GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

SHRIMP MANAGEMENT COMMITTEE

Hilton Clearwater Beach Resort Clearwater Beach, Florida

June 20, 2016

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PAGE 22: Motion to eliminate the section on minimum lengths.
The motion carried on page 24.

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The Shrimp Management Committee of the Gulf of Mexico Fishery Management Council convened at the Hilton Clearwater Beach Resort, Clearwater Beach, Florida, Monday afternoon, June 20, 2016, and was called to order at 1:52 p.m. by Chairman Leann Bosarge.

ADOPTION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN LEANN BOSARGE: Let’s call the Shrimp Committee to order. If you look on Tab D, Number 1, our agenda is there. Are there any changes or additions to the agenda as presented? Seeing none, can I get a motion to adopt the agenda?

MR. DAVE DONALDSON: So moved.

CHAIRMAN BOSARGE: All right. Motion by Dave. Is there a second?

DR. KELLY LUCAS: Second.

CHAIRMAN BOSARGE: Okay. The minutes are in Tab D, Number 2. Are there any amendments to the minutes that are presented? Seeing none, do I have a motion to approve the minutes?

MR. DONALDSON: So moved.

CHAIRMAN BOSARGE: So moved and we have a second by Dr. Lucas. Any opposition to that motion? Seeing none, the motion carries. Our Action Guide and Next Steps, Tab D, Number 3, I believe Dr. Kilgour is going to lead us through that.

DR. MORGAN KILGOUR: Sure. Pretty much we’re just going to have an overview by Dr. Branstetter about the modifications to the BRD Testing Manual, and then we will go over the options paper after you hear an SSC report, and I can just make sure that everything is covered.

CHAIRMAN BOSARGE: Okay. Dr. Branstetter, are you still going to lead us through the Agenda Item Number IV, Overview of Modifications to the Bycatch Reduction Device Testing Manual?

OVERVIEW OF MODIFICATIONS TO THE BYCATCH REDUCTION DEVICE TESTING MANUAL

DR. STEVE BRANSTETTER: Yes, ma’am. Thank you, Madam Chair. This Tab D-4 in your briefing book. When all the BRDs started
being certified back in the late 1990s, we developed the BRD certification regulations. We also developed this BRD Testing and Certification Protocol Manual. This made a standardized format for anybody to be able to go out and test a BRD and then get it certified.

I can promise you, when Dr. Leard and I wrote that protocol in 1998, we never thought that it would ever need to come to a proposed and final rule stage to make administrative changes. We were thinking of changing the criteria from red snapper to 30 percent finfish and that kind of stuff, and that, we felt, needed to go before the council and it needed to be a proposed and final rule.

Anyway, over time -- Let me back up a little bit. Back then, there was no shrimp observer program, and so, to test these BRDs, we had been using forms that the Galveston Lab had made up, and so we just included those forms as part of the manual itself. They weren’t required to use them, but they were there if people wanted to use them. That was the kind of information we wanted to collect.

Over time, a lot of those forms have been updated or they’ve been deleted and they’re now obsolete, and so what we’ve decided to do -- They’ve been incorporated into the standardized observer program now.

We’re going to take those forms out of the manual itself, and so, while I was at it, I went through and cleaned up some of the other text. If you scroll down just a little bit farther on that page, I will give you a good example of a change. If you notice it says the applicant must submit a completed Appendix A. Well, Appendix A no longer exists, and so now we have to tell the people to please submit your name, phone number, and address.

These are the kinds of changes that are being made in this manual at this time, and, unfortunately, we will have to do a proposed and final rule to get it done. That’s the gist of the changes we’re making.

CHAIRMAN BOSARGE: All right. Any questions for Dr. Branstetter on the proposed changes? Mara, do we need to pass any sort of motion here to bless Dr. Branstetter’s changes or can the simple fact that we have no opposition voiced suffice?

MS. MARA LEVY: I think as long as we have it on the record that the committee and the council agree with the proposed
modifications. The framework says that the council will advise
the RA in writing of any suggested changes to the proposed
modifications, and so, as long as you don’t indicate that you
have any changes to what is proposed, I think we’re okay.

CHAIRMAN BOSARGE: Thank you. Moving right along, that takes us
to Agenda Item Number V, which is going to be our Options Paper
for Shrimp Amendment 17B, as well as the Special Shrimp SSC
Summary Report. Dr. Kilgour, I will turn it over to you.

DR. KILGOUR: If I could have Luiz give the SSC report on this
first, before we go through 17B, I think that would be helpful.

