

Gulf Council Motions Report
August 23-26, 2021
San Antonio, Texas

ADMINISTRATIVE/BUDGET

Modification of Statement of Organization Practices and Procedures (SOPPs)

Motion: To revise the Statement of Organization Practices and Procedures (SOPPs) language to read as follows:

The Council has established a Standing SSC and Special SSCs for individual fishery management plans or areas of expertise to provide expert scientific and technical advice to the Council. The SSC shall review and comment on the scientific adequacy of such statistical, biological, economic, social, and other scientific information as is relevant to the Council's development and amendment of any fishery management plan.

During the appointment process of the Standing SSC, the Council shall appoint no more than 17 individuals which will include 8 stock assessment or quantitative biologists/ecologists. The remaining appointees shall include at least 2 economists and at least 2 anthropologists/sociologists, and 5 other scientists. Each member will have demonstrable expertise in one of the above categories. Each Special SSC will be comprised of no more than 3 members, and none of those three shall be a member of the Standing SSC or another Special SSC. When a Special SSC meets with the Standing SSC, members of the combined committees will vote as a whole committee.

Council members or their designees may not simultaneously serve on the Council and an SSC.

Motion carried with no opposition.

Discussion on SSC Stipends

Motion: To increase the SSC stipend from \$300/day to \$325/day.

Substitute Motion: To increase the SSC stipend from \$300/day to \$350/day.

Substitute Motion carried with no opposition.

DATA COLLECTION

No motions.

HABITAT PROTECTION AND RESTORATION

No motions.

LAW ENFORCEMENT

Approval of Cooperative Law Enforcement Strategic Plan 2021-2024

Motion: To approve the 2021-2024 Cooperative Law Enforcement Strategic Plan.

Motion carried with no opposition.

Approval of Cooperative Law Enforcement Operations Plan 2021-2022

Motion: To approve the 2021-2022 Cooperative Law Enforcement Operations Plan.

Motion carried with no opposition.

MACKEREL

Public Hearing Draft Amendment 32: Modifications to the Gulf of Mexico Migratory Group Cobia Catch Limits, Possession Limits, Size Limits, and Framework Procedure

Motion: To take Amendment 32: Modifications to the Gulf of Mexico Migratory Group Cobia Catch Limits, Possession Limits, Size Limits, and Framework Procedure out for public hearings.

Motion carried with no opposition.

REEF FISH

Draft Framework Action: Modification of Gulf of Mexico Red Grouper Catch Limits

Motion: In Action 1, to make **Alternative 2** the preferred.

Alternative 2: Modify the red grouper OFL, ABC, ACLs, and ACTs based on the recommendation of the Scientific and Statistical Committee (SSC), as determined from the 2021 red grouper stock analyses provided by the Southeast Fisheries Science Center and using the sector allocations as well as the ACL and ACT buffers for red grouper set forth in Reef Fish Amendment 53.

OFL	ABC	Total ACL	Comm ACL	Rec ACL	Comm ACT/Quota	Rec ACT
5.99	4.96	4.96	2.94	2.02	2.79	1.84

* Values are in millions of pounds, gutted weight.

Motion carried with one in opposition.

Motion: To request the SEFSC complete a red grouper analysis similar to the analysis done for king mackerel, which will show estimates of what the historical OFLs and ABCs would have been with FES landings.

Motion carried with no opposition.

Discussion of Final Document – Framework Action: Gulf of Mexico Red Snapper Recreational Data Calibration and Recreational Catch Limits

Motion: In Action 1, to make **Alternative 3** an additional preferred to the Preferred Alternative 2 with the following modification:

Alternative 3: For 2022 only, reduce each of the state-specific red snapper private angling component ACLs by 23%, retaining the allocation percentages established in Amendment 50A of the Reef Fish FMP. The resulting state-specific ACLs are as follows:

Alabama 864,450 lbs ww
Florida 1,473,357 lbs ww
Louisiana 628,499 lbs ww
Mississippi 116,694 lbs ww
Texas 204,131 lbs ww

The 23% buffer will be applied to any subsequent increase in the state-specific ACLs for the recreational private angling component for red snapper.

Motion failed 3 to 13 with one abstention.

Motion: To request the NOAA Office of Science and Technology work with the Gulf States Marine Fisheries Commission and associated State Partners to conduct a data workshop, to include an examination of how wave-specific estimates associated with low sample size and shortened seasons may affect CHTS/FES recreational red snapper landings and corresponding calibration ratios, as well as consideration of 2020 data. Findings from this workshop, including recalculated calibration ratios and associated data inputs, shall be reviewed for appropriateness for management use by the SSC prior to calibration implementation currently scheduled to occur on January 1, 2023.

Motion carried with no opposition.

Motion: In response to the direction of the United States Congress in the 2021 CJS Appropriations legislation that passed by broad bipartisan support, I move that before making any related regulatory changes derived from recreational landings calibration, NMFS, as directed by Congress, is to address the question of which data collection system (i.e., MRIP or the catch data programs administered by the Gulf States) are providing the best estimates of recreational red snapper catch in the Gulf of Mexico and for NMFS to contract with a non-governmental entity with expertise in statistics and fisheries-dependent data collection to provide the following: (1) an independent assessment of the accuracy and precision of both the Federal and State recreational catch data programs in the Gulf of Mexico; (2) recommended improvements to be made to the Federal and State recreational catch data programs in the Gulf of Mexico to improve accuracy and precision; (3) an independent assessment, based on the results of the two prior items, to how best to calibrate the Federal and State recreational catch data programs in the Gulf of Mexico to a common currency; and (4) a determination of a simple state-by-state exploitation rate (F) using total combined fishery-dependent sources of state harvest from commercial anglers and federally-permitted anglers interchanged with Federal and state recreational data program estimates and abundance estimates off respective states from the Great Red Snapper Count.

