

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

267TH MEETING

FULL COUNCIL SESSION

Beau Rivage Resort

Biloxi, Mississippi

OCTOBER 4-5, 2017

VOTING MEMBERS

Kevin Anson.....Alabama
 Patrick Banks.....Louisiana
 Leann Bosarge.....Mississippi
 Doug Boyd.....Texas
 Dale Diaz.....Mississippi
 Phil Dyskow.....Florida
 Tom Frazer.....Florida
 Johnny Greene.....Alabama
 Martha Guyas (designee for Nick Wiley).....Florida
 Campo Matens.....Louisiana
 Paul Mickle (designee for Jamie Miller).....Mississippi
 Robin Riechers.....Texas
 John Sanchez.....Florida
 Bob Shipp.....Alabama
 Andy Strelcheck (designee for Roy Crabtree)NMFS
 Greg Stunz.....Texas
 Ed Swindell.....Louisiana

NON-VOTING MEMBERS

Dave Donaldson.....GSMFC
 LCDR Stacy McNeer.....USCG

STAFF

Steven Atran.....Senior Fishery Biologist
 Assane Diagne.....Economist
 Matt Freeman.....Economist
 John Froeschke.....Fishery Biologist-Statistician
 Douglas Gregory.....Executive Director
 Morgan Kilgour.....Fishery Biologist
 Ava Lasseter.....Anthropologist
 Mary Levy.....NOAA General Counsel
 Emily Muehlstein.....Public Information Officer
 Bernadine Roy.....Office Manager
 Charlotte Schiaffo.....Administrative & Human Resources Assistant
 Carrie Simmons.....Deputy Director

OTHER

PARTICIPANTS

1	Scott Adkison.....	
2	Ben Allen.....	Biloxi, MS
3	Ken Anderson.....	Panama City, FL
4	Pam Anderson.....	Panama City, FL
5	Brian Annan.....	Orange Beach, AL
6	Billy Archer.....	Panama City, FL
7	Doug Attaway.....	
8	Greg Ball.....	Galveston, TX
9	Avery Bates.....	Organized Seafood Association, AL
10	Kevin Beach.....	
11	Randy Boggs.....	Orange Beach, AL
12	Susan Boggs.....	Orange Beach, AL
13	Robert Bosarge.....	Saucier, MS
14	Brian Bracknell.....	
15	Ryan Bradley.....	MS Commercial Fisheries United, MS
16	Eric Brazier.....	Reef Fish Shareholders Alliance
17	Gary Bryant.....	Fort Morgan, AL
18	B.J. Burkett.....	Panama City Beach, FL
19	Shane Cantrell.....	Galveston, TX
20	Daryl Carpenter.....	
21	Cody Carter.....	Galveston, TX
22	Mike Colby.....	Clearwater, FL
23	William Copeland.....	New Port Richey, FL
24	John Coulon.....	Venice, LA
25	David Cresson.....	CCA, LA
26	Bruce Daniecki.....	Conroe, TX
27	Justin Destin.....	
28	Don Dineen.....	Destin, FL
29	Mike Eller.....	Destin, FL
30	Justin Fayard.....	
31	Richard Fischer.....	LA
32	Brad Foran.....	Panama City Beach, FL
33	Mike Foto.....	
34	Troy Frady.....	Lillian, AL
35	Susan Gerhart.....	NMFS
36	Brad Gorst.....	Clearwater, FL
37	Mike Graef.....	Destin, FL
38	Tim Griner.....	SAFMC
39	Chuck Guilford.....	Mexico Beach, FL
40	Kurt Guin.....	Destin, FL
41	Buddy Guindon.....	Galveston, TX
42	Ken Haddad.....	ASA, FL
43	Chad Haggert.....	Clearwater, FL
44	Mark Havard.....	
45	Darren Haydel.....	Cocodrie, LA
46	Scott Hickman.....	Galveston, TX
47	Tom Hilton.....	TX
48	Dylan Hubbard.....	FL

1	Hank Hunt.....	Panama City, FL
2	Gary Jarvis.....	DCBA, Destin, FL
3	Mike Jennings.....	Freeport, TX
4	Alison Johnson.....	Oceana
5	Benjamin Kelley.....	Panama City Beach, FL
6	Bryan Kelley.....	Destin, FL
7	Mark Kelley.....	Panama City, FL
8	Bobby Kelly.....	Orange Beach, AL
9	Shawn Kelly.....	
10	Marcus Kennedy.....	Dauphin Island, AL
11	David Krebs.....	Destin, FL
12	John Law.....	Panama City, FL
13	Bonnie Lefebvre.....	Panama City, FL
14	Larry Lemieux.....	Panama City Beach, FL
15	Zach Lewis.....	Venice, LA
16	Ed Lively.....	Pensacola Beach, FL
17	Kyle Lowe.....	Destin, FL
18	Lawrence Marino.....	LA
19	Jerry McClure.....	
20	Rickie McDuffie.....	
21	Jack McGovern.....	NMFS
22	Adam Miller.....	
23	Lynn Miller.....	Panama City, FL
24	Mel Miller.....	Panama City, FL
25	Stewart Miller.....	
26	Bart Niquet.....	Lynn Haven, FL
27	Chris Niquet.....	Panama City, FL
28	Jimmy Otwell.....	Panama City Beach, FL
29	Chris Padilla.....	Panama City, FL
30	Alicia Paul.....	Panama City Beach, FL
31	Stan Phillips.....	Destin, FL
32	Rusty Pittman.....	MS
33	Bonnie Ponwith.....	SEFSC
34	Casey Price.....	
35	Steven Rash.....	Apalachicola, FL
36	Devon Ridsby.....	Orange Beach, AL
37	Scott Robson.....	Destin, FL
38	Anita Ross.....	Destin, FL
39	Steve Ross.....	Panama City Beach, FL
40	Mike Rowell.....	Orange Beach, AL
41	Chris Schofield.....	Destin, FL
42	Clarence Seymour.....	Biloxi, MS
43	Michael Short.....	Galveston, TX
44	Aaron Smith.....	Destin, FL
45	Bob Spaeth.....	SOFA, Madeira Beach, FL
46	Bill Staff.....	Orange Beach, AL
47	Alan Staples.....	
48	Tom Steber.....	Orange Beach, AL

1 Mike Sullivan.....Panama City, FL
2 Mike Thierry.....Dauphin Island, AL
3 Skipper Thierry.....Dauphin Island, AL
4 Ricky Thurston.....
5 Dustin Trochesset.....Biloxi, MS
6 Jay Trochesset.....Biloxi, MS
7 Mark Tryon.....Gulf Breeze, FL
8 Bill Tucker.....Dunedin, FL
9 Ted Venker.....CCA
10 Jason Vicars.....Orange Beach, AL
11 Thao Vu.....MS CVAFF
12 Donald Waters.....FL
13 Wade Wells.....Venice, LA
14 Jillian Williams.....Galveston, TX
15 Jason Woods.....Galveston, TX
16 Ron Woods.....Galveston, TX
17 Bob Zales, II.....Panama City, FL
18 Jim Zurbrick.....Steinhatchee, FL
19
20
21

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7
8 [PAGE 238](#): Motion to recommend staff stop working on framework
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4 [PAGE 268](#): Motion to accept the recommended locations for public
5 hearings for Coral Amendment 9: Mobile, Alabama; Key West,
6 Florida; Madeira Beach, Florida; Grand Isle, Louisiana;
7 D'Iberville/Biloxi area, Mississippi; Brownsville, Texas;
8 Galveston/Houston, Texas; and webinar. [The motion carried on](#)
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10
11 [PAGE 273](#): Motion to nominate Leann Bosarge for the position of
12 Council Chairman. [The motion carried on page 274.](#)

13
14 [PAGE 274](#): Motion to nominate Johnny Greene for the position of
15 Council Vice-Chairman. [The motion carried on page 274.](#)

16
17 - - -
18

1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened at the Beau Rivage Resort, Biloxi, Mississippi,
3 Wednesday morning, October 4, 2017, and was called to order by
4 Chairman Leann Bosarge.

5
6 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**
7

8 **CHAIRMAN LEANN BOSARGE:** Welcome to the 266th meeting of the Gulf
9 Council. My name is Leann Bosarge, Chair of the Council. If
10 you have a cell phone, pager, or similar devices, we ask that
11 you keep them on silent or vibrating mode during the meeting.
12 Also, in order for all to be able to hear the proceedings, we
13 ask that you have any private conversations outside, please.

14
15 The Gulf Council is one of eight regional councils established
16 in 1976 by the Fishery Conservation and Management Act, known
17 today as the Magnuson-Stevens Act. The council's purpose is to
18 serve as a deliberative body to advise the Secretary of Commerce
19 on fishery management measures in the federal waters of the Gulf
20 of Mexico. These measures help ensure that fishery resources in
21 the Gulf are sustained, while providing the best overall benefit
22 to the nation.

23
24 The council has seventeen voting members, eleven of whom are
25 appointed by the Secretary of Commerce and include individuals
26 from a range of geographical areas in the Gulf of Mexico with
27 experience in various aspects of fisheries.

28
29 The membership also includes five state fishery managers from
30 each Gulf state and the Regional Administrator from NOAA's
31 Southeast Fisheries Service, as well as several non-voting
32 members.

33
34 Public input is a vital part of the council's deliberative
35 process, and comments, both oral and written, are accepted and
36 considered by the council throughout the process. Anyone
37 wishing to speak during public comment later today should sign
38 in at the registration kiosk located at the entrance to the
39 meeting room. We do accept only one registration per person. A
40 digital recording is used for the public record. Therefore, for
41 the purpose of voice identification, each person at the table is
42 requested to identify him or herself, starting on my left.

43
44 **MR. JOHNNY GREENE:** Johnny Greene, Alabama.

45
46 **DR. BOB SHIPP:** Bob Shipp, Alabama.

47
48 **MR. KEVIN ANSON:** Kevin Anson, Alabama.

1
2 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine
3 Fisheries Commission.

4
5 **MR. ED SWINDELL:** Ed Swindell, Louisiana.

6
7 **MR. PATRICK BANKS:** Patrick Banks, Louisiana.

8
9 **MR. CAMPO MATENS:** Camp Matens, Louisiana.

10
11 **MS. MARTHA GUYAS:** Martha Guyas, Florida.

12
13 **MR. JOHN SANCHEZ:** John Sanchez, Florida.

14
15 **MR. PHIL DYSKOW:** Phil Dyskow, Florida.

16
17 **DR. THOMAS FRAZER:** Tom Frazer, Florida.

18
19 **MR. TIM GRINER:** Tim Griner, South Atlantic Council.

20
21 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.

22
23 **MR. ANDY STRELCHECK:** Andy Strelcheck, NOAA Fisheries.

24
25 **MS. SUSAN GERHART:** Susan Gerhart, NOAA Fisheries.

26
27 **DR. BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.

28
29 **MR. ROBIN RIECHERS:** Robin Riechers, Texas.

30
31 **MR. DOUGLAS BOYD:** Doug Boyd, Texas.

32
33 **DR. GREG STUNZ:** Greg Stunz, Texas.

34
35 **DR. PAUL MICKLE:** Paul Mickle, Mississippi.

36
37 **MR. DALE DIAZ:** Dale Diaz, Mississippi.

38
39 **LCDR STACY MCNEER:** Stacy McNeer, U.S. Coast Guard.

40
41 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** Doug Gregory, council
42 staff.

43
44 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

45
46 **CHAIRMAN BOSARGE:** Our Full Council agenda can be found under
47 Tab A, Number 3. Were there any additions to the agenda that
48 anyone would like to make? Seeing none, the agenda is approved

1 as presented.

2
3 The minutes of our last council meeting can be found under Tab
4 A, Number 4. Were there any revisions or corrections that
5 needed to be made to the minutes? Seeing none, the minutes
6 stand approved.

7
8 Next, I would ask that our new and returning council members,
9 along with Mr. Strelcheck, please come to the front for your
10 formal induction to the council.

11
12 (Whereupon, new and returning council members are administered
13 the council oath.)

14
15 **CHAIRMAN BOSARGE:** We have several people that we would like to
16 recognize this morning. First is our Law Enforcement Officer of
17 the Year. Just a little background for you is the council, each
18 year, goes into a closed session, and we have quite a lengthy
19 discussion and deliberation on the five nominees. There is a
20 nominee nominated by each state, and sometimes we also have one
21 from our Coast Guard representation.

22
23 It's a very competitive process. All the men and women that are
24 nominated are obviously deserving. They have all gone above and
25 beyond the call of duty. This year's recipient of the 2016 Law
26 Enforcement Officer of the Year is going to be announced in just
27 a little while. We are going to keep you in suspense a little
28 bit longer, I am told.

29
30 So, with that, I would like to ask Dr. Ponwith and Dr. Kelly
31 Lucas, who I see in the audience, and, if you would come
32 forward, we would like to formally recognize you for all of your
33 dedication and service to the council. We have a small token of
34 our appreciation for you, two amazing women, both, I am proud to
35 say, with a lot of initials after their names, and they have
36 served their time around this table and done amazing things. We
37 are happy that they are going on to bigger and better things,
38 but we sure wish that we still had you around.

39
40 **RECOGNITION OF DR. PONWITH AND DR. LUCAS**

41
42 **EXECUTIVE DIRECTOR GREGORY:** We have a similar gift for both of
43 you, a token of appreciation. For Dr. Ponwith, you have been
44 with the council for ten years, and you have been guiding us
45 through the science aspects of everything and also the Chair of
46 the Steering Committee, and we appreciate that, and so we wanted
47 to give you this. For both of you, we have also, from the
48 council, a Gulf Council service cup from Florida.

1
2 For Dr. Lucas, you were with us for a brief two years, but you
3 had a big impact on the council, and I am glad to have you back
4 here for this, and we have a similar gift for you, for your
5 service. You left us quickly earlier this year, but we're glad
6 to be back in Mississippi and to have you back here, and we
7 welcome you both to our meetings whenever we're in the area and
8 you can make it. We appreciate your service greatly.
9

10 REVIEW OF EXEMPTED FISHING PERMITS

11
12 **CHAIRMAN BOSARGE:** Next on our agenda, for the moment, we're
13 going to go on to our Review of Exempted Fishing Permits. Do we
14 have any of those?
15

16 **MS. GERHART:** No, ma'am, we do not.
17

18 **CHAIRMAN BOSARGE:** That wraps that right up. Mr. Strelcheck.
19

20 **MR. STRELCHECK:** I don't know if this is the appropriate time,
21 but we did send a letter to each of the Gulf states requesting
22 interest in submitting exempted fishing permits, and I am happy
23 to talk to you about that now, if you would like, or we can wait
24 until later.
25

26 Last week, each of the state directors should have received a
27 letter from NOAA Fisheries. In the appropriations language this
28 past year, there was language about allowing states to manage
29 reef fish in designated artificial reef zones, and so the letter
30 essentially captured the congressional mandate that was included
31 in the appropriations language, and it also explained our
32 exempted fishing permit process and was asking for -- If you're
33 interested in submitting exempted fishing permit applications,
34 NOAA Fisheries is willing and interested in helping with those
35 exempted fishing permits and development of those, and we're
36 happy to work with the states, in terms of development of draft
37 exempted fishing permits.
38

39 It would follow the normal process of coming before the council
40 at some point next year, once a full draft has been developed
41 and prepared. The one, I think, major challenge or caveat to
42 the letter that we sent was that it still has to abide by
43 Section 407(d), which constrains harvest to the quotas, as
44 specified for our recreational fisheries, and so, if you have
45 any questions about the letter or want to discuss with NOAA
46 Fisheries any further any details about submitting an exempted
47 fishing permit, please let me know, and our staff are here to
48 help answer any questions.

1
2 **CHAIRMAN BOSARGE:** Did anybody have any questions? All right.
3 I would like to recognize one more person in the audience. We
4 have a former council member in the audience, Mr. Corky Perret.
5 He is also the distinguished Chair of our Shrimp AP. We're glad
6 to have you with us this morning, Mr. Perret.

7
8 Next on our agenda, we have a couple of presentations, and I
9 will look to Lieutenant Colonel Rusty Pittman. If you're ready,
10 sir, I will let you go ahead and give us your presentation.
11 Rusty is with the Mississippi Department of Marine Resources,
12 and has been for quite some time. We are very proud to have
13 him.

14
15 **PRESENTATIONS**
16 **MISSISSIPPI LAW ENFORCEMENT PRESENTATION**
17

18 **LT COL RUSTY PITTMAN:** Thank you, Madam Chair. Good morning,
19 and good morning, council members. I am Rusty Pittman. I have
20 been with the Mississippi Department of Marine Resources now
21 going on twenty-eight years. Well, over twenty-eight years, and
22 I will go ahead and do the presentation.

23
24 This is our enforcement effort, and I'm going to read through
25 these. Officers conducted patrols of state and federal waters,
26 and we contributed over 4,000 hours in that effort. While
27 engaged in enforcement patrols, MDMR officers contacted over
28 1,000 stakeholders. We also observed an overall compliance rate
29 of 97 percent during these patrols, and we contacted
30 approximately 15,550 stakeholders at our outreach events.

31
32 This is just a pie chart of how we broke it down in our
33 enforcement effort. Of course, the man hours and the vessel
34 hours all come from NOAA. This is in our agreement, and, as you
35 can see, 9 percent was for the outreach, and then we had
36 dockside at 18 percent, and then 73 percent underway for our
37 hours.

38
39 On our vessel hours, 15 percent were for long-range patrols,
40 which is in the EEZ outside of the nine-nautical-mile line.
41 Then we had midrange, at 65 percent, and then we had 20 percent
42 for our near-shore, which is up towards the islands, around the
43 islands. This is just a picture of a recreational check that
44 we're doing and also a commercial check.

45
46 On the Endangered Species Act, what we mainly gear at is turtle
47 excluder devices. As you can see, this is a picture of two
48 officers measuring a TED. We had 226 commercial contacts, four

1 recreational contacts, and we issued three warnings. We had
2 three EARS, enforcement action reports, that we referred to
3 NOAA, and we had an observed compliance rate of 97.4 percent,
4 which is outstanding, really.

5
6 On our reef fish enforcement, we contacted 472 recreational
7 fishermen and thirty-seven commercial contacts. We issued eight
8 warnings, six state citations, eleven EARS, and we observed a
9 compliance rate of 95.1 percent, which is great.

10
11 Under our highly migratory species, Lacey, and other
12 enforcement, we had 174 commercial contacts, ten recreational
13 contacts, we issued ten warnings, five state citations, six EARS
14 referred to NOAA, and we observed a compliance rate of 88.6
15 percent in that. This does include doing patrols when we do the
16 weigh scales with Louisiana and Alabama, checking trucks coming
17 across state lines, and so this is included into this.

18
19 Then, on our marine patrol's continued success, which I say
20 every year, continued funding from NOAA through the joint
21 enforcement agreement, which really helps us out in our
22 equipment and other items that we have to purchase, and it will
23 increase our patrols in the EEZ for fishery compliance, and it
24 also continues strong partnerships with federal and state
25 agencies.

26
27 If there is no questions, I would like to say a couple of
28 things. Congratulations, Madam Chair, for a great two years, I
29 guess it was, serving as Chair. You've done a great job, an
30 excellent job, outstanding, and you ought to be proud of
31 yourself. (Applause).

32
33 **CHAIRMAN BOSARGE:** Thank you, sir, and thank you to you for
34 almost three decades now.

35
36 **LT COL PITTMAN:** Getting close to it.

37
38 **CHAIRMAN BOSARGE:** Yes, getting close to it. I know you have
39 recently announced that you are going to be retiring, and I am
40 here to tell you that you will most definitely be missed. Long
41 before I was ever on this council, I always knew that I could
42 pick up the phone and call you if I had a question or a concern
43 or an issue. Whatever it was, you would jump right on it, and
44 you would educate me. You would say, no, Leann, it's this or
45 it's that, and I appreciate that. That means something to the
46 fishermen, to know that law enforcement is there for them when
47 it's needed, and so we appreciate that.

1 **LT COL PITTMAN:** Thank you. I appreciate that, and I knew it
2 was getting close to time, because, the older you get, you start
3 forgetting things and all that. Well, one of the younger
4 officers asked me, he said, Chief, do you carry a handkerchief?
5 I said, yes, why? He said, only old men carry handkerchiefs. I
6 said, you don't understand.

7
8 I said, my father told me, when I was a kid, a young man, he
9 said that you need to start carrying a handkerchief. You never
10 know when you're going to need it or a nice, pretty, young lady
11 is going to need one. I have carried one ever since. Anyway,
12 thank you so much to the council. You all are great, and you
13 have a great staff working with you all. I mean, they're
14 outstanding too, and so thank you very much.

15
16 **CHAIRMAN BOSARGE:** I agree with that, most certainly, and I
17 think Mr. Diaz would like to speak for a moment. Dale.

18
19 **MR. DIAZ:** I just want to thank Rusty for twenty-eight years,
20 and it's been a distinguished career. You've done a lot of
21 really good stuff. Me and Rusty started in state government
22 together, in marine law enforcement, and I learned how tough
23 Rusty was pretty early. You know, he's an ex-Marine, and so I
24 knew he was tough.

25
26 **LT COL PITTMAN:** Former Marine.

27
28 **MR. DIAZ:** Former Marine. I got to go to police academy before
29 Rusty, and I got a drill instructor that was firm, but fair.
30 Rusty showed up after me with a different drill instructor, who
31 was psychotic, and I found out how tough he was the first night,
32 because I was in the TV room watching *Laverne & Shirley*, and
33 they had Rusty and them out by the flag pole in the middle of
34 the courtyard, and I was watching them from the TV room doing
35 pushups all night. We lost two people out of fifty over ten
36 weeks, and they lost two people that first night, but Rusty
37 stuck through that.

38
39 When I talk about Rusty's distinguished career, Rusty has a way
40 of making friends with people that he works with, and a good law
41 enforcement officer one time told me that it's a lot better to
42 work amongst friends than amongst enemies, and Rusty is the best
43 that I know of at that.

44
45 He is able to create a rapport with the people that he works
46 with over time, and I can tell you that there's a lot of
47 fishermen that is sad to see Rusty retire, because of the
48 rapport. He can literally be sitting there writing you a ticket

1 and he will make a friend of out of you while he's writing you a
2 ticket, and there's not that many people that can do that.
3 Rusty can do it.

4
5 I wish you well, Rusty. I hope that you look back at your
6 career with a lot of pride, because I think you've made a
7 tremendous impact in protecting our marine resources here in the
8 Gulf of Mexico, and I thank you for being a good friend, and I
9 thank you for being a good example to a lot of young officers
10 and me, and I just wish you well, and I hope you have a great
11 retirement. It's well-earned. Thank you, Madam Chair.

12
13 **LT COL PITTMAN:** Thank you, Dale. Dale, as a matter of a fact,
14 before he went to Fisheries, he was my lieutenant, supervisor,
15 and I learned a lot from him. One thing I learned is not to
16 pull for Mississippi State like he does. I'm a Southern Miss
17 fan.

18
19 **CHAIRMAN BOSARGE:** Dr. Mickle.

20
21 **DR. PAUL MICKLE:** I am going to start back with the presentation
22 and get back to it, and I will end up at a different place, but
23 we see these presentations when we go to our different states,
24 and I just want to emphasize that this is an amazing
25 relationship of state personnel doing federal enforcement, and
26 it's that federal/state relationship and back-and-forth that
27 works really, really well, and we should grasp and learn from
28 how these people do this and how efficient they are at it and
29 how they do it in a way that makes everything work and have
30 these different species and these different zones and two sets
31 of laws and all these things. It's all going through a single
32 spot, which is the efficient way to do things, and we should all
33 admire that law enforcement is the force that has given us the
34 direction that we all need to start going, in my opinion.

35
36 Then the other thing, getting back to Rusty, it's really going
37 to be a shame to really not have you around. Rusty is the
38 person in a small agency that takes it under his wing and makes
39 a point to educate his staff, and thank goodness he did that,
40 because of all that experience, and what Rusty does is, like
41 Dale said, as he's writing you a ticket, he becomes your friend,
42 but he's always educating everybody around him.

43
44 Everything he does, he is educating, and we see that in our
45 public. When I interact with the fishermen and captains and
46 officers, they always tell me something they learned from being
47 around him, and so that's something that is really going to be
48 missed, and we're going to have to drag you back in somehow, and

1 I'm going to sit here and think about a way to figure that out,
2 and so thank you.

3
4 **LT COL PITTMAN:** I appreciate it, and you told me a little thing
5 about something that happened yesterday, and so thank you, Dr.
6 Pickle. I appreciate that. One other person I would really
7 like to thank in here too is Scott Bannon from Alabama. I
8 learned a lot from him.

9
10 We have a lot of great officers, and they're going to continue
11 to do the job that you all want them to do. Mississippi is
12 fortunate to have the leadership and the officers working and
13 enforcing fishery regulations, and so, for years and years and
14 years, it's going to be a good working relationship with the
15 council and Mississippi, with the Department of Marine
16 Resources.

17
18 **CHAIRMAN BOSARGE:** They learned from the best. Thank you, sir.

19
20 **LT COL PITTMAN:** Thank you.

21
22 **CHAIRMAN BOSARGE:** All right. Next on our agenda, we have Ms.
23 Gerhart and she's going to give us an update on some landings
24 versus our catch limits.

25
26 **GULF OF MEXICO ANNUAL CATCH LIMITS LANDINGS**

27
28 **MS. GERHART:** This is Tab A-7. This is the landings report.
29 You get this every time in your briefing book, but I was asked
30 to go through it this time on the record. We have a slight bit
31 of updates on the commercial landings, at least, on this.

32
33 Because of various delays, in particular the hurricanes that
34 came through, we do not have Wave 3 yet for the recreational
35 landings, and so, if we look at commercial first for reef fish,
36 you will see that we have about 71 percent landed for gray
37 triggerfish. Then, greater amberjack, that closed in June.
38 We're at about 97 percent, and so that has been closed for a
39 while. Those aren't really updated, those landings.

40
41 For the recreational reef fish, the numbers that you see in red
42 there are LA Creel only. Like I said, we don't have Wave 3, and
43 we don't have the Texas data yet, at this point. You can see
44 that we don't really have much of an update on the red snapper
45 landings, because most of the season we don't have on this
46 graph, and so, although you see a very low number there, that's
47 because the season didn't open until June for the federal
48 waters, and so you won't see any of those landings. All the

1 landings that you see before then are from state waters.

2
3 The next table is an updated table from 2016. One of the things
4 that I want to point out here is that, because we've just gotten
5 the final landings recently for 2016, the payback that was on
6 both amberjack and triggerfish has been adjusted a little bit,
7 and so, going back up to the previous table that you're still
8 looking at, the ACLs and ACTs that you see for amberjack and
9 triggerfish are slightly different than what we had published
10 before, because we got those -- We were projecting the payback
11 from last year until we get the final numbers from last year.

12
13 You can see that, if you go to the triggerfish ACT, we had
14 originally projected that there would be no ACT, and we didn't
15 open triggerfish in the federal waters. However, with the
16 adjustment for the actual payback, there is 25,000 pounds.

17
18 However we do have at least Florida that is open on weekends for
19 triggerfish, and so we don't have those landings yet from those
20 weekends fishing for triggerfish, and so we expect that that
21 will take care of that ACT that is there.

22
23 Then the next table is last year, and this will be the final
24 then for last year's landings for recreational of these six
25 species that you see here, and you can see, as we discussed for
26 red snapper, that we did have an overage on the private side.
27 However, the overall was only about 3 percent, and so that's
28 part of that payback that we had this year.

29
30 Then, if we scroll down again, you will see the CMP landings.
31 King mackerel is open in all of the zones right now. We had the
32 new fishing season that started on July 1 for all of the zones
33 except the Northern Zone, which started October 1, and so, on
34 Sunday, that opened up, and so they're all open now. Obviously,
35 for the Northern, we don't have any landings yet. We do have
36 quite a bit of landings for the Western Zone, and we do expect
37 to be closing the Western Zone in the next week or so. If we
38 scroll down to the recreational king mackerel, as usual, it does
39 not have a lot of recreational landings, and that is the report.

40
41 **CHAIRMAN BOSARGE:** Andy.

42
43 **MR. STRELCHECK:** I just want to provide a point of
44 clarification. We do have preliminary data for Wave 3. That's
45 been available since mid to late August. It's typically forty-
46 five days after the wave.

47
48 I believe you have received presentations in the past couple of

1 years about the Science Center's process for then taking those
2 landings and estimating revised landings, in terms of weight,
3 and so they have a procedure that allows for increased sample
4 sizes and reduces the variability, in terms of the average
5 weights that are used.

6
7 There are differences between what the MRIP Program produces and
8 what the Science Center produces. For commonly-landed species,
9 it's fairly minor differences, but, for other species, it can be
10 greater, just depending on how many fish were sampled, but, just
11 to acknowledge that we do have Wave 3 estimates. They aren't
12 presented in this table, because of the hurricanes and
13 disruptions that the Science Center went through, and we just
14 haven't received those yet. I think we're going to be receiving
15 them shortly, this week hopefully, and we're waiting on Wave 4,
16 which we would expect preliminary estimates now coming in in
17 mid-October.

18
19 **CHAIRMAN BOSARGE:** Mr. Diaz.

20
21 **MR. DIAZ:** Thank you, Madam Chair. I was the one that asked
22 that we go over this on the record, and I would appreciate it if
23 we would do it again in January. I think it's good for us to
24 look at where we're at with landings, so we can at least get it
25 in our minds and talk about it a little bit.

26
27 One of my intentions was that I did want to try to look at
28 charter/for-hire landings in Wave 3 and try to make some
29 projections of where they might end up, but we can do that in
30 January, if you would, and hopefully we'll have Wave 3 and Wave
31 4 when we get to January, and we ought to be able to make a
32 pretty good -- We ought to be able to get a pretty good idea of
33 where we're at with the charter/for-hire ACT and ACL then, and
34 the rest of them, too.

35
36 One thing good about going though it here today is, I mean,
37 mackerel is shaping up to be a normal year, like we usually see
38 with mackerel, how we've seen it mostly over the last decade.
39 The commercial is generally catching most of their ACL, and we
40 still have Wave 3 to go for the recreational, to see how that's
41 going to play out there, but it looks like they're going to be
42 leaving about the same amount of fish on the table that they
43 generally leave on the table, and so it's worthwhile for that
44 alone. Thank you, Madam Chair.

45
46 **CHAIRMAN BOSARGE:** Thank you, sir. Doug, did you want to speak
47 to Dale's request?

1 **EXECUTIVE DIRECTOR GREGORY:** We're going to try something a
2 little different starting in January. We've been just including
3 these in the briefing book, but we're going to do a summary of
4 say reef fish landings at the beginning of the Reef Fish
5 Committee, instead of waiting until the council meeting. We
6 will do the same thing if we have a Mackerel Committee, and so
7 we'll see how that works, and we'll get this stuff done upfront.

8
9 **CHAIRMAN BOSARGE:** For efficiency's sake, if we're not having
10 any kind of Mackerel Committee or something like that, we may
11 just go over those during the rest of the reef fish landings
12 updates, at the beginning of that committee, if that's okay with
13 you all. Next, I had Ms. Guyas.

14
15 **MS. GUYAS:** Just a point of clarification. You said the 2016
16 recreational table in here is the final data? It says
17 "preliminary", and I just want to make sure that it's final
18 though. Okay. Perfect.

19
20 **CHAIRMAN BOSARGE:** I have Mr. Banks and then Mr. Anson.

21
22 **MR. BANKS:** Thank you, Madam Chair. Understanding when each
23 state is able to provide landings and how quickly you guys can
24 compile them, when do you expect that we would have a report on
25 the thirty-nine-day federal extension on red snapper? When
26 would you expect to see those landings?

27
28 **MS. GERHART:** That covered Waves 3 and 4 and 5, and so we
29 generally have them about two months after the wave ends, and so
30 it's possible that we would have that for January.

31
32 **CHAIRMAN BOSARGE:** Mr. Anson.

33
34 **MR. ANSON:** In light of king mackerel, I was wondering -- It may
35 apply to the April meeting, but I'm just curious if we can have
36 a comparison of the prior three years, since we increased the
37 bag limit on king mackerel this year, to see what impact that
38 had on landings, if maybe you can ask Ryan or whoever else that
39 handles the king mackerel to have that available, just so we can
40 have that comparison when the final numbers for the 2016/2017
41 season is complete.

42
43 **ANNOUNCEMENT OF 2016 LAW ENFORCEMENT OFFICER OF THE YEAR AWARD**

44
45 **CHAIRMAN BOSARGE:** So noted. Any other questions or feedback on
46 our landings update? That concludes our presentations for the
47 day, and I would like to circle back to our Officer of the Year
48 Award, if you will permit me.

1
2 I am going to give you a little background again on this. Every
3 year, the council goes into closed session, and we go through
4 quite a process of looking at the nominees for Officer of the
5 Year. Each state puts a nominee forth, and then sometimes we'll
6 also have one from our Coast Guard side of the house.

7
8 The competition is stiff. I mean, all the men and women that
9 are nominated for this award have gone above and beyond the call
10 of duty, and so it's a very prestigious award. I am honored to
11 announce that the 2016 Law Enforcement Officer of the Year is
12 Marine Patrol Officer Roy Lipscomb with the Mississippi
13 Department of Marine Resources.

14
15 Officer Lipscomb, if you will permit me, I would like to speak a
16 little bit about you, so that it will be on this microphone, and
17 then I'll have you come up to the front. We have a token of our
18 appreciation for you.

19
20 As I said before, the council's Officer of the Year Award
21 acknowledges service above and beyond the duty requirements, and
22 it recognizes distinguished service, professionalism, and
23 dedication to enforcing federal fisheries regulations in the
24 Gulf of Mexico. Officer Lipscomb spent his first eleven years
25 with the Mississippi Department of Marine Resources as a
26 Fisheries Technician, serving as an unpaid Marine Patrol reserve
27 officer, and so that, in itself, is saying something.

28
29 He eventually did transition to his position as a full-time law
30 enforcement officer in 2014, and he has distinguished himself as
31 a highly-productive and self-motivated law enforcement officer.
32 Just in 2016, he produced numerous fisheries violations that
33 were referred to our federal NOAA office. He led an
34 investigation that seized an illegally-modified turtle excluder
35 device, and he doesn't stop there. He follows up. He actually
36 caught that same vessel for the same offense later, and so he
37 makes sure that he carries through.

38
39 He cited a fisherman for the possession of over two-dozen
40 illegal shark fins, and he discovered what was presumed to be a
41 goliath grouper head during the inspection of a licensed seafood
42 dealer.

43
44 Not only is he an amazing Marine Patrol officer, but Officer
45 Lipscomb serves as Sergeant First Class in the United States
46 Army National Guard, and he has been deployed to both Iraq and
47 Afghanistan numerous times. He is dedicated to serving his
48 country, his community, and protecting the marine resources of

1 the State of Mississippi, and, for that, Mr. Lipscomb, we would
2 like to honor you today, if you would please come forward, sir.
3 (Applause)

4
5 We have a little bit of time before we are scheduled for our
6 lunch break, and you know me. I want to make the most of it,
7 and so, if Ms. Guyas is ready, if it's okay with the council, we
8 will do our Lobster Committee Report. We are not taking any
9 final action in that report, and we're in Mississippi and not
10 Florida, and so I think it's probably going to be okay to do
11 that before public testimony. I don't know that we're going to
12 get much testimony on that, and so, Ms. Guyas, I will turn it
13 over to you.

14
15 **COMMITTEE REPORTS**
16 **SPINY LOBSTER COMMITTEE REPORT**
17

18 **MS. GUYAS:** Thank you, Madam Chair. Staff presented the draft
19 options of Amendment 13, which addresses commercial bully net
20 regulations and the procedure for Florida to recommend
21 regulations directly to NMFS. Staff will update the language in
22 the procedure to reflect how Florida promulgates regulations
23 currently (e.g. remove discussion about the Governor and Cabinet
24 and replace with Commission).

25
26 Staff will also restructure the order of some of the items, to
27 better incorporate NMFS and the councils at the start of the
28 cooperative process with Florida, before it holds public
29 meetings.

30
31 The committee discussed combining the existing protocol with the
32 procedure for future iterations of the document and made the
33 following motion. **The committee recommends, and I so move, to**
34 **modify Action 2 to combine both the protocol and the procedure.**

35
36 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
37 discussion on the motion? **Seeing none, is there any opposition**
38 **to the motion? No opposition, and the motion carries.**
39

40 **MS. GUYAS:** Additionally, staff will reword Action 1,
41 Alternative 2 to include the Florida Administrative Code. Staff
42 provided the committee with the table of inconsistent
43 regulations between the State of Florida and the Code of Federal
44 Regulations.

45
46 There are three identified items that would require council
47 action. Several other items will be updated in the codified
48 text at the next revision for spiny lobster. The committee made

1 the following motion.

2
3 **The committee recommends, and I so move, to incorporate the**
4 **following into Spiny Lobster Amendment 13: bag limits,**
5 **degradable panels in traps, definition of artificial habitats.**
6

7 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
8 discussion on the motion? **Seeing none, is there any opposition**
9 **to the motion? No opposition, and the motion carries.**

10
11 **MS. GUYAS:** This concludes my report.
12

13 **SEDAR COMMITTEE REPORT**

14

15 **CHAIRMAN BOSARGE:** Thank you, Ms. Guyas. We do maybe at least
16 one more committee report that we maybe can knock out, and we're
17 probably going to need to have a little more discussion during
18 that committee report too, and so we'll go ahead and move on to
19 our SEDAR Committee.
20

21 SEDAR Committee Summary, the committee adopted the agenda as
22 presented and approved the minutes of the August 2017 committee
23 meeting.
24

25 SEDAR Steering Committee Summary, staff provided an overview of
26 the discussions from the SEDAR Steering Committee webinar, Tab
27 I, Number 4, held on September 26, 2017. Concerns remain with
28 the viability of the proposed research track process, which
29 maintains support from the majority of the SEDAR cooperators. A
30 stock identification workshop is being coordinated for the Gulf
31 and Atlantic cobia stocks in 2018.
32

33 Most discussions centered on the 2018 and 2019 SEDAR schedule,
34 which saw several changes for the Gulf Council since the last
35 Steering Committee meeting in May. The Gulf Council will not
36 receive an assessment for vermilion snapper until 2020, due to
37 data processing limitations and a scheduling conflict with the
38 lead analyst. Gulf Council representation at the meeting
39 expressed concern that the council was receiving fewer
40 assessments than expected.
41

42 SEDAR Schedule, the committee reviewed the SEDAR schedule, Tab
43 I, Number 5. It was acknowledged that the delays from the MRIP
44 calibration update effort resulted in the difficulties with the
45 scheduling of stock assessments in the Gulf.
46

47 Dr. Ponwith indicated that it would not be possible to assess
48 any other species in 2018 aside from those listed on the current

1 schedule. The only possible addition may be cobia, but only in
2 the event that the stock ID workshop indicates a homogenous
3 stock throughout the Gulf and South Atlantic, thus requiring a
4 joint assessment. This scenario would not result in one of the
5 currently listed species in 2018 being removed from the
6 schedule.

7
8 The committee members asked what could be done to improve the
9 process and advocated for identifying areas where solutions may
10 be implemented. A committee member suggested removing the MRIP
11 calibration update effort from the schedule and updating those
12 data as the respective species are assessed in the future.
13 Further discussions were delayed until Full Council, as the
14 committee had exceeded its scheduled time. This concludes my
15 report.

16
17 We do need to have a discussion, as mentioned in the committee
18 report, that, if there is some portion of capacity still left
19 for 2018 within the Science Center, the portion of that capacity
20 that's dedicated to the Gulf -- If we're not about to get a
21 species into that stock assessment slot, which we're not. Of
22 the four slots, we have three filled. Is there a particular ask
23 or request that we would like to make of the Science Center, to
24 see if they can use that capacity in a slightly different
25 manner? I am going to just open it up to the council for
26 discussion and see what we can land on.

27
28 **MR. DYSKOW:** Thank you, Madam Chairman. I have a question,
29 perhaps better addressed to staff. Is the constraint financial
30 or manpower or both?

31
32 **CHAIRMAN BOSARGE:** Dr. Ponwith.

33
34 **DR. PONWITH:** You can think of conducting a stock assessment as
35 like a three-dimensional pyramid. We start with the collection
36 of the data out at sea, both the research data as well as
37 collecting data from the industry returning back from their
38 fishing trips. That is done in partnership between the federal
39 government and the state governments in collaboration, and
40 oftentimes joined by academics.

41
42 The next step is to process those data and get them prepared as
43 input. That includes cutting the otoliths, and it includes
44 looking at fecundity for those animals, and then it's handed to
45 the data people, who then convert those raw data into the inputs
46 that have to happen to prepare them as the actual inputs for the
47 assessment. At the very tip of that pyramid is the actual
48 conduct of the assessment itself.

1
2 All of that work has to be staged, so that it's done in the
3 proper sequence to get to the point where you can complete the
4 assessment. It's a combination of finances, and it's a
5 combination of bandwidth, and the bottom line is -- In business,
6 you always know there is a bottleneck somewhere, and, if you
7 feed one part of the process, it doesn't make everything go
8 away. It just moves the bottleneck to the next place. There is
9 always something that is the limiting factor between getting an
10 infinite amount of product.

11
12 Right now, we have made investments in our assessment
13 scientists, and so we have more than we have had in the past.
14 We've had an assessment scientist leave for another region, and
15 we have also had some retirements in our data processing.

16
17 Right now, it's a combination of finances and of bandwidth of
18 having had people leave the agency, in terms of being able to
19 translate those raw data into the inputs we need for the stock
20 assessment.

21
22 **CHAIRMAN BOSARGE:** A follow-up, Mr. Dyskow?

23
24 **MR. DYSKOW:** Madam Chair, may I please ask a follow-up question,
25 along that same line? What is the policy regarding outsourcing?

26
27 **DR. PONWITH:** That's a simple question, but it's a very
28 complicated answer. We partner very closely with the states and
29 the interstate commissions in this whole process, and, to the
30 extent that you consider that outsourcing -- I look at it as a
31 partnership, as opposed to outsourcing, but that's a pretty
32 strong collaboration. I guess let me ask before I answer. What
33 specifically do you mean by outsourcing?

34
35 **MR. DYSKOW:** I will be as specific as I can. Let's say we have
36 a species that we deem is critically important to get an
37 assessment survey done ASAP, and you have no people or financial
38 resources to do that, and there was some outside entity that was
39 willing to step up and say we will fund this or we will support
40 this, providing you can find some people outside of your agency
41 to take on this extra role, outsource a complete survey.

42
43 **DR. PONWITH:** The things that I am held accountable for are the
44 quality of the data and the quality of the science going in. We
45 have peer review processes to be able to guide that. The SEDAR
46 process has a standard operating procedure that guides, very
47 specifically, how to meet the requirement for peer review, and
48 the level of peer review is set by the novelty of the assessment

1 and the uncertainty in the data and those kinds of things.

2
3 I am allowed to accept third-party data, data that my staff did
4 not collect, but there is a test that it has to meet to be able
5 to be deemed of high enough quality and managed uncertainty to
6 be able to incorporate it.

7
8 To actually take a stock assessment and hand it out to outside
9 of this group is a challenge, and the reason is because, the way
10 we conduct our stock assessments, again, are very well
11 documented. The process is closely collaborative with analysts
12 that are selected by this council, and, if you hand something
13 out to a third party, the mechanism for monitoring and
14 controlling things like the data uncertainty, the sources of
15 acceptable data, the peer review standards, they're different
16 enough that you would have to have a mechanism to be able to
17 govern that.