CHAIRMAN BOSARGE: Okay.

SPECIAL SHRIMP SSC SUMMARY REPORT

DR. LUIZ BARBIERI: Thank you. I was actually, again, going to
just present a few points. I don’t have a formal presentation.
Hopefully you have a copy of the amendment in front of you, on
your screens, so you keep track of Action 1, 2, and 3 in Shrimp
Amendment 17B.

There were several actions that were envisioned in this or are
envisioned in this amendment, optimum yield, maximum sustainable
yield, a cap on the number of permits, use of a permit pool, and
transit provisions. I am not going to be able to comment on all
of those, but the SSC actually weighed in on a number of these
issues that had technical details that we felt would be good for
the committee to review for you.

First would be the methodology used, the criteria and
methodology used, for estimating the aggregate MSY and OY that
are being proposed in Shrimp Amendment 17B. The SSC really had
no concerns about those methodologies and accepted those
estimates as presented and blessed the methodological approach
as the best scientific information available.

We then reviewed Actions 1, 2, and 3, and we had no issues with
Action 1, which basically proposes the new aggregate MSY. For
Action 2, the SSC thought -- There was a comment and some
discussion about the fact that we needed to have some additional
options presented, perhaps. It wasn’t really a methodological
or scientific-based comment, but just the fact that the way the
options are presented there, you just don’t have enough of them
to differentiate between the no action and the action being
proposed.
Then we had some discussions on Action 3, which proposes a minimum threshold for the number of Gulf shrimp vessel permits. By and large, the committee did not have a problem with this action as well, the methodologies used to propose those metrics. However, we felt that we would like to see more detail in the rationale for the numbers that are presented in terms of the thresholds, the options, for the different levels of those thresholds.

We were told that there was more detail on that that was available in the appendix to this report, but we felt that that discussion could be expanded to be more detailed, but no major concerns from the committee regarding any of the actions provided in Shrimp Amendment 17B. That, Madam Chair, concludes my presentation.

CHAIRMAN BOSARGE: Are there any questions for Dr. Barbieri? I have a question, Luiz. Has the SSC weighed in yet with some sort of risk assessment regarding the thresholds and turtles? Have they weighed in with a risk assessment? Have they conducted a risk assessment yet?

DR. BARBIERI: The short answer is no, the SSC has not weighed in on that. I know that -- I am aware of the fact that there has been a biological opinion. My understanding of that is that it incorporates some level of risk assessment related to turtle bycatch.

I don’t remember, and I haven’t missed any SSC meetings in quite a while, but I don’t remember us going through that risk assessment in detail. I know that the quantities, in terms of the fishing effort that is being proposed for the levels of OY are pretty much around that 75,000 days that really puts the OY level pretty much at that threshold. I don’t know how close, if it’s a little over or a little under. I haven’t seen the details, and I don’t believe that the committee has either.

CHAIRMAN BOSARGE: Thank you, sir. Any other questions for Dr. Barbieri? Ed.

MR. ED SWINDELL: Excuse my newness to this whole effort business, but what is the effort? What is the terms for the effort? Is it vessel length or is it vessel tons or vessel days? What is it?

DR. BARBIERI: It depends on what exactly was in the process you’re talking about. Within the assessment is one thing, but there are other metrics that are used. In this case, in this
amendment, it’s number of days.

MR. SWINDELL: I am looking at an MSY curve here that gives me catch and effort, and the catch is in what number? Is that in tons or is it thousands of fish or is it what? What is the catch?

DR. BARBIERI: You’re going to see that the -- I don’t have it in front of me, but perhaps, Bernie, if you can --

MR. SWINDELL: It’s on page 9.

DR. BARBIERI: Yes, on page 9 is the Graham-Schaefer surplus production model estimate. It’s relating catch and effort to propose an estimate of MSY, and that is the metric that was used to generate the reduction to OY. You’re going to have catch on the Y-axis and effort.

MR. SWINDELL: Yes, but what is catch in? Is it tons? What is the --

DR. BARBIERI: The units?

CHAIRMAN BOSARGE: I believe it’s pounds of tails, Ed. Typically, our catch is measured in pounds of tails.

MR. SWINDELL: Pounds, total pounds?

CHAIRMAN BOSARGE: Pounds of tails, right.

MR. SWINDELL: Pounds of tails and not heads on.

CHAIRMAN BOSARGE: Typically, it is in tails, most of the time, yes.

MR. SWINDELL: Heads off, tails. What is the effort, in units of effort?

CHAIRMAN BOSARGE: Effort is typically measured in days, twenty-four-hour days, fished.

