

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 SHRIMP MANAGEMENT COMMITTEE

4
5 Perdido Beach Resort Orange Beach, Alabama

6
7 JANUARY 25, 2016

8
9 **VOTING MEMBERS**

10 Leann Bosarge.....Mississippi
11 Jason Brand.....USCG
12 Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
13 Dave Donaldson.....GSMFC
14 Myron Fischer (designee for Randy Pausina).....Louisiana
15 Kelly Lucas (designee for Jamie Miller).....Mississippi
16 Robin Riechers.....Texas
17 David Walker.....Alabama

18
19 **NON-VOTING MEMBERS**

20 Kevin Anson.....Alabama
21 Martha Bademan (designee for Nick Wiley).....Florida
22 Doug Boyd.....Texas
23 Dale Diaz.....Mississippi
24 John Greene.....Alabama
25 Campo Matens.....Louisiana
26 John Sanchez.....Florida
27 Greg Stunz.....Texas
28 Ed Swindell.....Louisiana
29 Roy Williams.....Florida

30
31 **STAFF**

32 Steven Atran.....Senior Fishery Biologist
33 Assane Diagne.....Economist
34 John Froeschke.....Fishery Biologist/Statistician
35 Doug Gregory.....Executive Director
36 Beth Hager.....Financial Assistant/IT Coordinator
37 Karen Hoak.....Administrative and Financial Assistant
38 Morgan Kilgour.....Fishery Biologist
39 Ava Lasseter.....Anthropologist
40 Mara Levy.....NOAA General Counsel
41 Charlene Ponce.....Public Information Officer
42 Ryan Rindone.....Fishery Biologist/SEDAR Liaison
43 Bernadine Roy.....Office Manager
44 Carrie Simmons.....Deputy Director

45
46 **OTHER PARTICIPANTS**

47 John Anderson.....FL
48 Pam Anderson.....Panama City Beach, FL

1 Billy Archer.....Panama City, FL
 2 Scott Bannon.....AL
 3 Steve Branstetter.....NMFS
 4 Eric Brazer.....Reef Fish Shareholder's Alliance
 5 J.P. Brooker.....Ocean Conservancy, Gulfport, FL
 6 Mark Brown.....SAFMC
 7 Gary Bryant.....Gulf Shores, AL
 8 Jim Clements.....Carrabelle, FL
 9 Michael Drexler.....Ocean Conservancy, St. Petersburg, FL
 10 Traci Floyd.....MDMR, Biloxi, MS
 11 Troy Frady.....Lilian, AL
 12 Brad Gorst.....
 13 Chad Hanson.....Pew
 14 Bill Huth.....Pensacola, FL
 15 Joe Jewell.....MDMR, Biloxi, MS
 16 Robert E. Jones.....EDF
 17 Bill Kelly.....FKCFA, FL
 18 Kristen McConnell.....EDF
 19 Rusty Pittman.....MDMR, MS
 20 Bonnie Ponwith.....SEFSC
 21 Kellie Ralston.....American Sportfishing Association, FL
 22 Lance Robinson.....TX
 23 Katie Semon.....LA
 24 Clarence Seymour.....Ocean Springs, MS
 25 Bill Tucker.....Dunedin, FL
 26 Bob Zales, II.....Panama City, FL
 27 Jim Zurbrick.....Steinhatchee, FL

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PAGE 14: Motion in Action 2 to make Alternative 1 the preferred alternative. The motion carried on page 14.

PAGE 14: Motion to approve Shrimp Amendment 17A 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 15.

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1 The Shrimp Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at the Perdido Beach Resort, Orange
3 Beach, Alabama, Monday morning, January 25, 2016, and was called
4 to order at 11:15 a.m. by Chairman Leann Bosarge.

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

10 **CHAIRMAN LEANN BOSARGE:** Let's call the Shrimp Management
11 Committee to order. Myself, Dave Donaldson is Vice Chair, we
12 have Commander Brand, Dr. Crabtree or Steve, Dr. Lucas, Myron is
13 here, and Lance and Robin are here. All right.