18
19 There was an experiment on that in the South Atlantic, where an
20 outside group came in and shared what model they were going to
21 use and what methodologies and conducted an assessment, but the
22 challenge then we're faced with is, is that documented well
23 enough that it's repeatable, or do you have to completely start
24 from scratch the next time you do it? Again, I will say it's
25 such a simple question, but the answer to it is very, very
26 complex, just because so much rides on getting a result that is
27 reliable and repeatable.

28
29 **CHAIRMAN BOSARGE:** Mr. Anson.

30
31 **MR. ANSON:** Madam Chair, to go back to your question, Dr.
32 Ponwith, you made a comment that staff was looking at developing
33 some sort of indices or looking at indices to kind of do a
34 quick-and-dirty, and I hesitated in my mind, but I went ahead
35 and said it, but a much more quicker way to look at the data and
36 to kind of give a sense as to where a stock may be in between
37 full-blown assessments.

38
39 As Leann had asked, if there was anything that could be done in
40 the interim, since we're looking like 2018 might be a light
41 year, potentially, and is that high on the list for activities
42 for staff, to try to push through and make some progress in that
43 vein? Then I have another question too, after that.

44
45 **DR. PONWITH:** Thank you, Mr. Anson. I will say that, for the
46 Science Center, that is an extremely high priority, and the
47 reason is because we are looking at using an index-based
48 projection analysis in the South Atlantic for red snapper going

1 forward, for various reasons, and I won't go into the details
2 here.

3
4 While that is being explored in the South Atlantic, both our
5 South Atlantic analysts and our Gulf analysts are looking at
6 that as a very viable method for going forward, and that is -- I
7 would call it a less computationally demanding approach than a
8 full-blown stock assessment, yet it's quantitative, it's
9 repeatable, you can document the methodology, and repeat it from
10 one period to the next, so that you know there is continuity in
11 that methodology.

12
13 It's essentially being termed the rumble-strip approach, where
14 it gives you the ability to look to see the direction that the
15 indices are tipping and see if they're tipping in unison or
16 whether they are conflicting with one another and using that as
17 informative, in terms of the stock's response to management
18 measures that this council has put into place.

19
20 We find that to be a very interesting method that we think has
21 an awful lot of promise, in terms of how we're doing things, and
22 it would be very different than the way we do things now, which
23 is to set management measures and then wait until the next full-
24 blown stock assessment to be able to measure how that stock is
25 responding, to see whether it's responding the way we predicted
26 it would or differently, either faster or slower.

27
28 By doing this, it could allow -- Essentially, the thumbnail
29 sketch, very overly simplistic sketch of what this would look
30 like, is, when we do stock assessments, we update the indices
31 that we use as an input to the stock assessment. Instead of
32 waiting until the year we're doing that assessment to update
33 those indices, we would update them on an annual basis and have
34 some decision rules about how you would use those indices to
35 interpret how the stock is doing, to let us know if it's in
36 trouble or is it doing better than we thought it was going to
37 be, to help the council make decisions about its priorities for
38 both stock assessments and for management measures.

39
40 The answer to your question is I think that's a very good use of
41 any scope we have in 2018. I can guarantee you that not one
42 minute of scope will be wasted in this year. It will all be put
43 to good purpose for things that benefit the Gulf of Mexico.

44
45 **MR. ANSON:** One other question, not necessarily to Dr. Ponwith,
46 but maybe to the Chair or to Doug. Considering the process, the
47 SEDAR Steering Committee process I should say, and making sure
48 that the council members are aware of the timing and the needs

1 relative to the timing and such, and I'm just making a general
2 comment that trying to nail down the process, because, as Dr.
3 Ponwith was answering Mr. Dyskow's question, that process and
4 the two different kind of things are dynamic. They change.
5 Funding may be good one year, but you may not have the staff,
6 for whatever reason, because people leave, and vice versa.

7
8 I am just trying to think of -- For us to be able to not be in
9 this position next time around, that there is the communication
10 and that there is the understanding of what the resources are
11 looking ahead, from the Science Center's perspective, so that we
12 can be in a position to react and be able to fill in a hole that
13 might become available, for whatever reason. That's all I'm
14 saying, is to just be a little bit more diligent, to make sure
15 that those circumstances don't arise again, is just a general
16 comment.

17
18 **CHAIRMAN BOSARGE:** Thank you, sir. Dr. Ponwith.

19
20 **DR. PONWITH:** I think that's a fair observation, and one thing
21 that I can think of that could be helpful is -- When we're in
22 council session, because it is more comprehensive, what I could
23 do is make, as a standard report, a very brief staffing report
24 at each of the council meetings, so that, if we've added people
25 to our team -- Of course, when we add an analyst, our agreement,
26 through the SEDAR process, is we bring them on on a journeyman's
27 status, where they serve as an assist for their first year
28 before they take their very first lead, but you would know, by
29 those reports, when staff have been added and when they hit
30 their journeyman status and are ready to go in and become a
31 lead, to let you know when staff have been added to the data
32 analyst team, and also if we've lost people, and also when we've
33 had success in acquiring grants to be able to bring in
34 contractors and help with some of the process we're engaged
35 quite actively in right now, which is mechanizing some of the
36 procedures we use for preparing those data.

37
38 Imagine, if I'm the only person collecting the data, I've got an
39 awful lot of control on how those data come in and what they
40 look like and, therefore, the rate at which those data can be
41 conditioned as an input for an assessment.

42
43 When you have many, many data partners, each of the states, and
44 in some cases, in the Mid-Atlantic, the commission, it is a
45 longer process to unify the data, to QA/QC the data, and to get
46 them in and get them ready as one unit to be an input. If we
47 can do a better job of mechanizing how that happens, so that
48 it's not reliant on one person's expertise or, if someone is

1 out, to not be able to get those data on time, those are the
2 processes that we're working on right now, through contracts, to
3 be able to make that work more efficient. In this report, I
4 could include both staffing and new developments, in terms of
5 procedures that we're engaging in to make this process go faster
6 and more smoothly.

7
8 **CHAIRMAN BOSARGE:** Dr. Mickle.

9
10 **DR. MICKLE:** Thank you, Madam Chair. I have been lucky enough
11 to have been through the process on the SSC and then now at
12 council, and it's an incredible process, and it's unbelievably
13 complicated.

14
15 At this point, we have ASAP-types models and we have Stock
16 Synthesis, and now we have research tracks, with the uniqueness
17 of the species, and we have updates and standards and
18 benchmarks. I guess I will form this in a question to Dr.
19 Ponwith. I see the schedule has got a lot of standards on it
20 for this year and next year, and I think the year after. I am
21 just trying to relate to how I deal with my commission on the
22 state level.

23
24 I provide my capabilities, or the agency's capabilities, and
25 then it helps the commission whittle down what they want us to
26 do, and I say yes, and so maybe a question of maybe they could
27 identify -- This year, with staff limitations and the overall
28 limitations, maybe we can handle this many standards and this
29 many benchmarks, to help kind of get the efficiency of the
30 capabilities of the Center, to where it can handle obviously an
31 overwhelming load, and that's no one's fault, but it's just the
32 times that we live in, but just a little bit of annual
33 capability may help spur some conversation at the council level
34 of maybe what we would like to see from a year-to-year basis.

35
36 Two standards or a benchmark, those types of capabilities of
37 types of stock assessment of, hey, this stock is going to be a
38 Stock Synthesis species, and so, as far as time for that one,
39 and then this one is going to be a benchmark, and it's probably
40 going to be an ASAP, and there's all these moving parts, and
41 identifying capabilities on the annual scale may make our
42 conversations at the council and our requests on the council
43 level more efficient and, in turn, having output from the Center
44 to be more efficient, and so I think that's a question, a very
45 long question, and so thank you.

46
47 **DR. PONWITH:** It's funny that you should mention that, because I
48 absolutely agree that something like that would help the process

1 and be more transparent. It would help the councils understand
2 the implications of the choices that they're making, and we have
3 taken that to heart and actually developed a tool to do that,
4 and it's to give a feel for the scope, from the data analysts'
5 standpoint and from the stock assessment analysts' standpoint.

6
7 It was something that we intended to talk about at this fall's
8 SEDAR Steering Committee when it was a face-to-face two-day
9 meeting. That was undermined by the meeting being shortened by
10 half or more, due to the storm of the scheduling of the South
11 Atlantic Council meeting on top of that. That was a good
12 decision to do that, to be able to get that council meeting
13 stood up, but it cost us, in terms of really having the face
14 time that we are eager for for the SEDAR Committee.

15
16 We have a tool like that, and we are fiddling with it
17 internally, to see how well, it works, and we are eager to share
18 it with the SEDAR Steering Committee and with the councils, but,
19 essentially, if you picture it, it's basically an area, a space,
20 for the Gulf Council, for the South Atlantic Council, for the
21 Caribbean Council, and for the Highly Migratory Species Division
22 up in Headquarters, who all rely on us for stock assessment
23 expertise.

24
25 That space represents the full scope of what the data analysts
26 can do, and then, inside that space, you can move things around.
27 If you have a really, really heavy load for one council, it
28 comes at the expense of a lighter load for the other council,
29 but then, in that space, you can fit analyst time, who actually
30 do the assessments.

31
32 The analysts are color-coded by what region they serve, and it
33 helps to better visualize what those choices are and help the
34 councils better visualize the implications of those choices,
35 both for the current year and for downstream. The very thing
36 you suggested, we agree it's necessary, and we're well along in
37 developing that tool, and we look forward to sharing that with
38 you, and I will stop there.

39
40 **CHAIRMAN BOSARGE:** Mr. Greene.

41
42 **MR. GREENE:** Bonnie, I think one of the biggest challenges for
43 me is which analysts do which species of fish, because, when
44 we're trying to schedule these in, you look at red snapper and
45 vermilion, and we can't do that, because the same analyst does
46 this.

47
48 I don't know who those are, and, if there could be some metric

1 that you could put together, following along with what Dr.
2 Mickle said, that said, okay, well, we have these analysts
3 available that can work on these species, it certainly seems
4 like it would help, because when I'm sitting here, I'm just
5 looking at the species that I think through Reef Fish need to be
6 addressed now.

7
8 I don't know what the limitations and the capacity are in your
9 shop of which analyst is available to do what, and I think it
10 would eliminate a lot of the confusion of us at the table trying
11 to scratch our heads to figure out how, for us to get what we
12 need for management out of your shop and make it a little more
13 streamlined and help each other out at the table, and I truly
14 believe that.

15
16 **DR. PONWITH:** I think that's reasonable. I think probably the
17 number-one most important step is one of the things that we've
18 been doing in these council, in our nascent SEDAR Committee
19 meetings, and that is getting a feel for, from exclusively the
20 council's perspective, what are the priorities for stocks in the
21 stock assessments.

22
23 Then where it starts getting complicated is the if-then-what,
24 which is, if we can deliver these assessments in this year, then
25 how does that change your notion of priority the following year,
26 because none of those prioritizations are straightforward. They
27 depend on what gets picked in one year will change priorities
28 the following year. I think that that's something that we can
29 surely talk about.

30
31 The other thing that I would urge the council to take full
32 advantage of is the stock assessment prioritization tool, which
33 is really designed to help bring some math to those decisions
34 and look at things like how long has it been since it's been
35 assessed and how vulnerable is it to overfishing and what is the
36 current status, just some of these metrics.

37
38 Again, the notion is it's a machine that works for you and not
39 the other way around, but running those analyses can be
40 enlightening, in terms of building sort of a first-cut of those
41 stock assessment prioritizations and be a point of departure for
42 helping guide you in setting those priorities, because, just
43 like for us, it is not simple. They are very challenging
44 decisions.

45
46 **MR. GREENE:** I appreciate that comment back, but understand
47 that, oftentimes, if we don't lay out what our needs as a
48 fishery management council are, regardless of whether or not you

1 have the staff to do it -- I mean, it's two different things.

2
3 While we're very sympathetic to you and your shop and we don't
4 want to pile too much on there, the other side of that is that
5 we may not be getting what we need at the end of the day, and
6 we've had this discussion for two or three meetings now, and so
7 we're really stuck in this awkward box, and I think, to some
8 degree, I think that's where Mr. Dyskow was kind of coming from.
9 What is it that can be done to help out?

10
11 Understand that -- Obviously, every council wants more stock
12 assessments than they can get. When one council gets a few more
13 stock assessments than the other, you can't help but think,
14 well, gosh, we're getting picked on or, hey, we're getting what
15 we need, and so I'm just throwing that out there for
16 consideration.

17
18 **DR. PONWITH:** I will say I'm not offended by seeing a list
19 that's longer than I can address. I think it's good to have a
20 record of what the needs are, what the priorities are, and have
21 a record of where does that dotted line land, in terms of
22 meeting your needs, because I think that's a really important
23 thing to be completely out in the open on.

24
25 **CHAIRMAN BOSARGE:** Mr. Riechers.

26
27 **MR. RIECHERS:** Bonnie, do you remember, or maybe Doug remembers,
28 and it's been in the past I want to say six years or so, but
29 there was an increase in budget going to the Southeast Center
30 that was for fishery-independent data, which I believe then
31 actually ended up going towards stock assessment scientists that
32 were designed to then fill in gaps for mostly the Gulf, because
33 that's where that money was going to be directed for fishery-
34 independent data, but the decision was made by the Center to go
35 to stock assessment scientists. Do you recall when that was?

36
37 **DR. PONWITH:** We got an influx of resources in 2010. We hired
38 staff that went to the Gulf and the South Atlantic, and we did
39 fishery-independent increases. That was the beginning of the
40 SEFIS survey in the South Atlantic, because, to that point,
41 really the fishery-independent surveys -- It was almost
42 exclusively the MARMAP and a small amount of SEAMAP work, but
43 the SEAMAP work was done in the coastal margin. It was
44 geographically constrained.

45
46 **MR. RIECHERS:** If I may, maybe, for when you do come back to the
47 next meeting, if we could go back, and I just don't have it
48 where I can get to it easily, but I could even probably go back

1 and get it, but look at the assessments that we were getting
2 before that period of time and now look to those that we're
3 getting after, and, as I am recalling, we have done this
4 analysis recently, or in some time most recently, and I don't
5 think we've gotten the kind of level of increase that we thought
6 that we might get with that effort.

7
8 I am not saying that people aren't working hard, and I'm not
9 saying that you're not directing them towards things, but I
10 think that we need to look back at that period, because we
11 thought that was going to be when we started seeing some
12 increases, and we just haven't received that, and I think we
13 kind of need to analyze the why we didn't receive that, which
14 will help us in determining how we try to move forward with
15 getting the results that we want and not necessarily just
16 getting more money to the problem.

17
18 **CHAIRMAN BOSARGE:** Andy.

19
20 **MR. STRELCHECK:** The Southeast Regional Office has embarked,
21 over the last couple of years, on a strategic planning effort,
22 and we've been working with the Science Center on standing up
23 science priorities, and we've heard the councils loud and clear
24 the last few years, in terms of wanting more throughout put of
25 stock assessments.

26
27 Having staffing limitations of my own, I am very sympathetic to
28 what Bonnie is dealing with at this point. I think one of the
29 things that maybe the councils need to be discussing and we need
30 to be thinking about is do we need to reinvent the SEDAR process
31 and is it really accomplishing what we had set out to
32 accomplish.

33
34 It has certainly brought, I think, a lot more transparency and
35 vetting to the process and a lot more input by fishermen, but
36 it's also slowed things down considerably, and the throughput is
37 not going to be as great, because we have a much more cumbersome
38 process in order to operate within.

39
40 Regardless of staffing limitations, when we provide a big, bulky
41 process in order to conduct a stock assessment, it's just going
42 to slow things down, and I think there's opportunities here
43 where we can potentially look at streamlining our stock
44 assessment process to help with the Science Center and
45 efficiencies that could be gained there, but at the cost of
46 potentially losing some of that transparency and public input
47 along the way. There are those important tradeoffs that need to
48 be considered, but I think, at the end of the day, that's

1 something that maybe could help in moving forward with the stock
2 assessment process.

3
4 **CHAIRMAN BOSARGE:** Mr. Riechers.

5
6 **MR. RIECHERS:** I will go back to your original questions, and
7 the answer is yes and no. Yes, we need to reinvent it. No,
8 we're not getting what we need, and we do understand those
9 tradeoffs. Many of us have lived through those tradeoffs. If
10 we have to trade some of that process for getting what we need
11 in front of this body, I think it's time we have that
12 conversation.

13
14 **CHAIRMAN BOSARGE:** I am going to go to Mr. Gregory, because he's
15 been patiently waiting.

16
17 **EXECUTIVE DIRECTOR GREGORY:** Thanks for the compliment. Andy,
18 I'm glad to hear you say that. I have always felt that SEDAR
19 was overly bureaucratic and restrictive in its definitions of
20 update, standard, and benchmark. It was kind of redesigned in
21 2011 and 2012, and I was the SSC rep then and commented, and I
22 think it just got worse at that point, but I was in the minority
23 opinion, and so I think there is some improvements.

24
25 Back to outsourcing. We are fortunate, in that the Florida Fish
26 and Wildlife Commission does assessments for those species that
27 largely occur in Florida, like hogfish. We're getting hogfish
28 in 2018 and yellowtail snapper in 2019 and mutton snapper in
29 2020, and that's outside the four that we expect of the Center.

30
31 My question is it's my understanding that, even when an outside
32 group like FWC does that, they're dependent on the Center data
33 people to provide the data for the analysis, and therein is part
34 of the limitations or constraints that we're dealing with, is
35 the collection or the compilation of the data.

36
37 Doing the stock assessment, anybody can do Stock Synthesis 3 and
38 that sort of thing that has the capability, but it still depends
39 on the Center providing the data compilation for the assessment,
40 and so we would still have to work that into the schedule, and I
41 don't think that we can be totally independent of the Center in
42 doing assessments.

43
44 **CHAIRMAN BOSARGE:** I think we've had some good conversation.
45 It's a proactive, more long-term look at the issues and what we
46 can do to try and alleviate some of the problems that we have.
47 If the council is okay with this, I would like to steer this
48 conversation into some more specifics, and let's kind of drill

1 down a little bit further, maybe, on the idea that Kevin had.

2
3 I'm going to throw out another topic for discussion for 2018,
4 because what I would like to see happen, after this meeting, is
5 that we will write some sort of letter to the Science Center,
6 and we'll have some specific things that we will request to see
7 if they can accomplish with a little bit of that excess capacity
8 from that one stock assessment that is not going to occur.

9
10 I like Kevin's idea about the indices. I guess my question
11 would be -- So would this be for one species, when you do this
12 indexing? Obviously, you would be looking at what assessments
13 we have coming up, and you would do this indexing. You would go
14 through this indexing process, and that gives us a little
15 information now.

16
17 It also gets you a jumpstart on the upcoming assessments, and so
18 we have greater amberjack coming up in 2020 and things of that
19 nature, and so, Kevin would we be expecting this for multiple
20 species or one species in particular? I just want to make sure
21 that we put all of the particulars in there that we need in this
22 letter, and so that's one question.

23
24 Then, once we get that nailed down and have a little discussion
25 on that, let's talk about some more specifics on cobia and what
26 we may be looking at with cobia and if there's a specific ask
27 that we want to make sure that we put in that letter regarding
28 cobia, to make sure that we're prepared for anything that may
29 come our way, and so, Kevin, I will follow-up with you first.

30
31 **MR. ANSON:** I don't know. I am trying to refer to Dr. Ponwith's
32 comments related to that subject, and there are complexities, I
33 guess, I'm assuming, with each species relative to the data
34 that's available and trying to -- I don't know what the process
35 would be, but I would assume that you're going to kind of look
36 at and tease out some of the key pieces of data that are
37 particular for each species as you go through an indexing kind
38 of format or process and identify those that really have the
39 most impact or relationship to previous assessments and kind of
40 informing decisions and kind do a comparison back-in-time type
41 of thing with those key pieces, or those key indices, and see
42 how they match up with assessment results, I'm assuming, but
43 maybe, Dr. Ponwith, if you have some thoughts on that.

44
45 **CHAIRMAN BOSARGE:** Dr. Ponwith, if you can just maybe give us
46 some idea of what we can expect as an output, in other words.
47 You would come before the council, or your replacement, I guess,
48 will come before the council and give us a presentation on X

1 number of species and where we think those species are at this
2 point, based on your analysis, and what can we expect?

3
4 **DR. PONWITH:** For this, there is work to be done. This will be
5 a process, and so, for work that we would undertake in 2018, the
6 deliverable would not be for this stock it is here, as opposed
7 to there, where the original projections -- It would not be that
8 specific of a product.

9
10 It would be to look at the indices we have for each species and
11 look at their stability over time and their ability to be an
12 annual predictor of the condition or trajectory of that stock
13 and then work on how you would build the tools to interpret what
14 you saw, because, if something goes up, the question is how far
15 up would it have to go to be able to say that the stock is
16 better than what our projections said that it was going to be
17 and actually trigger a management measure, and so it's something
18 that you would want to do with a certain amount of care and a
19 great deal of understanding of the statistical characteristics
20 of those indices.

21
22 Then you would have to build rules about how you interpret, and
23 so, instead of the work in 2018 being a product that says this
24 stock is better than we thought it was going to be, it would be
25 a process of how we transition from how we do things now to how
26 we could do things if we did annual specifications using those
27 indices by updating them on an annual basis instead of updating
28 them the year we do a stock assessment.

29
30 Then, since we're getting into specifics, what I would love to
31 do is add to our agenda, for the specific discussions, a
32 conversation about red snapper in 2019. Right now, it's on the
33 list as a standard, and my proposal is that, if we're in the
34 middle of red snapper right now, and this council is convinced
35 that red snapper in 2019 is the right thing to do, I think that
36 we should save some time and do that as an update stock
37 assessment, because doing an update stock assessment actually is
38 pointed to by our own standard procedures. I don't see the
39 development of a new data stream or some other thing that would
40 trigger the need for a standard, and that would save some time
41 and get those results back faster.

42
43 **CHAIRMAN BOSARGE:** Mr. Gregory.

44
45 **EXECUTIVE DIRECTOR GREGORY:** I just wanted to point out, for the
46 council, that, since we started talking about doing research
47 track assessments, we have routinely started calling all of the
48 assessments standards, because it gives the analysts more

1 flexibility to make changes with something, but, in this case,
2 if we're doing an assessment one year after another assessment
3 is completed, what Dr. Ponwith is saying makes absolute sense,
4 and so I just wanted to let you know that we're just routinely
5 calling everything a standard at this point.

6
7 **CHAIRMAN BOSARGE:** Thank you for that input, Dr. Ponwith. That
8 helps. That's something physical that we can make that change
9 and maybe have some efficiency gains. Mr. Anson.

10
11 **MR. ANSON:** To follow-up on Doug's comment, and I go back to
12 what I brought up earlier about the process and trying to
13 position ourselves so that we have as much information to be
14 informed about being strategic and looking forward, I don't know
15 if that's the right thing to do, Doug, is to list everything as
16 standard, because, when you walk away from the meeting, you will
17 come back and see the "S" next to it, and you will know that, in
18 the back of your mind, that's fairly -- That's a little bit more
19 complex and a little bit more time consuming than an update and
20 less complex and less time consuming than a benchmark. I think
21 we ought to keep the B and the S and U on the list, is my
22 opinion.

23
24 **CHAIRMAN BOSARGE:** All right. I'm going to shift our discussion
25 a little bit over to cobia, because I left our SEDAR meeting a
26 little fuzzy on really what was going to transpire there,
27 because there's a few variables in play.

28
29 There is a stock ID -- This may have even bigger implications
30 for us as a council later on, but I will get to that, if we have
31 some time, but so there is a stock ID workshop that's going to
32 happen ongoing. The results of that tentatively are scheduled
33 to come out June, I believe, of next year, 2018, and,
34 essentially, what that's going to look at and what that's going
35 to hopefully tell us is you have a Gulf stock of cobia and you
36 have an Atlantic stock of cobia and are they in fact two
37 separate stocks or are they in fact one stock?

38
39 If they're two stocks, hopefully we'll have a good idea of is
40 our line in the right place for the dividing line between those
41 two stocks or does it need to shift, and there could be a mixing
42 zone, and there's all sorts of different things that could come
43 out of there.

44
45 The South Atlantic Council, on their assessment schedule, is
46 slated to have an assessment done on cobia as soon as that stock
47 ID workshop ends and they have the results of that. Now, we
48 have cobia on our schedule for 2019 and not 2018, and I guess

1 what I want to make sure of is, if the results of that stock ID
2 workshop were to come back and say this is all one stock, then
3 the most efficient thing to do is to have one assessment done
4 right after the results of that stock ID workshop. The South
5 Atlantic already has it on their schedule, but you really need
6 to assess it all at the same time.

7
8 In order for that to happen though, we have this data input
9 issue, right? All the data has to be prepped and ready to go to
10 feed directly into that assessment, and so my question for Dr.
11 Ponwith is, if we have this excess capacity at the Center for
12 this year coming up, should we make a specific request that,
13 with some of that capacity, those data inputs that are going to
14 need to go into the cobia assessment that we currently have
15 scheduled for 2019 go ahead and have those prepped and ready,
16 just in case, so that we can flow right through with an
17 assessment in the latter part of 2018 if we need to, so that we
18 would be ready?

19
20 **DR. PONWITH:** I think that's a reasonable use of any scope that
21 we have, and you're exactly right. I think you did a very good
22 job of characterizing our situation. We've got a wildcard, and
23 we won't know, until the results of that stock ID workshop come
24 back, what the prudent approach for the stock assessment will
25 be, and so it makes good sense for us to be, to the fullest
26 extent possible, expediting the preparation of the cobia data,
27 so that, if the answer is that it's one homogeneous stock, we
28 are as ready as can be without delaying the start time for the
29 stock assessment.

30
31 In that circumstance, when I speak to the analysts, the notion
32 is that then the assessment would be led by the person from the
33 South Atlantic who intended to lead that assessment in the first
34 place, but, of course, it would mean that we would have to
35 incorporate all those Gulf data, and that's a big lift that we
36 would have to -- It would have to be a well-discussed, big lift
37 with all of our collaborators, to make sure that we could keep
38 pace.

39
40 **CHAIRMAN BOSARGE:** All right, and I think that, if the council
41 is interested, that is probably something that we should think
42 about being proactive about. It wouldn't be wasted effort, even
43 if they are two separate stocks and that stays the same, because
44 we have it slated on our schedule for 2019, and so, if we do
45 that data prep in 2018, we're getting ready for something there.

46
47 I think the terminal year of the last Gulf assessment was 2011,
48 and so there should be a decent amount of data to prep, if we're

1 thinking about a terminal year of 2017 or 2018, and, from my
2 understanding, those otoliths are kind of hard to read, and so
3 it's probably not something that is a fairly quick process, and
4 so I am very interested in that. Dr. Shipp.

5
6 **DR. SHIPP:** Bonnie, I just have a question on logistics here.
7 The South Atlantic has cobia for 2018, and is that what I heard?
8 If that's the case, how were they proceeding if the stock ID
9 workshop is not going to be completed until June of 2018? I
10 just don't understand how they can move ahead and we can't.

11
12 **DR. PONWITH:** The stock ID workshop is scheduled for the early
13 part of 2018. The cobia assessment follows on the heels of
14 that, and so it begins in late 2018 and spills into 2019, and so
15 there is some overlap, but not complete.

16
17 **CHAIRMAN BOSARGE:** I think we have at least two decent asks for
18 our letter that we may write to the Science Center. Is there
19 anything else that anybody would like to add to that letter, or
20 are we good? Dr. Ponwith.

21
22 **DR. PONWITH:** If you would like drafting assistance on kind of
23 the rumble-strip approach, the indices approach, we are willing
24 to offer that, and so, if staff wants to contact our analysts,
25 we will help out with the language on that.

26
27 **CHAIRMAN BOSARGE:** Thank you. We appreciate that. That should
28 conclude -- Yes, sir, Mr. Anson.

29
30 **MR. ANSON:** I wanted to follow-up to the comment that Andy made
31 relative to review of the process, and I was wondering how we
32 might go about doing that. It sounds like, Andy, your office
33 has kind of started looking into that, from your perspective and
34 such, and so I wonder how we as a council can be engaged in that
35 and be part of that process and looking at it.

36
37 I'm sure some of it has to do with Magnuson-Stevens Act
38 requirements for considering science and such, and so, to what
39 level or what wiggle room there might be in there from that
40 regard, certainly the agency will have to review that, but, from
41 our perspective as to whether or not we get engaged after they
42 do their initial review at that point or if we do it
43 concurrently, but I'm just trying to see how we can do that.

44
45 **CHAIRMAN BOSARGE:** Andy.

46
47 **MR. STRELCHECK:** Yes, I think you've made it clear, obviously,
48 your concerns, and so what we need to do is come back as an

1 agency, working, I think, with the Steering Committee as well,
2 with some recommendations as to how we further streamline.

3
4 As Doug mentioned, there certainly has been some changes over
5 time to address the pace of the SEDAR schedule, but where are
6 those further improvements and where are those efficiencies that
7 we can be gaining, and so I think we can go back and put our
8 heads together and bring back some ideas for you.

9
10 **CHAIRMAN BOSARGE:** Dr. Mickle.

11
12 **DR. MICKLE:** Thank you, Madam Chair. I would like to make a
13 motion on those lines of discussion, and it is following that,
14 but it's a little bit different. **I would like to make a motion**
15 **to direct council staff to research stock assessment procedures**
16 **alternative to the SEDAR process.**

17
18 This is different from what Andy was just discussing, because
19 this would be council staff and not the Center staff, and I
20 think that would -- The council staff -- Well, I will go on if I
21 get a second. Thank you.

22
23 **CHAIRMAN BOSARGE:** All right. We have a motion on the board,
24 and it's been seconded by Dr. Shipp. Is there discussion? Dr.
25 Mickle.

26
27 **DR. MICKLE:** I think the benefit of our wonderful council staff
28 is they are poised at that midpoint between the SEDAR process
29 and the council. They understand the SEDAR process much better
30 than all of us, and we have the SSC, which can vet a lot of
31 things that come out of what council staff approaches, and so
32 I'm bragging on the council staff, and I really understand their
33 capabilities, and I would really like to see their input kind of
34 initial before the Science Center chimes in, and, again, the
35 Science Center is so let's busy that let's just -- Well, council
36 staff is obviously busy as well, but I think this would allow
37 some outside ideas to the SEDAR process, which I think -- Which
38 I will try to see from our vote we really want to see. Thank
39 you.

40
41 **CHAIRMAN BOSARGE:** Mr. Riechers.

42
43 **MR. RIECHERS:** Paul, I am taking the -- Based on your comments
44 there and your discussion, I just want to make it clear in the
45 discussion that it's not necessarily completely procedures and
46 alternatives to the overall SEDAR process, but it's also
47 improvements to the SEDAR process.

1 It can be different if we go outside and you find contractual
2 arrangements or other things, but it could also be the notion of
3 kind of in the line that Kevin was talking as well. How do we as
4 a council and a council staff see that we can improve and
5 streamline and create some efficiencies within that process, and
6 is that the sum and substance of the motion?

7
8 **DR. MICKLE:** Thank you. Yes, it is, and I know council staff
9 likes very pointed requests, and I do understand that, but I did
10 brag earlier on them. I want them to have a lot of liberty. I
11 really want to get a robust -- If they come back with -- I want
12 them to come back with stuff that we haven't thought of, and so
13 does that make sense? I am keeping it broad, and so the
14 process, the outsourcing, the data mining, the staff
15 capabilities at each level of data processing, public
16 interaction, the modeling itself, the peer review -- You know,
17 the SEDAR process is incredible.

18
19 I absolutely admire it, and I have taken this to the Mississippi
20 Department of Marine Resources and our Fisheries Director, and
21 he had led the way in getting the SEDAR process -- The steps in
22 our agency to go almost identical to the SEDAR process, but in a
23 much more efficient way, because it's smaller. The budget is
24 less than one-tenth of what SEDAR spends on a stock assessment,
25 and I love the steps of it, but I would just love to see the
26 SEDAR process to become practical to the way that fisheries has
27 evolved into, and this is a really difficult thing that we're
28 all frustrated with, and it's no one's fault.

29
30 The SEDAR process is an incredible process, and I admire it
31 deeply, and I have modeled it in the agency, and it's been an
32 amazing thing to see, but I just -- I want to see it conform to
33 the times at which we're entering into.

34
35 **MR. RIECHERS:** I think that helps clarify. As staff looks at
36 the motion, I think that gives them a wide range of options of
37 how they can go about that, and I understand what you're trying
38 to do. You're trying not to bridle them in any way, and so I
39 certainly understand that, and I appreciate you elaborating them
40 a little more.

41
42 **CHAIRMAN BOSARGE:** Thank you. Any further discussion on the
43 motion? **Is there any opposition to the motion? Seeing none,**
44 **the motion carries.**

45
46 I am being told that we've got a picture that we're going to
47 take before lunch, and so you all go ahead and get your makeup
48 on and get ready for that. We will do that at some point, a

1 Full Council picture, and I'm not pregnant this time. I am
2 excited. I am going to be in a picture in a somewhat
3 streamlined figure, I guess.

4
5 There was one, while we have just a few minutes -- Does that
6 conclude our SEDAR business? Did anybody have anything else
7 relative to that? Okay. While we have just a couple of
8 minutes, I wanted to give you some food for thought, something
9 to be chewing on before we come back to our January meeting.

10
11 I attended the South Atlantic meeting, actually last week, and
12 so it was back-to-back meetings, and I very much enjoy their
13 meetings, let me just say that. They go about things a little
14 differently than we do, and I always learn something there, and
15 there is one thing though that is on their radar that they are
16 discussing, and it seems to be progressing fairly quickly.

17
18 They may take final action either in -- They have a December
19 meeting, and so they may take final action on this either in
20 December or January, or whatever their first meeting of the next
21 year is. This could be coming before us, and it will have some
22 impacts for us that we're going to need to make sure are well
23 thought-out and on paper for a process, and so here's what is
24 going on.

25
26 We were just talking about cobia, and so we have a Gulf stock of
27 cobia and we have an Atlantic stock of cobia. The South
28 Atlantic Council is considering removing the Atlantic stock of
29 cobia from their fishery management unit, and, NMFS, you stop me
30 now if I get any of this wrong.

31
32 What they're going to do is hand that management off to the
33 Atlantic States Commission. Now, their commission is a little
34 different than our Gulf States Commission, in the sense that
35 they have the ability to actually make regulations and have some
36 enforcement of that and ramifications if you don't meet the
37 criteria outlined in their management plan.

38
39 Anyway, they're going to pass that off to the Atlantic States.
40 Well, that's fine. That's their prerogative. What we need to
41 know though, as a council from the Gulf side, is we interact
42 with the South Atlantic Council when it comes to cobia. We have
43 a stock ID process that's ongoing to find out is this one giant
44 stock of cobia in the Gulf and the Atlantic or is it in fact two
45 and where is the line and do we need to move the line.

46
47 Now, normally, we would have a joint amendment with the South
48 Atlantic when we get results of something like that and there

1 has to be possibly a change made and some decisions made. Once
2 they had that off to the Atlantic States though, there is really
3 not a process outlined in writing anywhere for how the Gulf
4 Council would interact with Atlantic States. I mean, it's so
5 far out that nobody has ever really encountered that, and why
6 would you have a plan laid out for it?

7
8 When I brought it up at their meeting last week, I think it was
9 something they had not actually thought of yet, and so there is
10 no verbiage in that amendment currently to address that process
11 and how we would go about shifting any sort of line or any sort
12 of quotas or anything else, and so be thinking about that.

13
14 I am assuming -- I don't think the IPT has even had a meeting
15 with the South Atlantic people on that yet. That will be
16 upcoming at some point, but we'll need to take a look at that.
17 That will be on our schedule pretty soon, and so just be
18 thinking about that. Andy.

19
20 **MR. STRELCHECK:** I'm a little confused, but -- The interaction
21 with the Atlantic States, I think it really does hinge on the
22 stock ID decision that would be made and whether or not it's a
23 single stock or not.

24
25 If the South Atlantic Council decides to remove cobia from their
26 management plan, then I think the decision there would be that
27 you're no longer interacting with the South Atlantic Council,
28 and, if they're separate stocks, then you wouldn't need to
29 interact with Atlantic States in that instance either, but, if
30 there is a single stock and that's determined, then that's where
31 the coordination would have to occur with Atlantic States moving
32 forward.

33
34 **CHAIRMAN BOSARGE:** Correct, but we have to have some process
35 outlined in that amendment that turns over management to
36 Atlantic States so that we have something to go by when and if
37 we need to interact with them, and that's what I'm getting at.
38 That's what we need to think out and how we want that process to
39 happen.

40
41 **MR. STRELCHECK:** Then the question becomes is it still going to
42 remain a joint plan or not. You're just changing who you're
43 going to be interacting with, or, with the stock ID, would it be
44 separate plans at that point, and so you would have a cordial
45 divorce.

46
47 **CHAIRMAN BOSARGE:** Sue.
48

1 **MS. GERHART:** It is a joint FMP, and there are also king
2 mackerel and Spanish mackerel in that plan, and so, if they
3 remove cobia for the Atlantic and we still have cobia in the
4 Gulf in that plan, that's not unprecedented. In the past, we
5 had dolphin in the CMP FMP, for the Gulf only, as well as
6 bluefish, before we took those out of the FMP. It's not
7 unprecedented to have a species on one side and not the other in
8 that joint plan.

9
10 **CHAIRMAN BOSARGE:** Dr. Simmons.

11
12 **DR. CARRIE SIMMONS:** Thank you, Madam Chair. I was just going
13 to say that I agree with Andy, as far as the timing of the stock
14 ID workshop and then the timing of the amendment. It is a bit
15 confusing on how that process is occurring right now, because my
16 understanding is the South Atlantic Council's document could
17 potentially be finalized in December and come to us in January
18 for approval, yet I believe the stock ID results may not be
19 available until June or July of 2018. That is a bit odd to me,
20 and potentially confusing, where we may have to go back and make
21 changes, and so I just want to talk a little bit about that
22 timing.

23
24 **CHAIRMAN BOSARGE:** I agree, and that's what put it on my radar,
25 when I realized that they were going to turn over management,
26 possibly, before we had the results of that, but, anyway, it's
27 just something to think about. We will make sure all our Is are
28 dotted and Ts are crossed and we have a plan in place for how to
29 interact. Mr. Gregory.

30
31 **EXECUTIVE DIRECTOR GREGORY:** I don't recall if you mentioned
32 this aspect of it, but I think the thing that got your attention
33 in the beginning is, if the stock assessment ID says there's a
34 change in the boundary, it will be automatic and the Gulf
35 Council has no say in it, if the Atlantic States is then running
36 the Atlantic cobia group, and that seemed odd.

37
38 There is no mechanism for the Gulf Council to negotiate with the
39 Atlantic States Marine Fisheries Commission, and so I think the
40 message that should go to the South Atlantic Council is not to
41 process this amendment until after the stock ID workshop.

42
43 **CHAIRMAN BOSARGE:** Yes, and so what Doug is getting at is that,
44 when I asked the question on what if there is a change in this
45 boundary between the two stocks, or what if there is a mixing
46 zone, and Atlantic States' answer was essentially, well, we're
47 going to implement that and that will be it. I said, well, you
48 know, it's not always quite that black-and-white. There is

1 usually some discussion that has to take place and figure out a
2 few details in how we're going to manage this, and so that's why
3 it's important just to have that process outlined, so that it's
4 not implemented and then we're just following along with what
5 we're told. There needs to be a conversation there. Mr.
6 Greene.

7
8 **MR. GREENE:** Leave it to the ignorant boat captain here, but it
9 sounds to me like the Atlantic States Marine Fisheries
10 Commission has some type of regulatory control or power.

11
12 **CHAIRMAN BOSARGE:** Yes, there is an act that governs them, but,
13 once that stock is removed from the South Atlantic Fishery
14 Management Plan and handed to the Atlantic States, the Atlantic
15 States does not fall under Magnuson, and so it probably will be
16 a very different style of management on one side of the line
17 from the other.

18
19 **MR. GREENE:** That is different than Gulf States?

20
21 **MR. DONALDSON:** Johnny, we do not have regulatory authority.

22
23 **MR. GREENE:** The Atlantic States does, but they don't have to
24 operate under Magnuson, and that's your major concern? Wow.

25
26 **CHAIRMAN BOSARGE:** So you see why it's kind of important to have
27 a process in place before we get to that point, and so we'll be
28 thinking about it, and we'll -- I just wanted to put it on
29 everybody's radar and make sure that everybody was aware that we
30 have some groundwork to lay there.

31
32 It's 10:15. Liaison Reports, I heard somebody say. All right.
33 Do you want to take a fifteen-minute break? That will give us
34 thirty minutes for Liaison Reports. All right. Sounds good.
35 Let's take a fifteen-minute break, and we will let our liaisons
36 get prepped, and we'll come back and do those reports.

37
38 (Whereupon, a brief recess was taken.)

39
40 **CHAIRMAN BOSARGE:** We're going to go ahead and launch into our
41 Liaison Reports, and I am going to give Mr. Tim Griner the honor
42 of being first, our South Atlantic compadre. Go ahead.

43
44 **SUPPORTING AGENCIES UPDATE**
45 **SOUTH ATLANTIC COUNCIL LIAISON**
46

47 **MR. GRINER:** Thank you, Madam Chair. I very much enjoyed being
48 here in Mississippi this week. It's brought back a lot of

1 childhood memories for me, stomping around my family's fish camp
2 down in Gautier, and so it's been really nice to be back here.
3 I also want to thank you for your consideration on our issues
4 with the yellowtail snapper. We very much appreciate that.

5
6 I wanted to talk a little bit about something that we're working
7 on in the South Atlantic, which is our citizen science effort.
8 We're using this approach to try to bring some input from
9 fishermen on what they're actually seeing and observing on the
10 water in our data collection efforts now.

11
12 I think this input that we see on the water, as fishermen, is
13 extremely important in a data collection standpoint and that we
14 shouldn't discount it at all. We should really start looking at
15 that a little bit heavier. Given the technical complexities and
16 the funding issues that we all go through or are experiencing
17 with data collection, we really need to be open to new
18 approaches.

19
20 Recently, we had a conversation with one of the leading
21 scientists, and we posed a question of just how much data do you
22 need, how much is enough, and the answer was just a little bit
23 more, and that's very telling, and we understand that there are
24 National Standards that you have to comply with in order for
25 this data to actually be useable, but I think we have to be
26 careful not to fall into the trap of getting handcuffed by the
27 paralysis of analysis, and so we do have to look at new
28 approaches, and so we're very interested in using some of these
29 indices of abundance to not only track the stock response of the
30 management measures we already have in place, but to actually
31 use these indices to implement new management measures. We are
32 in fact moving in that direction, especially in regards to our
33 red snapper.

34
35 I would also like to give a big thumbs-up to your staff for the
36 way that the briefing material is laid out in your online agenda
37 and the links to be able to just go right to the documents and
38 follow along is outstanding, and I will be taking that back with
39 me, and so thank you for that, staff.

40
41 Again, thanks for having me here and all of your hospitality.
42 The shrimp last night was outstanding, and I can't tell you how
43 much I enjoyed that, and I actually woke up this morning
44 thinking about shrimp. Thank you, guys, for having me.