MR. SWINDELL: Vessel days. Okay. Thank you.

CHAIRMAN BOSARGE: Any other questions for Dr. Barbieri? Thank you, Luiz.

DR. BARBIERI: Thank you, Madam Chair.
CHAIRMAN BOSARGE: Dr. Kilgour, I will turn it over to you to lead us through Amendment 17B, please, ma’am.

OPTIONS PAPER FOR SHRIMP AMENDMENT 17B

DR. KILGOUR: If we can go ahead and scroll ahead to Action 1. Again, the aggregate MSY for the Gulf of Mexico shrimp fishery, there were two alternatives that were presented for the aggregate MSY. One is no action, don’t establish one, and the other was to use the working group’s methodology to set aggregate MSY to just over 109-million pounds of tails.

This, again, is the AP-preferred alternative, and the committee does not need to make a recommendation. We’re still at the options paper stage, and so, if there aren’t any questions about this one, we can move ahead or I can answer questions.

CHAIRMAN BOSARGE: Are there any questions or comments on Action 1 from the committee? I see none. Morgan, I would just like to back up for just a second. In the history of management section, I read through it, and I mentioned last time, the last time we had a committee meeting on this document, I would like to see a little bit of verbiage in the document about the management measures relative to TEDs that were implemented in the industry, and I think it was added to the document.

I think it’s further along, in one of the later chapters, but I think that probably should be highlighted in the history of management. I think it was one of the most significant changes to our industry, and I think it probably hits the highlight reel there in the history of management. That’s just my personal opinion, but, other than that, let’s go ahead and proceed on.

DR. KILGOUR: Okay. Action 2, this is the action that addresses the aggregate OY for the Gulf shrimp fishery. The Alternative 1 is no action, don’t establish an aggregate OY. Alternative 2 is to have the aggregate OY equal to just over eighty-five-million pounds of tails, which is the aggregate MSY reduced for certain biological, social, and economic factors.

Again, we went through the rationale for how the working group established this at the April council meeting, and the SSC didn’t have any problems with that rationale, but they did feel that we needed to provide an additional alternative.

The IPT has not met since the SSC met. Some of the members have been discussing that perhaps we should set OY equal to different years, based on the CPUE or just like we have in Action 3, and
so I guess, from the IPT and staff standpoint, does the committee have any recommendations for an alternate method of calculating OY, so that you have another alternative, or would you like the IPT to produce something and bring it back to the August council meeting?

CHAIRMAN BOSARGE: Dr. Crabtree.

DR. ROY CRABTREE: From what I can tell from the SSC, they seemed to just have an issue that there were only two alternatives here, and there’s been some long-standing notion floating around that you have to have at least three alternatives, but, in fact, there is nothing in NEPA that says anything like that, and so I think there is an explanation in here of why these are the alternatives we have.

I think we can come up -- If we can come up with another reasonable alternative that has some rationale for why it is reasonable, then that would be fine to add, but I don’t think we need to just create a new alternative just for the sake of having a new alternative, and I can’t tell, from the SSC report, that they actually had an alternative that they thought we should put into it.

CHAIRMAN BOSARGE: Dr. Kilgour.

DR. KILGOUR: Thank you, Madam Chair. The SSC didn’t make a specific recommendation. They did discuss potentially having an alternative that incorporated confidence limits about that OY that was recommended, but there was no specific motion, and so Dr. Crabtree is correct.

CHAIRMAN BOSARGE: Okay. Any other comments on Action 2? Myron.

MR. MYRON FISCHER: I have a comment about the entire document in general. On our proposed actions through 2016, earlier in the documents, and not in shrimp, but in mean in council documents, there is no schedule for this 17B after this meeting. I think if we had a discussion first of where we’re going down the road, where we’re going in August and where we’re going in the fall, it might accelerate some of the actions we have to do now, and so I would like to -- Maybe if staff could comment on what’s the progress going to be.

CHAIRMAN BOSARGE: Dr. Kilgour.

DR. KILGOUR: Sure. It’s my understanding that we will have a
public hearing draft ready for you in October. The economic analyses that are going to be required for that draft are taking some time, and I have been informed that that is when they will be ready.

MR. FISCHER: Thank you, and so I would almost assume, with a couple more meetings, we’re not making any drastic changes to the document at this time and we’re just maybe reviewing the SSC findings and how that falls into MSY and OY, but we’re not making a complete overhaul. Would you feel that’s safe?