14
15 Our agenda is Tab D, Number 1. We have a pretty short agenda
16 today, and so hopefully we can stay on track and stay on
17 schedule. We don't want to miss the dog. I am pretty excited
18 about it. On the agenda, are there any edits or revisions or
19 additions that anybody would like to make to the agenda? Seeing
20 none, the agenda is adopted. The minutes are under Tab D,
21 Number 2. Were there any revisions that needed to be made to
22 the minutes from our last meeting? Kevin.

23
24 **MR. KEVIN ANSON:** Thank you. Just one. Page 16, line 15,
25 change "think" to "thing".

26
27 **CHAIRMAN BOSARGE:** So noted. Any other revisions? Seeing none,
28 the minutes are adopted with that revision. Our Action Guide
29 and Next Steps are listed under Tab D, Number 3. The first
30 thing that we're going to take a look at this morning is Final
31 Action on Shrimp Amendment 17A. we have a couple of items
32 there. Is Emily going to lead us through these public hearing
33 comments? It says "Muehlstein".

34
35 **MS. CHARLENE PONCE:** I will do the written public comment and
36 Assane will do the public hearing. I can go first, if that's
37 all right.

38
39 **CHAIRMAN BOSARGE:** That sounds great.

40
41 **FINAL ACTION ON SHRIMP AMENDMENT 17A**
42 **SUMMARY OF WRITTEN PUBLIC COMMENTS**
43

44 **MS. PONCE:** For the written comments, we received comments of
45 support for ending the moratorium, saying that there should be
46 more permits available for shrimp vessels. The industry cannot
47 grow without the availability of permits, and they would like to
48 see the moratorium expire.

1
2 We had comments requesting that the moratorium be extended.
3 Comments regarding that were the cost of gear alone creates
4 limited entry, and so there should be no further regulations
5 imposed on the shrimp fishery. There were comments to extend,
6 specifically for ten years, because there are enough boats in
7 the Gulf. The current and anticipated market situation deem it
8 appropriate, and that they feel they've earned the right to have
9 the moratorium stay in place. There is enough competition as it
10 is.

11
12 Then there were specific comments to extend the moratorium for
13 only five years and support for extending the moratorium, but
14 also requiring the implementation of VMS. Finally, regarding
15 royal reds, if they are overfished, then an endorsement for
16 royal reds is warranted.

17
18 **CHAIRMAN BOSARGE:** Okay and then who was going to give us the
19 other summary? Assane? Are you ready, sir?

20

21 **SUMMARY OF THE PUBLIC HEARING COMMENTS**

22

23 **DR. ASSANE DIAGNE:** Yes, Ms. Bosarge, and thank you. Overall,
24 we held one webinar and eight public hearings. The total
25 attendance at these nine meetings was thirty-three. Thirty-
26 three people attended, in total.

27
28 In terms of comments, there was some support expressed for a
29 permanent limited access program. Questions were asked as to
30 why should we keep on going on five or ten years. Some
31 attendees did voice their support for just having a limited
32 access program once and for all and be done, if you would, but
33 the most popular comment, or the one that we've heard the most,
34 was that the preferred alternative selected by the council,
35 which would be to have the moratorium in place for another ten
36 years.

37
38 There was a lot of support expressed for that, having, again,
39 another ten-year period, which would give the council the
40 opportunity, of course, to revisit this when the time comes.

41
42 There was some opposition to the moratorium idea in itself, but
43 those discussions centered really, mostly, around 17B, which, as
44 you know, is the amendment that is coming afterwards. For some
45 people, the main idea was that the council needed a lot of
46 information to evaluate, if need be, this idea of having a
47 permit pool and also to getting at the target or the, quote,
48 unquote, optimal number of permits when the time comes.

1
2 Concerning the royal red endorsement, attendees, some of the
3 attendees, recognized the fact that we have a large number of
4 people who get that endorsement, but very few shrimpers actively
5 use it, and so the usefulness of the endorsement was questioned
6 by some, but some felt that it was necessary to maintain it and
7 to keep the endorsement.

8
9 In a nutshell, that's a very quick summary of the comments that
10 we received and the full description of the comments and some of
11 the discussions we had are listed in your briefing book. Thank
12 you.

13
14 **CHAIRMAN BOSARGE:** Thank you, Assane. Myron, go ahead.