45
46 **CHAIRMAN BOSARGE:** I love it. I love that last comment. We're
47 glad that you like these Gulf shrimp over here, but I will say
48 that your Atlantic -- I had some shrimp over at the South

1 Atlantic meeting last week, and they were good too, but our
2 boats catch those too, and so I like them all. I don't have any
3 problem with any shrimp, as long as it's domestic.

4
5 **MR. GRINER:** I agree. As long as it's domestic and fresh.

6
7 **CHAIRMAN BOSARGE:** That's right. Yes, I was going to touch on -
8 - I am glad you brought that up, the data collection program,
9 and so the South Atlantic has actually created a smartphone app
10 for private anglers to report their catch, and it's called My
11 Fish Count, and there's a pilot program that they're embarking
12 upon.

13
14 They're actually, right now, going to be recruiting and looking
15 for 200 snapper grouper fishermen to participate in that
16 program, and they're hoping that it's going to go live in late
17 2018. I asked them a few questions, because I thought it was
18 pretty interesting, that they were already that far along on
19 something like that, and about how did you come to this, and
20 they had some discussions around their table about it.

21
22 Then, through the Regional Office, they were able to procure
23 some grant funds, some Science & Technology grant, I think, is
24 what they ended up funneling through down to support these
25 efforts, and so I am anxious to hear more about that and see how
26 it goes. It's pretty interesting.

27
28 It's something that we hear a lot from our recreational
29 fishermen, that they want to report their catch, and a lot of
30 our states have implemented things like that already at the
31 state level, but I am always interested in new data collection
32 programs, and so that will be something that we'll keep on our
33 radar and hopefully get some updates on. Next, I will turn to
34 Mr. Dave Donaldson, if he has anything he would like to update
35 us on.

36
37 **GULF STATES MARINE FISHERIES COMMISSION**

38
39 **MR. DONALDSON:** Thank you, Madam Chair. I've just got a couple
40 of points. With the new council members, I just wanted to kind
41 of give a quick overview of the commission. We coordinate five
42 major programs, including the Interjurisdictional Fisheries
43 Program, which takes a regional view of fisheries and develops
44 fisheries profiles for numerous species over the years.

45
46 We have SEAMAP, which is a fishery-independent state and federal
47 program. Both the states and NOAA Fisheries participate and
48 focus on doing trawls and plankton surveys, trap video, and

1 vertical line. Our Sportfish Restoration Program, which mainly
2 focuses nowadays on artificial reefs and developing guideline
3 documents for materials and monitoring protocols.

4
5 We have GulfFIN, which is our fishery-dependent program, which,
6 again, is a state and federal program. Currently, we focus on
7 recreational sampling for catch and effort, trip tickets, which
8 includes an electronic reporting component, and we are currently
9 moving to a web-based system and having a unified trip ticket
10 throughout the Gulf of Mexico in menhaden port sampling.

11
12 In addition, we also have done biological sampling, collecting
13 otoliths and lengths and whatnot, headboat sampling and at-sea
14 sampling. Unfortunately, because of funding shortfalls, we're
15 no longer doing those at this time.

16
17 Then our Invasive Species Program, AIS, is looking at invasive
18 species and education, prevention, monitoring, and eradication,
19 which is not really a viable option, but trying to at least
20 minimize the impacts. We have focused on lionfish recently, but
21 we have a variety of species that we're looking at.

22
23 Recently, we received from money from NOAA Fisheries, and we're
24 looking at aquaculture. Last year, we had an RFP that focused
25 on oyster aquaculture and funded several projects. This year,
26 we're going to continue doing the oyster work as well as the
27 three commissions actually got money to implement regional
28 pilots on aquaculture, and not just oysters or shellfish, but
29 also finfish and trying to move aquaculture down the road. We
30 will be doing RFPs for those projects, and those should be out
31 shortly.

32
33 At the last meeting, I mentioned that, through GulfFIN, we're
34 putting together a discards workshop, and this is a national
35 meeting. I didn't have any details, but it will now be held on
36 November 7 and 8 in New Orleans, at the Courtyard, and the focus
37 of the workshop is to improve discard methods and looking at
38 ways to get better information on that. You can go to our
39 website, and there is more details about that.

40
41 Then the last thing is our commission meeting, and we have two
42 meetings a year, one in March and one in October, and our
43 October meeting is coming up in a couple of weeks, October 17
44 through 19 in Mobile, Alabama, at the Battlehouse. We will have
45 various committees, sub-committees, and our commission business
46 meeting. The agendas will be posted to our website shortly.

47
48 In addition, we have been trying to do general sessions on a

1 variety of different issues, recreational fishing and oysters,
2 and, at this meeting, we're focusing on diamondback terrapins.
3 That will be on the morning of October 18. We're looking to
4 improve communication about the research on diamondback
5 terrapins.

6
7 Then, lastly, on also Wednesday, October 18, at noon, we are
8 giving our annual Lyle Simpson Award out to Joe Gill, who used
9 to be the Director of Mississippi. It used to be the bureau,
10 and now it's the department. He was on this council for a
11 number of years, and he has been involved in the commission for
12 quite some time.

13
14 Info on that meeting is also on our website, and so, if you need
15 more detail about the programs, come see me at a break, and I
16 can provide some details, but I just wanted to -- With some new
17 folks on the council, I just wanted to give you a quick nickel
18 tour. With that, I will answer any questions.

19
20 **CHAIRMAN BOSARGE:** Any questions for Mr. Donaldson? Thank you
21 for the overview. I think it's very helpful, and I'm hoping
22 that maybe I can make it over there to your meeting in Mobile
23 this time. I know that Mr. Boyd will be there for the Law
24 Enforcement Committee meeting that will be happening, and so
25 we'll definitely have him there.

26
27 **MR. DONALDSON:** We would love to have you.

28
29 **CHAIRMAN BOSARGE:** Thanks. You know, you brought up
30 aquaculture, and I'm glad you did. It made me think of
31 something that I wanted to mention to the council that I was
32 made aware of here a while back. We do have a few shrimp farms
33 in the U.S., shrimp ponds, and the FDA now has I think the first
34 documented case in the United States, in our ponds, of EMS in
35 shrimp.

36
37 The EMS is early mortality syndrome, and so that's the first
38 time it's been in our ponds here in this country, and I just
39 mention that so that we can -- As some of this stuff is, I
40 guess, permitted through other bodies, and that particular farm,
41 thank goodness, did not flood during Harvey, because it does use
42 some water from the Gulf in that pond, and so it must be -- I
43 have no idea who this individual is or where they are located,
44 but, if they're using Gulf seawater, they must be pretty close
45 to the water.

46
47 The species of shrimp that's being grown in that pond, it's my
48 understanding, is a Pacific white shrimp, and so it's not a

1 species that is native, obviously, to our Gulf waters, but it's
2 something that we have to keep in mind. Heaven forbid, we don't
3 ever want something like that to transfer from a pond to our
4 wild stock, that type of disease, because it's rampant. When it
5 gets in a stock of shrimp, that's it. You can just about write
6 that pond off, is my understanding, and so just things to keep
7 in mind and be on our radar and make sure we're cognizant and
8 proactive when we look at all these different issues. Let's
9 see. Next on our list, I have the Lieutenant Commander. Was
10 there anything that you wanted to update us on, sir?

11
12 **U.S. COAST GUARD**
13

14 **LCDR MCNEER:** Thank you, Madam Chair. Just a couple of items to
15 discuss that may be of interest to everyone. We still have
16 continued activity down on the Mexico border. We have
17 interdicted several lanchas since the last time we met, and, of
18 note, one that was as far north as seventeen miles north that we
19 interdicted.

20
21 With those lancha interdictions, we've also identified, located,
22 and recovered approximately 6,000 yards of longline gear, and so
23 I think that's significant to note, and that was over three
24 separate instances, and so that's all I have. Thank you.

25
26 **CHAIRMAN BOSARGE:** Mr. Swindell.

27
28 **MR. SWINDELL:** Any particular fishery resources involved in all
29 this activity?

30
31 **LCDR MCNEER:** Thank you for that question. In one instance,
32 with the longline gear, all of them were empty, with the
33 exception of 1,800 yards that produced eight shark, two eels,
34 and one red snapper.

35
36 **CHAIRMAN BOSARGE:** Thank you, sir. All right. With that, I
37 believe that we have a photo op in our future, and so, Miss
38 Emily, where would you like us to meet you for our photo?

39
40 **MS. MUEHLSTEIN:** Right in front of those pretty blue flowers in
41 the lobby out here.

42
43 **CHAIRMAN BOSARGE:** I like it. Okay. So, we're going to go and
44 take our photo, and then we will break for lunch. Our lunch is
45 scheduled from 11:00 to 12:30. After our photo, we will meet
46 back in here at 12:30 for public comment. Thank you.

47
48 (Whereupon, the meeting recessed for lunch on October 4, 2017.)

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4 October 4, 2017
5

6 WEDNESDAY AFTERNOON SESSION
7
8 - - -
9

10 The Full Council of the Gulf of Mexico Fishery Management
11 Council reconvened at the Beau Rivage Resort, Biloxi,
12 Mississippi, Wednesday afternoon, October 4, 2017, and was
13 called to order by Chairman Leann Bosarge.
14

15 **CHAIRMAN BOSARGE:** Good afternoon, everyone. On our agenda next
16 is our Public Testimony. First, we will read our statement, and
17 then we will commence. Public input is a vital part of the
18 council's deliberative process, and comments, both oral and
19 written, are accepted and considered by the council throughout
20 the process.
21

22 The Sustainable Fisheries Act requires that all statements
23 include a brief description of the background and interest of
24 the person in the subject of the statement. All written
25 information shall include a statement of the source and date of
26 such information.
27

28 Oral or written communications provided to the council, its
29 members, or its staff, that relate to matters within the
30 council's purview are public in nature. Please give any written
31 comments to the staff, as well as all written comments will also
32 be posted on the council's website for viewing by council
33 members and the public, and it will be maintained by the council
34 as part of the permanent record.
35

36 Knowingly and willfully submitting false information to the
37 council is a violation of federal law. If you plan to speak and
38 haven't already done so, please sign in at the iPad registration
39 station located at the entrance to the meeting room. We do
40 accept only one registration per person.
41

42 Each speaker is allowed three minutes for their testimony.
43 Please note the timer lights on the podium, as they will be
44 green for the first two minutes and yellow for the final minute
45 of testimony. At three minutes, the red light will blink, and a
46 buzzer may be enacted. Time allowed to dignitaries providing
47 testimony is extended at the discretion of the Chair. I do
48 think that we will have testimony from one dignitary today.

1
2 Please try and watch the lights, the timer lights, the yellow
3 and red. We do have a lot of people signed up for public
4 testimony today, and so we're going to need to stick to that
5 three-minute window, and I apologize. I know that's tough when
6 you come this far, but there are a lot of people that want to
7 speak. First up for public testimony this afternoon, we have
8 Alison Johnson, followed by David Cresson.

9
10 **PUBLIC COMMENT**

11
12 **MS. ALISON JOHNSON:** Good afternoon, Madam Chair and Gulf
13 Council members and staff. My name is Alison Johnson, and I'm
14 the Southeast Campaign Manager for Oceana. I would like to
15 offer the following comments on Amendment 9 for protections of
16 deep-sea coral in the Gulf.

17
18 First, we don't believe that both deep and shallow-water coral
19 should be combined into one FMU or a single stock assessment
20 complex. Deep-sea and shallow-water corals have distinct life
21 cycles, habitats, and stressors and should not be managed as
22 one.

23
24 We believe that all corals should be managed by species, or, at
25 the very least, divided into two groups of deep and shallow-
26 water corals. Second, we don't think that setting ACLs for
27 coral is appropriate, but they should actually be managed by the
28 discretionary provisions in the Magnuson-Stevens Act. Setting
29 ACLs could potentially open deep-sea coral to fishing
30 opportunities in the future, and that is not the purpose of
31 Coral Amendment 9.

32
33 Lastly, if ACLs are set for deep-sea coral, there needs to be
34 specific accountability measures outlined in the fishery
35 management unit to correct and mitigate overages as well as a
36 timeline for payback. There you have it, short and sweet, and
37 thank you very much for the opportunity to provide public
38 comment today.

39
40 **CHAIRMAN BOSARGE:** Thank you, Ms. Johnson. Next, we have Mr.
41 David Cresson, followed by Mr. Daryl Carpenter.

42
43 **MR. DAVID CRESSON:** Again, thank you for having me and giving me
44 the opportunity to testify to you today. My name is David
45 Cresson, and I am the Executive Director of the Coastal
46 Conservation Association of Louisiana, and I'm pleased to be
47 here representing our members in Louisiana, and we're here today
48 to express our support for the Louisiana amendment to the

1 management of red snapper. We would like to see anything that
2 helps us have more state control over those fish, and that would
3 be great.

4
5 This program that's been put in place by Assistant Secretary
6 Banks really started a while back for Louisiana. We asked for
7 this many years ago, and, at that time, the State of Louisiana
8 put into action a plan to get us to where we are today. Five or
9 six years ago, anglers in Louisiana asked for, and received from
10 our state legislature, an increase to our saltwater license fee
11 of \$7.50.

12
13 With that money, we have put into place what's become widely
14 recognized as one of the gold standards for data collection and
15 harvest analysis, the LA Creel program, as you all know. Not
16 too long after that, we took on a state season and allowed
17 ourselves out to ten miles, so that we could fish during our own
18 state season, so that, when the thirty-nine-day opportunity came
19 to us earlier this year, we were ready for it, and we proved,
20 through those thirty-nine days and through the management, the
21 excellent management, by our department and by our commission,
22 that this is a better way to do it.

23
24 In the thirty-nine days, really more than 140 days that
25 Louisiana fished for snapper off of our coast, we still came up
26 about 100,000 pounds short of our self-imposed quota. It was
27 interesting that our commission, again with the guidance of our
28 department, decided, before the thirty-nine days even started,
29 that we would stop in the thirty-nine-day period if we ever
30 approached that 1.04 million pounds that we self-imposed.

31
32 The LA Creel program, the addition to the license fee, the
33 excellent relationship between the department and our commission
34 and our stakeholders in Louisiana, has proven to be a better
35 way, and we would like for you to consider moving forward with
36 the Louisiana red snapper management plan.

37
38 I would also like to make note that, although I don't speak for
39 charter captains in Louisiana, I do know many, and we have many
40 who are members, and I can tell you that the vast majority of
41 Louisiana's charter fleet is not in favor of Amendment 41 and
42 42. Again, I don't speak for all of them. I don't speak for
43 really them at all in an official capacity, but we have many who
44 are members, and we know many of them, and they are not in favor
45 of Amendment 41 or 42, and so we would ask you to consider that
46 as well. Thank you for your time.

47
48 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Daryl

1 Carpenter, followed by Mr. William Copeland.

2
3 **MR. DARYL CARPENTER:** Good afternoon, ladies and gentlemen. My
4 name is Daryl Carpenter, and I am a charter boat operator out of
5 Grand Isle, Louisiana. First and foremost, I want to say that,
6 as the charter fleet, personally, myself, and speaking for the
7 majority of the charter members in our state, we want
8 unequivocally to move forward with the state plans.

9
10 We want to be managed under a state plan. However, playing in
11 this ballpark we're in, we still have 41 in front of us also,
12 and so my comments today are going to mostly center on 41, as I
13 was able to listen in yesterday and heard the presentation that
14 you all had.

15
16 I am a sitting member of that AP. I was unable to make that AP
17 this past meeting, because of some health issues. However, what
18 I would like to speak to is several of the items that were put
19 up in front of you. Personally, I don't think that AP is very
20 representative of the majority of the charter boats across the
21 Gulf of Mexico.

22
23 The majority of them are small individual six-pack operators,
24 and that's not how that AP is populated, but, yesterday, one of
25 the things that -- You heard me say that I missed that AP
26 meeting because of a health issue. One of the things that
27 peaked my interest yesterday was the preferred alternative for
28 hardships, which was none. I know that Mr. Banks spoke on it.

29
30 Ladies and gentlemen, in May of this year, I was diagnosed with
31 cancer. In a two-week period, I went through two major
32 surgeries and then was thrown into eight weeks of chemotherapy
33 and radiation. I had no choice but to park my offshore boat
34 this year. I didn't catch a single red snapper. I was on the
35 sidelines for the entire year.

36
37 For this board to sit here, or for this council to sit here, and
38 consider that amendment as it came across yesterday that I would
39 lose anywhere from 50 to 20 percent of my shares if that went
40 forward, that's just unconscionable to me, and I don't know how
41 anybody could sleep at night after they voted for that.

42
43 I would urge you that, if 41 does go forward, to think about
44 putting these hardship -- Some type of hardship. I support
45 getting rid of the latent permits, if we go that route, and I
46 support that, but stuff happens to people, and so we have to
47 have some of these hardships in there. There is no need for me
48 to be penalized because of a health diagnosis.

1
2 The next thing that I wanted to speak on is the referendum
3 requirements. We talked about there was one vote per entity, or
4 one vote per permit, and I would highly speak for one vote per
5 permit/owner entity.

6
7 I have here one of several postcards, and I get them about every
8 two weeks, and you've got multiple permit holders, which is fine
9 if they're actively using them and so forth, but you've also got
10 investment groups that have formed since this Amendment 41
11 started, one of them called the Fishermen's Resource Group.
12 They're out there just buying up permits left and right so that
13 they can hoard votes on this thing.

14
15 There may be some legitimate business on the side, and they may
16 be moving permits here and there or buying them and selling
17 them, but the other thing is, the last time we checked, there
18 were like up to thirty permit holders in this. I would urge you
19 to consider one permit entity one vote. It's the common
20 practice in the United States that you get one vote per person,
21 and I see my time is up.

22
23 **CHAIRMAN BOSARGE:** Thank you, sir. I think we have a question
24 for you from Mr. Matens.

25
26 **MR. MATENS:** Daryl, thank you for coming. The last time I saw
27 you was three weeks ago, and, quite frankly, had we not been in
28 an outdoor venue, I would not have recognized you. You are
29 improving a little bit. I am curious, Daryl, and I know you had
30 a short time, but what do you think about the ways that these
31 shares are being allocated to your sector?

32
33 **MR. CARPENTER:** If we're going to go that route, the allocation
34 -- I mean, it's obvious, from the last AP meeting, when they
35 wanted to combine 41 and 42, it's obvious that charter boats
36 looking at this thing are realizing that they're not going to
37 get enough numbers, by the time you allocate everything.

38
39 Now, maybe once the latent permits and all are out, that's fine,
40 but, when you get to the -- I heard the cyclical redistribution
41 that came out of the last AP meeting, and that's another reason
42 why I say that the AP, as it is right now, does not represent
43 your smaller boats, because your smaller six-pack boats are
44 going to lose in this.

45
46 This cyclical redistribution every year, with 50 percent going
47 to catch effort -- With a number that high, I can understand
48 what they're trying to do. The larger boats are trying to get a

1 bigger share, and that may be warranted to some extent, but
2 every six-pack boat, every year that you do one of these
3 cyclical redistributions and then the redistribution is weighted
4 somewhere else -- Again, as a six-pack operator on a thirty-
5 three-foot open-console boat, I am going to -- Over the next ten
6 years, if that passes, I am going to be getting penalized and
7 have share taken away from me for nothing that I have done other
8 than I don't own an eighty-foot boat.

9
10 **CHAIRMAN BOSARGE:** Mr. Boyd has a question for you.

11
12 **MR. BOYD:** I have had several discussions, Daryl, with different
13 operators about my concept of rents if we move forward with 41
14 and 42. Can you give me a perspective on where you are if
15 you're a charter operator and you get to pay for the right to
16 have those fish that are allocated to you?

17
18 **MR. CARPENTER:** As a charter operator in Louisiana, with the oil
19 prices at fifty-dollars a barrel and our economy in the garbage,
20 I wouldn't want to pay it. As an individual, I understand the
21 concept, and, to some extent, I support the concept, but would I
22 want to pay it? No, but, like I said, as an individual -- I
23 mean, the oil companies do the same thing when they pull oil out
24 of the ground, and timber managers do the same thing when they
25 cut public timber. I understand the concept.

26
27 **MR. BOYD:** I have one other question, Madam Chairman. You held
28 up that card, and your opinion is that they're trying to
29 aggregate permits. Is there another way that someone who has
30 aggregated thirty permits can vote one time rather than thirty
31 times? Do you have an alternative to this?

32
33 **MR. CARPENTER:** I said that, and it's a bold statement, but
34 offshore reef fish permits and pelagic permits, which is what
35 you need to charter fish, prior to this group coming along,
36 those permits were running anywhere from \$5,000 to \$8,000. The
37 permits had dropped some in value on the black market. These
38 guys came along, and, all of a sudden, they're offering \$13,000
39 to \$15,000 for permits, and so the speculation part of it is the
40 only way that you could see that kind of a price increase.

41
42 The only other way would be, like I said, one entity -- As it
43 was put to me, talking to somebody else in Louisiana today, just
44 thinking of one of the big companies on the coast, Gary Chouest
45 could own fifteen companies, but Gary Chouest, when he steps in
46 a voting booth, gets one vote, and so it's -- One of the
47 alternatives yesterday was one vote per permit entity, and I
48 think that's the fairest way to go. That way, you don't have

1 any investment groups.

2
3 I listened to the discussion yesterday, and there was a whole
4 lot of discussion about moving 41 forward and then not having
5 the pitfalls that the commercial guys have in their IFQ system.
6 This is one of those pitfalls. If somebody that owns -- As you
7 start talking referendum, somebody that is allocated or given
8 more votes than the next person obviously gets a skewed -- He
9 gets a skewed advantage on it, and so one of the options, like I
10 said, was one permit entity and one vote, and I think that's the
11 fairest way to do it.

12
13 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. William
14 Copeland, followed by Mr. Lawrence Marino.

15
16 **MR. WILLIAM COPELAND:** Good afternoon, ladies and gentlemen of
17 the Gulf Council. My name is William Copeland, and I'm from New
18 Port Richey, Florida. I am a commercial fisherman, an advocate
19 for sustainable fisheries, and President of the Florida
20 Commercial Fisheries United. I am here today to give you our
21 recommendations on several Gulf of Mexico reef fish management
22 issues which we believe are important to the fishery.

23
24 In the interest of introducing myself, to some of you who don't
25 know me, I grew up in Florida, and I commercial fished with my
26 father in the late 1960s and early 1970s. I was an officer in
27 the Air Force for twenty-one years, and I'm a retired Lieutenant
28 Colonel. While I was in the Air Force, I spent seven years in
29 Florida, and I commercial fished all seven of those years. I
30 have been commercially licensed in Florida continuously since
31 1982. My time in the commercial fishing industry now spans some
32 five decades, and now on to the important stuff.

33
34 We see problems in the red grouper, gag grouper, and shallow-
35 water grouper stocks. These stocks appear to us to be in
36 decline along the central west and northern west coast of
37 Florida, and we recommend that the council use whatever measures
38 are necessary to look at those stocks and implement measures to
39 bring those stocks back to healthy populations.

40
41 We support changes in both the commercial and recreational
42 greater amberjack fisheries. We do support protection of
43 amberjack during their spawning periods. We support a decrease
44 in the trip limit for commercial harvest of amberjack to 500
45 pounds per trip or fifteen fish.

46
47 That will extend the season for commercial harvest and reduce
48 some of the derby fishing and provide a longer and more

1 consistent supply of fresh amberjack to markets and restaurants.
2 We support an increase in the commercial sector of the TAC. Why
3 wouldn't we?
4

5 We support measures to protect both shallow and deepwater coral
6 areas. These living structures are essential to the health of
7 reef fish and the overall ecosystem.
8

9 One comment relative to 36B is we continue to support using a
10 quota set-aside to help provide new entrants an easier way to
11 enter the fishery. In conclusion, we recommend the council
12 address the apparent decline of red, gag, and shallow-water
13 grouper in the Gulf. We recommend some changes to the trip
14 limits for greater amberjack, and we support a quota set-aside
15 to help new entrants into the commercial reef fish program. I
16 thank you for the opportunity to speak.
17

18 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Lawrence
19 Marino, followed by Mr. Mark Tryon, and Mr. Lawrence is counsel
20 for the Louisiana Attorney General's Office, and so thank you,
21 sir, for being with us today.
22

23 **MR. LAWRENCE MARINO:** Thank you, Madam Chairman, and thank you,
24 council members. I am Lawrence Marino, and I'm here on behalf
25 of the Attorney General of the State of Louisiana, Jeff Landry.
26 He submitted written comments regarding Amendments 41 and 42,
27 which I believe have been circulated to you in hard copy as
28 well, and he also asked me to come to further express his
29 opposition to the two amendments and to explain why.
30

31 First of all, these sector separation amendments would wall off
32 part of the recreational quota from the public. This is a
33 public resource, but, under these amendments, the public could
34 access them only by paying for it. Now, undoubtedly, the for-
35 hire sector serves the public interest, providing an opportunity
36 to fishermen who don't have their own boats to access these
37 fish. The problem with these amendments is it would force them
38 to pay others to take that option in order to fish for these
39 fish.
40

41 Worse, it virtually ensures, under these amendments, that the
42 entire for-hire quota would be used, whereas historically that
43 has not been the case, and some portion of those fish have been
44 available for private anglers.
45

46 Second, these two amendments would functionally grant ownership
47 of some of the fish to these permit holders and IFQ holders.
48 Under Amendment 42, short of actual wrongdoing, there is no way

1 that these IFQ catch shareholders would lose possession of these
2 fish. The catch shares are transferable, they're perpetual, and
3 they're heritable, and this is the very nature of what ownership
4 is. Magnuson, of course, precludes private ownership of the fish
5 in the sea, but that's what these amendments would do.

6
7 Amendment 41, of course, is less objectionable, because of the
8 restrictions on transfer and some of the other aspects of it,
9 but it would still grant exclusive rights to individual people
10 to some of these fish, which the Attorney General believes is
11 inappropriate.

12
13 Third, these amendments would grant a monopoly to those already
14 in the business, and only to them. This is made worse by the
15 fact that there has been a moratorium on new reef permits since
16 2003, and even worse, because these amendments would favor the
17 largest of the current fishermen, or for-hire charters, by
18 locking in their advantage perpetually.

19
20 These amendments, of course, would trigger referenda, which
21 would place into the hands of the beneficiaries the decision
22 whether to proceed, and that's a conflict of interest. Of
23 course, it's a built-in conflict of interest, but, nevertheless,
24 the Attorney General urges that this council should retain its
25 authority instead.

26
27 Fourth, the amendments would limit competition and opportunity
28 for new entrants into the market by imposing upon them a cost
29 that the current participants would not face. Worse, that cost
30 is paying private people for the right to fish for a public
31 resource. By contrast, Magnuson requires assisting new entrants
32 into the industry. Now, of course, Article 42 may have set-
33 asides, but, based on Amendment 41 and discussions, it appears
34 that there still would have to be a payment as part of that set-
35 aside.

36
37 Fifth, principles of adaptive management require periodic
38 reallocation. Instead, Article 42, in particular, would take a
39 static approach to what is truly a dynamic issue. Catch shares
40 should not be locked in place based on old data. Instead,
41 better real-time catch reporting, as accomplished by programs
42 such as LA Creel, could provide the data for an appropriate
43 reallocation. Catch shares, if we're going to have them, should
44 sunset periodically and be reallocated.

45
46 Sixth, catch shares, if we're going to do it, have value. They
47 should not be just given away. Magnuson requires consideration
48 of auctions. I understand the advisory panel mentioned

1 auctions, but didn't explain why that's not to be done, and so
2 the Attorney General urges that, if there is to be catch shares,
3 that there should be payment for it.

4
5 Finally, this council is obviously considering state management
6 of the red snapper recreational industry. Those amendments are
7 not as far along as these two amendments. The Attorney General
8 supports state management, and it can and should include the
9 for-hire portion of the recreational sector. These amendments,
10 however, would preclude that. Passing these amendments now
11 would tie the states' hands, and so the Attorney General urges
12 that the council not do that and reject, or at least to table,
13 those amendments, so that the state management amendments can be
14 properly considered.

15
16 There is no need for sector separation in the recreational
17 sector. There is not overfishing, and there is not derby-style
18 fishing or race to the fish. There is not overcapitalization.
19 Given all the problems we have identified, we would urge this
20 council to reject the amendments again, or at least to table
21 them. Thank you very much for your time and consideration.

22
23 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mark
24 Tryon, followed by Mr. Ken Haddad.

25
26 **MR. MARK TRYON:** Mark Tryon, commercial fisherman, Gulf Breeze,
27 Florida. I operate a small, twenty-seven-foot boat, and I run
28 rod-and-reel day trips. I've been commercial fishing for
29 twenty-four years in the Pensacola area.

30
31 A couple of observations regarding what's going on out there
32 now. I think the last time I spoke -- It's basically the same
33 with the triggerfish. We've got more and larger triggerfish
34 than ever before that I have seen in my twenty-four years.

35
36 Snapper abundance is very good, and the size of the fish is
37 starting to go down, which I guess is logical, because they were
38 just getting bigger and bigger and bigger, and that couldn't go
39 on forever.

40
41 Grouper fishing is, in our particular area, it's always been
42 kind of a bycatch, and, I mean, it's gone from a bycatch, where
43 you could count on maybe catching a couple of trip of either red
44 grouper, gag grouper, or both, to literally down to zero. I
45 have caught zero gag grouper and zero red grouper this whole
46 fishing year, and so obviously this is not good. If you look at
47 the landings on the system, it confirms these observations that
48 it looks like we've got a real problem here, as far as the

1 stock.

2
3 As far as the triggerfish, going back to that, we will -- I
4 guess we will be happy with the sixteen-fish limit. However, if
5 you look at the landings thus far this year, I think we're
6 running at about 7,000 a month, and so, even with the twelve
7 fish, I believe we're going to -- It looks like we're on pace to
8 catch the quota. I think the mistake that was made with this
9 rule was not going to the sixteen fish, and that's fine, but it
10 was leaving the quota at the status quo, and the thing that I
11 find troubling about that is not only do we leave it at the
12 status quo, but then we're stuck with that for the next nine
13 years, which, to me, that just seems like insanity.

14
15 I think this kind of brings me back to one of the discussion
16 points this morning, which is related to stock assessments and
17 their frequency. This is like the type of situation where you
18 need to be able to have a more frequent stock assessment, so you
19 can make adjustments and not be stuck with the plan for nine
20 years, which, I mean, the way I see it, it's just going to --
21 This is just going to continue. The population is going to be
22 out of control.

23
24 Then, from what I do, when I'm out there daytime snapper
25 fishing, you get into these triggerfish, and you literally will
26 not be able to hardly catch snapper, because there is so many of
27 them, and they're so aggressive.

28
29 Anyway, one last point. I know, when we have our Florida State
30 FWC meetings, we can allow our time to go to perhaps a
31 spokesperson, and I think, in the future, maybe if you could
32 look into that. If we've got an issue and we have an articulate
33 person that works for us, then we could aggregate perhaps a
34 limited amount of our time to that person, for those who don't
35 feel comfortable coming up here and speaking, to give them a
36 voice. Thank you.

37
38 **CHAIRMAN BOSARGE:** Thank you, Mr. Tryon. We appreciate it.
39 Next, we have Mr. Ken Haddad.

40
41 **MR. KEN HADDAD:** Thank you, Madam Chair and council members.
42 First, I want to wish Dr. Ponwith a happy new chapter in your
43 life as you go forward. I am with the American Sportfishing
44 Association, which is a trade organization for the sportfishing
45 industry. I am going to speak on several topics, and the last
46 one will be barotrauma.

47
48 Amendment 9, we support a limited HAPC application for these

1 deepwater areas. We don't have any specific comments, but we
2 trust you to balance access and protection as you work on these
3 types of amendments.

4
5 State management, we fully support a council move to state
6 management tied to red snapper, and we encourage progress. I
7 can't emphasize that enough. There seems to be a catch, and I
8 believe Mr. Banks brought this up yesterday, but we note, on
9 page 8 in the general document, a statement that basically says
10 that if 41 or 42 precludes state management actions that the
11 for-hire could not be considered as part of the state management
12 actions.

13
14 We believe this to be problematic for state management. It
15 reduces flexibility to the states, and it actually negates the
16 current preferred alternative in Action 1, and so we ask the
17 council to take whatever action may be necessary to ensure the
18 state management plan is given a real fair chance to succeed.
19 We think it's really important.

20
21 Allocation, we believe there is good cause to revisit red
22 snapper allocation, based on discussions by the council two
23 meetings ago, and we encourage the council to initiate that at
24 this meeting.

25
26 Venting and barotrauma, we do not believe the topic has been
27 given due consideration by the council at this juncture, and,
28 Madam Chair, you asked for some feedback on this. While we
29 don't disagree, for those that -- Basically, there was a motion
30 that will come out of the Sustainable Fisheries Committee to
31 turn this into a policy and move forward.

32
33 We don't disagree that -- That is a voluntary approach. We
34 don't disagree that a voluntary approach is the first best step,
35 and it may very well be. This is kind of where things ended up
36 a couple of years ago, and, as we know, nothing progressed out
37 of that, and so we're very leery of just moving in that
38 direction. I hope we are not there again.

39
40 We don't think the staff draft should be dismissed to policy
41 without further work, and so there are many issues that we see
42 that haven't been addressed. Who is the focus, recreational,
43 commercial, both, part of one?

44
45 **CHAIRMAN BOSARGE:** Your time has elapsed, but I would like to
46 hear your comments on the descending, and so go ahead.

47
48 **MR. HADDAD:** Okay. Thank you. How will education be enacted?

1 There has been no discussion on that. How can this progress to
2 a point where reduced mortality can be included in assessments?
3 There has been no thought on how that can progress.

4
5 What can be learned from other councils, such as the Pacific
6 Council, that took this up and applied it? What new science is
7 going on in the Gulf that we aren't cognizant of? What are our
8 best species that this should be applied to? Is it species-
9 specific or reef-generic? What is needed to move the policy
10 from policy to regulation, if that is what it takes to have
11 something included in assessments in the future?

12
13 All of these -- To us, we look at it and go, none of this has
14 really been discussed, and it's just been brought forward in a
15 draft kind of staff document, and we're suddenly moving to
16 dismiss that into a policy, and so we ask you to think about
17 this. We would like to see it further ferreted out and some
18 solid decisions be given to it and kind of give it the same
19 consideration that you're giving other types of amendments
20 before you. Thank you, Madam Chairman.

21
22 **CHAIRMAN BOSARGE:** Thank you, sir, for answering that question
23 for me. I appreciate that. Next, we have Mr. Kyle Lowe,
24 followed by Mr. Mike Graef.

25
26 **MR. KYLE LOWE:** I'm Captain Kyle Lowe from the Charter Boat
27 Special K in Destin, Florida. I would like to see the council
28 continue moving forward with Amendments 41 and 42. These will
29 allow me, as a charter/for-hire operator, to continue operating
30 my business in a manner that meets my customers' needs.

31
32 There is too much uncertainty with state management in regards
33 to the charter/for-hire industry. For example, I have heard
34 mention of ideas such as weekend-only seasons for some species.
35 This absolutely would not work for a charter/for-hire business.

36
37 I especially want to talk about amberjack a little bit. In
38 regards to amberjack, I am in favor of a split spring and fall
39 season at one fish per person. Personally, I am flexible on the
40 spring season, whether that be primarily April or May, and I
41 would like to see a fall season of September and October. Just
42 speaking for our area of the Gulf, I see no real benefit of
43 amberjack being open in August or November/December.

44
45 The idea of a one-fish-per-two-person limit will not work for
46 six-pack vessels, as oftentimes we carry one to three
47 passengers. In a three-passenger situation, they're actually
48 regulated differently. They actually end up being regulated at

1 one fish per three people.

2
3 After consulting with some of my regular customers, they would
4 just as soon move their trips to a different time of the year,
5 if it meant a one fish per person, and so we're right back to
6 effort shift. I just wanted to make my thoughts known, and
7 thank you for your time.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. Next. We have Mr. Mike
10 Graef, and he is going to be followed by Mr. Larry Lemieux.

11
12 **MR. MIKE GRAEF:** Good morning. My name is Captain Mike Graef,
13 and I own and operate the Charter Boat Huntress in Destin,
14 Florida. Thank you for giving me this opportunity to speak
15 about state-regulated snapper control out to twenty-five miles,
16 for which I am against.

17
18 I am for continuing the developments of Amendments 41 and 42,
19 which provide increased flexibility and stability for
20 charter/for-hire businesses and our customers. I am against
21 states regulating the fishery, as a federally-permitted reef
22 holder. We're the ones who have made all the sacrifices, and
23 our customers have, on many occasions, been treated like second-
24 class citizens. While Florida state waters had a special season
25 for snapper, trigger, and amberjack, we did not.

26
27 We have played by the rules, and our customers, who come to
28 Destin year after year and spend a lot of tax-based revenue
29 during their vacations on the Gulf Coast, and I don't think the
30 states are taking this into account. I have had nearly 2,000
31 customers the last two years, and they're all recreational
32 fishermen. They come from a lot of different places, and they
33 want to fish. They also want to be able to take home some fish.

34
35 We all know that, out of Destin, the nine-mile snapper fishery
36 is dead. Five years ago, you could get your snappers on one
37 scoop. Today, due to enormous pressure, this is no longer the
38 case. We see it all the time, monkey boats hauling their butt
39 back to state waters after fishing federal waters. I am
40 assuming they have their snappers. My point is, ten years from
41 now, we will see the exact same thing at twenty-five miles.

42
43 In closing, I would like to see a split season for greater
44 amberjack, March 15 through May 15 and reopen August 15 to
45 November 1, one fish per person, ten fish max per boat,
46 excluding captain and mate, and no weekends ever. Thank you.

47
48 **CHAIRMAN BOSARGE:** Thank you, sir. Next, I have Mr. Larry

1 Lemieux, followed by Mr. Gary Bryant.

2
3 **MR. LARRY LEMIEUX:** Good evening, council. I am going to keep
4 it really short. My name is Larry Lemieux, and I'm the owner
5 and operator of Gypsy Lady Charters and North Bay Light Tackle
6 out of Panama City Beach, Florida.

7
8 I am, first, in favor of the amberjack, the one fish per two
9 customers, the opening months of April and May and again in
10 August, September, and October. That allows us to keep my
11 business in order and for me to provide a trophy fish for my
12 customers.

13
14 Second of all, on the red snapper, Amendment 41 and 42, I am not
15 in favor of it. We have a new stock assessment coming out, and
16 I pray that it shows a drastic increase of the red snapper in
17 the Gulf of Mexico. Thank you.

18
19 **CHAIRMAN BOSARGE:** Thank you, sir. We have a question from Dr.
20 Frazer.

21
22 **DR. FRAZER:** Thank you, Madam Chair. I wanted to circle back on
23 the preferred seasonality for the amberjack. What was the dates
24 that you proposed?

25
26 **MR. LEMIEUX:** I would be in favor of April and May and then
27 again in August, September, and October, in the fall.

28
29 **DR. FRAZER:** So April and May?

30
31 **MR. LEMIEUX:** Yes, April and May, sir.

32
33 **DR. FRAZER:** Okay. Thank you.

34
35 **MR. LEMIEUX:** Yes, sir.

36
37 **CHAIRMAN BOSARGE:** Now we have Mr. Gary Bryant, followed by Mr.
38 Tom Steber.

39
40 **MR. GARY BRYANT:** I'm Gary Bryant, owner and operator of Red Eye
41 Charters. We have two six-pack charter boats and a commercial
42 vessel, and we operate out of Fort Morgan, Alabama, and we also
43 spend a couple of months every winter in Venice, Louisiana. I
44 am VP of the Alabama Charter Fishing Association and a member of
45 your ad hoc panel for the charter boats.

46
47 To start off with, amberjack, I would like to see a fall season,
48 with any leftovers being caught in the spring. I think we need

1 to let these fish spawn. Amendment 41 and 42, I am on your
2 panel, and we have tried to put a lot of effort into figuring
3 out how to make this work. Is what we presented perfect? No.
4 I think we need a catch history, but we don't have a way of
5 doing that, and I hope you will move forward with the electronic
6 logbooks.

7
8 Basically, what I heard yesterday was people trying to figure
9 out how this shouldn't work and why it can't work, and so what
10 will work? The charter boats want a better system. This year
11 was a perfect example of how being separated was beneficial.
12 The charter boats had our season, and we fished seven days a
13 week.

14
15 You all were able to -- The private boats were able to get
16 weekends only, and that worked great for them, and it didn't
17 hurt the charter boats at all. We need seven days a week to
18 take our tourists that are down there fishing, and that was a
19 great setup. I think both groups benefited, but that was only
20 possible because we were separated.

21
22 I Basically, what I heard yesterday was people trying to figure
23 out how this shouldn't work and why it can't work, and so what
24 will work? The charter boats want a better system. This year
25 was a perfect example of how being separated was beneficial.
26 The charter boats had our season, and we fished seven days a
27 week.

28
29 You all were able to -- The private boats were able to get
30 weekends only, and that worked great for them, and it didn't
31 hurt the charter boats at all. We need seven days a week to
32 take our tourists that are down there fishing, and that was a
33 great setup. I think both groups benefited, but that was only
34 possible because we were separated.

35
36 I think staying separated is the most important thing. As an
37 operator, I am very concerned about -- My biggest concern about
38 state management is, if you get a new governor, everything can
39 change. We are offered stability under the federal system.

40
41 If you all want to come up with something from the state, that's
42 great, but how do I know that's going to be the same thing when
43 you get a new governor or when you get a new director? That is
44 why I am supporting 41. If you all don't like the way it is
45 now, how can we make it work? I know you all have had a lot of
46 ideas how it won't work, but how can we make it work? The
47 charter boats want something different. I don't have to own
48 anything, but I just want to take people fishing and support my

1 family. Thank you.

2
3 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Tom
4 Steber, followed by Mr. Avery Bates.

5
6 **MR. TOM STEBER:** Thank you, council. I'm Tom Steber. Most all
7 of you have seen me here over and over and over again, and some
8 of you are new, and I'm glad to have you with us. I have
9 managed Zeke's Charter Fleet for twenty-two years, and I've been
10 coming to council meetings and getting involved for about twelve
11 years. I am President of the Alabama Charter Fishing
12 Association for the last six years.

13
14 The charter industry has approximately 1,200 permits, and that
15 is set. There was a moratorium back in 2003, and my guess is
16 that there is 750 to 800 of those permits that are actual
17 charter boats, fare-carrying vessels, which is what the permit
18 calls for. I know in Alabama -- I don't know Gulf-wide, but I
19 know in Alabama that there is ninety-two charter boats out of
20 the 132 permits available.

21
22 The plan that the industry has been working on for the last five
23 or six years, we have tried and tried and tried and tried to
24 come up with a plan that makes it work for everybody, and we've
25 got to get something started.

26
27 When you look at Amendment 42 and you look at the headboats, it
28 doesn't get any more crystal clear than that. Twenty years'
29 worth of catch history makes it very simple, and an exempted
30 permit that lasted for two years that almost worked perfect. I
31 mean, there was hardly anything wrong with it, and so you've got
32 to -- There is one scenario where, in my mind, it's a no-
33 brainer.

34
35 Charter/for-hire is a problem, because, without our catch
36 history, other than historical thinking, there is no good way to
37 split up the pie, and we're trying, and we have tried hard in
38 our APs and in our meetings over the years to come up with a way
39 to do it.

40
41 The only real way to do it is to get electronic logbooks in
42 place, and then you build a catch history. If you look at
43 issues like snapper, Alabama, Mississippi, and north Florida
44 catch 82 percent of the snapper, historically. South Florida
45 catches 80 percent of the grouper. Again, 30 to 40 percent of
46 the permits are what we call latent, and they're not really
47 addressed. The only way that you can address that is with catch
48 history.