CHAIRMAN BOSARGE: Yes, we’re going through the document and any feedback we have for staff and the IPT, we need to put it on the record and let them know where we want this to go. Is there any other feedback on Action 2? All right, Dr. Kilgour, we can continue.

DR. KILGOUR: Okay, and so now we’re on to Action 3, which is the action that establishes a threshold for the minimum number of permits. It does not actively remove any Gulf shrimp permits, and this is only for monitoring purposes.

The first alternative is do not set a threshold number of permits. The second alternative sets the number of valid or renewable Gulf shrimp vessel permits equal to the predicted number of active permitted vessels, those with landings from offshore waters, needed to attain the aggregate OY, which was set in Action 2. The aggregate OY accounts for relatively high CPUE in landings while reducing the risk of exceeding the sea turtle and juvenile red snapper bycatch. This was the AP preferred alternative.

Alternative 3 sets a threshold number of valid or renewable Gulf shrimp permits equal to the predicted number of active permitted vessels during 2011, when effort was highest during the moratorium in the area monitored for red snapper juvenile mortality, but without reaching the bycatch reduction threshold and triggering closures.

Alternative 4 sets a threshold number of valid or renewable Gulf shrimp vessel permits equal to the predicted number of active permitted vessels during 2008, when catch per unit effort in the offshore fishery was highest during the moratorium.

Alternative 5 sets a threshold number of valid or renewable Gulf shrimp vessel permits equal to the predicted number of active permitted vessels in a year with relatively high CPUE in the offshore fishery without a substantially reduced landings and
with effort that is close to the effort needed to achieve OY, and so this is in 2007 or in 2012.

Alternative 6 is the only alternative that’s the number of valid permits, and it sets a threshold number of valid or renewable Gulf shrimp vessel permits equal to the number of valid permits at either the end of 2013, the end of 2014, or the end of the initial moratorium on October 26, 2016. Is there any discussion about these alternatives?

CHAIRMAN BOSARGE: Is there any feedback or discussion or comments from the committee on Action 3 in the document, in the proposed alternatives? Okay, Morgan, you can proceed on.

DR. KILGOUR: If we move ahead to Action 4, this is the action that I would actually -- It’s the response when the threshold number of shrimp moratorium permits is reached. Alternative 1 is no action, nothing happens.

Alternative 2 is if the number of valid or renewable shrimp moratorium permits reaches the threshold set in Action 3, any permits that are not renewed within one year of the expiration date will go into a permit pool.

Alternative 3 is if the number of valid or renewable shrimp moratorium permits reaches the threshold set in Action 3, the council will form a review panel to review the threshold and determine if action is needed.

Alternative 4, which is the AP-preferred alternative, is when the number of valid or renewable shrimp moratorium permits reaches 1,300, the council will form a review panel to review the details of a permit pool and other options. If the number of permits reaches the threshold set in Action 3, any permits that are not renewed within one year of the expiration date on the permit will go into a Gulf shrimp vessel permit reserve pool. The panel would consist of Shrimp AP members, SSC members, and NMFS and council staff.

CHAIRMAN BOSARGE: Okay. Is there any feedback from the committee on this action? All right, Morgan, go ahead.

DR. KILGOUR: Action 5 is the issuance of the reserve Gulf shrimp vessel permits in that permit pool, and I do need some committee feedback on some of the areas that are highlighted in yellow, specifically with the length requirements when we get there.
Alternative 1 is no action. Individuals must submit a completed application to NMFS to be issued a reserved Gulf shrimp vessel permit. Applicants with complete applications will receive a Gulf shrimp vessel permit reserve pool permit if one is available.

Alternative 2 is NMFS will maintain a waiting list for the permits in the permit pool and will notify individuals in the order in which they appear on the list when a permit pool permit becomes available. Once notified, the individual must submit a completed and up-to-date application to NMFS to be issued a reserved Gulf shrimp vessel permit. To be eligible for a reserved Gulf shrimp vessel permit, the applicant must meet the requirements selected below, and a reserved Gulf shrimp vessel permit may only be transferred to an individual who also meets the eligibility requirements.

Option a is there are no eligibility requirements. Option b is the applicant must be a U.S. citizen or business. Option c is assign the permit to a vessel that is of at least X in length on the application. Option d is to assign the permit to a vessel with a U.S. Coast Guard dockside safety exam for the fishing activity beyond three miles. Option e is, after receiving a reserved Gulf shrimp vessel permit, the permit holder must show proof of shrimp landings from the Gulf associated with the vessel through the trip ticket or other applicable landings programs within twelve months of the issuance of the permit or the permit will not be renewed.