15
16 **MR. MYRON FISCHER:** To add to some of what Assane said, I've had
17 Louisiana shrimpers -- He touched on it a bit, but they did feel
18 uncomfortable -- They supported the ten-year moratorium, but, at
19 the same time, felt uncomfortable and wanting to know where
20 and what those permit totals would be. If the totals would be
21 cut drastically, then, of course, they wouldn't have supported
22 the moratorium. They were just kind of hoping for a status quo
23 on this.

24
25 **CHAIRMAN BOSARGE:** Thank you, Myron. All right. The next item
26 on our agenda is to actually review the document, which can be
27 found at Tab D, Number 5. I believe, Assane, are you going to
28 lead us through that review? We have a preferred alternative
29 for the first action item, but not for the second, and this is
30 up for a possibility of final action today.

31
32 **DR. DIAGNE:** Yes, Ms. Bosarge, but I believe that Dr. Kilgour is
33 on the phone and she is ready to lead you through that
34 discussion. Thank you.

35
36 **DR. MORGAN KILGOUR:** Yes, I'm here.

37
38 **CHAIRMAN BOSARGE:** Great. Sorry about that, Morgan. I didn't
39 realize you were with us. Glad to have you back. Go ahead.

40
41 **REVIEW DOCUMENT**

42
43 **DR. KILGOUR:** All right. It looks like they have the page right
44 up, and so we just need to, I guess, quickly review the Action
45 1. The current preferred alternative is to extend the
46 moratorium for an additional ten years. The other two
47 alternatives is no action, where the current will expire on
48 October 26, 2016, or Alternative 3, which is to create a federal

1 limited access permit for commercial shrimp vessels in the Gulf.

2
3 To be eligible, you would have to have a valid or renewable
4 permit as of October 26, 2016, and it would need to be renewed
5 every year. Again, this is a limited access permit that could
6 be changed at any time by the council and so are there any
7 questions on these three alternatives?

8
9 **CHAIRMAN BOSARGE:** I don't see any hands. Go ahead.

10
11 **DR. KILGOUR:** All right. The next would be on page 12, if you
12 guys could scroll ahead to Action 2. This is where I would need
13 the committee to make a recommendation on a preferred
14 alternative.

15
16 Right now, we have Alternative 1, which is no action, which
17 would continue to require a royal red shrimp endorsement.
18 Endorsements are only eligible for people that already have a
19 federal shrimp permit, or Alternative 2 would be to discontinue
20 the royal red shrimp endorsement. That would mean that anybody
21 with a federal shrimp permit could harvest royal red shrimp.
22 Are there any questions on these?

23
24 **CHAIRMAN BOSARGE:** I had a question, and this might be for Steve
25 Branstetter. In the document, when it discusses Alternative 2
26 and the cost savings and how many of these endorsements are out
27 there versus how many are being actively fished, it says
28 "Additionally, an economic database specific to royal red shrimp
29 would not be maintained, although royal red shrimp landings data
30 are still collected."

31
32 Now, this is if we were to do away with the endorsement. Steve,
33 can you tell me the economic database -- What exactly is
34 encompassed in that database? What would we be losing?

35
36 **DR. STEVE BRANSTETTER:** To be real honest, I'm not real sure.
37 The economic report that all shrimpers have to turn in at the
38 end of year would continue, whether the endorsement is there or
39 not, and so I'm not real sure what that -- I can try to find
40 out.

41
42 **CHAIRMAN BOSARGE:** Sorry to put you on the spot. Kelly, did you
43 have a question?

44
45 **DR. KELLY LUCAS:** I did. In the document, and this is on page
46 12, it says that -- It doesn't appear that the establishment of
47 an endorsement has helped with collecting the desired data, and
48 the desired data was catch effort, operating costs, maximum

1 sustainable yield estimates.

2
3 I was just wondering if -- You narrow down your universe and so
4 what's the discrepancy between you've narrowed it down, but it's
5 not helping with collecting the data? I mean is there any
6 explanation of that?

7
8 **CHAIRMAN BOSARGE:** Mara.