1
2 From a fisheries standpoint, it only makes sense to manage the
3 reef system and not one fish and not two fish. If the headboats
4 can turn in a catch history on the reef system for twenty years,
5 there is no reason that a six-pack can't. We've got to get the
6 thing started, and we've got to have real-time data collection.
7 I ask you to move forward with 41 and 42, because we know it's
8 going to be -- It's going to take two years. It's going to be
9 issues we have to work through to get there. Last, Alabama asks
10 for amberjack to start on August 1. Thank you.

11
12 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Avery
13 Bates, followed by Mr. Bill Staff.

14
15 **MR. AVERY BATES:** My name is Avery Bates, and I am Vice
16 President of Organized Seafood Association. We are very
17 concerned about what's going on, not only here, but all over the
18 United States with taking product, or property, away from the
19 people of the State of Alabama and this country.

20
21 I wore my back out and my shoulder out over the years catching
22 good, healthy, wild seafood for not only all of you all, but the
23 rest of this country, but it's being taken away from us. This
24 fellow here is supposed to enforce the head law, the U.S.
25 Constitution. You are entitled to protect life, liberty, and
26 property.

27
28 You know property was stole away from us a long time ago when
29 they made game fish, by an Executive Order, out of redfish, and
30 many states has even taken speckled trout. Thank heavens for
31 Mississippi. They still allow these fish to be defined as
32 seafood. The law in Alabama, 9280, says all saltwater fish
33 shall be seafood. The head biologist said that we don't eat
34 porgies, and I asked the old-timers around the table, I said,
35 what do you all take every day? Well, I've got to take my fish
36 oil. Guess where fish oil comes from? A large portion of it
37 comes from porgies.

38
39 I want to be honest with you. When you deny the people of
40 America a public resource, a resource that God granted everybody
41 in the United States, when you deny them the right to take a
42 common resource and give it to the king or some of his buddies,
43 then you are denying the people of their God-given,
44 constitutional property rights.

45
46 If you do that and continue to refuse to get data on the redfish
47 that eats up crabs as his number-one diet, and when you see the
48 whole State of Louisiana shut down, and, in turn, that shuts

1 down every crab shop in the State of Alabama, because we pick
2 you all's crabs. We open you all's oysters. We are the number-
3 one oyster opener in these whole fifty states, and sometimes
4 we're number two or number three as far as crab processing. You
5 can shut us down with some of your ridiculous regulations
6 without knowing what's going on in the Gulf of Mexico.

7
8 Somebody said, well, I don't know when cobia or I don't know
9 when amberjack are spawning, and I want to tell you something.
10 You had better know, for one reason. This is important to note
11 when redfish, the fingerlings, and cobia and all these other
12 species of fish that you're supposed to manage for us, and you
13 all are supposed to be the brains. You all are supposed to know
14 these things.

15
16 You're supposed to know the laws of the Constitution and the
17 State of Alabama. I want to be honest with you. If you do not
18 know what you're protecting and how you are protecting it and
19 how to protect it, we lose as Americans.

20
21 **CHAIRMAN BOSARGE:** Mr. Avery, I've got to ask you to wrap it up,
22 please, sir.

23
24 **MR. AVERY:** Okay. Keep in mind that our state laws are
25 important, and our federal laws is the top part of it, and God's
26 law out rules all of that, and so, if you don't take interest of
27 the resources that we need to give our people, our nation, and
28 our world, we are the losers. If you want to know any laws that
29 protect us, just ask me, and I will tell you.

30
31 **CHAIRMAN BOSARGE:** Thank you, sir. Next, I have Mr. Bill Staff,
32 followed by Mr. Bob Zales.

33
34 **MR. BILL STAFF:** I'm Bill Staff, owner and operator of the
35 Charter Boat Sea Spray. I've been charter fishing for thirty-
36 seven years. First, I would like for you all the keep in your
37 thoughts and prayers the Las Vegas victims.

38
39 Amendment 40 saved many businesses in the charter industry.
40 Continuing to develop 41 and 42 are very important. Closed
41 seasons mean no business. I am for the trigger opening in March
42 and April and the snapper staying as is, June and July.
43 Amberjack opening August 1 would be huge. It would give us
44 something to sell for at least half the year.

45
46 I have heard Dr. Crabtree say several times that everything they
47 have tried for amberjack that nothing worked. If they're in
48 such bad shape and nothing works, there is nothing more

1 important than having a bunch of eggs and babies. The
2 commercial season is closed at this time for a reason.

3
4 I would also like to say the triggerfish are very important to
5 us, and, if state non-compliance continues, I am going to push
6 for a sector separation on them. Thanks, Madam Chair and
7 council, for the opportunity to speak.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Bob Zales,
10 followed by Mr. Scott Adkison.

11
12 **MR. BOB ZALES, II:** Good afternoon. Bob Zales, II, President of
13 the National Association of Charter Boat Operators and also the
14 Panama City Boatmen Association, and I'm speaking for both
15 organizations.

16
17 First, I want to give my sympathy to all of those affected by
18 the storms that we've had in the Gulf, and I appreciate you all
19 that have been affected being here, because I know how that is.
20 I have lived on a generator for two weeks and eaten on charcoal
21 and seen the stuff from Katrina first hand, and so I know what
22 you all are going through, and I appreciate it.

23
24 On amberjack, you all have got two emails from me, one on jacks
25 and one on 41 and 42. I am not going to spend my time on a lot
26 of that. On jacks, we fully support a spring and a fall season.
27 We need the spring. In Panama City, Florida, this past spring
28 was the worst that we've had in a long time. This current fall
29 season is the absolute worst that we've had. An April and May
30 and August through October season with a -- One fish would be
31 great. If we can't do that, with a one fish for every two
32 people is what we would like to have.

33
34 We have asked, over and over, the Fisheries Service to give us a
35 bag limit analysis, and they did one back in 2010 and 2009, and
36 you all have got a copy of it. I am baffled as to why that
37 computer model couldn't have been updated with new numbers and a
38 button pushed and give you a new analysis, but it wasn't done,
39 but, at the old data, one fish for two anglers would have
40 reduced harvest by 45 percent.

41
42 I suspect that will get us a five-month season. The five-month
43 season is a golden opportunity. If you could have jacks for
44 April and May, you've got snapper in June and July, and you've
45 got jacks in August and September and October, and that's five
46 months of fishing.

47
48 You've got triggerfish kicked in a little bit, and you've got

1 vermilion snapper and kingfish. You've got a good five months
2 of season, and we haven't had five months solid since we had the
3 six-month red snapper season.

4
5 On 41 and 42, we would like to see them terminated. The
6 referendum is not necessary. If you can't terminate them, at
7 least table them until we get all the new data that's out there.
8 You've got a new red snapper stock assessment that, if it's not
9 out yet, I guess it's coming out here any time. The indications
10 that I've heard are that it's going to show a pretty good
11 increase in stock abundance.

12
13 You've got the issue with the new MSST designation that came out
14 in the Federal Register a week ago, and we've got changes
15 coming. They're all positive, and there is no need to put 41
16 and 42 and hamstring this industry and eliminate people from it.
17 Just take them out. It's unnecessary. We're doing good. We're
18 improving every month, and so any questions? I would be glad to
19 try to answer them. Thank you.

20
21 **CHAIRMAN BOSARGE:** Thank you, Mr. Zales. Next, we have Scott
22 Adkison, followed by Ted Venker.

23
24 **MR. SCOTT ADKISON:** Hello, council. My name is Scott Adkison.
25 I've been fishing since I was about eight years old, and I've
26 been getting paid for it since I was about twelve, and I've seen
27 a lot of change go on.

28
29 You are a council. You know? Think about the meaning of that.
30 The 41 and 42, I think that tabling that for the time being,
31 until the information gets better, would be a responsible act.
32 I am for the one jack for two people, if we can't get the one
33 per person.

34
35 As far as the permits, the votes, as the gentleman was talking
36 earlier, I believe that one vote per permit is something that
37 sounds reasonable. I am against the VMS, and just we basically
38 need the five-month season. We've gone down to a season that is
39 -- It's only two or three months. Five months is not asking for
40 a whole lot, to spread the amberjack, give us the triggers, and
41 you're not going to wipe anything out by giving us the five
42 months. Thank you.

43
44 **CHAIRMAN BOSARGE:** We have a question for you, sir, from Mr.
45 Swindell.

46
47 **MR. SWINDELL:** Thank you for your comments. We haven't talked
48 about VMS since this meeting, and what is the problem with --

1 Why are you against VMS?

2
3 **MR. ADKISON:** I operate a headboat, and we fill out these fish
4 logs every day. I don't see whereas -- You're going to incur
5 extra money there that we've already got so many things that are
6 incurring extra money. Filling out these fish reports, it could
7 be something that charter boats right on down could do it.
8 Anglers are having to fill out information for their saltwater
9 fishing license. I just don't see the need for the VMS.

10
11 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Ted Venker,
12 followed by Benjamin Kelley.

13
14 **MR. TED VENKER:** Thank you very much for the opportunity to
15 speak today. My name is Ted Venker, and I'm with the National
16 Office of the Coastal Conservation Association, and I just had a
17 couple of areas that I wanted to touch on.

18
19 First off is the issue of descending devices to reduce release
20 mortality. We have a lot of members in CCA who have contacted
21 us over the years wondering why this isn't a requirement
22 already. I think I understand the reasons that were given
23 yesterday for the recommendation to make this a policy rather
24 than a regulation, but I would encourage the council to
25 reconsider this sometime in the future.

26
27 There are many in the recreational angling community already
28 using these devices, and we would very much like to partner with
29 NOAA, both here and in the South Atlantic, to increase awareness
30 of the need to use these tools and to educate anglers on how to
31 use them properly.

32
33 Without a doubt, that becomes a much easier job if we're able to
34 tie that requirement with the increasing ACLs for the
35 recreational sector. We don't ever seem to have an excess of
36 fish, and so it seems that anything that we can do in the
37 private recreational sector or the commercial sector or the
38 charter/for-hire sector to release a few more successfully is
39 worth the effort for everyone.

40
41 Second is the item that was touched on briefly at the last
42 council meeting in San Antonio, and that is for this council to
43 take whatever steps are necessary to look at what can be done to
44 address the reallocation question in a way that satisfies the
45 court, after the court ruled against what this council did in
46 Amendment 28.

47
48 It seemed that the court said pretty clearly what it did not

1 like about Amendment 28, and so we think it is incumbent upon
2 this council to take that direction and start looking at what
3 things and what factors can be used to determine an allocation
4 process that the courts would find acceptable.

5
6 Finally, we would like to encourage the council to allow the
7 state management amendments to be explored as fully as possible.
8 It was said yesterday at one point that this council seems to
9 have entered a somewhat new era of cooperation, and I would very
10 much like to see something workable emerge for the recreational
11 sector from those state amendments.

12
13 Towards that end, it seems that, in order to give the states the
14 room to negotiate and hammer out that proposal, Amendments 41
15 and 42 should be put on hold, or at least paused, while that
16 process moves forward.

17
18 Even more so than normal, it seems that there are a lot of very
19 complex moving pieces these days on some really complicated
20 proposals, and, with the states trying to figure out what they
21 could do to manage the recreational sector, moving Amendment 41
22 and 42 would limit some of the options available to the states.
23 If the council and NOAA and the states are indeed serious about
24 state management, and this is the second time we've taken a run
25 at it over the last couple of years, then putting Amendment 41
26 and Amendment 42 on hold or pause is the best way to give that
27 idea a fair shake. Thank you.

28
29 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Benjamin
30 Kelley, followed by John Law.

31
32 **MR. BENJAMIN KELLEY:** My name is Benjamin Kelley, and I'm from
33 Panama City Beach. I am representing my family's charter boat
34 business, and we've been there for thirty-four years at Captain
35 Andersons.

36
37 Amendments 41 and 42, right now we need to table them. We need
38 to get logbooks, and we need to prove our catch history. We
39 catch an average of 933 red snapper a year, and this plan is
40 going to knock us down to about a third of that, and so how
41 could I support a referendum to something like that, to take
42 away two-thirds of my fish?

43
44 The amberjack are a big deal for us in the spring in Panama
45 City. You all have taken away our grouper and snapper, and the
46 king mackerel aren't there yet, and we need amberjack in the
47 spring. Now, we are willing to go to one fish per two people
48 and open it on April 1.

1
2 Now, I have a thriving winter business that I am giving up to
3 open it on April 1, because we run a lot in January and February
4 and March, one of the few boats, but, if we open it on April 1,
5 at least we'll get a spring for two months, and then we can open
6 it on August 1 for three months, and so we'll have five months
7 of amberjack, and that's one for every two people.

8
9 With the Amendments 41 and 42, why are we fixing something that
10 isn't broke? We have a good forty-nine days, and the weather is
11 pretty, and we make a lot of money in them forty-nine days, and
12 it's free enterprise. If you want to work hard, you can. If
13 you want to be lazy and stay at home, you can, but we have good
14 camaraderie and a free enterprise system at our marina.

15
16 The only issue is the mortality on the amberjack is much higher
17 in the fall. The water is cooler in the spring. When we
18 release the fish, you rarely have one die, but, this time of the
19 year, we've been doing catch-and-release, and them fish just die
20 a lot more. I know you all are worried about the spawning, but
21 I really haven't seen any proof to the spawning in April, like
22 they were talking about yesterday, but that's all I've got.

23
24 **CHAIRMAN BOSARGE:** I have a question for you from Dr. Mickle.

25
26 **DR. MICKLE:** You said open on April 1, and you said five months.
27 Are saying April and May?

28
29 **MR. B. KELLEY:** Yes, April and May and closed in June and July
30 and reopen on August 1.

31
32 **DR. MICKLE:** Is there a lot more demand in April than March?
33 Does it lead in, or is April 1 is like when your clients begin
34 calling?

35
36 **MR. B. KELLEY:** You could set our business on March 20. That's
37 when the people show up, and that's when the weather gets good.
38 I am one of the few boats that operates in the winter, and we
39 carry a lot of Canadians and stuff, but that's year-to-year.
40 The weather sometimes is bad in the winter.

41
42 **DR. MICKLE:** Thank you.

43
44 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have John Law,
45 followed by Bart Niquet.

46
47 **MR. JOHN LAW:** Hello. My name is John Law, and I'm a charter
48 boat operator out of Panama City, twenty-one years out of

1 Captain Andersons Marina. I just wanted to state the fact that
2 I oppose Amendment 41 and 42 and hope that you all eliminate it,
3 and I definitely support the five-month amberjack season
4 starting April 1 and April and May and then August, September,
5 and October, and I would love to have one fish per person, but I
6 would settle for one fish per two anglers, and that's pretty
7 much all I have to say.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. Next, I have Mr. Bart
10 Niquet, followed by Chris Niquet.

11
12 **MR. BART NIQUET:** Good morning or good evening. I'm Bart
13 Niquet, seventy-five years of actual fishing experience of all
14 kinds in the Gulf of Mexico, except shrimping. After listening
15 to what's going on this morning already, I have decided that I
16 really don't know a damn thing about this fishery.

17
18 I think you all are in the same state the young lieutenant was
19 when he got a squad of soldiers and was told to put up flag
20 pole. He went around trying to find all kinds of tackle and
21 stuff, and, finally, a master sergeant pulled him over and he
22 said, son, you're doing it wrong. What you need to do is tell
23 that crew to get it up and you'll be back in two hours to make
24 sure they do, and they will get it done. You should do the same
25 thing with the recreational and snapper grouper headboat
26 business.

27
28 Tell them they've got a year to get it done and let them do it
29 and then you check on their work. If you try to tell them how
30 to do it, it's not going to work. That's been tried. It's a
31 total fiasco.

32
33 One other thing is you keep talking about how bad this
34 shareholder business is and the trading back and forth, and yet
35 you're trying to bring the same thing up in the headboat sector,
36 is trade shares and trade allocations. If it's so bad for the
37 commercial fishery, why is it good for the recreational and
38 headboat? It's a question we just can't seem to get over.

39
40 I think you need to delegate representatives from each of those
41 sectors, and leave the commercial out of it. Theirs is pretty
42 well taken, but give them a parameter of what you want and elect
43 some people to get together and work it out and give them a
44 deadline and then get out of their way. They will get it done
45 if you just get out of their way. Thank you.

46
47 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Chris
48 Niquet, followed by Mr. Jim Zurbrick.

1
2 **MR. CHRIS NIQUET:** Chris Niquet, Panama City, Florida. At this
3 council meeting, there's a lot of discussion about the headboat,
4 charter boat, and private recreational anglers. The council
5 can't seem to make a rule or regulation that keeps them either
6 below or on their threshold of their annual catch, or their
7 allowable catch.

8
9 Let me tell you the reason why and how to solve it. If you say
10 that I want to catch one fish, a seven-pound fish is this long,
11 and a thirty-two-pound fish is that long. You convert those
12 fish, like you do, into poundage, and you don't have anything
13 solid to go on.

14
15 Now, here is the way to solve it. You either set each angler
16 with a specific number of pounds they can catch per year or you
17 set them to where they can catch a number of fish a number of
18 inches. In other words, twenty-five inches, and I don't care if
19 it's a two-pound fish, a bunch of them, or a twenty-five-pound
20 fish that's only twenty-five inches long, but if that doesn't
21 get you solid information that you can use going forward, would
22 anybody on this council please come up with a better solution?
23 That's what I thought.

24
25 Okay, folks. That's all I've got to say. One more thing.
26 Sustainability going forward in the charter boat industry, if
27 you keep cutting them back, but you want new entries, and it's
28 harder and harder for the new entries to make a living, because
29 they don't know what the future holds, you ain't going to have
30 no new entries. The same thing applies in the commercial
31 fishing industry.

32
33 I have got three people that have asked me about buying
34 poundage, and I asked them -- I said, you're going to make a big
35 investment. They said, yes, sir. I said, until you get
36 something solid going forward with a number of years this is
37 going to continue, that 51/49, without all these encumbrances of
38 can't these fish -- I've got to have them for \$1.50 a pound or
39 the eastern zone gets eastern -- No. All that does is an
40 impingement to free enterprise. They tried price controls
41 before, Richard Nixon and Chavez in Argentina, and it didn't
42 work. Thank you very much for your time.

43
44 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Jim
45 Zurbrick, followed by Mr. Adam Miller.

46
47 **MR. JIM ZURBRICK:** Thank you, council, for allowing me to speak.
48 I am Jim Zurbrick from Steinhatchee, Florida. I've been up here

1 a few times, and I want to welcome the new council members, one
2 of them in particular. He's been pretty familiar over the
3 years.

4
5 First on my list is the amberjack. We don't need to address the
6 commercial season. Just leave it where it's been for a long
7 time. We open January 1, and we're open January and February.
8 We're closed in March, April, and May. I firmly believe, after
9 all the years that I've been fishing, that the jacks do -- Most
10 of the jacks, and not all of the jacks, but a good, sizeable
11 amount of the jacks spawn during that three-month period.

12
13 I want to close it. I don't want it open. The problem is that
14 when we open the season back up on June 1 that there is only two
15 or three weeks or four weeks, or six weeks at the most, and
16 usually it's shut down in June. The rest of the year, we're
17 without.

18
19 We need to -- Last time I was up here, in San Antonio, I spoke
20 about a bycatch. That's where we need to be with this fish. We
21 need a trip limit of 500 pounds. It no longer can be a purely
22 targeted fish, and I would ask that all of the old-timers who
23 have been on this council a while, when is the last time that an
24 amberjack fisherman came up and actually gave testimony talking
25 about the amberjacks?

26
27 It is a small, directed, very small, directed fishery, but the
28 greater good is served for the industry to have a market most of
29 the year where restaurants can get some amberjack for almost all
30 of the year with a 500-pound trip limit, and also to cut the
31 discards.

32
33 I am always going to catch a couple or two or three jacks on a
34 grouper snapper trip. I can't have them now. I'm throwing them
35 back after June, and so we need to definitely look at keeping
36 the season the same and going to a 500-pound trip limit with
37 actually reducing it if, later in the year, we're getting close
38 to the quota, like we do now with National Marine Fisheries puts
39 out the bulletin and says, hey, we're getting ready and now
40 we've dropped down and we're going to close.

41
42 Also, red grouper. I sat on that reef fish panel, and I
43 remember everybody saying, commercially, that we don't need to
44 raise this quota as high and as far as what we did. We went
45 from a five-and-some-change-million-pound quota to a seven-and-
46 some-change-million-pound quota, and look at the landings this
47 year. We have only landed 27 percent of the quota, and, even if
48 we were back at the original quota before we had this increase a

1 year ago, we're only going to catch 50 percent of our red
2 grouper.

3
4 It's like driving and the speedometer says seventy, but I swear
5 that I'm only doing ten, and people say, no, no, you can't go by
6 what you think. You've got to go by what the speedometer says,
7 but the bottom line is there's a problem. We don't know exactly
8 what it is. We're going to count on the scientists and the
9 experts to tell us what it is.

10
11 Corals, I wanted to get one last thing in about corals. We need
12 to protect our corals, but we also need to protect our
13 fishermen, and so, as you go forward with this on the coral
14 amendment, look at all the avenues where we could still fish in
15 some coral areas, but I am definitely against anybody dropping
16 an anchor in a protected coral area. Thank you.

17
18 **CHAIRMAN BOSARGE:** Thank you, Mr. Zurbrick. I have a question
19 for you, or two questions, it looks like, one from Mr. Anson and
20 then from Andy.

21
22 **MR. ANSON:** Thank you, Madam Chair. Jim, could you just really
23 quickly go over the discussion you had about the year-round
24 fishery? I thought, on one hand, you said you wanted the spring
25 fishery more than the fall fishery, but then I thought I heard
26 you say that you wanted them year-round with the 500-pound trip
27 limit.

28
29 **MR. ZURBRICK:** This is strictly commercial. We have been living
30 with this three-month closure of March, April, and May for a
31 good amount of time now. It opens for the first two months of
32 the year and, with the weather being bad and whatnot, you don't
33 get out, but, because the quota is so small, it's no longer a
34 directed fishery.

35
36 Somebody that says they're quitting their day job to become an
37 amberjack fisherman, you're going to have to examine this guy,
38 but we are catching them, and so let's make it last. Let's
39 stretch it out with a 500-pound trip limit, which covers a lot
40 of trips, the discards and the interaction you're going to have
41 with some, so you can still have them without killing them.

42
43 **CHAIRMAN BOSARGE:** Mr. Strelcheck.

44
45 **MR. STRELCHECK:** Thanks, Jim, for being here. You made comments
46 about the health status of red grouper, and we've heard a little
47 bit of testimony as well about gag not necessarily being in good
48 shape, and I would be interested in your perspective on gag

1 grouper.

2
3 **MR. ZURBRICK:** You know, I was in the dive business, and I've
4 got a commercial spearfishing trip coming out, and I'm going to
5 know, under all these red snappers that are off of Steinhatchee,
6 where I live, Cedar Key and that area, Suwannee, I am going to
7 find out just how many gags are there, because we aren't
8 catching them. My last trip, I think I had 175 pounds, if you
9 check the trip ticket, and it used to be more than that.

10
11 It is difficult. I am listening to all my other fishing guys,
12 but, when I get down there and actually physically look, and if
13 I see that, wow, there's a lot of gags here, but we haven't been
14 catching them, it's going to lead to me, in my mind, an opinion,
15 and I don't know, but this is serious, and, Andy, I really
16 direct this to you, but this is really serious about the red
17 grouper issue, and that needs to be looked into.

18
19 That red tide off of all of the counties was disastrous. We did
20 not register it as high of a disaster and impact that I think
21 should have been noted. It was disastrous, and a long ways out,
22 by the way. It was out into 120 or 140 feet, which is rare for
23 red tide in that part of the Gulf. Thank you.

24
25 **CHAIRMAN BOSARGE:** Thank you very much. Next, we have Mr. Adam
26 Miller, followed by Mr. Ricky Thurston.

27
28 **MR. ADAM MILLER:** Hi. I'm Adam Miller. I am introduced mostly
29 to everybody as Bud Miller. That's my name. That's what
30 everybody knows me as, and I'm here with Ricky Thurston, and
31 we're from Fish and Game Scales, Incorporated, and I would like
32 to thank the council for allowing us to bring our prototype
33 scale outside. It's new, and we just didn't know how to go
34 about doing it, but you allowed us to bring it, and I thank you
35 so very, very much for that.

36
37 It's a scale system that we're targeting towards the
38 recreational side, both the private and the for-hire. We have
39 designed it to be as simple and easy to use as an ATM. It goes
40 with your state license, and it will go with your iPhones, and
41 it will go with your electronic logbooks. We can program it to
42 do any of the above, but, in the end, it gives us the endgame.
43 It gives us the weight, and, to me, that's an important part of
44 it that we should be collecting as recreational anglers.

45
46 First is our total number of fish and the weight of the fish,
47 and we would just like to thank you again for allowing us to
48 bring that, and we hope to be showing it to you again in two

1 weeks at the Gulf Council, for our state commissioners, and we
2 just thank you so very much.

3
4 **CHAIRMAN BOSARGE:** We have a question from Mr. Banks.

5
6 **MR. BANKS:** Thanks for being here, and I've been meaning to get
7 outside to ask you guys this, but is this an onboard -- Is this
8 something that you're planning to have on a vessel to weigh it
9 at the time while it's out on the water?

10
11 **MR. MILLER:** No, this is a system that we'll be putting at boat
12 launches and all commercial marinas, and it will give you
13 information as soon as that information is input. We can send
14 emails to whoever wants the information. Right now, it goes to
15 myself, but it's instantaneous.

16
17 **CHAIRMAN BOSARGE:** I went out and took a look at it, and I
18 thought it was pretty interesting. You just punch in the number
19 of anglers, and then you punch in the number of fish you had on
20 the boat, and then you hang your fish on the little hook and it
21 weighs it, and you hit "submit", and that's it. Anyway, it was
22 pretty interesting, and so thank you. We appreciate you coming
23 by.

24
25 **MR. MILLER:** Thank you. We can do it with power or with solar,
26 and so for the remote locations, and, if we can't have cellular
27 service there, we can always go by weekly and download the
28 information from the system.

29
30 **CHAIRMAN BOSARGE:** We have a question from Dr. Frazer.

31
32 **DR. FRAZER:** Thank you, again. I enjoyed looking at that
33 device. As I walked away from it, I was thinking that it's a
34 little bit fidgety, in the sense that you actually have to weigh
35 the fish, and so do you have to have somebody there to be
36 present to make sure that it's functioning properly? Do you
37 know what I'm saying?

38
39 **MR. MILLER:** We should be able to program it that if something
40 goes wrong that the scale, the actual load cell or the computer
41 or something, we should get notification and have somebody there
42 as soon as we can to correct the situation. The game plan, the
43 business plan, is to have an extra one, so that if we have one
44 that goes down, we just go and pull that one out and put a
45 brand-new one in there and have extras, because they're only
46 held down by four bolts.

47
48 **CHAIRMAN BOSARGE:** Thank you, gentlemen. We appreciate it.

1
2 **MR. MILLER:** Thank you.

3
4 **CHAIRMAN BOSARGE:** So that was Mr. Adam Miller and Mr. Ricky
5 Thurston. Okay. Next is going to be Mr. Gary Jarvis, followed
6 by Ms. Alicia Paul.

7
8 **MR. GARY JARVIS:** Captain Gary Jarvis, President of the Destin
9 Charter Boat Association. I represent over sixty-five
10 federally-permitted charter fishing businesses in a port that
11 has over eighty federally-permitted operators. We have the
12 largest fleet in the Gulf of Mexico and in North America.

13
14 By the discussions and actions of this meeting yesterday, I feel
15 like the DCBA is under siege as an industry and as a historical
16 fishing community. It seems like there is powers in this room
17 that make it very clear that they want to take our customers
18 historical access away from them. That access ensures the
19 generational transfer of our fleet, and it also preserves our
20 community's fishing heritage and viability.

21
22 Sadly, some in this room in front of me, and behind me, want to
23 take those fish and give it to a group that just wants to
24 satisfy their own desires with very little concern or
25 consideration for the other user groups. There is no real
26 spirit of sharing the Gulf.

27
28 Our efforts to improve and develop Amendment 40 for the past ten
29 years in the charter industry was instrumental and contributed
30 to the rebuilding of the red snapper process, and one of the
31 ways is we haven't been overfishing our ACL since Amendment 40
32 has been in action.

33
34 Soon, it will even get better, because the charter industry is
35 going to have mandatory electronic logbooks, giving us a level
36 of accountability in data collection that has never been seen
37 before in recreational fisheries.

38
39 I just want to make it extremely clear from our fleet's
40 perspective -- In fact, you can read my lips, no state
41 management in the EEZ for red snapper, or any other species for
42 that concern, for our federally-managed and federally-
43 moratorium-permitted fleet. Our existence, our protection to
44 remain, and survival by law is under the auspices of the MSA.

45
46 There is zero legal protection under any state law or state
47 constitutional language that gives us the protection that we
48 have under MSA, just the right to exist. Even though many of

1 our state-appointed employees are friends or have got integrity
2 or are nice, and they're good people, they can't legally ensure
3 us that they can cash the check they are trying to get us to
4 take. There are some in our industry who believe what they're
5 being told, with very little consideration to the risk that I
6 just spoke of.

7
8 I just want to say that our fleet would prefer a split amberjack
9 season with an April and May season, but only with a reduction
10 of one fish for two people. If that's not part of the plan,
11 then we don't support a split season, because there would be no
12 split season. We would just live with a fall season. I prefer
13 September over August. A spring opening without a reduction
14 would ensure overfishing the resource, and we will pay the price
15 in 2019. Thank you.

16
17 **CHAIRMAN BOSARGE:** Thank you, Mr. Jarvis. Next, we have Ms.
18 Alicia Paul, followed by Mr. Mike Colby.

19
20 **MS. ALICIA PAUL:** Alicia Paul, and I own and operate Long Shot.
21 It's a dually-permitted vessel in Panama City Beach, Florida.
22 Sustainability measures are very important for the future of
23 this industry. With that being said, I would like to see a
24 five-month season for the amberjack, opening in April and May
25 and closing June 1 through July and reopening August 1 to the
26 end of October with a one-fish bag limit per two people.

27
28 I heard a gentleman say earlier that would be a problem on a
29 six-passenger vessel. I own a six-passenger vessel. If that's
30 a problem, then give us two fish for three or four people. We
31 can word it right and get it right.

32
33 A legal amberjack weighs, at a minimum, twenty to twenty-five
34 pounds. That's a trophy fish for an average angler. A twenty-
35 five-pound fish per person would cause the quota to be met very
36 rapidly, as we did this year, in 2017. I believe a one-fish bag
37 limit per two anglers would allow the stock to be maintained
38 adequately and allow for organic growth.

39
40 The March closure of amberjack in 2017 has resulted in a
41 substantial decline in business. We spent many years building
42 that return customer base in the spring and the fall, for those
43 trophy fish in the spring and the fall.

44
45 As a result of the early closure, most of our customer base did
46 not return for their annual fishing experience. This not only
47 hurts the fishing industry, but it hurts the entire economy as a
48 whole. It also puts a strain on the smaller species available

1 for those few anglers who did decide to come, and so I urge the
2 council to please reconsider bag limits and an annual season on
3 the amberjack.

4
5 As for the referendum in Amendment 41 and 42, there is no such
6 need for it at this time. After listening in all day yesterday,
7 it's clear that there was a lot of confusion among the council
8 members of the inclusion of these amendments. Under these
9 amendments, no one in this audience would receive enough fish to
10 sustain a forty-nine-day season, as we have now.

11
12 With the current calculations of your ad hoc committee of
13 Amendment 41, I receive enough PFQ to fish approximately about
14 fourteen days. That is not enough for my business or any other
15 along the Gulf Coast to survive.

16
17 I would wholeheartedly feel that, until there is accurate data
18 and a complete understanding, these amendments should be, at the
19 very least, tabled at this time. I would also like to say that
20 accurate data is imperative to sustain the future of this
21 industry. Logbooks and electronic reporting would be the most
22 accurate way. Proceeding with a referendum without real-time,
23 accurate data is unacceptable and an injustice to this industry,
24 and that's all I have for you all today.

25
26 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Mr. Mike
27 Colby, followed by Mr. Troy Frady.

28
29 **MR. MIKE COLBY:** Thank you, Chair and council members and new-
30 seated council members. I am Mike Colby, a charter headboat
31 operator from Clearwater with the Clearwater Marine Association
32 and the Gulf Seafood Institute.

33
34 Try as I may, I tried to get a consensus in the middle eastern
35 Gulf out of our association members on amberjack, and, not
36 surprisingly, there is no consensus. I think the majority of
37 these guys would like to see August, September, and October.
38 That would be interesting for us and kind of a fall derby, and I
39 think some of those sentiments are echoed here.

40
41 In terms of the spring, we will let it -- We will go with the
42 flow. I mean, we don't need that directed fishery in the spring
43 for us. We're fishing in January and February, where most of
44 these guys aren't, but our four and six-hour trips, that's king
45 mackerel and Spanish mackerel, the sissy trips, and that's our
46 big bread-and-butter at that time of year.

47
48 Would we like an opportunity to have a customer catch an

1 amberjack? Sure. Is it a deal-breaker? No, but, again, it's
2 hard to get a consensus out of the eastern Gulf. Everybody is
3 quite independent, and you will get a different answer out of
4 every different fisherman.

5
6 On 41 and 42, I will echo the sentiments of those people that
7 support it. Every time I listen to the terminology and the
8 language describing 41 and 42, you hear words like "flexibility"
9 and "the ability to underharvest", and that was, I think,
10 clearly demonstrated in the Headboat Collaborative. They didn't
11 use all of those fish, grouper or snapper, and it kind of rings
12 a bell with me in terms of being able to plan your business.

13
14 Those against 41 and 42, I keep hearing the same sentiments
15 echoed. It's privatization and you're stealing my fish, et
16 cetera, et cetera, but, frankly, the real burr in my blanket is
17 state management, and I may be guilty of being too close to
18 this, having examined much of the congressional move and
19 platforms now circulating around and then, yesterday, listening
20 to Action 1 and Action 2 discussion on state management.

21
22 I echo the sentiments of the seated council member yesterday,
23 and I think it was Mr. Diaz, that said that, the more we discuss
24 41 and 42, it seems the more complicated it gets, and I can echo
25 those sentiments on state management. The more we discuss it,
26 the more complicated it gets. No consensus or agreement on
27 prohibition of retention, protections for the charter fleet, and
28 on and on.

29
30 Then our representative from the U.S. Coast Guard, echoing his
31 sentiments that this is really confusing, and it is. It's very
32 confusing. It is not stakeholder-driven from the bottom-up.
33 State management is a top-down platform, and I really like the
34 idea of stakeholders building those management plans and not
35 something coming from top-down. Thank you.

36
37 **CHAIRMAN BOSARGE:** Thank you, Mr. Colby. Next, we have Mr. Troy
38 Frady, followed by Mr. Chad Haggert.

39
40 **MR. TROY FRADY:** Good afternoon. I am Troy Frady. Madam
41 Chairman, thank you for allowing me to speak to you all today.
42 I would like to welcome Dr. Shipp back to the grind. Mr.
43 Dyskow, welcome. Dr. Ponwith, thank you so much for your
44 service. It's been great, and I hope you stick around and come
45 visit us every now and then.

46
47 When it comes to red snapper, I want to talk to you a little bit
48 about Amendment 41 and 42. When we first started Amendment 40,

1 we talked about having flexibility to run our businesses
2 whenever we have customers available or sea conditions that were
3 favorable.

4
5 Well, it's turned into a forty-nine-day derby, for me, and it's
6 not good for the resource to pound it day after day after day,
7 and I think any tool that you could use that you could develop
8 to help spread out the effort would be beneficial to the fish
9 stocks, but I do want to see Amendment 41 and 42. We've put a
10 lot of work into it, or you all have, and on these APs, to see
11 it continue and roll forward with it and flesh it out, to see if
12 it's really something that could be beneficial to sustaining a
13 healthy fishery and promoting safety at sea.

14
15 When deciding the future of red snapper management, I would ask
16 you to take into consideration the importance of all user groups
17 and their contribution to the economic impact to coastal
18 communities. When it comes to greater amberjack, I think we
19 ought to change the fishing year to August 1 and leave it open
20 with a start date beginning August 1 and continuing through the
21 end of October.

22
23 I think we would probably harvest around 70 percent of our ACL
24 at that time. If we have any fish left over, and if it's legal
25 and we can do it, use those fish the following May, after they
26 have spawned during March and April, which the science has
27 supported.

28
29 I do not support a fractional bag limit. A lot of the
30 customers I take fishing, sometimes it's one person, and, if
31 there is one fish for two people, you won't be able to keep a
32 fish. Sometimes I take three people, and you're stuck with one
33 fish, and I don't want to complicate things. I want to make
34 things easier, so all user groups have access and access to
35 these fisheries.

36
37 I am a big proponent of fish descenders. I've been using them
38 for about seven years, and I used the Shelton fish descender out
39 of California, which was known for helping all the rockfish
40 survive, and now I use the Seaqualizer, and I actually use it as
41 an educational tool for my customers.

42
43 When they catch a fish, and they go too deep and they catch a
44 fish that's coming up and has a hard time getting back down, I
45 make that customer who caught that fish let the five-pound
46 weight with the fish on it go all the way to the bottom and
47 release that fish, which it pneumatically releases at fifty feet
48 for me, or, whatever depth I am, and I can adjust it, but the

1 use of fish descenders has been hugely effective for my
2 business, and it is good for the resource. I would like to see
3 the continued use of it, and I want to thank you.

4
5 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Chad
6 Haggert, followed by Mr. Randy Boggs.

7
8 **MR. CHAD HAGGERT:** Good afternoon, council and staff. My name
9 is Chad Haggert, and I'm the Vice President and General Manager
10 and operator of my family's party fishing business, Double Eagle
11 Deep Sea Fishing, out of Clearwater, Florida. We proudly
12 celebrated fifty years in business this past May.

13
14 I am here to speak today on Amendment 41 and 42, state
15 management and the amberjack seasons. I am not in support of
16 state management at this point. I have not seen anything that
17 gives me the confidence that my state can do a better job of
18 managing the resource and providing better access while in turn
19 helping the stocks, and I see no fail-safe in there to protect
20 the charter/for-hire fleet.

21
22 At the federal level, with the protection of the MSA, at least
23 that gives stakeholders the ability of some sort to have input
24 and voice in the process. My state surely, in my opinion, has
25 not shown much regard for the charter/for-hire fleet, case in
26 point the extended red snapper seasons in state waters as well
27 as the triggerfish and the four-county gag season, all of which
28 took federal days away.

29
30 Amendments 41 and 42 need to move forward, and I know the
31 process is slow and arduous, but let's at least give it a try
32 and make some progress. I did take some offense yesterday
33 during discussion about whether AP preferreds should be included
34 in the documents.

35
36 The comment made about the council making the final decision,
37 although true, was, in my opinion, a slap in the face to the
38 stakeholders that are engaged in the process and attend council
39 meetings and give up their time to serve on these advisory
40 panels. Why wouldn't you have the AP preferred in the documents
41 and then an explanation if the council has a different
42 preferred?

43
44 The AP preferreds are from stakeholders in the industry, and I
45 think the public should be able to see if there is a differing
46 opinion and why that differing opinion might be. I would ask
47 that the council please take the time to pick these preferreds
48 and move this forward.

1
2 These can be worked through as the amendments move forward,
3 these issues that came up yesterday, as far as how the quota
4 would be split up. We heard from legal yesterday that that
5 doesn't have to be done at this particular time to keep them
6 moving forward, and so let's move them forward.

7
8 You hear that we have no industry support for these amendments,
9 and you can hear some of the comments today, but, as far as some
10 of the comments that I have heard that 85 to 90 percent of the
11 fleet don't want it, I call BS on this. I say bring it to a
12 referendum, and then we'll know for sure what kind of support we
13 have. They will either pass or it won't, and then we can go
14 back to square one and start looking at a different kind of
15 solution, but we'll have it in writing at that point and we'll
16 know for sure what kind of support there is for it.

17
18 On the amberjacks, I think, from what you have heard here, some
19 people want a spring season and some people want a fall season.
20 In my opinion, Amendment 41 and 42 solves this issue. You give
21 the people their quota at the beginning of the year and they can
22 catch it when it benefits their business as well as their
23 consumers. These amendments, from what I have heard, do not, in
24 my opinion, privatize a natural resource. They preserve
25 historical access for the non-boat-owning public.

26
27 **CHAIRMAN BOSARGE:** Mr. Haggert, are you just about done?

28
29 **MR. HAGGERT:** I am just about done, yes, ma'am.

30
31 **CHAIRMAN BOSARGE:** Thank you.

32
33 **MR. HAGGERT:** This past year, my business took almost 18,000
34 people fishing, and we are on pace to do more than that this
35 year. These are people that do not otherwise have access to the
36 fishery without going with someone from the charter/for-hire
37 fleet. Well, I guess they could have access if they went and
38 bought their own boat, but I think that would mean that boat
39 manufacturers would be profiting from providing access, and what
40 exactly difference is that? Thank you.

41
42 **CHAIRMAN BOSARGE:** Mr. Haggert, we have a couple of questions
43 for you. Mr. Banks.

44
45 **MR. BANKS:** Thanks, Chad, for being here and giving us those
46 comments. My question revolves around your opposition to the
47 state management plans. Specifically, what about them do you
48 not like? I am hoping that maybe your opposition has to do with

1 just the fact that charters are included in the state plan.
2
3 **MR. HAGGERT:** Yes, sir.
4
5 **MR. BANKS:** Is there some kind of larger issue with the state
6 plans, aside from that?
7
8 **MR. HAGGERT:** No, and I think that is what it is, is that the
9 charter/for-hire fleet isn't -- I sit on the AP, and we had
10 brought to the council that we did not support having the
11 charter/for-hire fleet, and we want to stay federally managed.
12
13 **MR. BANKS:** Okay.
14
15 **MR. HAGGERT:** I don't have a problem with them looking at a
16 solution for the private recreational angler. To me, if we are
17 federally-permitted, we should continue to be managed under that
18 and the MSA.
19
20 **CHAIRMAN BOSARGE:** Mr. Sanchez has a question for you.
21
22 **MR. SANCHEZ:** Thank you. I just wanted to thank you for your
23 service on the AP and taking time out of your schedule, after a
24 storm and everything to attend a few weeks ago, and your input
25 and -- I appreciate it. You're not a yes-guy. You stir it up,
26 and you help move the process along and get innovative with some
27 ideas, and so I thank you for that.
28
29 **MR. HAGGERT:** Thank you, Mr. Sanchez.
30
31 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Randy
32 Boggs, followed by Ms. Susan Boggs.
33
34 **MR. RANDY BOGGS:** Good morning. Randy Boggs from Reel Surprise
35 Charters in Orange Beach, Alabama. I am going to go through
36 this pretty quick. I prefer an August opening on jacks. Guys,
37 I understand what the fleet wants, and I hear what the fleet
38 wants, but the biology is these fish spawn in March, April, and
39 May. It's a little bit protracted along the Gulf. They spawn
40 at a little bit different time.
41
42 The fishermen need those fish during the spring break, but the
43 stocks can't afford that. We have been stuck in the same place
44 doing this for years. If you catch a jack off of Alabama in
45 March, April, or May, and if you get him around the rigs, or
46 her, it's going to have an egg sac in it this big and that long.
47 They're engorged with blood, and the fish are fixing to spawn.
48 The stocks can't stand that.