We should note that any of the options -- The council should discuss the type of proof required for meeting the eligibility requirements.

CHAIRMAN BOSARGE: Okay, committee, we need some feedback on this one. Myron.

MR. FISCHER: Thank you, Madam Chair. If we have to discuss -- I am discussing type of proof required. Under Option c, the length, they would have to furnish their document, and the length of their vessel is going to be stated on their document. For proof of length, it would be document. I really can’t speak to the others.

CHAIRMAN BOSARGE: Dr. Crabtree.

DR. CRABTREE: I think the question is what’s the minimum length that goes in the X?
MR. FISCHER: I was on the note on the bottom, where she was asking for a little more conversation, a little more dialogue, on discussing these eligibility requirements. I am not in favor of a length, and so I wouldn’t support a length. I don’t like Option c, because I feel that we shouldn’t be dictating to fishermen what size vessels they should be using. When this comes to fruition, come October and we’re voting on it, I wouldn’t be supporting Option c either way.

CHAIRMAN BOSARGE: Dr. Crabtree.

DR. CRABTREE: I think that troubles me about it is that we’re potentially a decade away from hitting this threshold, and so would we want to -- I mean conditions could change so much then that it just seems, to me, to set all the ways this would work is kind of premature. It would make more sense to set the threshold and then the council figures out, with a review panel, what to do with it when and if we actually get to it.

If we did it that way, then it doesn’t seem to me that this action becomes essential to any of this, and we would figure this out when we get there, because I can tell you -- I mean we’ve all watched how economic conditions in the shrimp fishery have changed over the last ten to fifteen years, and I suspect that, in the world we live in now, that things will be very different a decade from now than they are today.

CHAIRMAN BOSARGE: I have to agree with you that we could be a very long way away, and I think, during our last committee meeting, we actually took this out, but then decided to put it back in, I believe.

The reason that we put it back in at this point was because, in Action 3, we actually have alternatives that will create a permit pool immediately, and so, when this document is finalized and implemented, a pool would be formed. As long as we have those alternatives still standing in that action, then I think this conversation is a valid one.

Now, if at some point all of the alternatives are actually creating a permit pool at some point in the future, in other words at some lower level of permits than what we are right now, then this conversation could move to an appendix in the document, to at least give some idea of what the conversation was and what this body was hoping to achieve from this permit pool, which I think is what these Options a through e are getting at.
It’s essentially that we’re looking to bring new entrants into the fishery that would get this permit and actually fish it, and that’s what a lot of this is getting at, in addition to entrants that will be responsible stewards.

I think that’s what Option d gets to, that they will meet all the safety requirements that are required to operate beyond the three-mile line, and so I think that’s what this is getting at, but as long as we have alternatives in that Action 3 that would create a pool immediately, then I think we have to go through this exercise at some point or another.

DR. CRABTREE: I guess, although it does seem to me that we could go through all of the decisions and create the threshold and then, if this all gets approved and put in place, then there is a pool.

Then we would know at that point how many vessels are in the pool and potentially how many permits are we going to issue, and then we could bring in an advisory panel to talk to us about how to deal with that, and we would have a better sense then of we’re talking about permits now versus permits in a decade and how many permits are we talking about and all that kind of thing.

It’s hard to think about it now, when it could be -- Like you said, it could be we’re already there and the pool is created, or it could be ten years out, because the way we might want to structure how we do it could be very different, and then it gets really complicated, and so I’m thinking of it as step one is to decide on the threshold and create the pool and then step two is what are we going to do with the pool and who gets them.

CHAIRMAN BOSARGE: I concur. I think once we get far enough along in this document that we can see what direction we’re headed in Action 3, I think then, at that point, we can make some more decisions and go from there, most definitely, but I think it is going to be a step-wise approach, and one is going to kind of dictate the other. Mara.

MS. LEVY: Just a comment on the note about discussing the type of proof required. Obviously we’re a way down the road, but I think a main decision point is whether to require proof. You could have, if you did have a vessel length requirement, you have to be forty feet or whatever, that could be a check-box on the application, which you are signing under the penalty of perjury, or we could require them to submit an extra piece of paper proving that their vessel has been measured at that
length, and so I think that’s a decision point, when you come to those, that you could either -- You could go either way, making the submission of a separate document or adding it to the application, which is sort of self-certified.

CHAIRMAN BOSARGE: I will weigh in on that one. It had been my intention that you would have to submit an additional document. In other words, if Option d went into the final document and was implemented, then the Coast Guard actually gives you a form, where you have gone through your safety inspection, and that would have to be submitted, and it shows that you are legal to fish outside of three miles, and that would have to be submitted with your application to get one of these permits. That is the way I had always envisioned it. Any other feedback on this action? All right, Dr. Kilgour.