9
10 **MS. MARA LEVY:** I think it's because the number of endorsements
11 that folks have, because anyone with a shrimp permit can get
12 one, is in the three-hundreds, and the number of vessels that
13 actually land it are under twenty. You're not really narrowing
14 the universe of folks that actually catch royal red shrimp by
15 issuing this permit, because 300 people have it, but seven are
16 actually fishing.

17
18 **CHAIRMAN BOSARGE:** All right. One more question. You know we
19 had a meeting with the Coral AP where we wanted to bring in some
20 specific expertise from the royal red fishery, and we realized
21 that we didn't have any of those on our Shrimp AP to pull from,
22 and this may be for Carrie.

23
24 I know somebody came to me and said, hey, do you have any names
25 of people that do this, and so if we were to get rid of the
26 endorsement and we have questions like that, where we're wanting
27 to hone in on this particular expertise for some specific
28 question, how do we then find that universe of people to go to?

29
30 **DR. KILGOUR:** I can answer that. We could still check and see
31 who has royal red shrimp landings. That information isn't going
32 to go away. The economic database that was intended to be
33 created for the endorsement never really was created, and so
34 we're still getting most of our information based on the
35 landings and not from this economic database that never was
36 created.

37
38 **CHAIRMAN BOSARGE:** Thank you. That answers my question and I
39 appreciate it. Steve.

40
41 **DR. BRANSTETTER:** Back to your question, I have been informed
42 that that database going away is an incorrect statement and they
43 intend to remove that from the document.

44
45 **CHAIRMAN BOSARGE:** Okay. My only other concern is there is
46 obviously a lot more endorsements out there, and this is my
47 personal opinion, but there is a lot more endorsements out there
48 than what are being fished.

1
2 Two concerns I have is I can see the advantage of doing away
3 with the endorsement, as far as the cost savings. I can see
4 that, and it's just a time savings. If it's not useful, from a
5 data perspective, then why are we collecting it?

6
7 On the other hand, I do think it could be useful at this point,
8 with things we have on the horizon, from an enforcement
9 perspective. If we do create some of these HAPC areas, and if
10 the royal red fleet is given an exception to use bottom-tending
11 gear, you know with certain criteria, in those closed areas, the
12 only way for enforcement to verify, from a paper perspective,
13 that they legally can trawl there would be if they have that
14 endorsement on their federal Gulf permit.

15
16 Otherwise, enforcement has to become an expert on, well, is that
17 royal red gear? Is this boat set up only for royal red? It
18 seems it would probably be a no-brainer. If you're in that deep
19 water, you're probably royal redding, but, still, there would be
20 no paper documentation there for enforcement to definitively say
21 that.

22
23 The other concern to me, and it hasn't been an issue -- Could it
24 become an issue in the future? I don't know. There is not a
25 lot of people fishing for this particular type of shrimp, but
26 there is an ACL attached to it. If, heaven forbid, we bumped up
27 against this ACL or exceeded it in the future, I do want to know
28 that we have the amount of data that we need to change our
29 management strategy and implement things that can work for the
30 fishermen and for the shrimp as well. Those are my two
31 concerns, but I would like to hear some feedback from the
32 committee as to where you want to go with this. Mara.

33
34 **MS. LEVY:** I will just point out that essentially the
35 endorsement is open access for anyone who has a shrimp permit.
36 It's not like this universe of people are the only universe that
37 can get it. You talk about establishing the closed areas and if
38 someone is like, hey, I want to fish in that closed area and I
39 will just go get an endorsement -- I mean it seems to me that
40 you would have to develop some other type of criteria to limit
41 who has the endorsement if you really want to use it as some
42 sort of enforcement tool in some future closed areas, because,
43 right now, anyone who has a shrimp permit can get it for the
44 extra ten-dollars, I think, that they pay.

45
46 **CHAIRMAN BOSARGE:** Roy.

47
48 **MR. ROY WILLIAMS:** Yes, but in response to that, at least if you

1 know who the universe of people is that think they might go
2 royal red shrimping at some point, if you do create some closed
3 areas to protect deepwater corals, at least you have a place
4 where you can direct enforcement and the Regional Office can
5 direct their correspondence to those people, to say, look,
6 you've got this royal red shrimp endorsement and we want you to
7 know that these areas are now closed and you have to avoid these
8 areas, because we're protecting deepwater corals there.