1
2 That's why the amberjack are in the trouble we're in. It's
3 going to turn my money. It's going to hurt my pocketbook, but,
4 for the fishes' sake, if we're ever going to get more than a few
5 days a season, we've got to have that March, April, and May
6 closing. I know some people say they're not spawning in May,
7 but some of the bigger females are still carrying eggs at the
8 end of May.

9
10 Guys, I used to run hundreds and hundreds of overnight trips,
11 just like Johnny did, and all those fish have got the eggs in
12 them. Go to a one-fish for two people bag limit and open that
13 season later in the year and don't trigger another payback
14 provision and move on.

15
16 Guys, we showed you that 42 works. I know that there's people
17 at this table that are politically motivated, and I know that
18 there's a lot of things here, but we showed you that it worked.
19 We didn't go over, and we didn't cheat anybody, and we didn't
20 steal the American public's fish. We're not privatizing fish.
21 Fix it where we can't sell them, fix it where we can't trade
22 them, but just give us the ability to manage our business and
23 let us go fishing.

24
25 We're not trying to steal the American public's fish. We're
26 trying to make sure that these people have access to the fish.
27 Without customers in my business, I have no business. All I'm
28 trying to do is move this forward, and I hear a lot of the guys
29 up here that are very confused about what they're saying.

30
31 Guys, look back to history just a little bit. Look back to
32 2014. The charter/for-hire industry had a nine-day snapper
33 season, and these people talking about what they would get -- In
34 2014, when they fished with a nine-day season, they could have
35 got 108 fish if they were full every day and fished, and we
36 survived. We survived with 108 fish.

37
38 I caught over 4,000 snapper on my boat this year during the
39 derby fishery. During the thing that I had nine days -- Leann,
40 I'm going to stop right here for a minute, and I am going to be
41 absolutely -- You are my friend, and I love you to death, and
42 understand that I am going to be ugly at this point in time.

43
44 The gentleman from the Attorney General's Office -- I have been
45 here for twenty-years, and I started in 1997. Every time we
46 have a dignitary come, you guys give him extra time. If you
47 want to piss your people in the audience off, keep giving these
48 people twice as long to speak as you give the fishermen, the

1 people in the industry, that come up here and spend money to get
2 here.

3
4 That gentleman has never been to one of these meetings, and I
5 have never seen him before, and he came in and got twice the
6 time and walked out the door, when the rest of us have been here
7 lobbying for days and days and days, and so I am going to finish
8 today.

9
10 We need to work on the vermilion snapper, and we need to split
11 that fishery. Right now, we're tied to the commercial fishery
12 in it, and we're tied to the recreational fishery. We just set
13 a new ACL and ACT. If we keep tied to them, they have an
14 unlimited fishery. They have no trip limits, no bag limits, no
15 time limit. We're going to go over, and it's going to cost the
16 recreational fishermen dearly, and we really, really, really
17 need to do that.

18
19 Guys, that's all I've got to say. Leann, I didn't mean that
20 ugly towards you, dear, but, when you do that, the guys in the
21 audience -- Nobody will stand up here and tell you that, but I
22 will, because it pissed a lot of people off. Thanks, guys.

23
24 **CHAIRMAN BOSARGE:** Thank you, Randy. Next, we have Ms. Susan
25 Boggs, followed by Mr. Dustin Trocheset.

26
27 **MS. SUSAN BOGGS:** Good afternoon and thank you. I am sorry, but
28 I'm a little shocked by my husband back there. My name is Susan
29 Boggs, and I'm from Orange Beach, Alabama. My family and I
30 enjoy recreationally fishing, and we earn a living taking
31 anglers who do not have their own boats out to catch fish in
32 federal waters as well as supplying boat owners with slips and
33 fuel, so that they can pursue their passion for fishing.

34
35 We provide access to recreational anglers who either cannot
36 afford or choose not to bring their own boats. Our customers
37 come from all over the country, and they're a driving force for
38 tourism-based coastal economies.

39
40 I printed an email that I received, and I am going to read it
41 just as it was sent to me, and maybe you will recognize it.
42 Dear council members, regarding snowbirds fishing regulations,
43 over the years, our annual migration to the Alabama Gulf Coast
44 continues to bring tremendous resources to the winter months of
45 November, December, with January and February providing the
46 larger number of snowbirds.

47
48 An increase of 283,500 of us snowbirds flocked to Gulf Shores,

1 Foley, Orange Beach, and Fort Morgan, adding value to the area
2 in the amount of \$136 million during the slow months of winter.
3 Additionally, we helped to maintain salaries of over 64,000
4 employees that maintain shops, restaurants, entertainment
5 venues, real estate companies, marinas, fishing charters, and,
6 of course, urgent care and many more.

7
8 As repeat customers, we make the Alabama Gulf Coast our home for
9 the winter, and, during our stay, there is an increase in
10 volunteerism. Our state clubs hold fundraisers and, in turn,
11 contribute to local charities. Those of us who support the
12 wonderful fishing industry in Alabama are making a simple
13 request, as the red snapper and triggerfish seasons are closed
14 during the winter.

15
16 We are hoping that you can find a way to create a red snapper
17 and triggerfish limited catch season during our heaviest
18 snowbird months of January and February, and a response would be
19 very much appreciated. Sincerely, Rusty and Mary Reardon, Steve
20 Perkins, George McClanahan, Jeff Sinagari, Vick Stiney, Hub
21 Haskins, Neal Radmacher, Gary Bond.

22
23 These are customers that fish with us every year in January and
24 February. In the last two years, no red snapper and no
25 triggerfish, but they yet continue to come and support our
26 industry. They're not asking for much, but you give a thirty-
27 nine-day season during the red snapper season this year to a
28 small user group, and that's all they're asking for, is to give
29 them a limited access to this fishery. It is a public resource.

30
31 I do support moving forward with Amendments 41 and 42. I am
32 very passionate about that, and I think you all know that. I
33 support opening amberjack August 1, with one fish per two
34 passengers, and I don't know what the process is, but there is a
35 modification that's been sitting on the Secretary of Commerce's
36 desk that these charter boats and headboats asked for, and
37 that's for electronic logbooks. Please help us move that
38 forward. That seems to be the defining issue with everything
39 that we sit at this table and discuss every meeting. Thank you.

40
41 **CHAIRMAN BOSARGE:** Thank you, Ms. Susan. Next, we have Dustin
42 Trochesset, followed by Bob Spaeth.

43
44 **MR. DUSTIN TROCHESSET:** I had some stuff prepared, but I'm just
45 going to shoot from the hip at you all. My name is Dustin
46 Trochesset, and I'm from Biloxi. Thank you, all, for coming to
47 town. I am with the Silver Dollar III. We are federally
48 permitted for forty-four people.

1
2 I am 100 percent in favor of 41 and 42 moving forward and not
3 getting bogged down, as this council did yesterday. I am in
4 favor of 40 keeping going. At this point, I have no
5 representation with state management, and so I am not for that.

6
7 I am going to repeat some stuff that you may have heard, but I
8 also took exception, because I sit on the AP, the Headboat AP,
9 reef fish, and our charge is to -- I even brought it with me.
10 Our charge is to make recommendations to the council relative to
11 design and implementation and flexible measures for the
12 management of reef fish for the headboat component.

13
14 If you don't even want to know what we recommend, what our
15 preferred is, then why do you have an AP? Why are you paying
16 for my hotel and my flight and my food? It's completely
17 disrespectful. I think that's just politics and you all already
18 have your minds made up.

19
20 You're not going to pass state management, because you're never
21 going to agree on how you're going to spread the fish out.
22 You're never going to do it, and you're going to bog down 41 and
23 42 so much that I think you should just go ahead and extend the
24 sunset on 40 for another ten years or five years, just so we can
25 keep having some representation that we fought so hard for.

26
27 Nobody on this council owns or operates a charter boat. We on
28 the council do, but you all seem to know better than we do how
29 to operate our business. I am going to run every day in June
30 and July. I want to snapper fish when snapper fishing is good
31 for me and when it's good for the non-boating public, but it
32 seems to me like that's really not an issue to this council, not
33 anything about how we would like to run our business moving
34 forward about how you want us to run our business moving
35 forward. I am also in favor of amberjack on August 1, one fish
36 for two people. Thank you.

37
38 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Bob
39 Spaeth, followed by Mr. Ricky McDuffie.

40
41 **MR. BOB SPAETH:** Good afternoon, council members, and welcome to
42 the new council members. My name is Bob Spaeth from the
43 Southern Offshore Fishing Association, which is commercial,
44 basically out of Madeira Beach, Florida. We harvest mostly
45 grouper and tilefish. We don't have very many snapper IFQs in
46 our area, for previous management reasons.

47
48 One of the things that we would like to do is we would like to

1 see that the red snapper and grouper-tilefish five-year review
2 be split. At the last council meeting, we testified that red
3 snapper and the grouper IFQ review should be split, and the
4 reasons we gave were that the same harvest rates, gear and area
5 restrictions, distance to the grounds, demand, lease, share
6 prices, and number of shareholders. One size does not fit all.

7
8 For example, lease prices were \$3.25 for red snapper, and red
9 grouper now are at twenty-five cents, if you can get them.
10 Share prices for red snapper go from thirty to fifty-dollars.
11 Today, I think the share prices on red grouper would be probably
12 between five and ten-dollars. There is a big difference in the
13 way that you harvest these fish, the rates you catch them at,
14 and so one fix does not work for all.

15
16 The second thing I would like to talk about is I got a question
17 from one of the council members, and it says what does the
18 grouper industry think of the snapper IFQ and how would you fix
19 it? The first thing is -- We got some people together on both
20 docks down in Cortez and Madeira Beach, and they thought the
21 lease price on red snapper was too high, and they would like to
22 see that limited.

23
24 The other thing they brought up was that any shareholder must
25 have the ability to harvest their IFQ. The word there is
26 "ability". This does not mean that they have to catch them, in
27 case they're ill or whatever may come up. They also talked
28 about, some of the old-timers that are in here, about a
29 grandfather clause.

30
31 If you limit lease prices, it does not help on the discard
32 issues, but it does discourage outside investors, because it
33 reduces their return on investment versus the risk on the
34 management of buying shares and investing. You never know
35 whether you're going to have some today or tomorrow or less or
36 more or whatever.

37
38 The other thing that they came up with is they did some out-of-
39 the-box thinking. They said that what we would like to explore,
40 and I don't know if it can be done at all, is something like
41 splitting the Gulf into two parts, with two different reef fish
42 permits, and go to keep what you catch under the IFQ program,
43 and so you would have a reef fish species in the eastern Gulf,
44 and you would have a line there, and anything you harvested
45 under your IFQ would have to go in the box, and we would
46 eliminate discards.

47
48 The problem is the red grouper. Everybody -- We don't know

1 where they went or what's going on. We think the snapper, the
2 lionfish, the sharks, the porpoises -- I think we're getting
3 stuff out of kilter, and we need to look for a management regime
4 that might work better. Thank you.

5
6 **CHAIRMAN BOSARGE:** Thank you, Mr. Spaeth. Next, we have Ricky
7 McDuffie, followed by Casey Price.

8
9 **MR. RICKY MCDUFFIE:** I am Ricky McDuffie, and I own Sea Hunter
10 Charters. I have a multi-passenger and a headboat. I've been
11 in business, and I'm finishing my fortieth year this year.
12 There's not a whole lot that I can say, getting up here behind
13 Randy Boggs and Gary Jarvis right now, but we have come close to
14 getting the VMSs on most of the boats, and we need to keep that
15 going with the data and move forward with 41 and 42.

16
17 I never thought that I would stand up here and ask for
18 potentially a half a fish per person, but, under the
19 circumstances, I didn't get to catch any this year, and so I
20 prefer seeing amberjack -- Let them spawn, and make sure they've
21 all spawned, and open the season in August and let it run
22 through the fall. If you've got anything left, put it back on
23 in the spring, but, for sure, give them a chance to spawn.

24
25 Triggerfish, we've got to -- Somehow, you all have got to start
26 letting us catch some. Our headboat throws back over a hundred
27 a day, and I throw back thirty or forty or fifty a day on my
28 charter boat, and they're eating us alive. That's pretty much
29 it.

30
31 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Casey Price,
32 followed by Brian Annan.

33
34 **MR. CASEY PRICE:** I am Casey Price, and I'm with Lady D
35 Charters. I am for amberjack staying the bag limits as is and
36 moving them to August. Let the fish spawn in the spring, if
37 that's what the science says they do, and we're needing some
38 triggerfish sometime, hopefully in the spring or whatever that
39 takes, and I am in for keeping on going with Amendment 41 and
40 42. Thanks.

41
42 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Brian Annan,
43 followed by Ryan Bradley.

44
45 **MR. BRIAN ANNAN:** I am Brian Annan with Gulf Rebel Charters out
46 of Orange Beach, Alabama. We've been in business since 1958.
47 We have three federally-permitted vessels, and I'm for an August
48 1 amberjack opening, to give the amberjack an opportunity to

1 spawn.

2
3 **CHAIRMAN BOSARGE:** I have a question for you from Mr. Riechers.

4
5 **MR. RIECHERS:** You just said August 1, and the previous speaker
6 did as well, and I just want to make sure. Are you suggesting -
7 - Because there is two discussions going on. One is when it
8 will be open and one is how we set the calendar year, and so are
9 you for setting the calendar year starting at August 1 and then
10 open it and then open it in the spring if there is fish left?

11
12 **MR. ANNAN:** Correct.

13
14 **MR. RIECHERS:** Okay. All right.

15
16 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Ryan
17 Bradley, followed by Mr. Scott Robson.

18
19 **MR. RYAN BRADLEY:** Thank you. Excuse me. I am losing my voice
20 here, and so I will be brief. My name is Ryan Bradley, and I'm
21 the Director of the Mississippi Commercial Fisheries United. I
22 am also a fifth-generation commercial fisherman from Long Beach,
23 Mississippi.

24
25 I am here today to advocate on behalf of our local fishermen
26 that are vying to gain access to the commercial reef fish
27 fishery. Mississippi is the most underserved state when it
28 comes to the current IFQ program. We have the least amount of
29 shareholders and the least amount of active permits out of all
30 the Gulf states, not many at all.

31
32 When it comes to red snapper, one entity has a substantial
33 majority amount of the shares that are available to Mississippi
34 fishermen, at over 90 percent, one guy. Further, you can take a
35 ride down our coast, and you can't find a reef fish for sale
36 anywhere. This is devastating to our local economy and fishing
37 communities here in Mississippi.

38
39 I would like to ask the council to make Amendment 36B a number-
40 one priority. I would like to see the newly-selected IFQ
41 advisory panel convened as soon as possible, and let's not be
42 naïve to think that the AP is going to solve all the issues.
43 36B needs to continue to move forward regardless.

44
45 As much as I would like to harp on 36B, there is much more
46 serious problems ongoing in the Gulf reef fish fishery. For
47 example, the red grouper and gag grouper stocks are experiencing
48 what appears to be severe biological problems. Share prices in

1 red grouper have completely collapsed, and it appears that less
2 than half the commercial allocation will be caught this year. I
3 would like to note that the recreational gag and red grouper
4 seasons are open year-round. The council has to take action now
5 to ease this pressure.

6
7 Also, with the extended red snapper season this year, it
8 presents a ton of uncertainty in the commercial sector. If the
9 Commerce Secretary does another override next year, we will see
10 a severe blow that will take a very long time to recover from.

11
12 This uncertainty makes it very risky for the next generation of
13 commercial fishermen, like myself, to invest in the fishery, but
14 it's not us that has the most to lose. It's the seafood-
15 consuming public, and, if we continue on the path we're on now,
16 the future looks pretty bleak. I would hate to see an uproar
17 from the tens of millions of seafood consumers who depend on
18 reliable access to Gulf fish.

19
20 Each and every one of you sitting around this table today are
21 going to be faced with some very challenging decisions, and they
22 always will be controversial, but we need you to make the hard
23 decisions that will support the sustainable growth of the
24 fishery and also include policies that promote the fair and
25 equitable participation in all sectors. Thank you, and are
26 there any questions?

27
28 **CHAIRMAN BOSARGE:** Thank you, Mr. Bradley. Next, we have Mr.
29 Scott Robson, followed by Mr. Billy Archer.

30
31 **MR. SCOTT ROBSON:** Good afternoon, Gulf Council. My name is
32 Scott Robson, and I'm owner of the Charter Boat Phoenix in
33 Destin, Florida. I've been fishing for forty years. My main
34 subject today is amberjacks, again. Once again, we're looking
35 for longer seasons in this, and that should be the goal of all
36 of us.

37
38 I have given everybody some data on that split, fractional bag
39 limits and vessel limit data, and, once again, we're looking for
40 a spring, May, and an August and October season, August through
41 October.

42
43 I have heard some comments earlier and some people -- Here
44 again, I don't know if the council is starting to look at
45 something of a season from August to August or something, or
46 it's going to be closed June to July, and I'm not sure how that
47 works out, but my only fear in doing anything like that is
48 because it runs into November, December, January, and February,

1 and the clock keeps ticking, and it seems like we get overages
2 then, when no one is hardly fishing.

3
4 Here again, it's a little unexplainable to me. I'm not sure how
5 we're overfishing in January and February and March. Like this
6 last year, we still overfished it some, and we're not quite sure
7 who is even catching these fish and how are we are overfishing
8 this still, but, once again, we feel that this -- We could get
9 this longer season by achieving it with the one fish per two
10 people. That's giving a 45 percent reduction in charter
11 private, and a 39 percent in headboat landings.

12
13 A vessel limit of six per vessel would also give us an
14 additional 11 percent in charter and 42 percent in headboats,
15 and so, here again, we're looking for some reductions, so we can
16 have a longer season, instead of just throwing this one
17 amberjack out there and hoping for the best, that it lasts for
18 two or three months, when it doesn't even hardly seem to be
19 lasting hardly a month.

20
21 Then, again, I would like to -- I am kind of wondering why there
22 is no talk of any -- There doesn't seem to be any movement of
23 reducing this amberjack from the thirty-four-inch back down to
24 the thirty-inch, which would give us a longer season, because
25 we're reaching our TAC faster.

26
27 In the beginning of it, we were told that, if we went to a
28 thirty-four-inch amberjack, that it would extend our season. So
29 far, that hasn't worked. Obviously there's a lot larger stock
30 of thirty-four-inch or greater amberjacks out there than anybody
31 perceived, and so I would like to see this moving towards at
32 least some talk in reducing the size.

33
34 Also, if the council does move towards some sort of a state
35 management, we ask, the charter boats/for-hire, to leave us out
36 of that management plan. What's working for us now is certainly
37 40 has been working, and we would like to remain that way.

38
39 We would also like to see extended or continue to move forward
40 with electronic logbooks, and also we would like to talk a
41 little bit about triggerfish, if we've got time. Once again,
42 the lord knows that we need to increase this TAC in this
43 triggerfish, and I've heard some people talk about it, and I'm
44 doing the same in my area.

45
46 I'm throwing back forty to sixty triggerfish a day, big
47 triggerfish, and we need to open this thing up a little bit.
48 This 300,000-pound TAC is just -- Once again, it's going to last

1 you for about two or three weeks, and, the rest of the year,
2 you'll be throwing them back. Thank you.

3
4 **CHAIRMAN BOSARGE:** Thank you, sir. We have a question from Mr.
5 Sanchez.

6
7 **MR. SANCHEZ:** I just want to clarify. I have heard so many
8 comments today, but could you run through your months for the
9 amberjack that you're proposing or suggesting?

10
11 **MR. ROBSON:** I would like to see it like the season is your
12 calendar year. That would be a better way to set it. The
13 calendar year starts in January, like it has, and the season
14 would -- Your months open, you would open it up in May and then
15 close, and I know some people have asked for April and May, and
16 I know there's some spawning, but, if we only had that one month
17 in the spring, we would prefer it to be May.

18
19 Then close June and July and open August through October. The
20 worst-case -- Not worst-case scenario, but, if it had to be,
21 September and October for sure in the fall and close again and
22 then reopen the next year. I don't want to see a season that
23 runs August to spring, because I don't think you will ever see
24 spring.

25
26 In other words, I think, through those fall months, and, in
27 November and December and January and February, if an amberjack
28 is caught here and there, I think it's just going to be counted
29 kind of like what's been going on, because, here again,
30 according to the data, not much amberjack are caught in January
31 and February, but, for some reason, we're catching our quota in
32 January and February somewhere in the Gulf of Mexico, and it
33 lasts until March 23. The year before, it only lasted a little
34 bit into the spring and the quota was caught, and so, with this
35 one fish per two people, it would extend and then have a season
36 the calendar year, January through January.

37
38 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Billy
39 Archer, followed by Mr. Mel Miller.

40
41 **MR. BILLY ARCHER:** Thank you, Madam Chairman and council
42 members. My name is Captain Billy Archer, and I own and operate
43 the Seminole Wind out of Panama City, Florida. This my forty-
44 fourth year as a charter boat captain. I am a current member of
45 the Board of Directors of the Charter Fishing Association and
46 the Board of Advisors of Ocean Champions.

47
48 I would like to go on record supporting Amendment 41 and 42 and

1 the pursuit of the ELBs, which will obviously validate what
2 we're catching. I would like to ask the council to please
3 consider a May 1 and a -- I guess this is a new term for me, but
4 fractional bag limit, so we can have some fish, and then close
5 it in June, on June 1, and open it again in August, September,
6 and October.

7
8 I also support a March 1, one-fish triggerfish bag limit, and I
9 would like to -- Before I can support state management, I would
10 like to see more proof that it's not going to harm my business.
11 Everything that I've heard so far is just theory, and we need to
12 -- Right now, under Magnuson-Stevens, we understand that we have
13 protection under those laws.

14
15 Lastly, I would like to thank Ms. Guyas and the council
16 previous, three years ago, for supporting the red snapper and
17 gag grouper opening that started on June 1 and was a win-win for
18 commonsense management. Thank you very much.

19
20 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mel
21 Miller, followed by Lynn Miller.

22
23 **MR. MEL MILLER:** Mel Miller, owner of Andersons Seafood Market,
24 and we operate kind of a unique business in the Gulf of Mexico.
25 We cater to over thirty different charter boats, five headboats,
26 and probably 10 percent of the recreational fishermen in Panama
27 City, Bay County.

28
29 They bring me their product, and I take care of it for them, and
30 I see all the fish that come in, and I hear all the gripes of
31 all the fishermen around us about the different things that are
32 going on in the fishery. This year, the amberjack season was
33 cut off early. I watched boats sit at the dock every day.
34 Every day, they sit there, and they had to return deposits of
35 trips that they had booked for the amberjack season that they
36 wasn't able to run.

37
38 Anyway, the amberjack, I see the spawning season, and I actually
39 cut the fish. I know when the bloom is in the fish, the
40 grouper, the snapper, the triggerfish. Every fish that is out
41 there, I see, because I take care of them.

42
43 I am all for an April and May opening of the amberjack season.
44 I think the red snapper season is fine the way it's going right
45 now, June and July, and taking back August, September, and
46 October for our amberjack season again, but we do need that
47 spring season to maintain a sustainable charter boat industry,
48 and that's all. Thank you.

1
2 **CHAIRMAN BOSARGE:** Thank you, sir. We have a question from Mr.
3 Dyskow.
4
5 **MR. DYSKOW:** Thank you for your testimony, Mel. Maybe I didn't
6 understand you. You said that process a lot of --
7
8 **MR. MILLER:** I process all the fish.
9
10 **MR. DYSKOW:** A lot of amberjack, specifically.
11
12 **MR. MILLER:** Amberjacks.
13
14 **MR. DYSKOW:** You're in favor of a spring season.
15
16 **MR. MILLER:** Yes, sir.
17
18 **MR. DYSKOW:** Does that mean that you believe that they are not
19 spawning in April and May, based on your analysis?
20
21 **MR. MILLER:** The fish are spawning. Most of the full bloom are
22 at the end of May and into June. Those fish are -- They spawn
23 all through the spring, actually, and early summer as well, and
24 so there's not really a set month. It all depends on water
25 temperature and all that year, actually.
26
27 **MR. DYSKOW:** When would you say the peak is?
28
29 **MR. MILLER:** Well, we haven't cut much lately to determine that,
30 but I would say the peak would probably be in late May to the
31 first of June.
32
33 **MR. DYSKOW:** Thank you very much.
34
35 **MR. MILLER:** Yes, sir.
36
37 **CHAIRMAN BOSARGE:** Thank you. Next, we have Ms. Lynn Miller,
38 followed by Mr. Mark Kelley.
39
40 **MS. LYNN MILLER:** My name is Lynn Miller, and I am co-owner of
41 Andersons Seafood Market on Panama City Beach. We clean fish
42 for five headboats and thirty charter boats, plus many
43 recreational boats. Fishing is our livelihood. It's our life.
44
45 Listening yesterday, I heard "my opinion" several times from
46 many of you. I would like to think that your opinion is in our
47 best interest, and I hope you know a lot more about fish than we
48 do. We are asking for a five-month opening for amberjack, April

1 and May and August, September, and October, and I would like one
2 fish per person. Thank you very much.

3
4 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Mr. Mark
5 Kelley, followed by Ms. Anita Ross.

6
7 **MR. MARK KELLEY:** My name is Mark Kelley, and I'm from Panama
8 City. I own two charter boats, which are dually-permitted, and
9 I am an IFQ shareholder, and I sit on the charter AP committee.
10 I want to talk for a few minutes about Amendment 41 that the
11 charter AP committee is forming.

12
13 The grave concern that I have is that we voted for five species.
14 I know, originally, when it started, it was red snapper. We
15 voted for five species to be in the program, and then red
16 grouper and gag was taken out.

17
18 During our last AP meeting, I am sitting from -- I am not going
19 to call him by name, but a guy that is from south Florida, and
20 we talked about the gag and red grouper coming out, and, as we
21 talked, he did the numbers on the gag grouper, and he said,
22 well, we took the gag grouper out because we would be against --
23 We would be for the -- We would be against the referendum if it
24 stayed in, but we would be for it if we're not, and so we've
25 already begun a process of weighting the referendum vote, and I
26 said, why? How do you feel that way? He said, well, why should
27 I have a ten-day gag season when I've got a five-month gag
28 season? I said, well, that's exactly how I feel. Why would I
29 want a fourteen-day snapper season when I've got a forty-nine-
30 day snapper season?

31
32 I have a big concern when businessmen get up here, and Randy
33 Boggs said it a minute ago, and I'm not calling him out, but he
34 did say it, that he would be happy with 1,400 head of red
35 snapper when he's catching 4,000, and so that's a concern of
36 mine, is where are we going to make up that difference in fish,
37 because, in order to catch them fish when you want to at the
38 certain time of the year, you would have to charge three times
39 the price of what you're getting, and I don't think that's fair.
40 It's not in the clientele's interest at Panama City.

41
42 Also, what is the solution? Well, to me, first off, we need to
43 have electronic logbooks on all charter boats. We need to
44 develop a three-year catch history. As soon as we get that
45 three-year catch history, we know who the historical red snapper
46 fishermen are.

47
48 Coming from the Panhandle of Florida, being one of the highest

1 catch historical regions of catch, we can't do nothing but lose,
2 and so you're going to ask me to vote on something that I lose
3 on. Under the current way it is currently, I am happy with a
4 forty-nine-day season.

5
6 Also, we've been told that if the sector separation sunsets that
7 we get thrown into this deep hole that we're going to drown and
8 the fear tactics, but now I put Dr. Crabtree on the point in our
9 committee of can we have a form of sector separation and it not
10 actually be sector separation if it sunsetted, and his answer
11 was, yes, we can still be in that recreational pie and have our
12 separate sector.

13
14 Now, I know I'm running out of time, and I'm going to be quick
15 on amberjack. We have got to have a spring season of April and
16 May. I don't know we are hung up on this spawn. It's never
17 bothered us. Here we are catching snappers in June and July.
18 If we was worried about that, we would shut the snapper down,
19 and so we've got to have some form of season in April and May
20 and August and September and October.

21
22 I am for -- I would rather it be one fish per person, but, by
23 all means, this council cannot let us overfish, because we've
24 got to have something in 2019, and so I can entertain the
25 thoughts of one fish per two people. I hate to even say that,
26 but it's the truth. Also, I am for no season change, starting
27 January 1. I am through.

28
29 **CHAIRMAN BOSARGE:** Thank you, sir. We have a question from Ms.
30 Guyas.

31
32 **MS. GUYAS:** Captain Kelley, can you tell us about your
33 Seaqualizer experience? I know you use that on your vessel.

34
35 **MR. KELLEY:** Our Seaqualizer experience is it has been done with
36 -- I do FWC contracts, and it's done with FWC biologists, and so
37 they use -- We're fishing four fishermen, and we designate one
38 bandit per stop that does nothing but the Seaqualizer. We're
39 using a ten-pound window weight, and we're sending these fish
40 back down, and my boat is from upstairs, and so I see a lot of
41 things that happen behind the boat.

42
43 About 50 percent of the fish come back to the top. They are
44 doing it, and they're supposed to know what they're doing, but
45 then they have asked me, don't you think that you need to do
46 this on your charter boat, and so we have -- I am just going to
47 give you a scenario of what you're thinking about.

1 We have twelve people back there and one deckhand, and I don't
2 know if you've ever been on there, but that's a job for a man.
3 You're going to ask him to stop. We're going to send that fish
4 back, when we're catching twelve at a time, and my opinion of it
5 is it's -- Venting is just as good.

6
7 Also, if your committee or council would tell me that it would
8 increase my participation, or the amount of fish that I would
9 get to catch for doing that, I might entertain it, but, if I'm
10 going to do it just to have to be doing it and I'm not going to
11 get no benefits, just like I didn't get any benefits from the
12 circle hooks or from a dehooker or from a venting tool -- You
13 ask for us to do something, and whether it works or not we never
14 know, but we never get any benefits back.

15
16 **CHAIRMAN BOSARGE:** Mr. Matens.

17
18 **MR. MATENS:** Thank you, Madam Chair. Mr. Kelley, I am curious.
19 In your experience, is there a depth that snapper are more prone
20 to survive and a depth that they were more prone to die? Can
21 you help me with that?

22
23 **MR. KELLEY:** Certainly, and the time of the year. The hotter
24 the water, the release mortality is horrible. The cooler the
25 water, it's better. The calmer the water, it's bad. The
26 rougher it is, the better it is, because the sea helps the fish
27 go down. The shallower the water, the better the release. The
28 deeper the water, the worse the release.

29
30 **MR. MATENS:** Forgive me for asking this, but is there a
31 particular depth that you would think would be a delineation?

32
33 **MR. KELLEY:** I couldn't comment on that.

34
35 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Ms. Anita
36 Ross, followed by Mr. Brad Foran.

37
38 **MS. ANITA ROSS:** Hello. My name is Anita Ross, and I am the co-
39 owner and manager of our charter boat, which is Legendary New
40 Beginning, and we're out of Panama City, Florida. I may not be
41 real smart, but I have a lot of common sense, and I do want to
42 just say one thing. Mr. Avery Bates, he has a lot of heart, and
43 he spoke every word that I wanted to come up here and say, and
44 so I hope that every one of you heard what he said and took it
45 to heart, because it's our lives that you're messing with over
46 here.

47
48 All right. Let's just get straight to the point. Amberjack,

1 since you've taken away our amberjack, we have lost several
2 repeat customers that usually come in the early spring and in
3 the fall, every year. They call us, and they're asking, well,
4 what's in season, and, when we tell them what's in season this
5 time of year, they don't want to go fishing. It's just not
6 worth their money, and so we're losing a lot of business.

7
8 We need a spring and a fall amberjack season to keep us going,
9 to pay our bills and to put food on the table and just make a
10 living. We're not getting rich, but we're making a living. A
11 five-month season is all we need, and so I am for the April and
12 May and then August, September, and October. We want one fish
13 per person, but we're willing to give a little bit. If you say
14 it's going to kill us if we have five months, take the one fish
15 every two people. See, we're willing to work with you, and so
16 work with us. All right.

17
18 We're going to go to this Amendment 41 and 42 and catch shares,
19 and I'm just going to tell you right off the bat that it's way
20 over my head. You guys have confused the hell out of me sitting
21 in here and listening to you the other day.

22
23 I heard words like you were fairly confident of this or fairly
24 confident of that. Well, I'm 100 percent confident that you
25 guys evidently don't really know when the spawning season is or
26 when this is or when that is. All I know is I got forty-nine
27 days this year, and it was great, and so why fix it if it ain't
28 broken? Leave it alone. We like our derby, and we want to go
29 fishing for red snapper on June 1 for however many days we can,
30 and it's working, and so, hey, I'm good with that.

31
32 All right. Let's see if I have anything else, since I'm not out
33 of time yet. Just in general, we're a small charter/for-hire
34 business, federally-permitted, and all we do is want to take
35 people out to have good, clean family fun. We're doing a good
36 job of it, and we want to be able to keep doing it. I am just
37 asking you to help us do that. Thank you for your time.

38
39 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Mr. Brad
40 Foran, followed by Mr. Ben Allen.

41
42 **MR. BRAD FORAN:** My name is Brad Foran, and I operate the
43 Charter Boat Real Commotion from Panama City Beach, Florida, out
44 of Captain Andersons Marina. I mostly want to speak about the
45 amberjack. Not having a big fish like that is detrimental to us
46 in the spring. We have obviously no snapper, and we have no
47 king mackerel and no triggerfish, and we definitely don't have
48 any yellowfin tuna, like the boats farther west of us can get in

1 the spring.

2
3 We absolutely need a spring amberjack season to bring our
4 customers in and give us something to get going into the spring.
5 I would hope for one fish for every other person, one fish for
6 two customers, opening April and May and closing down for June
7 and July for our snapper season and reopening August 1 and going
8 through the end of October. That way, there is some compromise
9 on both sides and everyone has a season that they get to enjoy
10 and make some money with.

11
12 As for Amendment 41 and 42, I am not for them, not anything that
13 brings an IFQ-type of system into the charter industry, or a
14 PFQ, however you want to call it. I've been left behind in the
15 commercial IFQ system, and I do not look forward to that in the
16 charter industry. Thank you, all, for having us here.

17
18 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Ben Allen,
19 followed by Mr. Clarence Seymour.

20
21 **MR. BEN ALLEN:** My name is Ben Allen, and I fish here out of
22 Biloxi, Mississippi. I work on a federally-permitted headboat
23 here, I guess it would be classified as, as well as on six-pack
24 boats intermittently. I would just like to thank you for having
25 me, and I just want to touch on a few things.

26
27 Having charter fished here, which I'm one of these younger guys,
28 right? I haven't been in this game as long as most have. I
29 have charter fished down here for about eight years, but, in
30 that time, I have seen a lot of changes, being as short as it
31 is, and sector separation has been a fantastic thing here for us
32 on the coast.

33
34 We have seen business blossom, and we have provided more access
35 for the non-boat-owning public, coming all across the country,
36 and we don't just have people from the Southeast. We have
37 people from Wisconsin and Montana and people that don't have the
38 option to get an access that fishery without the opportunity to
39 step foot on this boat or any other charter boat across the Gulf
40 Coast.

41
42 It has been very important to continue the option for the public
43 to have that access, and, as far as 41 and 42, I think there is
44 never a perfect solution. That's why we have this group of
45 minds together to come and figure it all out, and that's why we
46 have the AP panels, and that's why we have public comment, but
47 it is a step in the right direction.

1 It's going to provide flexibility in the future, once it gets
2 hammered out, to be able to provide these businesses with the
3 best opportunity to grow in the way that they would like to.
4 It's going to provide more flexibility for the guests who want
5 to have access to the fishery, and so I would definitely say
6 that they need to be continued. They need to be looked at, and
7 I am definitely in support of them.

8
9 Now, in regards to amberjack, now everybody wants the same
10 thing. They want to have access to their fish to be able to
11 maintain their business, but there is a responsibility that
12 every person has when thinking about the future of the fishery,
13 and that is to maintain the proper stock.

14
15 Personally, I feel if those fish are spawning at a certain time
16 and the science supports that, then the season should be picked
17 up at a time when those fish have the opportunity to spawn.
18 With that said, I would be in support of amberjack season
19 starting on August 1 and continuing on in August, September,
20 October. Then, if there is any bit of the quota left, then to
21 allow some time in the spring for obviously the folks that
22 really rely on that fishery to take advantage of it. Thank you
23 for your time.

24
25 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Clarence
26 Seymour, followed by Mr. Mike Sullivan.

27
28 **MR. CLARENCE SEYMOUR:** Good afternoon, Madam Chair and council
29 members. Thank you for having us today. I'm Clarence Seymour,
30 from the Charter Boat SYL out of Biloxi, Mississippi, a federal
31 reef fish permit holder for approximately eighteen years now.

32
33 I will be real quick on amberjack. It seems to be that the Gulf
34 is kind of split up on this, but a fall opening with any type of
35 overage would probably be good, and so I would say August 1.

36
37 I checked with some guys in the fleet, and, as far as the permit
38 holders, there is probably two or three or possibly four in the
39 Mississippi ports that will take advantage of an August
40 amberjack, and I did also hear them complain about they're not
41 quite getting a shot at the triggerfish also, and so,
42 triggerfish, the spring would probably be okay for another
43 opening for that, for any guy in Mississippi who might still
44 want to get out and try to get some triggerfish.

45
46 As Amendment 41 and 42, it's getting deep, and I know it, and I
47 know you all are trying your best, but, if there is only certain
48 circumstances -- If it's going to get deeper than it is, let's

1 just go ahead and get rid of the sunset. If the sunset expires
2 in 2022, let's move on.

3
4 Panama City, we are all happy, and Destin and Louisiana. The
5 derby for forty-nine days under a TAC of 20 percent, we've done
6 and blown that out of the water two or three years in a row. We
7 have stayed within the boundaries of the ACT, and so the other
8 thing is, in Amendment 40, it gives me probably the most and the
9 best opportunity to get my business back on track, especially
10 after Katrina.

11
12 We had a hell of a go right here. This building was underwater,
13 and so just remember that when you make that decision one day,
14 that the little old fleet in Biloxi is going to need sector
15 separation to carry on in any type of operation where our
16 passengers have the most ability to get on a charter boat and we
17 can make that work for them.

18
19 As far as state management goes, we're listening, but give us
20 the ability to say the Magnuson protects me. Never forget that
21 we're federally-permitted charter boats, and there is a small
22 group here in Mississippi. I speak for some of them, and they
23 know it, and I just hope that -- Just keep that in mind when it
24 comes to any type of management in that particular procedure,
25 and that's all I've got. Thank you.

26
27 **CHAIRMAN BOSARGE:** We have a question for you, Mr. Clarence,
28 from Mr. Sanchez.

29
30 **MR. SANCHEZ:** Before the question, I would like to thank you for
31 your role in all the associations that put together that dinner
32 last night. That was a wonderful event, and I look forward to
33 going to it again, and it was fun.

34
35 **MR. SEYMOUR:** Thank you.

36
37 **MR. SANCHEZ:** I wanted to ask you to clarify for the record, if
38 you could, what exactly do you mean by the sunset and doing it
39 in 2022 and we're in deep with 41 and 42 and the relationship to
40 both of those.

41
42 **MR. SEYMOUR:** Yes, sir, Mr. Sanchez. The particulars were, as
43 far as a sunset goes, it mainly has me bothered that it seems
44 like, in 2022, and that's, what, six or seven years or four or
45 five years or whatever, but it's a scare that -- I'm not saying
46 it's a scare, but I am fifty-one, and I would like to at least
47 do this until I'm sixty-five, maybe, and so that gives me
48 stability, and I can continue to market and keep the emails

1 going out for passengers, to make sure they know that, hey,
2 we're going to be open June 1, possibly through July 19, or
3 maybe July 15, somewhere in that fashion.

4
5 I think the whole fleet, in turn, is really concerned about the
6 sunset expiring on us, and what I mean about the deepness of 41
7 and 42 is the AP has given really good direction, and, as of
8 yesterday's committee, it kind of got weighed down pretty good,
9 especially for somebody asking if does the word "AP
10 recommendation" have to be on the paper, and that's really
11 irrelevant, because I thought it was a pretty good spot to be,
12 because that helped me out too, because I wasn't sure what the
13 AP recommendations really were also, and so maybe that's what I
14 mean by weighing heavy on the document.

15
16 The framework is going well. I am really not tickled to death
17 about the PFQ system in Amendment 41, but, if the sunset
18 expires, by god, it's sector separation, and we have something
19 to work with in the industry, and so that's what I mean by
20 weighed down, Mr. Sanchez.

21
22 **CHAIRMAN BOSARGE:** Thank you, sir. We have one more question
23 from Dr. Mickle.

24
25 **DR. MICKLE:** Captain Seymour, real quick, with long-term
26 business plans and what charter captains deal with, do you have
27 long-term plans in the business of having children come into the
28 business and that type of long-term planning? Do you see your
29 children entering the business of what you do? Real quickly, 40
30 or 41? Which one do you like better?

31
32 **MR. SEYMOUR:** Real quickly, 40 or 41, I have no options, because
33 I'm a six-pack, and so 41 is going to be my option. 42, I am
34 concerned about the ability that -- It's not that it's a
35 concern, but it's more of a challenge to say, well, the charter
36 boats in Orange Beach have X amount of days, and, well, we --
37 Maybe it might shift the tourism.

38
39 Right now, under Amendment 40, everybody's tourist shift is the
40 same. We're hammering and going and making it when we're there,
41 and that's kind of my shift on that, and, as far as the next
42 generation of fishermen, yes, I have a twenty-year-old son, and
43 he is a captain and a full-time fireman. He went out and bought
44 him a twenty-three-foot Mako, and he has plans to be a guide.

45
46 Right now, he's going to have to be a state guide, because we're
47 limited entry is the issue, and so, at the moment, of course,
48 we're trying to find him a permit, because he wants to be what

1 we are. For some ungodly reason, he damn sure likes it. Other
2 than that, yes, and he's a hell of a damn good captain. Thank
3 you.

4
5 **CHAIRMAN BOSARGE:** Thank you, Mr. Seymour. Next, we have Mike
6 Sullivan, followed by Hank Hunt.

7
8 **MR. MIKE SULLIVAN:** Thank you for you all's time. I own two
9 U.S. Coast Guard certified vessels, and both are dual-permitted.
10 I am out of Panama City, Florida. I have operated out of
11 Captain Andersons Marina for the last twenty-two years.

12
13 I am not in favor of Amendment 41 and 42, especially with all
14 the data we're getting from the MSST and the red snapper stock
15 coming out. Things are looking way better for us, and I don't
16 really see why we need to rush to this. I mean, at least table
17 it and wait and see what we get in return, with all the data,
18 and I really don't understand -- I understand why some people in
19 the Gulf would be for it and some not. In our area, the
20 Panhandle, Orange Beach, I don't understand why you would be for
21 it. You're going to take an almost 75 percent cut in the
22 snapper you can catch, and that doesn't make a lot of sense.

23
24 One thing, what the gentleman just said before, with the shift
25 in the tourism, when the season is forty-nine days, it's the
26 same for everybody in the Gulf. Everybody has got vehicles now.
27 If it was open in Alabama and not in Florida, those people are
28 going to drive to Alabama and go fishing or vice versa. It just
29 creates a lot of turmoil.