DR. KILGOUR: Just to kind of breeze through the remaining alternatives, they all have the same Options a through e. If it’s all right with the committee, I will save my voice and not say them all, but Alternative 3 would be different than Alternative 2 in that the reserved Gulf shrimp vessel permits will be available from NMFS once per year and will be issued to applicants in the order in which applications are received after the availability of permits is announced.

It is slightly different than -- One is the order in which they appear on the list and the other is the order in which they are received.

Then Alternative 4 is the reserved Gulf shrimp vessel permits will be available from NMFS once per year. If the number of applicants is greater than the number of reserved Gulf shrimp vessel permits, NMFS will conduct a lottery to determine which individuals may be issued the available permits. Those are the three differences from these. Other than that, the Options a through e are all the same.

CHAIRMAN BOSARGE: All right. Any further comments? Dr. Kilgour, you had your hand raised?

DR. KILGOUR: I just wanted to reiterate that we have additionally highlighted in the document, in Table 2.5.1, two methodologies for coming up with that vessel length for Option c, because we will need something to help with our discussion and our review of the alternatives on what this vessel length is, and so it would be helpful if the committee could help with -- If there is going to be a vessel length option, we need to have a value there.
We have two methods. One is less than sixty feet or greater than sixty feet and the other is in twenty-five-foot increments up to seventy-five feet or more.

CHAIRMAN BOSARGE: Committee, that’s on page 27 of the document, Table 2.5.1, that Morgan is referring to. Is there a pleasure of the committee as far as a length requirement at this point in time? I hear a lot of mumbling going on, Morgan, and so I’m assuming that people are kind of going through that table at this point and maybe they can examine it a little bit more before full council and maybe give us a little bit of feedback as we go through that committee report. Dr. Crabtree.

DR. CRABTREE: Yes, because I think, in order for staff to analyze all of this, we’re going to have to give them some lengths and things and some specifics. If you’re not comfortable with it, that’s fine, but, at some point, we’re going to have to get there or we’re not going to be able to complete the document.

CHAIRMAN BOSARGE: Lance.

MR. LANCE ROBINSON: Morgan, I have a question, or maybe someone here on the committee can help me. In these two methods here, where you’re breaking it down by two sizes, would the permit -- If a smaller vessel -- In the case of the first option, Method 1, if a forty-foot vessel had a vacant permit, could it be increased up to fifty-nine feet? Is there any limit on the size movement within the categories?

CHAIRMAN BOSARGE: Wait a minute. Can you say that again now?

MR. ROBINSON: Under Method 1, where you have a permit that’s less than sixty feet, correct, a vessel that’s less than sixty feet, if that vessel happens to be -- Let’s go to an extreme. On your Method 2, you’ve got some vessels less than twenty-five feet. If you had a vessel that’s in that Method 1 that’s twenty-five feet in size, and that permit is available, can it go on a vessel larger than twenty-five feet, if it’s under Method 1?

CHAIRMAN BOSARGE: Yes, I think what you’re getting at -- If you look back, on page 24, there’s permits that are out there already right now, moratorium permits, and this is not going to apply to those permits. This is permits that are in this reserve pool that you can go and get.
The Option c says that those permits in the pool would only be assigned to a vessel that is of a certain length on the application or on the documentation paperwork, and so what we’re saying is -- In other words, whatever we put in this blank, if we say it’s fifty feet, then if you have a vessel and you want to go get a permit, that vessel has got to be of at least fifty feet or greater for you to apply for the permit. We’re setting the minimum vessel length.

Before, if I remember correctly, one iteration of this document actually, instead of length, was thinking about requiring a net tonnage, a five-net-tonnage requirement, and that was having to do with being documented. If you step outside into federal waters and you’re five net tons, you have to be a documented vessel.

If you have a documented vessel, that would work, and that kind of gets around a little bit of the length, but we took that out and we’ve gone back to this length requirement, or maybe the length requirement was always there, but we’ve gone back and forth about how to get at this length and try and make sure that the vessel that’s getting the permit is one that will actively fish, as opposed to a skiff in someone’s backyard. Dr. Crabtree.

Dr. Crabtree: Then, on the landings requirement, it just says show proof of landings, and so it could be proof of I landed five shrimp. It’s any amount of landings.

Chairman Bosarge: At this point, yes, and so you would probably need to show a trip ticket of some sort from state that is proof of landings, and that would need to be submitted in order to renew that permit on that one-year renewal date, but that is something that we can definitely look at.

