapper are sometimes caught with yellowtail snapper as  
48 well. Then, if you look at the multiday trips, relatively the

1 same is true.

2  
3 In looking at some of the multiday trip data, we would see high  
4 landings of something like greater amberjack by a vessel on one  
5 day, but almost no yellowtail snapper. Then, the following day,  
6 they might have a ton of yellowtail snapper, but not very much  
7 amberjack, and so it definitely spoke to if they're fishing for  
8 yellowtail, that's probably what they're doing for that day.  
9 Are there any questions? I kind of went on for a minute there.

10  
11 **CHAIRMAN GREENE:** Are there questions or discussion? I am not  
12 seeing any. Martha.

13  
14 **MS. BADEMAN:** I was going to make a motion, if you're ready. I  
15 will make a motion to make Alternative 5 the preferred  
16 alternative for Action 1.

17  
18 **MR. SANCHEZ:** Second.

19  
20 **CHAIRMAN GREENE:** We have a motion. They're getting it up on  
21 the board. It was seconded by Mr. Sanchez. Mr. Fischer.

22  
23 **MR. FISCHER:** We will probably support this motion, but we have  
24 a question, in the fact that this is -- In the commercial  
25 industry, does the recreational industry prosecute the fishery  
26 the same way, meaning chumming them up and catching them right  
27 boat-side?

28  
29 **CHAIRMAN GREENE:** Mr. Rindone.

30  
31 **MR. RINDONE:** Thank you, Mr. Chair. I'm actually glad you  
32 asked. I forgot to talk about that. The way the recreational  
33 fishery is typically prosecuted for reef fish is it's a more  
34 multispecies approach on a single-day-type trip, and so  
35 yellowtail snapper, especially around the Keys and in the areas  
36 in the Gulf where yellowtail snapper are harvested, are caught  
37 through bottom fishing with hook and line.

38  
39 It's not to say that recreational fishermen don't use chum to  
40 try to bring fish up to the boat and attract them to the bait,  
41 but the manner in which the commercial fishery works, they are  
42 using rod blanks, basically, that just have one eye at the top,  
43 one guide at the top, and then maybe fifteen feet of line tied  
44 to it. There's no chance for the fish to run off with a hook or  
45 anything, which is why they have demonstrated that they often  
46 hook the fish right in the mouth. Using their de-hooking rig,  
47 which I think I put a picture of in the document, it makes it  
48 easier for them to de-hook those fish.

1  
2 Because of the stark difference in how the commercial fishery  
3 for yellowtail seems to work versus how the recreational fishery  
4 typically works, that's why the recreational sector wasn't  
5 included in the gear exemption.

6  
7 **CHAIRMAN GREENE:** Thank you. Is there further discussion? Mr.  
8 Atran.

9  
10 **MR. ATRAN:** Just briefly, this is one of the items the Law  
11 Enforcement Technical Committee did review, and their comment on  
12 this is that they support using the same boundary for yellowtail  
13 snapper as is going to be used for hogfish, and so they are  
14 supporting Alternative 5 in this document.

15  
16 **CHAIRMAN GREENE:** Okay. Thank you. Any further discussion?  
17 Dr. Crabtree.

18  
19 **DR. CRABTREE:** I have been out on commercial yellowtail trips,  
20 and also I've been out on recreational yellowtail trips. When I  
21 was out commercial fishing, I mean they put hundreds and  
22 hundreds of pounds of chum in the water, and the fish were in a  
23 big school right behind the boat. The water was yellow, and it  
24 is just dipping it in.

25  
26 The only significant bycatch that I saw was blue runner, which  
27 we don't manage. The tackle was very light. The hooks are  
28 small. If you hooked a big fish, the odds are that you're going  
29 to pull the hook on it anyway. I think, the way the fishery  
30 operates, the chances of interaction with a sea turtle or a  
31 protected species is negligible. You would see the turtle right  
32 in the boat, and you would break it off if you happened to hook  
33 it somehow anyway, and I think the hooks are small enough that  
34 it's probably just an insignificant risk.

35  
36 It does seem, to me, that this fishery is specialized enough  
37 that this makes sense and that any impact on discards or  
38 anything like that I think is negligible here, and so I support  
39 the motion.