30
31 Down at the marina, it creates a lot of turmoil if one boat is
32 catching them and one boat is not. It's something that is
33 really bad for the business, because so many people are going to
34 leave unhappy, because the poor customer is uneducated. I mean,
35 as for now, with the seasons changing from day to day and week
36 to week, the poor person doesn't know what they're reading
37 online. It says snapper is open, but it's not, but it's open
38 for this guy and not that guy. I mean, it's so much easier to
39 just keep the general public just as we are.

40
41 For the amberjack, it's the last big fish we can catch in the
42 spring. You know, we took a huge cut this spring. It's the
43 worst spring we've ever had, since I've been in business in the
44 mid-1990s. We need something, and, when you do take that away,
45 one major thing you've got to look at is look at all the other
46 fish that we're going to put massive pressure on, all the
47 vermilion snapper and the red grouper and the white snapper.
48 Those fish are going to take a pounding, and then we're going to

1 be in the same boat on them in two or three years from now or
2 four years from now or what have you.

3
4 This does help pull the pressure off of that, and it still
5 entices people to come. I have been here long enough that I
6 know that there's no chance that we're going to get a one fish
7 per person for the five months. We didn't even make it three
8 months this year, and it was in the middle of the winter when
9 the weather is worse, and so obviously the only alternative we
10 have is to go for a half-fish per person.

11
12 Yes, it would be nice if we had the bag fish analysis, where we
13 could see like one fish per person. Guys with six-passenger
14 boats, maybe it could be one fish per person, but, if you had
15 three, you got two fish, but at least we could see some options.

16
17 I am for an April and May season and then in the fall, August,
18 September, and October. If we didn't get enough, at least
19 September and October, with the April and May season. Thank you
20 for your time.

21
22 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Hank Hunt,
23 followed by Stewart Miller.

24
25 **MR. HANK HUNT:** Thank you for letting me come and talk. I'm
26 from Panama City, Florida. I'm a charter boat operator and
27 owner for forty-one years. I've had my license for right at
28 fifty years. On amberjack, I would like a spring and fall
29 seasons, for the reason that my son-in-law just a minute ago
30 just gave. We need some kind of larger fish to catch in the
31 spring of the year. The vermilion snappers and white snappers
32 that we catch, pink porgies or whatever you want to call them,
33 doesn't bring people back. Yes, they have fun when they come
34 and they go, but they don't come back. Very few are return
35 customers.

36
37 I have spent twenty years building a return business off of
38 catching everything in the Gulf. When the fisheries management
39 started managing, everything started going downhill. People
40 that used to catch grouper, we can't catch grouper. There
41 aren't no grouper to catch, or very, very few, especially in our
42 area.

43
44 We don't run long trips anymore, because the customers have
45 gotten accustomed to shorter-type trips. You can't produce
46 something that's not there, but they still think you can. There
47 is no answer to that.

1 On Amendment 41 and 42, I'm opposed to it. I think you ought to
2 table it until later on, when we get electronic logbooks and
3 build some kind of catch history. Then we've got something to
4 look at. The forty-nine days we have today, that's fine with
5 me. I don't want to be reduced to fourteen days or twenty days
6 or whatever. I don't want any reduction.

7
8 Every time that we have agreed to go along with the council, the
9 fisheries management, amberjack for one -- If you go to a
10 thirty-four-inch fish, you've got a six-month season, and we
11 didn't even make it into roughly two months. Last year, I
12 caught nine fish for the amberjack season. This year, I caught
13 three. Yes, I can catch and release them, but people like some
14 fish to eat, some nice fish, some large fish.

15
16 With the snapper, it's the same thing. We went from a twelve-
17 inch fish to a fifteen-inch fish and sixteen-inch fish. Well,
18 that larger fish accumulates the weight. We're not taking more
19 fish out of the resource. We're leaving more than we're
20 catching, but yet -- I have never at a council meeting had
21 anybody tell me exactly how many pounds of fish, of red snapper,
22 have to be in the Gulf for recovery. All I get is a recovery
23 date, when see more fish out there, triggerfish and everything,
24 and there is abundance of them, but don't ever get anything in
25 return.

26
27 I would like this council, the members of the council -- At one
28 time, the council voted, when the Fisheries Service wanted to
29 reduce the overall TAC to six-million pounds, the council voted
30 against the Fisheries Service to leave it at nine-million
31 pounds, and that's the only time that I can ever recall that a
32 council has gone against the Fisheries Service objective.

33
34 In my personal opinion, I think it's highly environmentally
35 driven, and for no need. I mean, the resource is out there for
36 the public to use, and so give us a chance to use it. Thank
37 you.

38
39 **CHAIRMAN BOSARGE:** Thank you, Mr. Hunt. Next, we have Mr.
40 Stewart Miller, followed by Mr. Chris Padilla.

41
42 **MR. STEWART MILLER:** My name is Stewart Miller, and I own and
43 operate the Charter Boat Great Escape, and it's dual-permitted,
44 up to eighteen passengers. I also own the Commercial Boat Lady
45 M, and I'm an IFQ holder. I need a spring and fall business.
46 My spring was the worst it has ever been this year, and my fall
47 was very bad, too.

1 I need a big fish for my people to have pride in what they
2 catch. I mean, we catch a vermillion snapper this big and hold
3 it up, and we catch a jack this big, and, sir, you've got to
4 throw that back. Yes, we get to take a picture with it, but I
5 am sure they would like to take it home with them.

7 I would like to see an April and May season on the jacks and a
8 September and October. If we have to lose the -- I'm sorry. I
9 might have messed up there. April and May and September and
10 October season on the jacks. If we do have to go to a -- I
11 would like a one fish per person, but, if we have to, I can go
12 to a half. That's it. Thank you.

14 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Chris
15 Padilla, followed by Mr. Jimmy Otwell.

17 **MR. CHRIS PADILLA:** Thanks for the opportunity to speak. I am a
18 Panama City fisherman, and have been since I was fifteen years
19 old. I would just like to echo the sentiments that you have
20 heard from the Panama City crowd that has shown up. This is
21 important to us. It is our livelihood, our lives, and our
22 families.

24 We need to table Amendment 41 and 42 and gather some more data
25 and be confident in it. You need to be confident for us, going
26 forward, that we can get behind it and support it. That has not
27 been shown at this point, and there's just been a lot of
28 confusion.

30 Again, the amberjack, it's very important for us to be able to
31 maintain a season to have something that we can keep and catch
32 that is worthy of -- This is not a cheap thing that these people
33 are doing. They are saving for the year to bring their family
34 and do it. It's a big deal, and we would like to have them have
35 the best time possible.

37 In saying that, we would like a five-month split season, May and
38 June and then August through October. That's all I really have
39 to say. I appreciate your time. One more thing is I would like
40 to see consistency in your regulation. The season swapping and
41 dates changing inconsistently for the last five or ten years,
42 it's a nightmare. You can't build a business.

44 If they told you -- If you were in the tire business and they
45 said we're going to let you sell tires, but we're going to tell
46 you two weeks ahead of time, and you've got regulate your supply
47 and line up your customers in that two weeks, but it's not a
48 guarantee, and we may make you stop selling tires earlier, and

1 how are you going to manage that business? You're not going to.
2 Thank you.

3
4 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Jimmy
5 Otwell, followed by Ken Anderson.

6
7 **MR. JIMMY OTWELL:** I am Jimmy Otwell from Panama City Beach,
8 Florida. On amberjack, I would like an April and May and
9 August, September, and October season, one fish for two people
10 bag limit. We need to eliminate Amendment 42 and 41 and
11 reprimand them as unnecessary. We need more red snapper stock
12 assessments and no any other further action on 41 and 42 until
13 then. Thank you.

14
15 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Ken
16 Anderson, followed by Mr. Steve Ross.

17
18 **MR. KEN ANDERSON:** Good afternoon. I am Ken Anderson, headboat
19 operator from Panama City. My family started in the headboat
20 business there in 1935. I am up here to say that I am against a
21 catch share program in the headboat fishery.

22
23 In the Florida Panhandle, the red snapper is the star of the
24 show in the headboat business. It's the most popular fish that
25 our customers want. They're a good-sized fish, they're pretty,
26 they're delicious, and they're easy to catch. A tourist doesn't
27 have to be a skilled fisherman to catch a red snapper.

28
29 Our bottom line of profitability is directly related to the
30 number of days of red snapper season. When snapper season
31 opens, our trips are close to full. When it's closed, they are
32 not. It's not complicated.

33
34 I am in favor of keeping the June 1 opening with as many days
35 open as possible. With a consistent opening date year to year,
36 our customers know when to plan their trip to Florida to go
37 fishing. When they're here, they're, of course, also spending
38 money in motels and restaurants and other tourist-related
39 businesses, helping other facets of the local economy.

40
41 We're not hurting the red snapper population. Our boat was
42 catching just as many at the end of the forty-nine-day season as
43 it was at the beginning. With the catch share program, we will
44 run out of quota and snapper fishing days much sooner than under
45 the present system.

46
47 Randy Boggs has put a lot of time and effort into catch shares,
48 and I commend his dedication, but I don't agree with him. He

1 stated yesterday that he caught about 4,000 red snapper this
2 year, but expects a quota of about 1,500 under the new program.
3 I don't know what size his boat is or what the passenger
4 capacity is, but, on our boat, running ten-hour trips during the
5 daytime and eight-hour trips at night, we would run out of a
6 1,500-fish quota in about ten days, or maybe less.

7
8 Even if we went to a one-fish bag limit, we're still talking
9 about twenty days, and I think our customers would be very
10 upset, if they didn't leave us altogether with a one-fish limit.
11 It doesn't take a CPA to tell you that forty-nine, or even
12 forty-five, days is better than a twenty-day season.

13
14 As a headboat operator, amberjack are not a significant part of
15 our catch. Amberjack, however, are a large part of the business
16 of the twenty-five or thirty charter boats at our marina. It's
17 a really big deal for them. Today, you have heard from a lot of
18 captains asking for a spring and fall amberjack season, and I
19 fully support them in this request.

20
21 I wasn't planning to belabor the point of the triggerfish plea,
22 but I haven't heard that much comment on it. We're overwhelmed
23 with triggerfish. We need to not only thin them out a little
24 bit, but we need to take advantage of that resource to fill in
25 the blanks when we're not able to catch red snapper. Thank you.

26
27 **CHAIRMAN BOSARGE:** Thank you, Mr. Anderson. Next, we have Mr.
28 Steve Ross, followed by Mr. B.J. Burkett.

29
30 **MR. STEVE ROSS:** Good afternoon. Steve Ross from Panama City
31 Beach, Florida. I'm the owner and operator of the Legendary New
32 Beginning, and I think my wife said it also, and I'm going to
33 keep it short and sweet, because that's how I am.

34
35 On the Amendment 41 and 42, I think you all should table it for
36 now, and then, on the amberjacks, we really need the April and
37 May opening and then closed June and July and an August and
38 September and October opening.

39
40 You all talked a lot about the spawn, but, yet, I don't think
41 you all know when the spawn really is, and so we always had the
42 January through May, and nobody was worried about the spawn
43 then, and so I don't know why we're worrying about it now.
44 Let's just try it and see what goes on and see what happens.
45 That's what I had to say. Thank you, all.

46
47 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. B.J.
48 Burkett, followed by Ms. Pam Anderson.

1
2 **MR. B.J. BURKETT:** My name is B.J. Burkett, owner and operator
3 of Hook'em Up Charters in Panama City Beach, Florida. I also
4 own a commercial fishing vessel, Lady Rae. It's based out of
5 Apalachicola. I am a dual-permit holder on my charter boat.
6 It's eighteen passengers, and I'm also an IFQ holder.

7
8 To start with, amberjack, we need to leave the current fishing
9 season alone. January to December is fine. Please don't change
10 it. A five-month season is what I need to make my business
11 work, and, in Panama City, we want the April and May and closed
12 June and July and reopen August through October.

13
14 I realize the only way we're going to get this is to go to the
15 half a fish per person. I am a little pissed off that we have
16 not seen that data used from the decision tool. We asked for it
17 at the last meeting, and I haven't seen it nowhere. Why is
18 this?

19
20 You all keep basing the spawn off of the -- It cracked me up,
21 yesterday. The gentleman said that he had fairly certain data
22 about the amberjack spawn. I think you're wrong. I mean, there
23 is better ways to get it than the way you all are getting it.
24 We have always talked about this flawed data, and it's still
25 flawed. The gentleman spoke earlier, and he said that they
26 spawn in May, in late May, and I would believe him way before I
27 would believe this flawed data. You all might want to look into
28 it a little bit deeper. The one fish for two people will work.

29
30 Let's get off of amberjack and go right to 41 and 42. We have
31 had a growing snapper season since sector separation. Each
32 year, we get more days. It's been fairly consistent. We are
33 building our business around this. The sector separation
34 started this, but, from what I've heard, from a comment that Dr.
35 Crabtree made, we don't have to have sector separation to be
36 separate from the recreational industry. This being said, we
37 can do away with 41 and 42. Just let us fish. We need the days
38 to fish.

39
40 We have been asking for logbooks for a long time. Please get us
41 some logbooks, and I always say it here at the end, and finally
42 some more people are agreeing with me, but red grouper and gag
43 grouper is in bad shape, commercial and recreational. I am glad
44 there is more people stepping up and finally admitting it. They
45 are in severe shape. Thank you.

46
47 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Ms. Pam
48 Anderson, followed by Mr. Jay Trochesset.

1
2 **MS. PAM ANDERSON:** Madam Chair and council members, good
3 afternoon. I am Pam Anderson of Captain Andersons Marina and
4 the fishery rep on the Bay County Chamber of Commerce. This
5 year is Captain Anderson Marina's sixtieth anniversary at its
6 present location. As Ken said, my husband, his forefathers
7 started taking passengers for-hire in 1935, and commercial
8 fished before then.

9
10 To address the summary of the Headboat Reef Fish Advisory Panel,
11 I made the motion to have the headboat component continue with
12 seasons and size limits and bag limits. Without set seasons,
13 fishing customers do not have a specific time to ask for
14 vacations or access to their preferred species. We do not need
15 further restrictions in order for the headboat component to be
16 accountable and have fair access. With or without a catch share
17 program, the same subsector allocation would be harvested, and
18 so it does not grow the fishery. It chooses winners and losers
19 in the fishery.

20
21 Another note is this panel is not representative of a fair
22 balance of headboat operator's viewpoints. For those of us who
23 do not want a catch share program, we participated in the
24 discussions and choices of different alternatives simply as a
25 way of saying, if we are forced into this type of program, these
26 choices would be the lesser of the evils.

27
28 Our customers will not buy tickets if they believe there is no
29 chance of harvesting a species they desire. We need to offer
30 targeted species when our customers have the opportunity to be
31 on vacation on a special weekend or during school breaks. This
32 is why it's so important to have access to at least some of
33 these target species in spring and fall seasons as well as in
34 the summer.

35
36 Many of our guys are working together to provide more habitat,
37 through our artificial reef programs. This industry would not
38 have survived without anglers being conservationists. Red
39 snapper and triggerfish are plentiful, and I am grateful that
40 our scientists have shown that this in the MSST document, and we
41 just can't continue down this road of excess regulations and
42 needless negative impacts to our boats, our marinas, and our
43 communities. We need to stop catch shares now, with Amendment
44 41 and 42. Thousands across the Gulf have responded to the
45 catch share agenda, saying no to this insidious program.

46
47 We need to get electronic logbooks for our charter boats. We
48 need for you to provide greater access to the red snapper,

1 triggerfish, and even amberjack. The reason we overfished the
2 weight limit of amberjack is due to an action of this council.
3 The council's choice to increase the size limit of amberjacks by
4 four inches in one year caused overfishing the ACL. Bigger fish
5 weigh more. We did not catch more fish, but we caught heavier
6 fish.

7
8 If we had gradually raised the size limit one year at a time, we
9 believe the overfishing would not have occurred. We would not
10 have to be considering these drastic measures if the council
11 would have listened to these commonsense fishermen.

12
13 **CHAIRMAN BOSARGE:** Ms. Anderson, I need you to wrap it up,
14 please.

15
16 **MS. ANDERSON:** Okay. All the changes you need to eliminate
17 uncertainty in the data can be done without eliminating
18 businesses and jobs, if you so choose. Let's get the charter
19 boat logbooks and tweak the headboat survey, and let's get back
20 to fishing. Thank you.

21
22 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Jay
23 Trochesset, followed by Dylan Hubbard.

24
25 **MR. JAY TROCHESSET:** I am Jay Trochesset, and my father was in
26 this business. He started in 1957 in Biloxi, and I am in my
27 forty-fourth year of running my own boat, and I've got another
28 ten of twelve years working with him, and I can tell you one
29 thing, that there is more snapper in the Gulf of Mexico where we
30 are than there ever were.

31
32 I have a good snapper business, and I would like to see 41 and
33 42 continue. I think it's good for us, and I deal with a lot of
34 people, and I take a lot of people that can't afford a boat, and
35 they wouldn't be going snapper fishing if it wasn't for somebody
36 like me.

37
38 I would also like to say -- I know it's getting late, but I
39 would also like to say that I would like to see amberjack open
40 on the 1st of August, and thank you, all, and I hope you all had
41 a good time in Biloxi.

42
43 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Dylan
44 Hubbard, followed by Devon Ridsby.

45
46 **MR. DYLAN HUBBARD:** My name is Dylan Hubbard from Hubbard's
47 Marina. My family business has been fishing the central west
48 coast of Florida for nearly ninety years and four generations.

1 Today, we operate six federally-permitted vessels made up of two
2 headboats and four charter boats. On top of these permits, I am
3 here today to also represent the Florida Guides Association, as
4 their Offshore Director. Finally, I am a CCA life member as
5 well.

6
7 As far as the amberjack for 2018, we would like to see a spring
8 amberjack season consisting of April and May and then followed
9 by an August through October season. This would be a five-month
10 season, and it would allow a short spring season followed by a
11 longer fall season. Also, to have this reliable five-month
12 season, we would prefer one fish per person, but we would be
13 supportive of a fractional bag limit of one fish per two
14 persons, to ensure a five-month period and the fall season that
15 is needed in the western Gulf.

16
17 Hopefully this fractional limit would also leave fish on the
18 table, allowing for that five-month season to be increased in
19 future years. Many on the council have commented their concern
20 for opening amberjack at all in the spring, due to the fairly
21 certain possibility of a spawning period that extends into the
22 early summer. However, we have seen spring spawning closures in
23 amberjack in the commercial sector for years. Has this
24 increased the number of amberjack?

25
26 Also, if we're so concerned about fishing for fish during their
27 spawning season, why are we fishing for red snapper in June and
28 July? Also, why does the commercial sector fish for red grouper
29 when recreational and for-hire have a spring deepwater closure?
30 I don't understand the concern for fishing for a species during
31 their spawn.

32
33 As far as Amendment 41 and 42, we still hold to the fact that we
34 would demand not to see this type of allocation-based management
35 in the for-hire sector in any way. It is overwhelmingly opposed
36 by nearly eighty of the federal permits that I represent from
37 the Florida Guides Association and my business, as we have
38 stated in previous public comments. Also, it would create chaos
39 and would add additional hardship to the businesses involved in
40 the charter/for-hire and headboat industry.

41
42 We are very happy with our seasons and our ability to access
43 fish currently, especially if we have the reliable five-month
44 amberjack season mentioned previously. There are no problems to
45 address in the charter/for-hire or headboat industry, and so why
46 are we working on such a super complex, time-consuming, and
47 expensive fix to a problem that isn't there?

1 We would also like to comment that, as far as Amendments 41 and
2 42 are concerned specifically, we feel both the charter/for-hire
3 and headboat APs were heavily, heavily weighted in support of
4 these amendments, and they did not show a true cross-section of
5 the industry.

6
7 Due to this, we would urge the council to consider that when
8 weighing AP preferreds and their support for these allocation-
9 based management systems. For example, the co-chair of the
10 Headboat AP, my father, voted no to every motion made during the
11 meeting except for the very first one, to show his opposition to
12 the idea of Amendment 42.

13
14 For turtle release gear, real quickly, we feel flexibility for
15 enforcement is a must. For example, the gear we added at the
16 meeting the dehookers, they are not even made any more. That
17 company is out of business. The patent is out of business as
18 well, and so you can't even obtain that gear, and so I think
19 it's really important, for flexibility for enforcement officers,
20 if you board a vessel and you have something similar to the gear
21 required, it should be okay, and there should be no violations
22 issued. Thank you for your time.

23
24 **CHAIRMAN BOSARGE:** Thank you, sir. We have a question from Mr.
25 Dyskow.

26
27 **MR. DYSKOW:** Thank you for coming here, Dylan. I know you had a
28 long ways to go. Not quite as far as I did, but it's good to
29 see someone from close to home. Obviously one of the big
30 challenges the council is going to have tomorrow is resolving
31 the issue of a recommendation for an amberjack season for next
32 year, and I don't know, personally, whether everybody is going
33 to be satisfied with that decision, no matter what it is,
34 because you can see the comments have been all over the board.

35
36 There is one thing that I haven't heard mentioned that may be an
37 option, and that is this idea of the one-and-a-half fish, and
38 let's say we have a -- That's usually been used in the context
39 of an April and May season. Let's say we can't accomplish the
40 April and May, but we accomplish the May, with a reopening at
41 the end of summer, after red snapper. What is your analysis of
42 that option?

43
44 **MR. HUBBARD:** Initially, when I read the alternatives presented
45 yesterday, Alternative 5, and, off the top of my head, it was
46 Action 2.2, Action 2, and that was, to me, acceptable, a May
47 season with I think it was September through December.

1 I would prefer more time in April, like some of the guys in the
2 Panhandle and I think Orange Beach commented. Around the end of
3 March, the weather becomes optimal, and we have people here, and
4 there is not a lot of big fish open. We have the deepwater
5 closure of red grouper, and so having amberjack open at that
6 time would be optimal, but I am all for fairness.

7
8 I am all for compromise, and I am all for unity across our
9 sector, and so, if people in the western Gulf need amberjack in
10 the fall, I'm fine with giving up some of my springtime in order
11 to reach compromise, but I would prefer if we could compromise
12 in the fact that we have two months in the spring and three
13 months in the fall. That's compromise, to me, giving more in
14 the fall.

15
16 Now, I don't want to see us out-fish the quota and close it in
17 the spring and have no fall, and so that's why I would be
18 willing to give up one fish. Instead of having one fish per
19 person, do one fish for every two persons. That way, we can
20 guarantee that fall season for the western Gulf and for myself
21 as well. I like them in the fall, too.

22
23 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Devon Ridsby,
24 followed by Mike Sullivan.

25
26 **MR. DEVON RIDSBY:** Good afternoon, council. I am Devon Ridsby
27 from Orange Beach, Alabama. I've been fishing for seventeen
28 years in the private and charter industry. I can say the Gulf
29 of Mexico is probably the best fishery in the world, and that is
30 saying that without a doubt, because I have fished in different
31 countries and seen what people overfish, and it's just dead, as
32 I can see this year, from charter fishing on a multi-passenger
33 vessel.

34
35 The snapper stocks have been just amazing. I have never seen so
36 many snapper in my life. I mean, sixteen to eighteen to twenty-
37 three-inch snappers constantly, on a daily basis. Triggerfish,
38 the same thing. We're throwing back triggerfish that I have
39 never seen that big in my life, and we have to, at the same
40 time, and so the stocks will stay the same and come back the
41 following year to be able to fish them.

42
43 I am pushing for the March triggerfish opening. I think it
44 would be good for us. We have a lot of days in March and April
45 that are fishable, and, when they are, they're good, and we
46 would like to have those open.

47
48 For the amendment, I would like to keep that the same. It's

1 doing great. Snapper fishing this year in the summertime was
2 great. We had great weather, and that helps a lot with the
3 customers. Like I said, the stock are amazing right now.

4
5 I think Orange Beach is, I think, on the same track as everybody
6 else with the charter boat organization in Orange Beach, and I'm
7 pushing for an August 1 opening of amberjack, and I would like
8 to see that opened up, to where we can have a few more fish
9 after snapper season, where we can catch those few amberjack on
10 our overnight trips, where customers can have more fish to take
11 home.

12
13 Right now, if I had to buy a charter boat, I think, if we didn't
14 have these extra seasons open, I would not be able to own a
15 charter boat. It would take everything that I would have, house
16 and home, to own a charter boat, and, right now, as I see it,
17 I'm just going to stay as a mate and a second captain to keep
18 running these multi-passenger vessels and be able to have a good
19 time and enjoy the customers that come to Orange Beach, Alabama
20 to fish with us.

21
22 The people that come to fish with us, it's a variety from
23 different ways of life. They are from janitors to CEOs. We
24 have a lot of people that are in the oil business, and, when the
25 oil business is bad, you don't see them come the following year.
26 When the oil business is good, they come back. It's just the
27 way the system works.

28
29 When there is money flowing, the people will fish. They love to
30 fish, and a lot of them save a lot of money to come fish in
31 Orange Beach and stay in Orange Beach and eat food in Orange
32 Beach, and they do that not just in Orange Beach. They do it in
33 Florida and they do it in Texas and Louisiana and Mississippi,
34 and it's the same thing, but they do one thing that they enjoy,
35 which is fishing. If they're not fishing, usually they're
36 hunting, but, at the same time, I would like to end this with
37 thank you for letting me come up here and talk today to the
38 council, and thank you very much.

39
40 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mike
41 Sullivan, followed by Mr. Chuck Guilford.

42
43 **UNIDENTIFIED:** Mike already spoke.

44
45 **CHAIRMAN BOSARGE:** Okay. Then, next, we have Mr. Chuck
46 Guilford, followed by Mr. Jerry McClure.

47
48 **MR. CHUCK GUILFORD:** I am Captain Chuck Guilford from Mexico

1 Beach, Florida. I've been at this business for forty-two years.
2 Captain Mike Hunt and I kind of got it going together in the
3 Panama City/Mexico Beach area.

4
5 I would like to express my personal appreciation to the council,
6 in that I have been attending meetings for well over twelve
7 years, and I always had the feeling before that you had already
8 made your decision and we were here only because you were
9 required to hear us. I have the feeling today that you are here
10 to hear what we wish to tell you is causing our business to go
11 one way or the other, and thank you so much for being there.

12
13 Now, the second is that the charter boats, particularly the
14 recreational charter boats, are not overfishing the species of
15 fish out there. You need to find information from other sources
16 other than recreational charter boats or the headboats and the
17 commercial boats. You need to get -- That is where the
18 overfishing is happening.

19
20 Having been at this and having been a native here for eighty-
21 seven years, I can tell you for a fact that you have -- The
22 catch shares on charter boats are not even what you are showing
23 as being caught, because I understand the way that it's put
24 together, and you don't always have the limit of the fish caught
25 by each person on the charter boat when you receive the
26 information on it.

27
28 Also, I am not in favor of Amendment 41 and 42. I don't think,
29 under the current proposals, that they are needed, and I do
30 appreciate the fact of amberjack and the proposal on the
31 amberjack season and as well as triggerfish, and, once again, I
32 appreciate you all being here and receiving me. Thank you very
33 much.

34
35 **CHAIRMAN BOSARGE:** Thank you, sir. Next is Jerry McClure,
36 followed by Robert Bosarge. Jerry, we will circle back around
37 to you at the end, if you're still here. Next, we have Mr.
38 Robert Bosarge, followed by Mr. Greg Ball.

39
40 **MR. ROBERT BOSARGE:** My name is Robert Bosarge, and I've been a
41 commercial fisherman all my life, since I was twelve years old.
42 My father was and my grandfather, all of us. In the State of
43 Mississippi, we can't even catch a red snapper. Our state won't
44 let you.

45
46 I mean, yes, we've got a panel, and it's pretty sorry, of the
47 DMR and all, but, you know, that's what I would like to do, is
48 be able to go out there and catch a red snapper. I did back

1 when I was young, before they come out with all these boards.
2 Now you can't do this and you can't do that, and it used to be
3 fun, but now, every time you turn around, they've got plenty of
4 rules.

5
6 You all talk about these triggerfish, and I have threw tons of
7 them things overboard. You asked about the sea turtles, and we
8 used to save those sea turtles. Now, we've got to kill them,
9 because all you've got do is roll them on their back and put
10 your foot on their belly and let them sit there for a couple of
11 hours. Then walk back there and pick them up and throw them
12 overboard, and they swim off. Now, if they get hung in the net,
13 you throw them overboard, and they drown.

14
15 Anyway, back to the fishing, why has a fellow got to pay someone
16 else to go out there and catch fish and him sitting on his butt
17 just collecting money? I don't have the kind of money to go up
18 there and spend no \$10,000 or \$20,000 to go there and fish. I
19 got too old to catch oysters, and I got too old to go shrimping,
20 but I would love to be able to go fishing. I would love to get
21 me a boat and go out yonder. I would like to know why I can't
22 go.

23
24 This beach here was built by commercial fishermen. All of these
25 casinos used to be fish houses and steamed oysters and all of
26 that, and, the way the DMR has got us now, here in Mississippi,
27 we can't do nothing. They just opened up oysters, and we're
28 allowed 500 sacks over here in Jackson County, and I think it's
29 10,000, and I'm not sure, over on the west side when they opened
30 it up on the 16th. That thing, we used to work year-round, just
31 about, every month with an "r". How can a man support his
32 family on them kind of rules? We've got to have some kind of
33 relief for the fishermen.

34
35 If you got a \$100,000 job, yes, you can go out there and catch
36 fish, but, if you ain't got it, you ain't going to catch no
37 fish. I know of people going out there all the time and
38 breaking the law, and they get away with it, but, if I go out
39 there and try to catch one fish, I will go to jail, but I would
40 like to know why -- You all talk about quotas for this and
41 quotas for that, and I know you've got to have quotas. If you
42 take a farmer and he runs through the cornfield every day, he
43 ain't going to have no corn at the end of the year.

44
45 **CHAIRMAN BOSARGE:** Mr. Bosarge, are you just about done, sir?

46
47 **MR. BOSARGE:** Yes, ma'am. I sure thank you.

1 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Greg Ball,
2 followed by Mr. Mike Foto.

3
4 **MR. GREG BALL:** Good evening. I am Greg Ball from Galveston,
5 Texas. I own and operate Wave Dancer Charters, two federally-
6 permitted charter boats. My big thing today is amberjack, and
7 that's a big part of our business, and we haven't really had it
8 the last couple of years.

9
10 We get a lot of customers that like to come just to fish for
11 amberjack, and, if we have it in the spring, it's too rough. We
12 can't get out there, and we have to go a pretty good distance
13 for amberjack out of Galveston, and it's just too rough, and, of
14 course, they're spawning then, and we would like to see an
15 opener in August and run in the fall. Spring is just not
16 working for us. Also, I would like to see electronic logbooks
17 move forward and Amendment 41 and 42. That's all I've got, and
18 I appreciate it.

19
20 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mike Foto,
21 followed by Brian Bracknell. Mike? We will circle back around
22 to Mike at the end as well. Mr. Brian Bracknell. All right.
23 Scott Hickman, followed by Jillian Williams.

24
25 **MR. SCOTT HICKMAN:** Good afternoon, ladies and gentlemen of the
26 council. I'm Captain Scott Hickman from Galveston, Texas, a
27 dual permit holder. I've been coming to these for a while, and
28 it's always good to see some new faces, new council members, and
29 we welcome them, and old faces, and Dr. Shipp ducked out, I
30 guess. It's good to see him as well.

31
32 It's amazing, coming all these years and seeing testimony for
33 certain things and how people seem to be against something for a
34 long time, because they haven't seen it come all the way to the
35 end and seen it through to fruition and what it's actually going
36 to be, because a lot of the people that I hear giving testimony
37 today were the same voices -- The ones that are against 41 and
38 42 today were the same voices that were against sector
39 separation. I heard it over and over and over.

40
41 It took us a long time to work through that document, and now
42 I'm hearing how great it is and how great the forty-nine-day
43 season is. They've got a little security and a way to base
44 their business.

45
46 I think that's the stability that we want out of Amendment 41
47 and 42, and until that document -- We worked through all of
48 that, and we can't even say yes or no, but we want the option to

1 see where that's going to take us and what it will do for us,
2 because all of the complaints that I hear about stability and
3 days and different parts of the Gulf having different needs for
4 different fish at different times of the year and the spawn,
5 where the fish may spawn in Florida at one point and they spawn
6 in the western Gulf at different water temperatures.

7
8 Speaking of amberjack, I have worked with scientists on spawning
9 aggregation studies, and it makes no biological sense to kill
10 these fish while they're spawning. Let them replicate
11 themselves in the fishery at least once before we kill them.
12 Let them reproduce.

13
14 Anything in the late spring, early spring into early summer, it
15 makes no sense to kill them. Let's harvest fish after they have
16 spawned, post-spawn. August makes a lot of sense. If we've got
17 fish left over, have an early season that next year, January and
18 February.

19
20 41 and 42, there's been a lot of work put into it, just like 39,
21 the regional management. For the recreational folks, if they
22 want to do regional management, currently -- I watched that go
23 on for years and years, to watch it come down a final vote, and
24 then I just watched it go away. I hope that it passes for the
25 recreational folks, but do I have a lot of faith that it will
26 get done with this body and to have all of you all get an
27 agreement on allocations, et cetera, I don't know if I've got
28 that faith.

29
30 I have watched this body work for ten years, and it's hard to
31 get something done. Things happen slowly, and give us a chance
32 with 41 and 42. Keep moving forward, and keep massaging the
33 document and work with us in the industry. It's very important
34 to us.

35
36 As far as the HAPC document, please protect these coral areas.
37 I sit on the Flower Garden Banks Sanctuary Advisory Council, and
38 we're having some re-workings of our expansion, what the
39 preferred alternative is going to be. There will probably be
40 some parts that we don't protect. We want those areas to be
41 picked up under your HAPC document and do that, but keep in mind
42 that fishermen's access to these areas is very important, just
43 like what you all worked with us on the document to deal with
44 fishing in our expansion. Do the same thing in these HAPCs, and
45 so we appreciate it, and you all have a great day.

46
47 **CHAIRMAN BOSARGE:** Thank you, Mr. Hickman. Next, we have Ms.
48 Jillian Williams, followed by Cody Carter.

1
2 **MS. JILLIAN WILLIAMS:** Good afternoon, everyone. My name is
3 Jillian Williams, and I'm a fourth-generation partyboat owner
4 and operator out of Galveston, Texas. My family's business has
5 been there since 1946, and so we've been there quite a while,
6 and the main fish that we've always fished for is red snapper.

7
8 I am in support of Amendment 41 and 42. I think we should have
9 a chance to kind of work through what's going on and kind of
10 give us a chance to explore other options for what works best
11 for us. I have grown up doing this. I've only been a captain
12 for five years, but you have people that are here and that are
13 on these panels that have twenty, thirty, forty, fifty years of
14 experience doing this every day for huge portions of their
15 lives. They are out there, and they get to see exactly what's
16 going on.

17
18 They have seen the snapper population decline, and they have
19 seen it rebuild, and so I think that they should really get a
20 chance to try to figure out what's going to work best for us.
21 They are out there every day, and so I think that they can all
22 get together and kind of try to figure out what's going to work
23 best for everybody, because they have the personal experience
24 out there.

25
26 As far as amberjacks go, personally, I would be fine with a
27 spring and fall season. I would prefer fall for us in
28 Galveston. As one of the guys said earlier, spring is a very
29 windy time for us, and we have to go pretty far to catch
30 amberjack, and so the fall would work better for us, and I would
31 prefer a one fish per person. Thank you.

32
33 **CHAIRMAN BOSARGE:** Thank you, ma'am. Next, we have Cody Carter,
34 followed by Mike Eller.

35
36 **MR. CODY CARTER:** I am Cody Carter. Jillian is my wife, and I
37 work for her at Williams Partyboats, as a captain. I support 41
38 and 42. 40 was great for us. We got a lot more days, and it
39 helped out a whole bunch.

40
41 The amberjack, I would like to see it open in August. That
42 would help us a lot. The weather in Galveston is not very good
43 in the springtime. On the logbooks, I do it on my phone every
44 day, and I send in my catch report on the productivity every
45 day, and it's not a problem. It's real simple. It's real easy
46 and real fast. Thank you all for you all's time.

47
48 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mike

1 Eller, followed by Ms. Thao Vu.

2
3 **MR. MIKE ELLER:** Thank you. I'm Captain Mike Eller from Destin,
4 Florida, the world's luckiest fishing village. I sit on the
5 charter boat AP. The charter boat AP that's been talked about
6 doing 41 is half six-passenger boats and half big boats, and so
7 anybody that stands up here and tells you that it's weighted
8 towards the big boats is not being honest. It's 50 percent six-
9 packs and 50 percent bigger boats.

10
11 We worked very hard to come up with a plan that did not mirror
12 what the commercial fishermen did, because we wanted something
13 where the fish stayed with the permit, so there was no sea lords
14 and there was no stripping the fish away from the permit. When
15 you sell your permit, the fish go with it.

16
17 We worked very hard to come up with a plan that the six-
18 passenger boats would approve, because they are the most
19 permits, and so, if we came up with something that the six-
20 passenger boats didn't like, it would never pass a referendum,
21 and so we killed ourselves to come up with the fairest thing we
22 possibly could, and so I heard a lot of misinformation.

23
24 We don't want to lease fish, and I personally didn't want any
25 transferability. We talked about trading fish for fish or
26 something like that, and I would be okay with a derby. I would
27 be okay with a derby and mandatory electronic logbooks. When
28 you go to a rights-based management, we're giving fish to a
29 captain in Key West who doesn't catch red snappers, and now
30 we've got to figure out how to lease those fish back or get
31 those fish back or trade those fish back, and it sounds
32 complicated.

33
34 We have done it. We have worked on a plan, but a lot of us
35 would be okay with a derby and electronic logbooks. That way,
36 the people that are actually catching red snappers catch all the
37 red snappers, and we don't have to worry about latent permits
38 and any of that, and so the AP worked it hard, and we worked it
39 to be very fair, and so anybody that tries to tell you that
40 people are trying to steal fish or any of that, that's all a
41 bunch of BS. We did it as hard and as fair as we could.

42
43 I do support a fall amberjack season, though I could be very
44 happy with some amberjacks in May. I would be okay with the one
45 fish for every two persons. State management, I don't think
46 there's any way that we can support it. We have an opportunity
47 to take 50 percent of the recreational anglers in the Gulf of
48 Mexico and log everything that they catch and everything that

1 they throw back.

2
3 The charter boats are a microcosm. We can take data collection
4 and take it forward and perfect it, and then maybe we can use
5 that as a model for the private sector, as a way to help them
6 collect data. Everybody wants to collect data. The charter
7 boats are willing to pay for the piece of equipment on their
8 boat. They are willing to pay for air time. They're willing to
9 pay for whatever it takes so that we can just report the truth,
10 and that's all we want. We want the truth to come out, who is
11 catching what and how much they're catching. Thank you very
12 much.

13
14 **CHAIRMAN BOSARGE:** We have a question for you, sir, from Mr.
15 Banks.

16
17 **MR. BANKS:** Thank you, Mr. Eller. My question revolves around
18 your comment about I'm okay with a derby or something to that
19 effect. Does that mean that you're okay with the current
20 situation with the forty-nine-day season, or would you rather go
21 to what 41 and 42 is trying to propose?

22
23 **MR. ELLER:** I would be okay with the current derby if there was
24 mandatory reporting. That way, we can get a real picture of
25 what's going on. If, in the future, we decide to go to a
26 rights-based management system and we want to divvy fish up and
27 we want to do that, I would be okay with supporting that also,
28 as long as it was done fairly. I don't want to see one person
29 own fish and another person own a permit. I think the fish
30 should stay with the permit and stay in the fishery. Thanks.

31
32 **CHAIRMAN BOSARGE:** Next, we have Ms. Thao Vu, followed by Chris
33 Schofield.

34
35 **MS. THAO VU:** Good afternoon, council members. My name is Thao
36 Vu, and I am the current Director of the Mississippi Coalition
37 for Vietnamese American Fisher Folks and Families. We are a
38 local, community-based organization located here in Biloxi,
39 Mississippi.

40
41 To share some context, right now is the current shrimping
42 season, and so many of our local fishermen weren't able to
43 attend this meeting. They are shrimping right now. I am really
44 here to help speak for and advocate for hardworking commercial
45 fishermen who, through multigenerational families and hard work,
46 have built this Gulf Coast. They built the Gulf Coast, from
47 Texas to Florida, and we need to remind everyone here of that.

1 Through the years, I have been doing disaster response recovery
2 work, and it started with Hurricane Katrina, and it's horrible
3 that all of these disasters, whether it's been natural disasters
4 like these hurricanes -- The most recent ones, they impacted
5 communities in Texas and Florida, and, Hurricane Katrina, we're
6 still trying to recover from.

7
8 That was followed by a huge environmental disaster, the largest
9 in the U.S., the BP, as well as all these coastal hydrology
10 issues, freshwater inflow, harmful algae blooms, and an
11 expanding Gulf dead zone, and I could list so many serious
12 issues, and we have policies that restrict access to the
13 fisheries for these communities, and that is seriously
14 threatening their livelihoods.

15
16 Remember, they built the Gulf Coast, before the oil and gas
17 industry, before tourism. Remember that. Remember how much
18 value. You cannot put a dollar amount on these communities.
19 It's not a mere job for them. It's a way of life, and it's
20 tradition, and it's a culture. If we lose that, we cannot ever
21 get that back. I would like to always reiterate the importance
22 of that.

23
24 Specifically, I am here to speak about access to reef fisheries
25 for Mississippi fishermen. We are the most underserved state
26 for reef fisheries. We should have access to these reef
27 fisheries, and our state management plan, we don't.
28 Recreational fishermen do, but commercial fishermen, no. That
29 is not fair and equitable, and we shouldn't have to spend a
30 fortune to be able to access the fisheries in federal waters.

31
32 I know about Amendment 36B, and please make that a top priority
33 for this council, please, and please ensure that your policies
34 are fair and equitable for everyone, particularly for the
35 smalltime, common fisherman, the average man who is struggling
36 just to provide and support his family. Thank you for the
37 opportunity to comment.

38
39 **CHAIRMAN BOSARGE:** Thank you, Ms. Vu. Next, we have Mr. Chris
40 Schofield, followed by Brad Gorst.

41
42 **MR. CHRIS SCHOFIELD:** Thank you, council. I'm Chris Schofield
43 from the Charter Boat No Alibi in Destin, Florida. I just want
44 to, first of all, say that we are against any kind of state
45 management. As for 41 and 42, we need to keep the ball rolling
46 with that. About the amberjacks, I am open for a May 1 opening
47 and closed June and July and August and open back up in
48 September and October. Thank you.

1
2 **CHAIRMAN BOSARGE:** We have a question for you, sir, from Mr.
3 Banks.

4
5 **MR. BANKS:** Thanks for your comments. My question has to do
6 with being against state management. If the charter industry
7 was not included in the state management -- Is that what you're
8 against?

9
10 **MR. SCHOFIELD:** Yes, and, I mean, we've got -- With the logbooks
11 that we're doing right now, we're doing pretty good on our own.

12
13 **MR. BANKS:** So it's not that you're against the concept of state
14 management, but it's just that you don't want it for your
15 industry.

16
17 **MR. SCHOFIELD:** Right. Correct. Thank you.

18
19 **CHAIRMAN BOSARGE:** Next, we have Mr. Brad Gorst, followed by Mr.
20 Mike Thierry.

21
22 **MR. BRAD GORST:** Hello. My name is Brad Gorst, and I'm from
23 Clearwater. I pretty much manage three vessels, federally-
24 permitted, two of which are dual-permitted. First, I would like
25 to thank the council staff for all the hard work that they do,
26 the hours that they put in on the documents that are made up. I
27 would like to say welcome to the new council members and
28 returning council members.