9
10 Rather than having to send one of these to notice every shrimp
11 fisherman out there, you would simply be noticing the people who
12 have that royal red shrimp endorsement, and I think that's the
13 point Leann was making, and I think it's a good one. I say that
14 on behalf of -- As Chairman of the Coral Committee.

15
16 **CHAIRMAN BOSARGE:** David.

17
18 **MR. DAVID WALKER:** I agree with Roy. I mean it's a small group
19 of fishermen, an endorsement, and I think we should continue it.
20 You know interaction with coral or whatever it may be -- It's
21 better for enforcement and I think it's something we should be
22 continuing.

23
24 **CHAIRMAN BOSARGE:** Jason.

25
26 **LCDR JASON BRAND:** I would concur that it does help us from the
27 enforcement standpoint for the deepwater coral, and even the
28 Texas shrimp closure. We can get onboard and see what they
29 have, if they're actually fishing for royal reds or not.

30
31 **CHAIRMAN BOSARGE:** The Texas shrimp closure, I had not thought
32 about that. I could see where it may play into that. All
33 right. But there is obviously still a cost and time savings,
34 from a management perspective from NMFS if we were to do away
35 with this.

36
37 We've had some good discussion on it. We can continue this
38 discussion, but this is the second action in this document and
39 we don't have a preferred as of yet. Do we think that we can
40 choose a preferred on this today? What's the committee's
41 pleasure? Myron.

42
43 **MR. FISCHER:** Madam Chair, it's so neutral whether to do it or
44 not, and it's not a contentious point. I would recommend we
45 postpone it to council and just let all seventeen people vote on
46 it at once.

47
48 **CHAIRMAN BOSARGE:** That's not a bad idea. Hopefully everybody

1 has been -- Sometimes people tune out during the Shrimp
2 Committee, but hopefully everybody has been listening to the
3 discussion. Does everybody around the table feel comfortable?
4 Are there any questions that you have at this point or are we
5 comfortable with that? I know Dr. Crabtree just came in and he
6 may -- I will put him on the spot right away. We're talking
7 about the royal red endorsement. You may have some feedback on
8 what you would like to see happen with that.

9
10 **DR. ROY CRABTREE:** I don't think the endorsement, as it's
11 configured right now, does very much for us. It's not very
12 useful.

13
14 **CHAIRMAN BOSARGE:** I had an out-of-the-box thought too earlier
15 today. We do have a lot of these endorsements out there that
16 are not actively fished. If I was a fisherman, in the back of
17 my mind -- A lot of them probably think, well, what if this
18 part, there's a moratorium at some point on this part. That
19 could be a lot of the reason that they get this endorsement
20 every year, to show that at one point they were a participant or
21 something of that nature.

22
23 Now, another way that we may could get rid of some of these
24 endorsements that people aren't using is increase the price. I
25 mean it only costs ten-dollars. Can we not do that? That's not
26 an option?

27
28 **DR. CRABTREE:** No, we can only charge administrative feeds and
29 so we can't increase the price like that.

30
31 **CHAIRMAN BOSARGE:** Myron.

32
33 **MR. FISCHER:** If your goal is to reduce the number of
34 endorsements, could you have a landings criteria?

35
36 **CHAIRMAN BOSARGE:** Well, we had discussed that, and I think we
37 actually had that in the document at one point, and we decided
38 to take that to that Considered but Rejected. If I remember
39 correctly, we decided not to do the landings requirement.

40
41 **DR. KILGOUR:** That's correct.

42
43 **CHAIRMAN BOSARGE:** Thank you. Steve.

44
45 **DR. BRANSTETTER:** Thank you. To your point, I know when we
46 first put the endorsements in that we had a lot of phone calls
47 at the office, and one of the main reasons that people -- They
48 said I might as well go ahead and get it and it's only ten-

1 bucks, and the way things go, you will lock this down in a
2 moratorium and so I want to make sure I have the historical
3 participation, although I have no participation and never will.
4

5 **CHAIRMAN BOSARGE:** I figured that would probably be a lot of the
6 mindset of that three-hundred-and-some-odd endorsements right
7 there, and I can't say that I blame them for that. We will have
8 some more discussion on this, I guess, at full council, if no
9 one on the committee wants to pick a preferred at this time.