Yes, there is a landings threshold, but what is it? Is it one pound or is it 1,000 pounds or is it some other number, and so that’s an option as well.

Dr. Crabtree: That requirement is every year to renew and not just a one-time, the way I’m reading it.

Chairman Bosarge: Dr. Kilgour.

Dr. Kilgour: I don’t believe so, and I think in the discussion that it should say that it’s a one-time proof of landings. That’s all that it is. Once you prove that you have landed
shrimp that first year, you can continue to renew the reserve permit.

DR. CRABTREE: All right. As long as that’s clear in the document, I’ve got you.

CHAIRMAN BOSARGE: I did get to actually speak to one of the individuals on the council from Western Samoa that we kind of looked at that permit system that has a permit pool, and their permits are a use-it-or-lose-it every year. I mean I’m not saying that we should go that way, but I happened to speak to them, and that is the way theirs is. Dr. Lucas.

DR. LUCAS: I know Myron is the one that put this in here, but I think he was going for, and Myron maybe could speak to this, but it was kind of more along the lines of use-it-or-lose-it, where every year they would have to show the proof of landings or the permit would revert back to the pool.

MR. FISCHER: Especially for these permits, because these were something special that you were getting, and so you had to -- You couldn’t apply for it if you had no intent to use it or if you were going to put it on a shelf. It would be a non-transferable permit that you had to fish. If you didn’t fish it, you lost the permit. It’s just that simple. That was the theory behind what I was trying to do. I know that didn’t answer your question.

DR. LUCAS: I was just wondering, since it wasn’t structured as such in the document, if you wanted discussion, so that it would be structured that way for that argument.

CHAIRMAN BOSARGE: Thank you, Dr. Lucas. Any other -- Mara.

MS. LEVY: So I guess it’s not clear to me which way that option is going, and maybe you don’t need to decide right now, but, at some point, I think the alternatives should be very clear about whether it’s an annual requirement or a one-time deal.

CHAIRMAN BOSARGE: All right. Any further discussion? Dr. Kilgour.

DR. KILGOUR: I guess I am going to ask for some clarification, because I seem to recall that Option a was developed by the Shrimp AP and they had some concerns that if you -- They can’t always fish every year. Sometimes your vessel breaks down and sometimes you have health things, and so you would lose that permit. I just need to make sure that I’m capturing what the
council wants and that this is a you have to renew every year, so that we can make sure that we capture that in the discussion.

CHAIRMAN BOSARGE: Yes, and I was thinking about that as we were having this discussion. In the document somewhere, it talks about inactive permits, for the ones that are on the books now, and that that happens for a multitude of reasons. Someone may have issues with their vessel or may become sick or things like that, and so I think this is something we’re probably going to have to have some discussion on and figure out which way we’re going to lean on it.

Really, Action 3 may kind of drive us in one direction or the other, depending on how many permits are in this pool. If there’s a larger number of permits in this pool, then we may be more apt to do a use-it-or-lose-it, where we feel that people would still -- There would still be excess permits in the pool and people would be able to go and get another one, once their vessel is back up and operating or whatever the case may be that drove them to not have landings. I think that may drive the discussion on this item as well.

DR. KILGOUR: I guess that will be a later decision from the council for me. Has the committee decided on a length? That Table 2.5.1 gives you the percentage of vessels in each of those length categories, but, for there to be adequate discussion and analyses on that, we do need a length from the committee.

CHAIRMAN BOSARGE: The table that you have in front of us, Morgan, shows us that essentially, when you break the fleet down into a sixty-foot or under or sixty-foot or over boat length categories, that about 76 percent of the boats fall into that sixty-foot and greater. Then you went a step further and tried to break it down into a few more categories for us.

If we do a fifty-foot break point, essentially, then we capture round about 83 percent of the entire fleet falls into that greater than fifty-feet category.

It seems to me that it would be more restrictive to go with the sixty rather than the fifty. The fifty would allow more of those vessels that are currently out there to be eligible for one of these permits in a permit pool that might be created, but I’m only one person on the committee trying to give you a little feedback.

I think that when we had a discussion, when Commander Brand was here and we were asking about the five net tons, he said,
generally speaking, that’s going to be a vessel that was -- I hope I quote him right, but I think he said thirty-five feet or greater is five net tons, and that’s kind of a threshold that we’ve looked at in the past, and so that’s those last two brackets. Johnny.