29
30 I would like to kind of mirror what Gary Jarvis said earlier.
31 He made some very valid comments, and I was just kind of like in
32 awe. Everybody should have stood up and clapped for him, but he
33 said a lot of things that were spot-on.

34
35 I would also like to recommend that this council uses the AP-
36 preferred actions in Amendments 41 and 42. Vote for approval at
37 this meeting and move this, because it is set up for final
38 action, if I'm not mistaken. The citizens of the fifty states
39 in this country, they rely on the federal charter boat fleet for
40 their access, and we are their access and not the private
41 recreational angler, because he can't take them, and so it's
42 either they want our jobs or what, and I don't know.

43
44 You've got to let your actions show that the council are
45 stewards of the resource and show that the resource and the
46 citizens of this nation are the champions of these actions and
47 not politically motivated. I was in Chicago the other day, and
48 I'm looking around at all the people, and I'm thinking, you

1 know, those people have just as much right to the access of this
2 fishery, and they're not going to put a boat in their suitcase
3 when they come travel to the Gulf Coast states. It's just a
4 fact, and they're not going to drive their boats down a thousand
5 miles, either.

6
7 State management, Action 1, no action on state management for
8 the federal for-hire fleet. The states already have state
9 management up to the federal waters line. The federal waters
10 needs to remain federal control. This year's three-day season
11 was the result of the states' fish grab. This is what's been
12 going on under state management, and that's why we got to the
13 point where we were.

14
15 There was a lot of votes that were on this table right here that
16 were against anything that moved forward in the last five or ten
17 years that I've been coming to these meetings. The past record
18 shows that, that there is no transparency for the federal for-
19 hire customers.

20
21 I am good with the September or a fall opening of amberjack.
22 The release mortality rate is high on these fish in the deeper
23 water, and so, personally, I would use that as their bycatch,
24 and so we don't need to target them in the spring. Why kill the
25 fish when they're gathering up to spawn? It kind of defeats the
26 purpose of having a closure during a spawn, because they do
27 gather up, and that's the time that they need to do their wild
28 thing, and then kill them afterwards.

29
30 The commercial side, grouper are in trouble, and it's because of
31 the red tide. I have seen it, and there is -- It's a big issue.
32 They've only caught around 30 percent of the red grouper quota
33 this year, and it ain't looking good, and so I think that there
34 needs to be some kind of emergency action taken on the groupers.
35 Thank you.

36
37 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mike
38 Thierry, followed by Mr. Skipper Thierry.

39
40 **MR. MIKE THIERRY:** Thank you, all. I'm Captain Mike Thierry
41 from Dauphin Island, Alabama. I'm the owner and operator of the
42 Charter Boat Lady Anne, and I've been blessed to fish in the
43 Gulf of Mexico for over fifty years. I make my living fishing.
44 I have raised a family by fishing. This is not a hobby or a
45 pastime for me. It is my livelihood.

46
47 Amendment 41 and 42 need to move forward. There is more work to
48 be done, but, basically, they're good plans that would help

1 bring stability. It would help us make better business plans in
2 our industry, and the headboat pilot program was a huge success.
3 Plans such as this should be considered. We need to keep all
4 options open, please.

5
6 State management is also an option that I would like to look at.
7 It needs to be looked at and let the fishermen decide which
8 option is best for them. Amendment 40 has been very beneficial
9 to the charter/headboat industry and our customers who use our
10 services, the American public. That's who uses it. Also, it
11 has brought much-needed stability and accountability to our
12 industry.

13
14 Amberjack, it needs to be one fish for every two anglers per
15 vessel. This increases our opportunities for these fish. A
16 longer season of April and May and August, September, and
17 October is more important than one fish per angler, to me. The
18 charter industry needs to be able to sell trips. With something
19 closed, we're not able to sell trips, and we need to have more
20 fish open at different times of the year.

21
22 We need to take another very hard look at the triggerfish.
23 Triggerfish have blossomed. It's just been a population
24 explosion of them. I've never seen anything like it in my over
25 fifty years of fishing. There is more of them, and they're all
26 very big fish.

27
28 We need to get on track with these electronic logbooks. We want
29 them, and we need them. We think we would just get so much
30 better data, which is what we've wanted for all these years.
31 Thank you, all.

32
33 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Skipper
34 Thierry, followed by Mr. Tom Hilton.

35
36 **MR. SKIPPER THIERRY:** Good afternoon, council. I'm Skipper
37 Thierry. I have a charter/headboat out of Dauphin Island,
38 Alabama. I've been there since 2004 with that boat, and I grew
39 up fishing. I am in favor of the amberjack season starting in
40 August and let those big fish spawn. It seems to make a lot of
41 sense, to me.

42
43 If we're able to get triggerfish in April and May and red
44 snapper in June and July, and then we can have triggerfish for a
45 couple of months in the fall, that would give our customers a
46 good fish to take home most of the summer, and that would be
47 very beneficial.

1 Please move forward with Amendments 41 and 42. I don't think
2 they're all exactly where they need to be, but we just have to
3 continue working on and tweaking them, so they can meet the
4 needs of our industry. Let's work together to fix this. Look
5 for ways to fix it and not to tear it apart. It's not a fish
6 grab by fishermen, or I don't see it as a privatization of
7 fisheries. I see it as a survival tool for the for-hire sector.
8 I see it as a way that we could guarantee access for the public
9 that doesn't own boats.

10
11 I Googled it last night, and about 7 percent of the American
12 public owns boats, and I think 20 percent of those were bass
13 boats. The rest of the public that wants to fish offshore
14 relies on a charter or headboat, and they're people from all
15 over, people from every state. Lots of them tell me that they
16 save up all year to come fishing with us and make their trip to
17 the coast, and don't forget about them. This is about them just
18 as much as it is anybody else.

19
20 A few thoughts, to close. What does happen when Amendment 40
21 sunsets? I think a lot of these guys, including myself, are
22 terrified. What happens when Amendment 40 sunsets? Where are
23 we? I think that's why we're trying so hard to have something
24 in place.

25
26 Please let's go ahead and have a referendum, so we can see if
27 the industry wants -- Which direction this industry wants to go.
28 We can either stop talking about this or move on with something
29 else, in another direction, and just please always think -- Put
30 yourselves in our shoes and think about the uncertainties that
31 we deal with when you all vote, and I'm sure you all do. Thank
32 you, all.

33
34 **CHAIRMAN BOSARGE:** Thank you, Skipper. Next, we have Mr. Tom
35 Hilton, followed by Mr. Bruce Daniecki.

36
37 **MR. TOM HILTON:** Good afternoon, council. I'm Tom Hilton, from
38 Texas. I am representing the freedomtofish.org, a 501(c)(3)
39 coming up, and I've been a recreational fisherman for fifty-two
40 years, fishing offshore out of Texas with my family, and I'm
41 here to speak for myself and, more importantly, my children's
42 fishing future.

43
44 I would recommend that the council not approve anything to do
45 with Amendments 41 and 42, since they simply set the stage for
46 further privatization of our fish, through IFQs or PFQs. This
47 is unacceptable. Once you give away our fish, the system is set
48 up so you cannot take it back without a three-quarter vote of

1 the council, and so, in effect, it will be perpetual. When you
2 take the fish away, the Gulf Council and the National Marine
3 Fisheries Service really has a pretty bad track record on giving
4 those fish back.

5
6 I do support electronic logbooks for the charter industry, but
7 you don't need sector separation to do it. Headboats have
8 already proven that. If you do decide to move forward with
9 Amendments 41 and 42, it's imperative that you get it right this
10 time and levy resource rent for the privilege of those for-hire
11 corporations taking ownership of and profiting from the harvest
12 of what we all own.

13
14 Setting up a welfare program for commercial fishing operations
15 and their heirs, to be subsidized by the American taxpayer, is
16 not needed, nor is it acceptable. The Magnuson states that, if
17 it becomes necessary to allocate or assign fishing privileges
18 among various United States fishermen -- Then why aren't the
19 recreational fishermen that fish aboard the for-hire vessels
20 voting in this referendum? Why are the business owners who are,
21 by law, not allowed to fish on these fishing trips the ones
22 voting in this referendum? If the fishermen actually doing the
23 fishing are not doing the voting, isn't this a clear violation
24 of Magnuson?

25
26 I would like to see Amendment 30B rescinded as well as allowing
27 Amendment 40 to sunset. There is no excuse for implementing
28 rules that unfairly discriminate against recreational anglers
29 based on the platform that their feet are standing upon. A
30 recreational fisherman is a recreational fisherman, regardless
31 of where they stand, on a jetty, on a dock, a private boat, or a
32 for-hire boat.

33
34 Lastly, I support measures that allow each state to manage the
35 fishery, based on what its ecosystems, biomass, and effort can
36 sustainably allow, using the tried and true method of bag limits
37 and season days and not catch shares. The state should be
38 managing its own fishery as a whole, including recreational,
39 for-hire, and commercial. Thank you.

40
41 **CHAIRMAN BOSARGE:** Thank you, Mr. Hilton. Next, we have Bruce
42 Daniecki, followed by Alan Staples.

43
44 **MR. BRUCE DANIECKI:** Good afternoon. I am Bruce Daniecki, and I
45 am a recreational fisherman, and also a boat owner, from Conroe,
46 Texas. I am here on behalf of Michael, McKenzie, and Hunter, my
47 three grandkids who are asking me why they're only given three
48 days to go fishing with their Pop.

1
2 I am also here representing about a million other private boat
3 owners that fish the Gulf of Mexico for red snapper, and I want
4 to make it clear that most of us are fishing in eighteen to
5 thirty-foot center consoles with outboard motors. We don't all
6 have seventy-foot Hatteras sport fishermen, as some Facebook
7 sites would like people to believe.

8
9 We're just out to have a good time and take family and friends
10 out fishing. I do not support Amendments 41 and 42. I don't
11 support sector separation in any shape or form. I do support
12 and advocate for state management of the fisheries as well as
13 revising MSA.

14
15 Some comments, some observations, and suggestions for your
16 consideration. I am not against commercial fishing, but why do
17 a limited number of people get 51 percent of all the red snapper
18 caught in the Gulf of Mexico year after year after year?

19
20 To me, this amounts to a perpetual grant, a perpetual federal
21 grant. Why isn't there a lottery system? Why isn't there some
22 type of a bidding system, such as you see in the oil industry or
23 the timber industry? The only thing that should be sold on a
24 commercial basis is the fish and nothing else.

25
26 I am not against charter/for-hire, but why should charter boats
27 have the right to let recreational fishermen fish off of their
28 boats for forty-nine days when all the rest of the other
29 recreational fishermen only get three days? The same class of
30 fishermen should have the same rights.

31
32 Recreational, now, the government is supposed to use the best
33 science available to estimate our fish catch. I think Louisiana
34 has demonstrated that there are better tools available to count
35 the recreational fish, and with a \$900 million budget set aside
36 for fisheries, I would hope that the federal government can come
37 up with that, so that you can count the fish and quit penalizing
38 us for the inability to count fish.

39
40 I also heard a gentleman stand up here and talk about the loss
41 of 4,000 pounds of my fish. That's not your fish. That is our
42 fish. It's every United States citizen's rights to those fish.
43 The good news is that the red snapper are back. It's the best
44 that I've seen since I've been fishing the Gulf of Mexico since
45 1996, but we the recreational fishermen have seen our season go
46 from 365 days to ninety-seven to ten to as recent as --

47
48 **CHAIRMAN BOSARGE:** Mr. Bruce, I'm going to have to ask you to

1 wrap it up, please, sir.

2
3 **MR. DANIECKI:** Yes, and I do recognize that there was an
4 additional thirty-nine days, due to the actions of the Secretary
5 of Commerce. Thank you for your time and your consideration.

6
7 **CHAIRMAN BOSARGE:** Thank you. We have a question for you, sir,
8 from Mr. Strelcheck.

9
10 **MR. STRELCHECK:** A couple of questions. Do you fish for greater
11 amberjack?

12
13 **MR. DANIECKI:** It is not a primary target.

14
15 **MR. STRELCHECK:** Okay. I was just interested. We don't have
16 many private anglers here today, and so I was curious if you had
17 any preferences, in terms of a season.

18
19 **MR. DANIECKI:** I would defer to the guys who are catching them
20 the most to make that decision, in all honesty.

21
22 **MR. STRELCHECK:** Okay. The second question is in response to
23 your comment about the three-day season, and so I certainly
24 understand your frustration with the short season. Texas has
25 had a year-round season for quite some time. Do you fish in
26 state waters when the federal season isn't open?

27
28 **MR. DANIECKI:** I do not fish in the state waters. There is a
29 pretty big divergence in fishing on the Texas coast. Freeport
30 and Galveston, it's tough fishing for red snapper in the state
31 waters.

32
33 **MR. STRELCHECK:** All right. Thank you.

34
35 **CHAIRMAN BOSARGE:** Thank you, sir.

36
37 **MR. DANIECKI:** Thank you.

38
39 **CHAIRMAN BOSARGE:** Next, we have Mr. Alan Staples, followed by
40 Mr. Justin Destin. Alan? We will circle back to you. Mr.
41 Justin Destin. Justin Destin? All right. Mr. Bernie Lefebvre.

42
43 **MR. BERNIE LEFEBVRE:** Good afternoon, and thank you. I am
44 Captain Bernie Lefebvre, and I run the Charter Boat Wind Walker
45 II out of Destin, Florida. I operate under a federal permit. I
46 would like to say, this afternoon, that I do not support any
47 type of state or regional management for my business.

1 Concerning what's best for my business and my livelihood, I
2 fully support Amendment 40 and logbook reporting. Along with
3 that, I fully support Amendment 41 and 42, which will be the
4 best avenue to design a fishery management plan for the for-hire
5 sector.

6
7 As far as the amberjack, I support a spring/fall split of one
8 fish per two people. As far as what months, I prefer May and
9 September and October, because it looks like five months, to me,
10 is not going to be possible, because it was only three months
11 this year, and so those were my preferred months, if it goes to
12 a spring and a fall split. Thank you.

13
14 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Kurt Guin,
15 followed by Mr. Aaron Smith.

16
17 **MR. KURT GUIN:** My name is Kurt Guin, Charter Boat Only Way in
18 Destin, Florida. I'm a dually-permitted charter boat. I am for
19 Amendment 40 to keep going on. I think the electronic logbooks
20 are a good thing. It's helping get real-time data, and
21 hopefully we can make it mandatory.

22
23 41 and 42, I don't think we should trash it. I think we should
24 keep working on it and talk some more about it. I don't want to
25 see the state manage federal charter boats. I think the feds
26 should stay in charge of that.

27
28 I don't support any kind of weekend season for any species for
29 the federal charter boat industry. I would also like to see
30 triggerfish open in the spring, and I would be okay with
31 amberjack in August, September, through October or something
32 like that, and I appreciate the time to talk.

33
34 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Aaron Smith,
35 followed by Don Dineen.

36
37 **MR. AARON SMITH:** Good afternoon, council. My name is Aaron
38 Smith, and I'm the owner and deckhand of the Charter Boat Sea
39 Fix. I'm dually-permitted in Destin. I get to deal with my
40 customers and I get to do the commercial side of things.
41 Dealing with the customers, seeing when the fish are closed,
42 it's kind of hard to explain to them that it's closed because of
43 a governmental season.

44
45 My season is salt-and-pepper. On the commercial side, our
46 quota, or what we catch, is all out of the fish bank, as you
47 know. It's dealt with professionally, and it's done well, and I
48 would like to see the charter/for-hire industry go more towards

1 a quota-based system. I have heard some statements today about
2 the charter/for-hire industry taking away snappers. Why aren't
3 my customers here fighting for their fish? Well, that's why I
4 am here fighting for their fish.

5
6 I have logbooks and logbooks with names and addresses and emails
7 that would love just to catch that one red snapper. If I had a
8 quota just to give them that one red snapper -- That's why I am
9 here, is to give us that quota.

10
11 Go forward with 41 and 42. If you go forward with 41 and 42,
12 then the amberjacks that everybody says to split the season, you
13 wouldn't have to worry about that. I would know how many
14 amberjacks I would have to catch for the year, and I would know
15 how many snappers I have to catch for the year, and so thanks
16 for letting us come and speak, and please proceed with 41 and 42
17 and don't pull it apart.

18
19 State management, it could be something that happens, and maybe
20 we have to go forward with that and make a 200-mile line and all
21 of us become recreational fishermen and the federal thing may go
22 by the wayside. That's a part of a state thing that could
23 possibly happen. I'm not all against it, but quota-based, I
24 think, would be the best way. Thank you.

25
26 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Don
27 Dineen, followed by Mr. Marcus Kennedy.

28
29 **MR. DON DINEEN:** Good afternoon, council. Thank you for your
30 time. My name is Don Dineen, and I'm the operator of the
31 Charter Boat Sure Lure. That is owned by Dr. Dana that used to
32 sit on this council. I do not support Amendment 39, and I do
33 not believe that regional state management would ever be best
34 for the fishery.

35
36 This is evidenced by the continued longer and longer state
37 seasons for Florida for red snapper and their subsequent shorter
38 federal water seasons, as seen by the recreational fishermen of
39 Florida. Please leave the federally-permitted vessels out of
40 any regional state management system.

41
42 I do support Amendment 41 and 42. It is helping prove to be
43 accountable for the red snapper species that we've been
44 catching, and it could be accountable for all the species that
45 we catch. This is also evidenced by the continued longer and
46 longer red snapper season for my customers over the past three
47 years. These longer red snapper seasons have been a direct
48 result of a federal management plan under the Magnuson-Stevens

1 Act.

2
3 As for the amberjacks, I do not support a weekend-only opening
4 for not only amberjack, but any other species. I would be
5 acceptable to one fish per two people. I am not happy, but I
6 would accept it. I would like April and May and then August
7 through October, if that could be possible. Thank you.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Marcus
10 Kennedy, followed by Stan Phillips.

11
12 **MR. MARCUS KENNEDY:** I am Marcus Kennedy, and I'm a lifetime
13 resident of the Gulf Coast. I'm a private recreational boat
14 angler. There are a few of us. We just don't show up here, but
15 there is plenty of us out there.

16
17 I've got a house on Dauphin Island, and I've got a twenty-four-
18 foot and a thirty-nine-foot boat. I fish from Pensacola to
19 Fourchon, predominantly. I typically spend sixty or seventy
20 days a year on the water. It's my passion. It's what I love to
21 do. I go to work so that I can afford to fish, and so, even
22 though I don't make my living doing it, it means a lot to me,
23 and it's why I live on the Gulf Coast, and it's why I spent
24 forty or fifty or sixty hours a week to be able to afford to do
25 this.

26
27 Among other things, I do hold the Alabama state record for
28 amberjack at 128 pounds. Amberjack fishing was one of my
29 passions until it got regulated to where we couldn't catch the
30 things during the summer.

31
32 One of the things you try to promote is catch-and-release, but a
33 lot of these fish, now that we've been eight to ten years into
34 these draconian regulations, catch and release is tough, because
35 the barotrauma gets discussed a lot, but now we've trained,
36 predominantly, the sharks and porpoises to follow your boat
37 around and eat dang near everything you throw overboard.

38
39 I mean, it's unbelievable. You can go out off of Dauphin
40 Island, and, within two or three minutes of your boat stopping,
41 you've either got a couple of porpoises or big sharks coming up,
42 and I just leave, and so we don't even attempt to fish for
43 things that are closed, a lot of the time.

44
45 Regarding your proposed amberjack regulations, the best option
46 appears to be Alternative 3. If this would give us an April and
47 May season and at least an August and September season without a
48 closure, that would be a big improvement. The weather is tough

1 on us recreational guys from January to March, and we're all
2 doing something else in December and January, and it's real
3 important that we have these things open at least some of the
4 time when the kids are out of school. They can't really fish
5 during the school year. We're trying to get them on some
6 amberjack maybe in April or May, when they're out on spring
7 break, or August, after these other fish are closed.

8
9 This old notion you used to have that, hey, let's keep one good
10 fish open at a time, that's not the case anymore. We need as
11 many good fish open at a time as we can when we've got these
12 half-fish limits and one-fish limits, because we need to be able
13 to catch one or a half of as many species as we can at a time
14 when we go, to justify the trip.

15
16 As far as these other amendments, 41 and 42 and sector
17 separation, treat me the same whether I go on my boat or whether
18 I pay Johnny to carry me out on his boat. Anything that you
19 come up with that fixes it so that you say, okay, you can fish
20 for forty-nine days or you can fish three days, then the general
21 public, that's all they hear. They hear blah, blah, blah, you
22 can fish three days and you can fish forty-nine days, and that
23 doesn't seem fair and equitable. Whether it is or not, you can
24 argue it both ways, but it doesn't seem that way. It doesn't
25 pass the smell test. Thank you.

26
27 **CHAIRMAN BOSARGE:** Thank you sir. Next, we have Mr. Stan
28 Phillips, followed by Michael Short.

29
30 **MR. STAN PHILLIPS:** Good afternoon. My name is Stan Phillips,
31 and I own and operate the Charter Boat Destination. It's a
32 federally-permitted vessel in Destin, Florida. Just real quick,
33 to follow up on what Mr. Kennedy said, that's the problem.
34 You've got two distinct -- I am off my list here for a minute,
35 but you've got two distinct recreational user groups who both
36 need entirely different things, and it can't be managed under
37 one plan.

38
39 I get his side of it, and I get the recreational side of it.
40 Those guys, and not very many, will use a boat sixty or seventy
41 days a year, and most of them will use a boat eight to ten days
42 a year, and they want to keep a trigger and an amberjack and a
43 red snapper or whatever they catch on those few days that they
44 get to use it. They're out in the summer, and their kids are
45 out in the summer, and so I get what they want to do, but that's
46 the opposite of what I need.

47
48 I need as many fish open for as long -- If I have to have

1 triggers in the spring and snappers in the summer and amberjacks
2 in the fall, to stretch out a season and provide access, then
3 that's the way I need it, and I guess that's the big tipping
4 point of the problem, and so, at any rate, back to this.

5
6 I am representing the 1,583 recreational fishermen that chose to
7 use my boat this past year. They didn't have to do it. Like
8 the other fellow said, they didn't bring their boat down from
9 Chicago. They're either not fortunate enough to live on the
10 Gulf Coast or not fortunate enough to own a vessel that they can
11 use seventy days a year or for whatever reason. Maybe they just
12 didn't want to clean up a boat every day. Regardless, they
13 chose to spend their money and claim their access on a
14 federally-permitted charter boat, and so I am here to represent
15 them.

16
17 We just covered the obvious problem, which is what I was going
18 to kind of get to. You've got two different user groups, and
19 it's impossible, and it will never be possible, to find a
20 solution for both of those groups under one plan, and so, with
21 that said, I would oppose any type of state management system
22 for the federally-permitted charter boats.

23
24 If the private recreational guys want to delve into a state
25 management system, then knock yourselves out. I mean, I get it.
26 I understand how they want to use the fish, and I understand
27 what best benefits them, but it's not what best benefits me as a
28 business owner, and it's not best what benefits my customers,
29 who travel down here from spring break through October, and so,
30 again, we don't want any -- At least I don't want any part of a
31 state management system as a federally-permitted vessel owner.

32
33 I have had the decision, or the state make decisions, the State
34 of Florida, over the last year or two, and none of those
35 decisions worked out best for my federally-permitted vessel.
36 They had private days here and private days there, and, every
37 time they add, there is some traction on the other end, and so,
38 mercifully, with sector separation, they have not been
39 subtracted off of my days.

40
41 The fellow that was wondering why he got three days, well, the
42 solution would almost be there. If the guys that are
43 complaining about the short number of federal days that they
44 have gave up all the state days that the states were giving
45 them, that would solve a lot of their federal problems, but,
46 regardless, just to wrap this up, I would just ask the council,
47 if they do move forward with a state management system, that
48 they leave the federally-permitted charter/for-hire groups out

1 of that decision.
2
3 I would also like to see the council continue to support 40, and
4 also, at the very least, explore 41 and 42. I don't know that I
5 am fully behind that, but it certainly needs exploring as an
6 option.
7
8 **CHAIRMAN BOSARGE:** Mr. Phillips, are you just about done?
9
10 **MR. PHILLIPS:** I am wrapping it up.
11
12 **CHAIRMAN BOSARGE:** Thank you, sir.
13
14 **MR. PHILLIPS:** As far as amberjacks, again, we're all about
15 seasons and whatever it takes to get the longest season. I am
16 very fine with a fractional bag limit, one fish for two people,
17 and I would certainly prefer a fall season of August, September,
18 and October, but May -- If we could get a May or April,
19 whichever one is least harmful to the fish, and I think that's
20 one thing that you have seen for most of the charter boat
21 operators up here today --
22
23 **CHAIRMAN BOSARGE:** Mr. Phillips, I've got to ask you to wrap it
24 up, please, sir.
25
26 **MR. PHILLIPS:** We want something that is best for the fish, and
27 we are concerned about the fish, and so if we could get May, if
28 that's possible, and then a fall season, that would be much
29 appreciated. All right. Thank you.
30
31 **CHAIRMAN BOSARGE:** Mr. Michael Short, followed by Mr. Donald
32 Waters.
33
34 **MR. MICHAEL SHORT:** I will keep this pretty short and sweet. My
35 name is Michael Short, and I'm from Galveston, Texas. I own Get
36 Hooked Charters, and I have five boats, two of them federally-
37 permitted, and the August 1 amberjack seems like a pretty good
38 idea. Amendment 41 and 42, we need to move forward with that,
39 and, electronic logbooks, we need to get those going. I am
40 done.
41
42 **CHAIRMAN BOSARGE:** We've got a question for you, sir.
43
44 **MR. RIECHERS:** Michael, not many folks from the western Gulf
45 have weighed in on this fractional bag limit. What's your take
46 on that?
47
48 **MR. SHORT:** On the bag limit, to be honest with you, me

1 personally, I really don't care. Just let us go out and murder
2 some fish. Just let us stick something in the face, but, I
3 mean, we've been two years without amberjack coming across the
4 fillet table. I am pretty pissed about that, but it is what it
5 is. It's going to be what it's going to be. Just give us
6 something to work with.

7
8 **CHAIRMAN BOSARGE:** Thank you, sir.

9
10 **MR. SHORT:** Thanks.

11
12 **CHAIRMAN BOSARGE:** Next, I have Mr. Donald Waters, followed by
13 Mr. Steven Rash.

14
15 **MR. DONALD WATERS:** Good afternoon, council. It's been a long
16 time. Well, I'm coming here to speak to you today as a retired
17 fisherman. I decided to get out of the fishery business and
18 move to Florida.

19
20 I haven't been here for four or four-and-a-half years. I think
21 it was about the same time that Bob was leaving last time, and
22 he ended up coming back. It took me almost thirty minutes to
23 catch up on where you all is at. It's the same can and the same
24 circle.

25
26 The man wants to know why only a million fishermen get to fish
27 for three days. If they caught ten pounds a day, that's about
28 thirty-million pounds. A lot of people are sitting up here in
29 their arguments and answering their own questions.

30
31 I hear the argument, and I was hearing the same argument about
32 40 and 41 and 42 when I left here four years ago. Until you
33 hold a referendum and ask the fishermen, you're going to get
34 mixed crowds that is going to tell you mixed things, day after
35 day, and you can hear anything that you want to hear. Let them
36 hold their referendum, and then you will know. Then you can
37 move forward with something.

38
39 I am just totally amazed that this council has kicked this can
40 in this same circle since I've been gone, but it's good to see
41 you all, and I know it's a hard job for you, and there's
42 something that I want to say. If you make everybody equally
43 mad, you're probably doing a pretty good job. I was in the
44 area, and I came by. I wanted to stop in and say hello, and
45 keep up the good work, and thank you.

46
47 **CHAIRMAN BOSARGE:** Thank you, Mr. Waters. Welcome back. Next,
48 we have Mr. Steven Rash, followed by Mr. David Krebs.

1
2 **MR. STEVEN RASH:** Hello, council. Thank you for letting me
3 talk, and you guys have been listening to a lot of public
4 testimony, and I know you're really earning your pay right now.
5 My name is Steven Rash, and I own and operate Water Street
6 Seafood in Apalachicola, Florida.

7
8 I'm a director of Southeastern Fisheries for over twenty years,
9 and Water Street is one of the Gulf's top producers of red
10 snapper. I have been in the commercial fishing, processing, and
11 wholesale business for over thirty years. I am an avid
12 recreational fisherman. My family and friends and my employees
13 are all recreational fishermen. I have lived in the fishing
14 world every day for the past thirty-seven years.

15
16 As someone who makes their living from our fisheries and also
17 loves to fish, I take fishing very seriously and the management
18 and protection of our resource even more seriously. I want to
19 speak to you about two of the biggest problems in the red
20 snapper fishery.

21
22 I want to suggest a way for all fishermen, particularly
23 recreational fishermen, to keep more of the red snapper that
24 they are now catching and releasing. According to the Gulf of
25 Mexico Fishery Management Council document, and I believe it's
26 Tab 12(a) that I saw in San Antonio, recreational landings --
27 It's on page 13. It states that recreational landings are
28 subject to a high level of uncertainty.

29
30 How can we manage this fishery based on a high level of
31 uncertainty? This is 2017 and not 1980, yet we have not
32 progressed past a high level of uncertainty. Many in the
33 recreational sector want to reallocate red snapper quota from
34 the commercial sector to the recreational sector. Some members
35 of this council and staff support reallocation, based on a high
36 level of uncertainty, and this is not fair.

37
38 Commercial landings are counted with a high level of certainty,
39 and we must count recreational landings with certainty, also.
40 This can be accomplished by requiring recreational fishermen to
41 make landing reports prior to landing fish, in the same way
42 commercial fishermen are required to report. The use of a
43 smartphone can allow every recreational fisherman to report his
44 catch prior to coming to the dock. Enforcement will be made
45 much easier now, because there is a record.

46
47 The single-most important issue in the red snapper fishery is
48 discard mortality. This issue is more important than all other

1 issues combined. National Standard Number 9 requires minimizing
2 discards and discard mortality, but current regulations actually
3 maximize discards and discard mortality.

4
5 The recreational sectors have been unfairly managed and put in a
6 box, and their situation negatively compounds itself. The 2015
7 red snapper stock assessment claims that 1.4 million individual
8 fish, red snapper, are caught in the recreational sector and
9 approximately 3.3 million are discarded. I guarantee you that
10 the discards are at least five times that high, and possibly up
11 to ten times that high in the recreational sector.

12
13 Recreational fishermen throw back at least ten snapper for every
14 one that they've kept. Studies estimate that discard mortality
15 rates vary from zero to 92 percent. We are killing up to triple
16 the ACL, up to forty-million pounds of red snapper combined,
17 recreational and commercial.

18
19 **CHAIRMAN BOSARGE:** Mr. Rash, are you just about done, sir?

20
21 **MR. RASH:** Yes. Imagine going deer hunting into the woods and
22 shooting everything that moves and then decide what you can
23 keep. We cannot continue to fish this way. The most
24 significant solution to the discard mortality is to change the
25 recreational bag limit from numbers of fish to pounds of fish.
26 A small hand-scale would allow fishermen to weigh fish at sea.
27 High-grading for a fifteen-pound fish will end. Two fifteen-
28 pound fish are the same as six five-pound fish.

29
30 Give recreational fishermen a bag limit based on poundage. This
31 will also reduce pressure on the larger breeding fish. This
32 action alone will reduce discard mortality by at least five-
33 million pounds immediately.

34
35 This council must use new and innovative approaches which will
36 actually address real-life issues and provide the results that
37 our resources deserve and will ultimately provide more access to
38 all fishermen. Thank you.

39
40 **CHAIRMAN BOSARGE:** Thank you, sir. We appreciate it. Next, I
41 have Mr. David Krebs, followed by Mr. Bill Tucker.

42
43 **MR. DAVID KREBS:** Good afternoon, council. David Krebs, owner
44 of Ariel Seafoods and a red snapper shareholder. Thank you
45 again for letting me serve on your advisory panels. It is a
46 privilege and honor, and we enjoy having some input.

47
48 I've been kind of a casual observer today. I'm really proud of

1 my man, Steve Rash, coming over with this concept of let's weigh
2 recreational fish and stop the high-grading. Let people know
3 what they can keep.

4
5 If you go around and you talk to the average recreational
6 fisherman and you say, well, how many fish did you catch? Well,
7 he caught enough until he could get a cooler full or two ten-
8 pound fish or twelve-pound fish. Well, how many fish did you
9 discard and kill, whether you're going to use a descender
10 device, and we've had all of these discussions for over ten
11 years about barotrauma.

12
13 To be honest, the jury is still out. It sounds good, but you're
14 not going to have people on boats making sure they use a
15 descender device. All you're going to use it as is a tool
16 saying, oh, we've required descender devices, and so now the
17 recreational discard mortality has dropped, but you have no
18 proof that anybody ever pulls it out of the tackle box, and so
19 why not let's think about a way that Mr. Rash has said of how
20 can we encourage recreational fishermen to get the pounds that
21 they want without sitting out there high-grading fish all day.
22 Hey, it's something to think about.

23
24 State management, this council could have solved this problem
25 years ago and hasn't, and I will tell you this. We in the
26 commercial sector really don't care what you do with your
27 private anglers, but we will fight you tooth and nail over depth
28 and distance, which is the hidden agenda in a lot of this state
29 management discussion, because you don't have purpose and need.

30
31 You're catching all the recreational fish that you need to under
32 current management and it's too quick, and so what are you going
33 to achieve out of state management that you're not already
34 achieving? You are overfishing your recreational ACL every year
35 the way you're doing it, and you're going to say that giving it
36 to the states, who have been doing it for the last five years,
37 that it's going to all of a sudden get better, and we don't
38 believe that. Don't waste your time on it.

39
40 Lastly, Mr. Venker asked that we go back and explore 28 again,
41 and all I will say is that I talked to Dr. Crabtree, and he
42 agreed with me when I asked him this, but, if you're going to
43 explore reallocating these fish once again, you have to go
44 across the board at every shared fish that we are using
45 commercial and recreational about what is fair and equitable
46 across the board on all species, because, if it's right for one,
47 it's right for all of them, and so put that into your notations
48 when we get ready to do that, but we do appreciate you all, and

1 we know you're doing a tough job, and we're here to help.
2 Welcome back, Dr. Shipp. Thank you.

3
4 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Bill
5 Tucker, followed by Mr. Doug Attaway.

6
7 **MR. BILL TUCKER:** Hello, council. Bill Tucker from Dunedin,
8 Florida. I'm a commercial fisherman, and I'm a recreational
9 fisherman, and I'm very concerned about conservation and
10 stewardship of the resource. My focus, and I think that our
11 focus should be, is on the health of our fish stocks and trying
12 to maximize the health of these stocks. The better shape the
13 stocks are in, the more opportunities everybody has, and I think
14 that that's the way -- That's where we should be focused.

15
16 On that note, I would say that our red grouper fishery is in
17 some pretty serious trouble. We had a bump in the quota a year
18 or two ago that most commercial fishermen did not think was
19 necessary. We weren't catching the quota before the bump, and
20 we're certainly not catching it now. We're professional
21 fishermen, and we make a living catching fish. If they were
22 there, we would be catching them, because we certainly try.

23
24 I guess I would request that we try to bump up the red grouper
25 on the priority list for a new stock assessment. I fully intend
26 on being involved in the next SEDAR for red grouper, and I don't
27 know what the problem is, but we need to work on finding it.

28
29 In the red snapper fishery, I think I agree with the previous
30 speakers that the recreational discards are a huge problem. I
31 think there's a pretty high release mortality rate on those
32 fish, and, if they don't get to spawn, they don't add to the
33 stock. I like the idea of going to a poundage on red snapper.
34 I think, aside from some of the associations, I think your
35 common recreational fisherman would go for that. That makes a
36 lot of sense to me.

37
38 There was some discussion about charging rents on these fish.
39 This is a public resource. I don't know why you would want to
40 add a layer of expense on a small business, and I don't know
41 what good it does to hamstring small businesses, and I don't
42 know what good it does to charge recreational fishermen a fee to
43 extract this resource as well. I don't know that that
44 incentivizes fishing.

45
46 As far as state management, this is a state management body.
47 The seventeen members, aside from the one seat held by the
48 Assistant Administrator, Dr. Crabtree's seat, you all have been

1 selected by state governors. This is a state management body
2 right here, and this is a very transparent process, the SSCs and
3 advisory panels, and we've got the Socioeconomic Panel.

4
5 Everything is right here, and I can't imagine what you're going
6 to do outside of this public process, and I can't imagine having
7 to -- I spend a lot money to come to these meetings, and so I've
8 got to come here to talk about commercial red snapper and then
9 I've got to go somewhere else to talk about recreational red
10 snapper? That doesn't make any sense. It's duplicative, and so
11 I don't see any value in it. I don't see any economy in it, and
12 my time is up, and so thank you.

13
14 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Doug
15 Attaway, followed by Mr. Eric Brazier.

16
17 **MR. DOUG ATTAWAY:** Hi, and my name is Doug Attaway. I'm a
18 recreational fisherman, and I don't own any permits. I do own a
19 boat, and I do fish with several of the charter guys that are
20 here that have already testified.

21
22 I would like to express my opinion about Amendment 41 and 42. I
23 don't think we should go forward with that. If we do, the guys
24 that I fish with are going to be -- Instead of getting forty-
25 nine days of fishing, they're going to get about fourteen days.
26 If you do go forward with Amendment 41 and 42, I would prefer
27 that you tied it into the permit, so that it's not traded, sold,
28 or leased, like it is on the commercial side.

29
30 As for the amberjack, I am okay with a one fish per two persons,
31 and August would be fine. I am okay with a five-month season.
32 Amberjack is not a fish that I normally target. It's kind of a
33 bycatch, like was previously mentioned.

34
35 The red snapper stock, I do dive, and I went diving the last day
36 of the extended season that was given by the Secretary of
37 Commerce on a public reef, and there was red snapper everywhere,
38 and so I don't see where they're being overfished.

39
40 I think that, once we get rid of sector separation -- I think
41 that it all started with Amendment 30B. If we could get rid of
42 Amendment 30B, there would be none of this separation between
43 the state guys and the federal guys, because the federal guys
44 would be able to fish in the state waters as well as the state
45 guys. Let's see if I've got anything else.

46
47 I would like to see Amendment 40 sunset. I think we're all the
48 same people, and I fished in Florida and Louisiana this year,

1 and, next year, I'll be fishing in probably Texas. I guess the
2 only state that I have not fished in is Mississippi, and it's
3 odd, because I am here talking about fishing, but I travel a lot
4 for work, and I came here on my own. I am not getting paid,
5 like most of these people. I am a true recreational fisherman,
6 and I am here to voice my opinion, and so thank you for your
7 time.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Eric
10 Brazier, followed by Mr. Shawn Kelly.

11
12 **MR. ERIC BRAZER:** Thank you very much, Madam Chair. My name is
13 Eric Brazier, and I'm the Deputy Director of the Gulf of Mexico
14 Reef Fish Shareholders Alliance. First off, I would like to
15 welcome Dr. Shipp back to the council and welcome Mr. Dyskow to
16 the council. We look forward to working with you guys. I want
17 to thank Dr. Ponwith for her service and her dedication. We
18 will miss you.

19
20 First off, in the interest of improving red snapper science and
21 helping better inform the stock assessment, we ask the council
22 to request the SSC to review the Tetzloff report. That was the
23 subject of our written comment. I hope you have the chance to
24 read that. We are not asking you to endorse the results. We
25 are simply asking you to allow the SSC scientists to take a look
26 at the analysis and review the analysis.

27
28 I am going to briefly speak on red grouper and build on the
29 comments from a number of fishermen that came before me. From
30 our perspective, we have a resource problem, and we're starting
31 to get some pretty strong signals at this point. Unfortunately,
32 if we do nothing and wait for the next stock assessment, we're
33 going to be behind the eight-ball on this.

34
35 Take a look at the recreational landings, and take a look at the
36 commercial landings. With the firepower we have, with the
37 capacity we have in the Gulf of Mexico right now, fishing
38 capacity, those landings should be higher, and we think the
39 reason why they're not higher is because we have that resource
40 problem, and so we hope that you're able to direct staff and
41 work with your staff to figure out what options you have for
42 some quick response, some rapid action, in the short term to
43 address what we think is going to be a critical problem down the
44 road.

45
46 I wasn't going to speak on 41 and 42. The Shareholders
47 Alliance, we do have federally-permitted charter boats that are
48 members of our organization, but I do feel the need to say

1 something. A number of folks have spoken to this ahead of me,
2 and it's pretty clear that you guys have a choice tomorrow. You
3 have a choice to either throw in the towel or roll up your
4 sleeves and get it done.

5
6 Most of the guys that spoke earlier, and the women that spoke
7 earlier, appeared to support 41 and 42 and move it forward.
8 Many of them didn't, but, even if they didn't, the one thing
9 that those two groups had in common was that they didn't throw
10 in the towel when they were building their businesses, their
11 charter businesses, and so I hope you take a page from their
12 playbook and move it forward and roll up your sleeves and get it
13 done and move forward with the referendum and don't throw in the
14 towel right now. Give these guys a chance to figure out if this
15 is going to work. With that, I will yield the rest of my time
16 to Bobby Kelly. Thank you.

17
18 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Shawn
19 Kelly, followed by Mr. Bobby Kelly. All right. We have Mr.
20 Bobby Kelly, followed by Mr. Mike Rowell.

21
22 **MR. BOBBY KELLY:** Good afternoon, council. My name is Bobby
23 Kelly, and I'm out of Orange Beach, Alabama. I own a little
24 charter boat there, a six-pack, and I commercial fish in the
25 wintertime with it, and so I'm a dual-permitted vessel. Charter
26 fishing is my bread-and-butter, but the commercial fishing helps
27 me make ends-meet and have year-round income.

28
29 First, I want to sit here and talk about amberjack. You all
30 have heard a lot of opinions and a lot of turnout today on that.
31 Everybody, I feel, that has stood up here and said that they
32 can't make it as a charter/for-hire operator without a spring
33 amberjack is full of crap. With a forty-nine-day Amendment 40
34 red snapper season, I just don't see how anybody can make that
35 claim. I'm sure they can justify it one way or another, but I
36 don't see it.

37
38 You as the council is charged as a whole as doing what's best
39 for the resource. What's best for the resource is shutting it
40 down when they spawn. You have scientists here, and, every
41 single one of you, listen to the scientists. I know, because I
42 have argued against them for years, and you all keep going with
43 these scientists. Listen when they spawn, and stop fishing when
44 they spawn. Open it up in August, and let us fish from there,
45 one fish per person, half a fish per person, it doesn't matter.
46 I have to be able to sell a fish or something as that fact.

47
48 If you all really want to do these guys a real big favor, let's

1 change the fiscal year, and let's start our opening on August 1
2 and then go to October 30 and collect the data and see what
3 we've got. If there is anything left whatsoever, then let's
4 fish them in April and May, but let's not take the majority of
5 the fish out of the water when they spawn. I think that's
6 simple, and I think that's fair to the resource, which is we
7 all, as good stewards, have to keep in mind.

8
9 Amendment 41 and 42, that is a big document. That's a big
10 undertaking, and everybody here on this council knows it. You
11 all have put in who knows how many dozens or hundreds of hours
12 even. It's difficult to understand, and there's a lot to come
13 through it.