10
11 **DR. KILGOUR:** Could I make a comment?

12
13 **CHAIRMAN BOSARGE:** Yes, ma'am.

14
15 **DR. KILGOUR:** I just would like to remind the committee that
16 this is the final action and if we don't take final action by
17 the April meeting, then the moratorium will expire. It's just a
18 friendly reminder that eventually a preferred need to be picked.
19

20 **CHAIRMAN BOSARGE:** Thank you, Morgan. Lance.

21
22 **MR. LANCE ROBINSON:** If we're finished with this topic, before
23 we go to the next one, I had a question that came up at one of
24 the public meetings in Texas.

25
26 **CHAIRMAN BOSARGE:** To that point, Dr. Crabtree?

27
28 **DR. CRABTREE:** Just before we leave the endorsement, and I
29 apologize for coming in late, but we do need to take final
30 action on this amendment this week. I don't see this
31 endorsement as being a big deal at all.

32
33 If you have reservations about getting rid of it or you think
34 there may be some use for it down the road, then just keep it
35 for now, and I don't think that really does any harm to
36 anything, but I certainly wouldn't want to see us slow down
37 because of this action.

38
39 **CHAIRMAN BOSARGE:** Okay. Thank you, and I have to say I
40 probably do have a few reservations about discontinuing it at
41 this point. Maybe at some point in the future, once we hash out
42 some of these HAPCs and the deep-sea corals.

43
44 Maybe I would feel a little more comfortable with it at that
45 point, but right now, I -- Hopefully the cost is not overbearing
46 on the Center to continue this. I would like to see it
47 continue. I would like to see our preferred alternative to
48 continue it, so Alternative 1, no action, essentially.

1
2 **MR. WALKER:** I would like to make that motion, to make
3 **Alternative 1 the preferred alternative.**
4

5 **CHAIRMAN BOSARGE:** Okay. We have a motion that's being placed
6 on the board, and it's been seconded by Myron. In Action 2, to
7 make Alternative 1 the preferred alternative. We have had some
8 discussion and do we have any more discussion on this, any
9 questions or further input? Okay. **All those in favor of this**
10 **motion, signify by saying aye; all those opposed same sign. The**
11 **motion passes.** All right, Morgan. We have a preferred
12 alternative and do you want to finish your discussion?
13

14 **DR. KILGOUR:** No, I think that's the end of the review document.
15 The last thing we would need to do would be just to review the
16 codified text.
17

18 **REVIEW CODIFIED TEXT**

19

20 **CHAIRMAN BOSARGE:** Okay. The codified text is Tab D, Number 6
21 in our briefing book, and I did take a look at it. I don't
22 think that we have any codified text in there relative to the
23 royal red endorsement. We had not picked a preferred or
24 anything at that time. Obviously we just did it, and so I'm
25 assuming that is something that would be incorporated?
26

27 **MS. LEVY:** You have picked no action.
28

29 **DR. KILGOUR:** Nothing has changed and so if the preferred
30 alternative is no action, then nothing will have changed in the
31 codified text.
32

33 **CHAIRMAN BOSARGE:** Perfect. That makes that simple.
34

35 **DR. KILGOUR:** Yes, and so the only thing that has changed, if
36 you scroll down a little bit farther on the page, is that the
37 moratorium will be extended until October 26, 2026. If this all
38 looks good, then if the committee wants to recommend that
39 Amendment 17A be deemed necessary and appropriate, it may do so,
40 or wait until full council, but that's all I have.
41

42 **COMMITTEE RECOMMENDATIONS**

43

44 **CHAIRMAN BOSARGE:** Okay. As a committee, are we comfortable
45 with our preferred alternatives and want to recommend this to be
46 sent to the Secretary for approval?
47

48 **MR. WALKER:** I would like to make that motion.

1
2 **CHAIRMAN BOSARGE:** I apologize to staff that we're not the best
3 planners. We don't have our motions prewritten and emailed to
4 you. David, is your motion to recommend to the council --

5
6 **MR. KEVIN ANSON:** It's on the board.