MR. JOHNNY GREENE: I certainly don’t anticipate speaking for the Coast Guard very often, but this is one thing that I do know a little something about. A vessel of any net tonnage is a cubic measurement. It has nothing to do with length. It has to do with number of bulk heads, et cetera, et cetera, and so on.

I do think that Mr. Perkins will be here for this meeting, was the intent, and he can clarify it. I do know there are some rather small boats that would qualify under five tons. When I qualified my initial captains license, I was writing off center-console-type boats at five gross tons, and it was completely within the parameter of the law, and so just be careful with that definition and seek some clarification because you go any further.

CHAIRMAN BOSARGE: That was Commander Brand’s rule of thumb is what he said. There is not a strict definition for it, but he said rule of thumb, generally speaking, is around thirty-five feet. Any more discussion from the committee? Is anybody willing to throw out a minimum length, based on those two methods? Mr. Fischer.

MR. FISCHER: I would move we eliminate the entire section on minimum lengths. I think if a vessel wants to go offshore and have landings during that calendar year, I think he should try whatever size boat he’s on. That’s his business prerogative.

CHAIRMAN BOSARGE: Dale.

MR. DALE DIAZ: I am not on your committee, Madam Chairman, but something is going through my mind and I figured I would bring it up. In certain parts of the Gulf, the shelf tapers off very slowly, and we’ve still got this three-mile/nine-mile dispute. All three center states are claiming nine miles, and the feds recognize three miles.

I could think of several areas off the State of Louisiana where the bottom tapers off very gradually and it’s not a big deal for these smaller boats to get out there, and I’m sure there’s a lot of areas in the Gulf that are like that, and so I would just point out that that might be something that folks might want to consider whenever they are pondering this. Thank you.
MR. FISCHER: So can Dale second my motion, being he’s not on the committee?

DR. LUCAS: I will second your motion.

CHAIRMAN BOSARGE: Is there discussion on the motion?

MR. FISCHER: Leaving it in might answer the question I’m about to ask, but we’re trying to get these permits to real legitimate fishermen, and I don’t know if a vessel length makes you a real fisherman. I think there is other methods, and the fact that you’re actually landing shrimp.

Now, we may have to tweak the language on landing shrimp, as Roy brought out to me, but I just don’t think the criteria of vessel length is doable, because I just see a lot of small boats that far out.

CHAIRMAN BOSARGE: Dr. Crabtree.

DR. CRABTREE: What did the AP recommend? Did they want a length, and did they suggest a particular length?

CHAIRMAN BOSARGE: I would have to refer to Morgan as to whether they suggested a specific length. I know that they have had a lot of discussion about having a minimum length requirement, and, generally speaking, and correct me if I’m wrong, but that was to keep it from -- Right now in the industry, we have some moratorium permits that are on skiffs in somebody’s yard somewhere. It’s not a vessel that is rigged to shrimp, nor will it ever be rigged to shrimp.

It was to get away from someone being able to take a permit and put it on a boat that wouldn’t truly operate in federal waters and increase landings for our federal fishery. That’s essentially my take on it.

DR. KILGOUR: That length requirement was, again, an AP recommendation a couple of years ago, but, since then, they prefer Option b, Option d, and Option e. They felt that the U.S. Coast Guard dockside safety exam would be more sufficient than having a length, because they couldn’t decide on an appropriate length.

CHAIRMAN BOSARGE: We have a motion on the board from Mr. Fischer and seconded by Dr. Lucas. Do we have any further discussion on the motion? Any opposition to the motion? Seeing
none, the motion carries. All right, Dr. Kilgour, we can try and wrap it up. I think we’re just about at time.

DR. KILGOUR: Yes, we’re right at time. Action 6 hasn’t changed since the time the committee saw the document, and that’s that transit provision. We added Alternative 4, as you recommended, which is the only change in the transit provision, and that’s to identify the bag straps as needing to be removed from the net.

hat was a lot easier for the fishermen to do, and so I will just read the alternative. A vessel possessing shrimp may transit through Gulf federal waters without a federal vessel permit if fishing gear is appropriately stowed. Transit means nonstop progression through the area. Fishing gear appropriately stowed means the trawl net may remain on deck, but the bag straps must be removed from the net.

CHAIRMAN BOSARGE: All right. Any feedback for Dr. Kilgour on this action? All right, Dr. Kilgour.

DR. KILGOUR: That’s the end.

CHAIRMAN BOSARGE: I believe that brings us to the end of our committee agenda. The Shrimp Committee is adjourned.

(Whereupon, the meeting adjourned at 2:47 p.m., June 20, 2016.)