40  
41 **CHAIRMAN GREENE:** Thank you. Any further discussion? We have a  
42 motion on the board. It's been seconded. **Is there any**  
43 **opposition to the motion on the board? Seeing no opposition,**  
44 **the motion carries.** Mr. Rindone.

45  
46 **MR. RINDONE:** Thank you, Mr. Chair. If we go ahead and move on  
47 to Action 2, which is on page 28, we have the season change  
48 action here for modifying the fishing year for Gulf yellowtail

1 snapper.

2  
3 Your current preferred alternative is to modify the fishing year  
4 for both the commercial and recreational sector from the current  
5 calendar fishing year, so January 1 through December 31, to  
6 Preferred Option c in both Alternatives 2 and 3, which is for it  
7 to open on August 1 and end on July 31. This mirrors the same  
8 move the South Atlantic made in December of last year for  
9 yellowtail snapper for both fishing sectors in their  
10 jurisdiction. Mr. Chair.

11  
12 **CHAIRMAN GREENE:** Thank you. We have Action 2 up on the board.  
13 Is there any discussion?

14  
15 **MS. MUEHLSTEIN:** Just really quick, we did hear public comment  
16 on this at our meetings, and the fishermen we spoke to supported  
17 the Preferred Alternatives 2 and 3c, because they thought that  
18 consistency with the South Atlantic was ideal.

19  
20 **CHAIRMAN GREENE:** Thank you. Mr. Atran, was there any law  
21 enforcement --

22  
23 **MR. ATRAN:** No, they had no comments on this item.

24  
25 **CHAIRMAN GREENE:** Thank you. Is there discussion by the  
26 committee? Does anybody want to weigh in or suggest a -- We  
27 have a preferred up there. Does anybody want to -- Everybody is  
28 good with it. Okay. We will move on to the next item, Mr.  
29 Rindone.

30  
31 **REVIEW OF CODIFIED REGULATIONS**

32  
33 **MR. RINDONE:** Thank you, Mr. Chair. At this point, we can have  
34 the codified regulations updated to reflect your current  
35 preferred in Alternative 1. Those can be reviewed with you at  
36 full council. At this point, we have preferreds and we have  
37 received public comment. If this is something that you guys  
38 think is appropriate to submit for secretarial review, you could  
39 do so.

40  
41 **CHAIRMAN GREENE:** Thank you, Mr. Rindone. Does anybody wish to  
42 -- Ms. Bademan.

43  
44 **MS. BADEMAN:** I don't remember the exact words, but I will make  
45 the motion to recommend that the council submit this to the  
46 Secretary of Commerce and -- There we go. **Recommend the council**  
47 **approve the Framework Action to Modify Commercial Gear**  
48 **Requirements and Recreational/Commercial Fishing Year for**

1 Yellowtail Snapper, and that it be forwarded to the Secretary of  
2 Commerce for review and implementation and deem the codified  
3 text as necessary and appropriate, giving staff editorial  
4 license to make the necessary changes in the document. The  
5 Council Chair is given authority to deem any changes to the  
6 codified text as necessary and appropriate.

7  
8 **CHAIRMAN GREENE:** Ms. Levy.

9  
10 **MS. LEVY:** In this case, I don't think that you have any  
11 codified text in the briefing book. Am I correct? Because we  
12 didn't have a preferred for the first action, I am not sure we  
13 provided codified text, and that would be provided for full  
14 council. If I'm wrong, we can leave it that, but if I'm right,  
15 I would take the language out about deeming the codified text,  
16 because you don't have any.

17  
18 **MS. BADEMAN:** I guess we need to scratch the last sentence then.

19  
20 **MS. LEVY:** I would remove "and deem the codified text as  
21 necessary and appropriate", that clause that's in the middle,  
22 and then yes, the last sentence. We can add that at full  
23 council, when you've had a chance to look at it.

24  
25 **CHAIRMAN GREENE:** I think that kind of captures what we're  
26 after. Is there a second to the motion on the board? It's  
27 seconded by Mr. Sanchez. **Is there any opposition to the motion  
28 on the board? Seeing no opposition, the motion carries.** Mr.  
29 Rindone, do you have anything else? Is staff clear with  
30 everything? Okay. I didn't have anything else noted for Other  
31 Business. Is there any other business to come before the Reef  
32 Fish Committee? Seeing none, we are adjourned.

33  
34 (Whereupon, the meeting adjourned at 8:52 p.m., April 6, 2016.)

35  
36 - - -