Motion carried 11 to 4 with two abstentions.

Reef Fish Amendments 36B and 36C: Modifications to Individual Fishing Quota (IFQ) Programs

Motion: In Action 3.1, to make **Alternative 1** the preferred.

Alternative 1: No Action. There is no share limit for permit-exempt shareholder accounts that do not have a permit. The existing share cap for each share category that applies to any U.S. citizen or permanent resident remains in place.

Motion carried with no opposition.

Motion: In Action 3.2, to make **Alternative 2** the preferred.

Alternative 2: Shareholder accounts that have been closed may be reopened, but a reopened account becomes a permit-required account and must be associated with a commercial reef fish permit to hold shares. The time periods provided under Action 2 to bring an account into compliance following implementation of this amendment would apply to reopened accounts, if selected.

Motion carried with no opposition.

Motion: In Amendment 36B, Action 2, to make **Alternative 4** and **Option 4b** an additional preferred.

Alternative 4: If shares are acquired from an inheritance or other legal proceeding (e.g., divorce) and the shares are transferred to a permit-required shareholder account, the shareholder must divest of the account's shares as needed to meet the requirements set in Action 1 or the shares will be reclaimed by NMFS:

Option 4b: 3 years following the date the shares were transferred into the account.

Motion carried with no opposition.

Motion: In Draft Amendment 36C, to move Action 3 to Considered but Rejected.

Action 3 – Accuracy of estimated weights in advance landing notifications

Motion carried with no opposition.

Motion: To form a small facilitated Focus Group of knowledgeable individuals, selected by a process approved by the Regional Administrator and Council and Reef Fish Committee Chairs, to provide a detailed plan for the following:

1. Define the changes needed for an improved IFQ program for RS, G-TF to specifically address minimizing discards, fairness and equity, and new entrants' issues.
2. Report their findings to the SSC and appropriate APs for review and advice to the Council.

Motion carried to 13 to 3 with one abstention.

REEF FISH OTHER BUSINESS

Motion: To request a presentation to the Gulf Council by an appropriate representative or author(s) of

the National Academy of Sciences report, Data and Management Strategies for Recreational Fisheries with Annual Catch Limits.

Motion carried with no opposition.

Motion: To have a written interpretation from NOAA General Counsel regarding the use of National Standard 6 – Variations and Contingencies, and when it is appropriate to use alternative management measures as they relate to issues in the Gulf of Mexico, and in particular state-based management programs and short season management.

Motion carried 15 to 1 with one abstention.

SHRIMP

Draft Framework Action: Modification of the Vessel Position Data Collection Program for the Gulf of Mexico Shrimp Fishery

Motion: In Action 1, to remove **Option 2b** and **Option 3b**.

Option 2b: All owners or operators of a shrimp vessel with a valid or renewable SPGM would be required to install an approved device, as defined in the alternative.

Option 3b: All owners or operators of a shrimp vessel with a valid or renewable SPGM would be required to install an approved device, as defined in the alternative.

Motion carried with no opposition.

Motion: In Action 1, to add the following language to **Alternatives 2** and **3**.

Alternative 2: The owner or operator of a shrimp vessel with a valid or renewable Gulf shrimp moratorium permit (SPGM) would be required to install an approved vessel monitoring system (VMS) that archives vessel position “when on a fishing trip in the Gulf of Mexico” and automatically transmits that data via cellular service to NMFS.

Alternative 3: The owner or operator of a shrimp vessel with a valid or renewable SPGM would be required to install an approved electronic logbook that archives vessel position “when on a fishing trip in the Gulf of Mexico” and automatically transmits that data via cellular service to NMFS.

Motion carried with no opposition.

Motion: In Action 1, to add the following language to **Alternative 2**:

Alternative 2: “Implement a VMS requirement for the Gulf shrimp fishery.” The owner or operator of a shrimp vessel with a valid or renewable Gulf shrimp moratorium permit (SPGM) would be required to install an approved vessel monitoring system (VMS) that archives vessel position “when on a fishing trip in the Gulf of Mexico” and automatically transmits that data via cellular service to NMFS.

Motion carried with one in opposition.

Motion: To form a small Working Group of knowledgeable and involved individuals selected with agreement by the Science Center Director, Council Executive Director, and Council and Shrimp Committee Chairs to develop an agreed upon structure and direction for the shrimp data collection framework amendment. This document shall be reviewed by the Shrimp AP prior to consideration by the Council.

Motion carried with no opposition.

SUSTAINABLE FISHERIES

Update on Historical Captain Permits Conversion

Motion: To have Council staff initiate a document which allows conversion of the recently issued historical captain permits to conventional permits.

Motion carried with no opposition and one abstention.

CLOSED SESSION

Selection of Special Coral Scientific and Statistical Committee Members

The following individuals were appointed to the Special Coral SSC:

1. Andrew Shantz
2. Paul Sammarco
3. Sandra Brooke

Selection of Special Mackerel Scientific and Statistical Committee Members

The Special Mackerel SSC was not populated at this time.

Selection of Special Shrimp Scientific and Statistical Committee Members

The following individuals were appointed to the Special Shrimp SSC:

1. Jason Saucier
2. William Peyton Cagle
3. Donald Behringer

ELECTION OF CHAIR AND VICE CHAIR

Motion: To nominate Dale Diaz as Council Chair.

Approved by acclamation.

Motion: To nominate Martha Guyas and Greg Stunz as Council Vice Chair.

Martha Guyas appointed as Vice Chair by ballot vote.