7
8 **CHAIRMAN BOSARGE:** Okay. We have a motion on the board to
9 approve Shrimp Amendment 17A and that it be forwarded to the
10 Secretary of Commerce for review and implementation and deem the
11 codified text as necessary and appropriate, giving staff
12 editorial license to make the necessary changes in the document.
13 The Council Chair is given the authority to deem any changes to
14 the codified text as necessary and appropriate. David, is that
15 your motion?

16
17 **MR. WALKER:** Yes, that's my motion.

18
19 **CHAIRMAN BOSARGE:** Okay. Is there a second to the motion? It's
20 seconded. Any discussion on the motion? Mara, you're okay with
21 it?

22
23 **MS. LEVY:** I was just going to say that technically you probably
24 don't need the last sentence, since all we're changing is the
25 date, but I don't think leaving it in there is a problem.

26
27 **CHAIRMAN BOSARGE:** Thank you. **All in favor of this motion**
28 **signify by saying aye; all opposed same sign. The motion**
29 **carries.** I believe that wraps up Amendment 17A. Lance had a
30 comment.

31
32 **MR. ROBINSON:** I apologize and it won't take long, but just a
33 question came up at the Brownsville meeting from a couple of the
34 participants. Maybe you or someone from NOAA staff can help me
35 with the answer.

36
37 They expressed concern, I guess difficulties on their part, that
38 if they hold multiple permits that they're coming due over the
39 stretch of the year and packaging them together might make it
40 more administratively easier for them to kind of -- Is that
41 something they can do themselves or do they just hold off and
42 send them all in at once, to get them on the same time cycle?

43
44 **CHAIRMAN BOSARGE:** Dr. Crabtree.

45
46 **DR. CRABTREE:** Typically, permit renewals all coincide with the
47 permit holder's birthday, but many people have corporate permits
48 and so that might be different. I think that's something I

1 would have to inquire about, but, generally, we do try to do
2 that and it's based on the permit holder's birthday.

3
4 **MR. ROBINSON:** If you find something, could you let me know? I
5 would appreciate it. I would like to get back with the folks.
6 Thanks.

7
8 **CHAIRMAN BOSARGE:** Thank you. Anything else before we leave
9 that topic? Morgan, is there anything that you would like to
10 add or anything that we missed? I take that as a no. She has
11 hung up the phone.

12
13 The next item on our agenda is Number V, Discussion on NOAA's
14 TED Enforcement Boarding Form, with OLE Staff. Carrie and Doug,
15 do you know who is going to lead us through that agenda item?

16
17 **DISCUSSION ON NOAA'S TED ENFORCEMENT BOARDING FORM**

18
19 **DR. CARRIE SIMMONS:** I did email Tracy Dunn and, unfortunately,
20 I don't think his designee is here to lead us through that
21 discussion on the progress they've made on that form. I don't
22 know if he will be here later, or if they can get a field agent
23 that might be familiar with it, but I apologize. The gentleman
24 that was supposed to be here had medical issues.

25
26 **CHAIRMAN BOSARGE:** That's not a problem. What we can do, we
27 have the form on the board, and we can discuss this maybe more
28 at full council. I would like to have a brief discussion now,
29 if we still have time and we're on track.

30
31 On this boarding form, we were going to receive a little
32 presentation that would, I guess, take us through it. Then we
33 were looking at possible revisions. One thing that I know Dale
34 and myself have commented on in the past is we had some
35 questions as to what is going into some of the biological
36 reviews.

37
38 We have a process within the industry where a fisherman can
39 actually make a phone call and have his TEDs inspected before or
40 he or she leaves the dock, to make sure that he is within the
41 legal parameters and that he has a legal TED.

42
43 What we have some confusion on is how that is being treated once
44 it leaves -- This form is being filled out and so, in other
45 words, if he asks for a voluntary inspection to make sure he has
46 his TEDs right, this form is being filled out. Say his angle
47 was a little bit off, and so it's being reported on this form
48 and it is being submitted and it, in some fashion, is counting

1 against the industry as a violation, per se.

2
3 Now, there may be some differences in how it's weighted. Maybe
4 it's not as bad as an at-sea boarding violation, but what I was
5 hoping to see added to this form would actually be a box that
6 specifies voluntary inspection, and it just says yes or no. you
7 would circle yes or you would circle no, whoever is filling out
8 the form.

9
10 If this was a voluntary inspection, we will at least have the
11 data. That's not to say that anything will change in the future
12 as to how we use that data, that it may still be counted against
13 the industry, but at least we'll have the data there in the
14 future if we decide we do want to look at those differently, and
15 maybe not penalize people for having their TEDs inspected before
16 they leave the dock, to make sure that they have it right and
17 hopefully do not harm any turtles when they go out to trawl.

18
19 That was one thing I had hoped to see added to the form, and we
20 can discuss it more with NOAA OLE at full council when we go
21 through our committee report.

22
23 The other thing I was hoping to have added to the form, from a
24 data collection standpoint, was a little bit of information on
25 the gear, the type of trawl gear that's being used, whether it
26 be otter trawl or whatever it may be. There's some things on
27 the horizon that I think the more data that we have, the better
28 off we'll be from a management perspective, and able to
29 implement things and fine-tune things and tweak things. Is
30 there anything else?

31
32 We don't have a presenter, and so I'm just trying to lead you
33 through the things that were at the forefront of my mind. Any
34 other comments about this form? Dale, do you have any feedback
35 on the voluntary part?

36
37 **MR. DALE DIAZ:** I think you've captured it pretty well. I
38 believe Mississippi's law enforcement unit calls them courtesy
39 inspections. This is where people ask them to come down, and
40 it's something I brought up at this council before. I just
41 really hate to see anything count against the shrimp industry
42 whenever they're going the extra mile to make sure they're
43 correct.

44
45 I would hate that to be counted against them in any way, and if
46 there is a way to eliminate counting it against them, these
47 courtesy-type inspections, I think we should try to do that.
48 Thank you.

1
2 **CHAIRMAN BOSARGE:** Thank you for correcting my grammar. Okay.
3 Courtesy inspection then is what I would like to see added to
4 the form and then a yes or a no, possibly, there. Dr. Crabtree.
5
6 **DR. CRABTREE:** I don't think we have any problems with adding
7 those. In fact, I have got a draft form that law enforcement
8 has sent me that has those added to it. Now, we may not add the
9 net type until we actually require TEDs, if we actually require
10 TEDs, in skimmer trawls, but I don't have any problem with
11 collecting the types of data you're talking about, and I agree
12 with the need for that.
13
14 **CHAIRMAN BOSARGE:** Thank you. That sounds great. Yes.
15
16 **LCDR JASON BRAND:** Thank you, Madam Chair. Just to add,
17 although this is a NOAA form, the Coast Guard in the Gulf of
18 Mexico now uses the same form, for consistency, and so we're
19 working with the Gear Management Team to help make sure that the
20 Coast Guard is at least more consistent with the Gear Management
21 Team and these inspections, so that we don't have discrepancies
22 when they check each other's TEDs, so that we're a little bit
23 more aligned with the consistency in that matter.
24
25 **CHAIRMAN BOSARGE:** Thank you. I appreciate that feedback, and
26 you would think that, okay, your TED is right or it's not, but
27 it's not a simple process. I mean there is a whole DVD on how
28 to inspect a TED that NMFS and NOAA have gotten together and put
29 out.
30
31 It's a pretty complicated process. It requires a lot of
32 training, not only on the part of the fishermen and the net
33 builders and such to get it right, but experience and training
34 on the enforcement side too, and so I completely understand
35 where you're coming from. It's not cut-and-dried. Okay.
36
37 It seems that we don't have a lot of pushback on those, and so
38 hopefully maybe we'll get a little feedback from OLE at full
39 council and, if they don't have a problem with it, maybe we can
40 write a simple letter saying this is our wish list and at some
41 point in the future if you could incorporate these changes, we
42 would really appreciate it.
43
44 The last item on our agenda is Other Business. Is there
45 anything that anybody would like to address under Other
46 Business? No? All right. Thank you for great participation.
47 That concludes our committee.
48

1 (Whereupon, the meeting adjourned at 12:10 p.m., January 25,
2 2016.)

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