14
15 It doesn't help that there is certain members of the council
16 that are making it more convoluted and more muddy, but it's not
17 time to throw it away. I don't want to see anybody's hard work
18 thrown away, AP members and all that. Just give it time. I
19 would like to see the ELBs go. Define the universe and then go
20 from there, and then let's look into 41 and 42.

21
22 Individual state management, I am all for it. If you guys want
23 to take your ball and take it out of the sandpit and go
24 somewhere else and play with it, hey, I'm for it. I think it's
25 a great idea, and let's stop the arguing.

26
27 Lastly, I want to touch on any potential changes coming to the
28 IFQ system that may be down the road, I want you all to know, if
29 you all change it, you're hurting me. I lease 100 percent of my
30 fish, and I did not decide to start commercial fishing until
31 2015, and I bought my permit last year, a year ago today almost,
32 and I spent all the money and reinvested it, everything, but I
33 lease all my fish.

34
35 I am not mad at these guys that bought the shares or made the
36 shares or bought them or other things. I am not mad, but just
37 remember, if you all go changing that system, you're going to
38 hurt guys like me, Bobby Kelly. Thank you.

39
40 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mike
41 Rowell, followed by Mr. Jason Vicars.

42
43 **MR. MIKE ROWELL:** Mike Rowell from Orange Beach, Alabama,
44 charter boat. I won't repeat a lot of things. I am sure that
45 you will remember Gary Jarvis's testimony, and I all for what he
46 says. David Krebs and Randy Boggs, I want to mirror exactly
47 what they said.

1 You know, there is more than one way to skin a cat, and we keep
2 coming up with ways to manage a fishery, and we start going a
3 certain way, and then, the next thing you know, we stop and we
4 change avenues and try to do something different. I want to go
5 ahead with 41 and 42 and let's keep going with it.

7 You know, we've got to do something. We can't keep stopping in
8 the middle of the stream, and here I go now coming up with
9 another idea. We have been asked to think outside the box, and
10 I was on one of the AP panels, and everybody keeps coming up
11 with new ideas, and all of that is great, but we've got to do
12 something and adjust from there.

14 Here I go with my idea. I have heard some people talking about
15 managing with pounds of fish, and I have discussed with some of
16 my buddies about a point system. The last time I was up here,
17 if you remember, I talked about release mortality, and it's
18 terrible, and there is a lot of people that are -- People want
19 to go fishing. They come up, and they book our boats, and some
20 of them don't even -- Believe it or not, things are changing.
21 Some of them don't want fish, but they want to go catch them,
22 and so what do we do? Catch-and-release.

24 I don't do it that much, but it's getting more and more popular.
25 We're killing those fish, you all. We have raised them, and
26 we've done everything, and now we're going out and we're killing
27 them, and it's a sin to throw back a dead fish. We should not
28 be doing it, and so if we could come up -- This is just a basic
29 idea, but a point system, where you've got ten points for a red
30 snapper and ten points for an amberjack and two for a white
31 snapper or whatever.

33 Each angler gets a certain number of points, and you don't throw
34 any fish back. You catch what's abundant, and you leave the
35 other fish alone. We're doing the opposite now. We've got tons
36 of red snapper, and we've got tons of triggerfish, and we've got
37 a good stock of amberjack, and I'm going fishing -- If I take
38 you all fishing tomorrow, I am going to try my best to stay away
39 from those three species and fish in different areas, because of
40 my experience of where these fish live, but we're still going to
41 catch them.

43 When we catch them, most of them are going to die, and they're
44 going to float away, and we're trying to target fish that need
45 help. They say everybody lives matter, and every fish life
46 matters, to me. You've got some fish that we don't even have
47 limits on and some that are ridiculously high, and those fish
48 need some help, too.

1
2 Anyway, I would like to possibly explore, along with the pounds,
3 maybe a point system and don't throw any fish back. You catch a
4 few reef fish and you get your points and you don't reef fish
5 anymore. If you get caught throwing a dead fish overboard, take
6 your fishing license away forever. Thank you.

7
8 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Jason
9 Vicars, followed by Mr. Buddy Guindon.

10
11 **MR. JASON VICARS:** Good evening. I am Jason Vicars from the
12 Charter Boat Aqua Star out of Orange Beach. I would love to see
13 a spring fishery for triggerfish. I would be all for an August
14 1 opening for amberjack. I am against state management for
15 charter boats, and I am all for electronic logbooks. I have
16 been using the CLS America logbook for the last couple of years,
17 and I love it. It's easy. It gives you all true data to go off
18 of, and I would like to see you all enforce that. Like I said,
19 continue forward with 41 and 42. Too much work has been put
20 into that to just be pushed off. That's it. Have a good
21 evening.

22
23 **CHAIRMAN BOSARGE:** We have a question for you, sir, from Mr.
24 Anson.

25
26 **MR. ANSON:** Hi, Jason. Thanks for coming. On the amberjack, is
27 there a bag limit preference, one fish or half a fish?

28
29 **MR. VICARS:** Whatever the number says is best. I would just
30 like a chance to catch them.

31
32 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Buddy
33 Guindon, followed by Mr. Richard Fischer.

34
35 **MR. BUDDY GUINDON:** Hello, Dr. Shipp. Remember me?

36
37 **DR. SHIPP:** Sure, Buddy.

38
39 **MR. GUINDON:** Good. Glad to see you. My memory may not be as
40 good as yours then. Welcome, Mr. Dyskow. I appreciate your
41 time here. We're going to miss you. Come to Minnesota and
42 visit me one day.

43
44 I saw two recreational fishing organizations come here today not
45 to help you solve the problems of the recreational fishery, but
46 to ask you to start another allocation fight, so you can spend
47 your time doing that rather than building a bridge and fixing a
48 problem. That's sad.

1
2 I am not going to talk about the eight-million pounds of
3 overfishing they did this year. We're going to just kind of try
4 to let that go away. I was hoping there wouldn't be a lawsuit,
5 but I guess there is.

6
7 We have the charter/for-hire folks and the recreational private
8 anglers that need a management system. They need a lot of hard
9 work, and I hope our new council members will take that to heart
10 and try to help these others get down that road.

11
12 We've gone a long way with the charter/for-hire industry, and
13 you hear people come up and say I don't like it or I like it or
14 we've got more people than they've got, and why don't you just
15 have the referendum and see the truth? It will come out. It
16 will come out in black and white, and you will have it in print,
17 and you can all look at it and say, well, you were right and
18 they don't like it. Then we can move on, instead of having
19 these hundred people come up here and tell you things. At the
20 end of the day, you really don't know whose side has the most
21 weight, but they will tell you that they know who it is.

22
23 I hope you work on that. We've got these HAPCs, and we need to
24 protect critical habitat. I sit on the Flower Garden Banks
25 Marine Sanctuary Advisory Panel, and I would recommend that we
26 do what we're trying to do there and just let fishermen fish
27 where they have historically fished, because they brought the
28 presentations here, and there is really no evidence that we have
29 done any damage by fishing, and we've agreed to stay off the
30 coral caps with anchoring, and so I think we'll be okay there.

31
32 The red grouper thing is kind of scary. I lease a lot of fish,
33 and so I end up with red grouper and gags, and I usually give
34 them to somebody that needs them pretty cheap, and I lose a
35 little bit of money on them, but, this year, I can't give them
36 away. That's pretty sad, in a fishery that was pretty robust a
37 few years ago.

38
39 Take it to heart that your catch per unit effort has disappeared
40 in that fishery. It's got something going on. I am no expert.
41 I don't even fish in that fishery, but I think you should take
42 some time to examine what's going on there. Wasn't it fun
43 having Donnie back talking? Thank you.

44
45 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Richard
46 Fischer, followed by Mr. Zach.

47
48 **MR. RICHARD FISCHER:** Good afternoon, council. Thanks for

1 having me here to speak this afternoon. I am here representing
2 the Louisiana Charter Boat Association, and I'm going to start
3 with state management.

4
5 The federally-permitted captains in Louisiana, it's a 180-degree
6 difference from what the AP presented to you all as what that
7 they purport that the charter industry wants across the Gulf.
8 We did a poll of not just the LCBA captains, but of all
9 federally-permitted captains, and, by a ten-to-one margin in
10 Louisiana, we want state management of the red snapper resource.

11
12 In 2015, the Department of Wildlife and Fisheries did a poll of
13 both federally-permitted captains and private recreational
14 anglers. Almost 6,000 people participated in this survey, and
15 it found that 86 percent want state management, and it's not a
16 sample size problem. In Louisiana, we want state management,
17 and we're loud and clear about it, and we really hope that you
18 all can continue working on those documents.

19
20 I will move on to Amendment 41 now. I think, just looking at
21 how complicated it was yesterday, talking about all the
22 percentages and formulas and stuff like that. It kind of proves
23 the point of what I'm about to say here. I mean, there was a
24 comment made yesterday about how the longer we go into Amendment
25 41 that the more complicated that it seems to get, and that
26 really seems to ring pretty true. I mean, this is recreational
27 fishing. It just doesn't really seem to have to be that
28 complicated, and we don't have to reinvent the wheel with
29 Amendment 41.

30
31 As for our six-pack captains in Louisiana, which makes up the
32 vast majority of our fleet, they remain vehemently against catch
33 shares and recreational fishing, and therefore against Amendment
34 41, but, if we end up in a situation where it kind of looks like
35 it's going to happen and we have to accept that, we think that
36 the one-year cycles and losing as much as 50 percent in one year
37 is too much. It's reckless, especially without a hardship.

38
39 We think there are several policies within Amendment 41 that
40 make it easier for the big business operations to stay in the
41 business and make it harder for the little guys. I can get into
42 some of those, but I've got several other things that I've got
43 to talk about in less than a minute now.

44
45 The 41 referendum, it's kind of a math issue for us. We don't
46 want it to pass, and so we want it to be one vote per charter
47 fishing entity. That's going to hurt, in our opinion, the
48 ability for 41 to pass a referendum, and I'm going to finish up

1 on amberjack. We favor the summer season start and an August
2 and September and having it open. We will take October too, if
3 that's possible.

4
5 This would hopefully leave amberjack left over for a spring
6 season, and we're kind of hearing that about 30 percent would be
7 left over. Also, it would give you guys plenty of time to
8 analyze the data over the winter months, which you would not
9 have during the summer months if we continue with our January 1
10 start. It seems like the best option on the table, the best
11 compromise.

12
13 Finally, the majority of our captains are against fractional
14 amberjack or trip limits. They're just kind of willing to
15 swallow a slightly shorter season, if that's what is going to
16 happen. We just have several captains who just don't want to
17 tell a paying customer that, look, your friend can catch an
18 amberjack, but, sorry, you can't. That's all I've got for you
19 all. Thank you, all.

20
21 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Zach,
22 followed by Mr. Wade Wells.

23
24 **MR. ZACH LEWIS:** I got a little trigger happy, and I didn't put
25 the last name in, but I am Zach Lewis, owner and operator of the
26 Fishing Vessel Freak Show out of Venice, Louisiana, one of the
27 seven boats in the Mexican Gulf Fishing Company.

28
29 I guess Mr. Fischer hit on most of our feelings, as far as 41
30 and 42 goes. I guess I will talk a little bit about amberjack.
31 I would like to see late winter or an early spring season.
32 That's primarily when we catch them. Most of our charters are
33 blue-water charters. We don't target them that much, but,
34 whenever we're wahoo fishing in the winter or tuna fishing on
35 the lump, we do catch them, and so we do have the mortality rate
36 if we've got to throw them back, and so I would rather see a
37 February/March and then a fall season, and so whatever you all
38 think on that.

39
40 I guess, if it was up to the states, if we were separated by
41 states -- Some of the guys were saying, if we got a spring
42 season, and Florida catches all the quota before we get a chance
43 to go catch them, then we're not going to have a fall season,
44 and so I guess if we were separated and they had X amount and we
45 had X amount, then it would justify it, but that's all I've got
46 to say. Thank you, all.

47
48 **CHAIRMAN BOSARGE:** We've got a question for you, Mr. Zach.

1
2 **MR. BANKS:** Thanks for coming. I appreciate you making the
3 drive. When you're talking about not having a chance to catch
4 amberjacks in the spring, what is the reason why? I mean, the
5 season is open, and so you've got the chance, but what is the
6 reason why you wouldn't target them during that time?

7
8 **MR. LEWIS:** No, if it was open, we would target them, and, like
9 I said, most of our charters are people come to Venice to tuna
10 fish, and we catch them in the late winter and early spring
11 while we're tuna fishing or trolling for wahoo, and so we would
12 hate to throw them back if we didn't have that spring season.
13 Thank you, all.

14
15 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Wade
16 Wells, followed by Mr. Kevin Beach.

17
18 **MR. WADE WELLS:** Hello, council. I am Captain Wade Wells from
19 the Mexican Gulf Fishing Company out of Venice, Louisiana, owner
20 and operator of Fishing Vessel Contagious. I am just pretty
21 much repeating Zach and Mr. Fischer. We're for state
22 management. We work well with our state. We have no problems
23 with that.

24
25 The amberjack, the same thing in spring. That would just be
26 kind of an overflow from the fall, but we're definitely for
27 fall. We just don't really want it during the snapper season.
28 It's kind of our Plan B. Everyone comes to see us to tuna fish,
29 and we fall on that when our tuna fishing is slow, but, if we
30 have it spread out, we have a full year to catch pretty much a
31 species as a back-up plan.

32
33 The quota part, I am definitely not for the half a fish, because
34 sometimes we have one customer on my boat, and you can't promise
35 them a half a fish. If you have two people on your boat, they
36 can only catch one fish on the way in or something like that,
37 but that's kind of my take on it, more for the amberjack and the
38 limit. Thank you, all.

39
40 **CHAIRMAN BOSARGE:** Thank you, sir. We have a question from Mr.
41 Boyd.

42
43 **MR. BOYD:** Wade, I just want to be clear, because you said that
44 you support what Zach said and what the other people said. If I
45 interpret that correctly, you are for state management in
46 Louisiana.

47
48 **MR. WELLS:** Yes.

1
2 **MR. BOYD:** You're not in favor of Amendment 41, and is that
3 correct?

4
5 **MR. WELLS:** That's correct.

6
7 **MR. BOYD:** Okay. Thank you.

8
9 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Kevin
10 Beach, followed by Mr. Darren Haydel.

11
12 **MR. KEVIN BEACH:** Hello. I am Kevin Beach, owner of Mexican
13 Gulf Fishing Company, owner and operator of the Fishing Vessel
14 Pale Horse. Once again, I am for state management. I am
15 totally against 41. 42 is based on the Beaufort report, or the
16 Beaufort study, and there hasn't been anything done on, as we
17 were referred to earlier, as the monkey boats, the six-packs,
18 fast boats, running in and out.

19
20 I am also against the half a fish. I would much, much rather
21 have a shorter amberjack season as opposed to a half a fish
22 limit on amberjack. You're just going to take six guys and tell
23 three guys that -- You're going to have three anglers, and
24 you're going to have three passengers, or three true passengers,
25 and to tell them, that's going to put everybody in a pretty
26 uncomfortable position, let's just say. It's going to make it
27 pretty odd for me. That's about all I have.

28
29 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Darren
30 Haydel, followed by Mr. Justin Fayard.

31
32 **MR. DARREN HAYDEL:** I am Darren Haydel out of Cocodrie,
33 Louisiana. I'm a licensed Coast Guard captain for the last
34 twenty-three years, and I am definitely in favor of a more
35 summertime and fall season on amberjack. We've got long runs
36 out of Cocodrie, and so I don't even put my boat in the water
37 until late March or early April, depending on the weather, and
38 so I didn't even get to fish amberjack at all this year, and it
39 does help out a lot for us in the long run and, if you had a
40 tough day tuna fishing, to stop and catch your amberjack, and so
41 I am definitely in favor of a later season.

42
43 I also think that the Louisiana coast is a unique place, and I
44 definitely think that state management should be implemented. I
45 mean, it would help us out a lot. We've got a real unique
46 fishery there, and I think it should be managed accordingly, and
47 that's it. Thank you.

1 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Justin
2 Fayard, followed by Mr. Shane Cantrell. Justin? Okay. Mr.
3 Shane Cantrell, followed by Mr. Mike Jennings.

4
5 **MR. SHANE CANTRELL:** Good afternoon. If I remember correctly,
6 last time we were in this conference room, the public comment
7 lasted about this long, except somebody had the bright idea to
8 start it at five o'clock in the afternoon or something like
9 that. We got out of here about ten o'clock. Welcome back.

10
11 It's a little different circumstances this time, but a lot of
12 the same issues when we look back on this. I kind of heard a
13 question the other part of this meeting of why are we talking
14 about 41 and 42, and, well, the why is the charterboat industry
15 was facing a nine-day season, coming off of state non-compliance
16 with one composite recreational sector.

17
18 Each state went and made their private anglers a specific
19 season, and we couldn't fish in that season, and we truly got
20 nine days, and not the false narrative nine days that people
21 often portray. We had a legitimate nine days. That wasn't
22 acceptable, and so we started working on some stuff and came up
23 with Amendment 40, being that that was going to guarantee the
24 level playing field that we had for the American non-boat-owning
25 public, or people that want to come and access a boat on a
26 federally-permitted charter boat. That was a foundation for
27 accountability and the opportunity to explore flexible
28 management.

29
30 With Amendment 30B in place as a conservation measure to protect
31 the state-water fisheries, because there is no doubt that, if we
32 open that up to charter boats, as long as we are the rest of
33 them, those fisheries are going to be trouble, and it's well
34 documented that those fisheries cannot sustain the same pressure
35 as the federal waters. They are not as productive, and that is
36 no secret.

37
38 We've got to protect that fishery and stabilize the state-water
39 fishery in order for any private anglers to have that season, to
40 have that opportunity to give the states the ability to even set
41 that season. We've got to keep that in place, and so we got
42 Amendment 40 passed. We found out that it was the best thing so
43 far for the charter boats.

44
45 If you all remember correctly, those that were on the council,
46 time after time, meeting after meeting, split public comments,
47 and they turned more and more favorable. We had people today
48 that chastised members of my organization, the Charter

1 Fishermen's Association, from day one, saying that it was going
2 to be bad and it was going to put us out of business and it's
3 going to lead to this bad stuff. We've heard a lot of people
4 today come up and say to just leave it alone, just leave the
5 season alone. We've got forty-nine days, and we like that.

6
7 Here we are now saying Amendment 41 and 42 are bad and they're
8 going to put me out of business. These catch shares are going
9 to put me out of business. It's only going to put people out of
10 business if they look at the referendum and vote for it and put
11 it in place. The only way that we get Amendment 41 and 42 is by
12 doing the hard work it takes to develop a program to put it out
13 to the industry and to get it to a referendum. The fishermen
14 ultimately decide. That's the beauty of this process. We've
15 got to get there, and, because it's hard, it's not a reason to
16 quit.

17
18 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Mike
19 Jennings, followed by Mr. John Coulon.

20
21 **MR. MIKE JENNINGS:** I am Captain Mike Jennings, and I own and
22 operate Cowboy Charters in Freeport, Texas. I am also the
23 managing partner of one-third of a ninety-six or ninety-seven-
24 boat marina there on Surfside, and we decided, I guess about
25 March, to lose our minds and get involved in a waterfront fresh
26 seafood restaurant, and that thing is coming along.

27
28 I want to thank the council, Madam Chair and the council, for
29 letting me speak today, and we appreciate the work you all do,
30 and we know that you have a hard job, and I think one of the
31 things that I would like to do today from our charterboat
32 association, the CFA, is thank the staff for the work that they
33 do.

34
35 Everybody comes up here and thanks the council and always
36 forgets the staff is probably the ones behind the scene that do
37 all of this and pile up all this paperwork that we all get to
38 kick around out here and throw back at them again, but, on the
39 issue of the amberjacks, we're coming up from -- We have members
40 from Corpus Christi, Texas to almost Marco Island, Venice,
41 Florida. Coming up with a consensus on amberjacks was tough.

42
43 Over the whole, there has been mixed feelings on the fractional
44 bag limits and the one fish. Probably for the majority, they're
45 willing to accept the one fish and a little bit shorter season,
46 and, on average, throughout our organization, we are looking to
47 ask the council to let these fish spawn and open that thing in
48 August and take that approach.

1
2 The Amendment 41 and 42, we would ask the council to move
3 forward and show us the finished product. It was a long time
4 getting here to just kick it under the table or table it and not
5 give us the finished product to look at. That finished product
6 then can be looked at by the industry and decided whether it's
7 the best approach to take or move forward.

8
9 One of the things that Amendment 40 has given us is we answered
10 two distinct questions that we had from the very beginning of
11 can we use it as a separate sector to stay within our
12 allocation, and we've done that. Then can we increase our
13 customers' access, through being a separate sector, and we've
14 done that. It was obviously. Whether that season is long
15 enough is still up for debate and whether it can be longer, many
16 of us think that it can.

17
18 The state management issue, I am going to go back to a former
19 council member, Mr. Corky Perret, and, for a lot of us, it comes
20 down to that faith and trust. Under Magnuson, we feel that
21 we're offered some protections, and we're also offered this
22 public process that more than one state does not have. They
23 have one or two meetings a year, but the ability to interact and
24 work with the state agencies is not what we have here, and we
25 like this process.

26
27 One of the last things I would like to say on Amendment 40, and
28 I will get off this mic, is that one of the most disturbing
29 things that I heard yesterday that just stuck with me all
30 yesterday evening was this council sit up here and talk with
31 staff as they were explaining that the state management process
32 could be done as a single amendment, yet the very individuals
33 who have struggled and fought against us through Amendment 40
34 spent half the day up here justifying why each individual state
35 had separate needs and so they need to move forward as separate
36 amendments, yet they can't see, or they won't admit to the fact
37 that they can see, the separate needs between the two sectors.
38 I find that --

39
40 **CHAIRMAN BOSARGE:** Mr. Mike, I've got to ask you to --

41
42 **MR. JENNINGS:** Thank you. I'm sorry for going over my time.

43
44 **CHAIRMAN BOSARGE:** Thank you, sir. We appreciate it. We have a
45 question from Mr. Riechers.

46
47 **MR. RIECHERS:** Mike, you kind of blew by quickly, but --
48

1 **MR. JENNINGS:** I had too much on my mind.
2
3 **MR. RIECHERS:** I want to make sure. You're for the one-fish bag
4 limit and no fractional limit?
5
6 **MR. JENNINGS:** Correct. I am saying that with a 51 percent
7 margin on our --
8
9 **MR. RIECHERS:** So it's basically a toss-up.
10
11 **MR. JENNINGS:** Yes.
12
13 **MR. RIECHERS:** Okay. The other thing was you said August,
14 September, and October, and you want the season to start in
15 August. Do you want it to run as long as it can, or do you want
16 it to shut off and then open again in the spring?
17
18 **MR. JENNINGS:** To be honest with you, Robin, I would have to
19 leave that to what you all feel like the majority that you've
20 heard from me today, and I would have to go back. We really
21 didn't discuss that as an organization. Me personally, from my
22 personal standpoint, stepping down from President of CFA, I
23 would like to see it closed and maybe open back up in the
24 spring, if there were any fish left over. I think many of us
25 are kind of skeptical about those fish left over.
26
27 **MR. RIECHERS:** I don't think any of us know that, but it would
28 basically try to solve the east/west issue if we did that.
29
30 **MR. JENNINGS:** Correct. Yes, sir.
31
32 **MR. RIECHERS:** Thank you.
33
34 **MR. JENNINGS:** Thank you.
35
36 **CHAIRMAN BOSARGE:** Next, we have Mr. John Coulon, followed by
37 Mr. Bryan Kelley.
38
39 **MR. JOHN COULON:** Good evening, council. I'm John Coulon, and I
40 operate a twenty-passenger partyboat out of Venice, Louisiana.
41 I've got fifty-two years affiliated with this, and I'll be
42 sixty-one years old in a couple of days, and the only way that I
43 see being able to survive to date, with our being allowed to
44 fish today, is only by the grace of God.
45
46 How many people remember the first American red snapper
47 regulations passed in the Gulf of Mexico by the Gulf management
48 plan years ago? Is there anybody? Yes, sir, and could you tell

1 me? I just want to see if my recollection is correct, without
2 researching it. I tried researching it, and, like I said,
3 that's probably why I'm a fisherman by trade. I don't have a
4 lot of skills. Can anybody tell me?

5
6 **CHAIRMAN BOSARGE:** I am sure that Mr. Gregory could probably
7 tell you, but we would rather hear what you have to say.

8
9 **MR. COULON:** Okay. Back when it made a lot of common sense, my
10 recollection of the first regulations was seven per person under
11 thirteen inches. It was so hard to come by an American red
12 snapper back then that you were allowed all that you could catch
13 over thirteen inches, and does that sound correct to anyone?
14 Okay.

15
16 Now here we are now and, just last summer, I caught a red
17 snapper twice in fifteen feet of water. That is the abundance
18 of red snapper. What was once an endangered species has been a
19 nuisance fish to us for years. Between the red snappers and
20 sharks, there is some days that we would come back with nothing.
21 Talking about a fraction of a fish, we catch a lot of fish here,
22 and we have an overpopulated shark problem.

23
24 I guess, to make a long story short, I am for regional state --
25 The great State of Louisiana does an awesome job. I am against
26 41, and we'll take an amberjack any way, shape, or form or time
27 of year that we can get it. If it's a half a fish per person,
28 we'll settle for it, as long as we have something to offer our
29 customers. That's about it. Thank you for your time. Any
30 questions?

31
32 **CHAIRMAN BOSARGE:** Yes, sir. I think you've got a question
33 right over here from Mr. Banks.

34
35 **MR. BANKS:** In terms of the bag limit, John, or the creel limit,
36 if we had to go to a fractional creel limit for amberjacks,
37 would that be acceptable to you, or would you rather have a
38 shorter season?

39
40 **MR. COULON:** With a twenty-passenger boat, sure. Absolutely.
41 We are not proud. I am not proud of the passengers that we
42 carry, and I'm not proud of the fish we take. It's only -- Like
43 I said, there must be a reason that I'm still in business, and
44 that's to take anyone fishing to enjoy what we have to offer.

45
46 **CHAIRMAN BOSARGE:** Thank you, sir. We have one more question,
47 Mr. Coulon, from Mr. Swindell right here.

1 **MR. SWINDELL:** I just want to thank you for coming over. This
2 is a good way to travel, but we appreciate you taking your time
3 to come here and give us your thoughts.

4
5 **MR. COULON:** Not a problem, Mr. Swindell. Thank you, buddy.
6 Thank you, council.

7
8 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Bryan
9 Kelley, followed by Mr. Jason Woods.

10
11 **MR. BRYAN KELLEY:** Hello, and good afternoon. My name is Bryan
12 Kelley, and I'm a charter boat captain of the Screaming Drag in
13 Destin, Florida, a six-pack vessel, federally-permitted. I am
14 in favor of 41 and 42 to be worked on and figured out. I
15 believe it's come too far to not at least finish the project and
16 take a look at it.

17
18 As far as amberjacks are concerned, I'm on the fence about a
19 spring season with one fish for a two-person bag limit on that,
20 the fractional limit. I am not sure if it will help, but I am
21 definitely in favor of a fall opening season for August through
22 October if it helps out the western Gulf, and I would definitely
23 like to go ahead and make that provision in there to allow them
24 access on it, because I know that they have taken a shorter
25 season, if not any season at all, because of the spring opening.

26
27 I received an email from the council in August of 2017 that the
28 council reviewed a draft framework that considered changing the
29 buffers between the red snapper ACL and the ACT for the for-hire
30 and private recreational. Since 2014, the private recreational
31 component has exceeded the ACT twice and the ACL once.

32
33 The for-hire component has not exceeded the ACT and ACL. This
34 council asked the Scientific and Statistical Committee to review
35 for the potential for reduction of the harvest buffer for the
36 for-hire component, meaning sector separation is working. With
37 that, I would also like to see jacks and triggers added to the
38 sector separation.

39
40 These additions, I believe, will also allow for better fish
41 management and also allow me to better manage my business. I
42 believe that it is time to clean up the mess with accountability
43 through ELBs. Although they haven't been made mandatory for the
44 for-hire sector, I have used them voluntarily for the last two
45 years.

46
47 I was listening to the webinar yesterday about the state-run
48 management system, and I was concerned at the amount of

1 confusion from the council, the confusion of allocation,
2 division making implementation, and mostly the law enforcement
3 aspect. It is my opinion that the state management is a push in
4 the wrong direction for my business as a federal boat.

5
6 Without accountability measures, there can't be an effective
7 management system. I don't see how this council nor state can
8 manage fish stocks without some form of private recreational
9 accountability. Not all forms of management are perfect, but
10 proper management is needed. A proven overfishing form of
11 management will only make a mess all over again. Thank you very
12 much.

13
14 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Jason
15 Woods, followed by Mr. Ron Woods.

16
17 **MR. JASON WOODS:** My name is Jason Woods, and I am a federally-
18 permitted charter boat captain in Galveston, Texas. I am for
19 Amendment 41 and 42. I also would like to see the amberjack
20 season open on August 1 after spawn and keep one per person.
21 Also, I believe that electronic logbooks should be put in place
22 ASAP. Thank you for your time.

23
24 **CHAIRMAN BOSARGE:** Thank you, sir. Next, we have Mr. Ron Woods.

25
26 **MR. RON WOODS:** Good afternoon. I don't own any boats or
27 anything like that, but I do have a six-pack license. I work
28 with three different charter companies out of Galveston, Texas,
29 and they all strongly believe that 41 and 42 should go forward
30 as quickly as possible, and they would also like to see the
31 amberjack open on August 1 and go as long as it can and keep one
32 per person, and they believe that this will definitely help
33 their bottom line, and, if it helps their bottom line, it's
34 going to help people like me that are just working for somebody
35 else fishing. Thank you.

36
37 **CHAIRMAN BOSARGE:** Thank you, sir. I do have a list of people
38 that were not in the room when I called their name, and we're
39 going to run through those and make sure that none of them are
40 back in the room now before we finish up this afternoon. Mr.
41 Jerry McClure. Mike Foto. Brian Bracknell. I don't see him.
42 Alan Staples. Justin Destin. Shawn Kelley. Justin Fayard.
43 All right. Thank you very much for coming in this evening.

44
45 Council members, you will be proud to know that I'm not going to
46 work you any later tonight. We are done for the day. We will
47 pick back up tomorrow morning. We pick back up at 8:30 tomorrow
48 morning, guys.

1
2 (Whereupon, the meeting recessed on October 4, 2017.)
3

4 - - -
5

6 October 5, 2017
7

8 THURSDAY MORNING SESSION
9

10 - - -
11

12 The Full Council of the Gulf of Mexico Fishery Management
13 Council reconvened at the Beau Rivage Resort, Biloxi,
14 Mississippi, Thursday morning, October 5, 2017, and was called
15 to order by Chairman Leann Bosarge.
16

17 **CHAIRMAN BOSARGE:** We have some flights that some people have to
18 catch, and I know that's a surprise. It happens at every
19 meeting, but that's okay, and so we are going to change our
20 schedule around just a little bit this morning. We have already
21 run through our SEDAR Report and our Spiny Lobster Report.
22

23 We are going to take Reef Fish and bump it up to the top of the
24 list, to make sure that everybody is here to participate in Reef
25 Fish. Then we will continue back on with our normal agenda. I
26 forgot to tell Chairman Greene that before I announced it, but
27 he is ready, and so I'm going to turn it over to you, Chairman
28 Greene.
29

30 **COMMITTEE REPORTS (CONTINUED)**
31 **REEF FISH COMMITTEE REPORT**
32

33 **MR. GREENE:** Thank you, Madam Chair. We are ready to go. Okay.
34 The Reef Fish Committee Report of October 3, 2017. The agenda
35 was approved as written. The minutes of the August 8 and 9,
36 2017 committee meeting were approved as written.
37

38 Final Action, Framework Action, Greater Amberjack Fishing Year
39 and Recreational Closed Seasons, Tab B, Number 4(a), the
40 committee reviewed the draft framework action that considers
41 changes to the greater amberjack fishing year and recreational
42 closed season.
43

44 Action 1 would modify the current January 1 to December 31
45 fishing year to begin either in August or September of each
46 year. The objective is to provide an opportunity to harvest
47 greater amberjack later in the calendar year when the harvest of
48 some other species may be prohibited. The alternatives in this

1 action do not affect the total allowable harvest and changes the
2 council took final action on at the August meeting.

3
4 Action 2 considers the changes to the recreational closed
5 season. The recreational season is currently closed in June and
6 July each year and a January 1 to June 30 closed season is
7 expected to be implemented early in 2018.

8
9 Alternatives 2 through 5 would establish a split season for
10 greater amberjack with a one-month spring season and the
11 remainder of the season occurring in the fall of each year. The
12 committee discussed these alternatives in Action 1 and Action 2
13 at length, but did not select a preferred alternative either
14 action.

15
16 **CHAIRMAN BOSARGE:** Staff, if you don't mind, for this amberjack
17 discussion, can you pull that amendment up for us, because, if
18 you will recall, we did not pick preferreds during committee,
19 and so we're probably going to need the document on the screen
20 for this portion of the discussion. Thank you, ladies. Mr.
21 Riechers.

22
23 **MR. RIECHERS:** As they're pulling that up, I think we can go
24 ahead and maybe turn and ask a question to the Southeast Center,
25 just so that -- Everyone else around the table may have it, but
26 I want to make sure that I understand it.

27
28 If we switch the fishing year to August 1, and, in my case, I am
29 thinking Option a, the recreational fishing year, how does the -
30 - If we then want to open a May season this year with the 30
31 percent overage that we already have, how does that play out in
32 practicality for this spring?

33
34 **CHAIRMAN BOSARGE:** Andy.

35
36 **MR. STRELCHECK:** The season would open January 1 this year, and,
37 if you adopted an August 1 start date, this year's season would
38 be June 1 to July 31. It would be a shorter season, and then,
39 starting August 1, your season would run August 1 to July 31 of
40 the next year, and so this year would be a seven-month season,
41 essentially.

42
43 **CHAIRMAN BOSARGE:** Mr. Diaz.

44
45 **MR. DIAZ:** I am going to try to confuse things here a little
46 bit. A couple of folks, a couple of commercial fishermen,
47 yesterday during public comment, about changing the commercial
48 trip limit to a 500-pound commercial trip limit, and, when we

1 talked during committee about what problems might be created for
2 the commercial fishery if we swapped fishing years, we didn't
3 discuss that 500-pound trip limit.

4
5 It's unclear to me if -- Bear in mind that I am making a
6 stretch. I don't know that the council will ever go to a 500-
7 pound trip limit, but if we did move towards a 500-pound trip
8 limit, I don't know that it would be as disruptive to the
9 commercial fishing season as if we did not. I am trying to sort
10 that out as we make a decision on Option a and b here, and so
11 I'm just throwing that out, and maybe some people that's got a
12 better handle on this could add some light.

13
14 **CHAIRMAN BOSARGE:** Ms. Guyas.

15
16 **MS. GUYAS:** I would be a little bit concerned, I think, about
17 moving the fishing year at this point. We had a lot of people
18 here last night that came to speak on just the season in
19 general. We heard from a lot of them how important spring is,
20 whatever component of a spring season that they get.

21
22 I think a lot of them wanted both April and May, and I'm not
23 sure that, on the next action, that we're going to be able to
24 give them all of that, and I would be -- I would hate to be in a
25 situation where we opened on August 1 and we ran through that
26 quota in the fall part of the season and then weren't able to do
27 a reopening, because that just really doesn't help these people
28 that we've been trying to help with this whole amendment in
29 doing a split season, and so that's where I think I am at this
30 point on this.

31
32 **CHAIRMAN BOSARGE:** Chairman Greene.

33
34 **CHAIRMAN GREENE:** Well, back to Dale's point. I think that, if
35 we're going to do something on the commercial side, I think we
36 need to do that in a different document. I think there was a
37 little bit of rumblings about that in some other conversations
38 at other meetings. I agree with you that I think we do need to
39 look at the trip limits on the amberjack.

40
41 I understand that maybe we need to just kind of make this a
42 recreational document, and I don't know if you can modify the
43 year for recreational amberjack to August and then have the
44 commercial start in January. I am not sure about how that
45 flows, but it was just a thought.

46
47 **CHAIRMAN BOSARGE:** Mr. Diaz.

1 **MR. DIAZ:** Yes, I agree with you, Mr. Greene, that it would have
2 to be in a different document, and I'm just trying to figure out
3 what scenarios could be out there. If we change the commercial
4 fishing year to August 1, we could probably do it in a different
5 document and have the commercial trip limit change by August 1,
6 but, from here, to impact 2018 -- If we don't change it, there
7 is no chance to impact 2018. If we change it, it wouldn't
8 impact anything until 2019, and so depending on how we do
9 something like that would make a big difference.

10
11 To Martha's point about if we get to the point later where we
12 don't supply some fish to folks that would like to have them in
13 the spring, you've got the flip side. You've got the western
14 Gulf, who hasn't been able to access it the last few years,
15 because the fish have been harvested before they got a chance to
16 access it, and so I don't know that there's really a good way to
17 satisfy everybody, to guarantee that everybody is satisfied.

18
19 **CHAIRMAN BOSARGE:** Mr. Riechers.

20
21 **MR. RIECHERS:** I will echo in on a couple of points. I think,
22 just as Dale indicated, I think it's the flip side of that, what
23 you're willing to accept the risk on as to when the season would
24 shut down, and, obviously, if you shift the year, you're
25 thinking that there is less risk of overrunning in the fall to
26 get to a spring, as opposed to having a spring season and then
27 making sure we get to a fall.

28
29 In some ways, it's somewhat of a little bit of a game, switching
30 the season, but it's really about risk, is what you're willing
31 to accept, and so I think if we set an appropriate spring season
32 that we ensure we get to the fall, I don't think it matters, and
33 so I will certainly yield to my partner from Florida and not
34 create a no action here, assuming that we are willing to set a
35 season that pretty much ensures us getting to a fall season as
36 the year goes on.

37
38 The other point I will go back and hit is that I agree with
39 everyone here, and, Dale, I think you're onto something with the
40 trip limits, based on the testimony we heard, but we certainly
41 signaled to everyone at the last meeting that this was a
42 recreational issue and not a commercial issue, and it would
43 behoove us to get greater input on that before we assumed that
44 what we heard yesterday was really a belief across the Gulf and
45 people who might want to weigh in in that 500-pound trip limit.

46
47 **CHAIRMAN BOSARGE:** Yes, and, to that point, but I think it is a
48 good idea, Dale, and it would be my preference not to change

1 anything commercially in this document. I think, really, this
2 document was requested for the recreational fishery, so that we
3 could make some changes and try and -- I realize that may cause
4 a little bit more effort on the science side to try and match
5 everything up, but I have full faith that they can make that
6 work and that we're not going to change a season opening date
7 with very little input on the commercial side just because it
8 will make it easier to somebody to tick-and-tie it somewhere
9 else, but that's still up for discussion. Mr. Riechers.

10
11 **MR. RIECHERS:** I realize that this is going to be a suggestion
12 to maybe take these actions out of order, but, Martha, maybe if
13 we went to Action 2.2 and we got a sense of where the council
14 was on that, it would give us a notion about how to really treat
15 this. We may have a little more comfort in what we do here if
16 we took them in that order.

17
18 **CHAIRMAN BOSARGE:** Ms. Guyas.

19
20 **MS. GUYAS:** That makes sense to me, I think. Yes, let's do
21 that.

22
23 **CHAIRMAN BOSARGE:** Is everybody else around the table okay with
24 that, if we skip to the next action and maybe address it first?
25 All right. Staff, if you would take us to the next action in
26 the document, Action 2, and this is going to modify the
27 recreational fixed closed season. Is there discussion? Don't
28 everybody rush to the microphone at once. Mr. Diaz.

29
30 **MR. DIAZ:** I will throw something out there for discussion. I
31 will make a motion that we make Alternative 3 the preferred
32 alternative, just to get some discussion going, if I get a
33 second.

34
35 **MR. ANSON:** Second for discussion.

36
37 **CHAIRMAN BOSARGE:** Okay. We have a motion coming up on the
38 board that in Action 2 to make Alternative the preferred
39 alternative. It was seconded by Mr. Anson, and staff is working
40 on getting that motion on the board. There we go.

41
42 Alternative 3 is to modify the recreational fixed closed season
43 to be January 1 through April 30 and June 1 through July 31.
44 Therefore, the season is open May 1 through May 31 and August 1
45 through December 31. Is there discussion on the motion? Mr.
46 Diaz.

47
48 **MR. DIAZ:** I will give you my rationale for why I threw that one

1 out. First off, Dr. Froeschke yesterday -- It was real clear to
2 me that peak spawning, from the science that we have, is March
3 and April, but he did make it known that the Gulf is a big area
4 and there can be some variability, but the science says that's
5 the peak.

6
7 May would be outside the peak, allowing some harvest in May for
8 the section of the Gulf that would like to have that, and the
9 August 1, during public testimony yesterday, at least one person
10 said that when school starts back that their business drops off
11 tremendously. In this state, school starts about the 8th or 10th
12 or somewhere in there of August, and it might give those guys
13 just a week or so before school starts back when their business
14 is still robust. Thank you, Madam Chair.

15
16 **CHAIRMAN BOSARGE:** Ms. Guyas.

17
18 **MS. GUYAS:** I think I can support this alternative, assuming we
19 stay with the current fishing year situation. I think we have
20 just one month open in the spring and then open up in the fall,
21 to catch whatever is left of the quota, and I think that
22 probably would work, based on the information that we have, and
23 so I think I can support this motion.

24
25 **CHAIRMAN BOSARGE:** Mr. Sanchez.

26
27 **MR. SANCHEZ:** Thank you, Madam Chair. I feel the same way. I
28 heard a lot from the folks in northern Florida that they wanted
29 an April and May, and this is kind of a compromise. This does
30 give them a May, and then it opens it up later for a fall season
31 for everybody else, and so, in the spirit of sharing access to
32 this fish throughout the Gulf, I think this is a good approach,
33 and I can support it, and I think we can come back and address,
34 at the next meeting, in the next document, some of the bag limit
35 stuff, in case we need to stretch it out a little further, and
36 look at what options get us there as well.

37
38 **CHAIRMAN BOSARGE:** Mr. Dyskow.

39
40 **MR. DYSKOW:** Thank you, Madam Chair. I was the Russian judge
41 yesterday that was desirous of an April and May spring season,
42 and I wasn't clear on the depth of science that we had available
43 to justify a decision one way or the other. Since that time,
44 staff did a great job of giving me more than adequate
45 information to convince me that, although there isn't a clear
46 consensus on the spawning cycle, there is a clear consensus that
47 it peaks in March and April, and so I am also in support of
48 this, even though I'm desirous of the longer season.

1
2 It makes no sense, with that preponderance of data that says
3 April is within the peak of the spawning season. Now, that
4 said, it looks like amberjack spawn throughout the summer, and
5 so you could pick any month you want and have some impact, and
6 so I also support the May opening. I would like to see April
7 and May, but the science doesn't support that, and I have
8 changed my mind on that issue, based on what I saw.

9
10 **CHAIRMAN BOSARGE:** Thank you, sir. Yes, sir, go ahead.

11
12 **DR. JOHN FROESCHKE:** Just for your information, the figure, as
13 you're currently evaluating it, is Figure 2.2.2, which would
14 assume no action in Action 1, and the Alternative 3 in this one
15 estimates the total harvest based on this, and, in 2019 and
16 beyond, it's essentially right where you want to be, and so that
17 -- In 2018, in this estimate, you might have a slight pre-
18 closure before the end of the year, but this may not be even
19 fully in effect until the 2019 year, which estimates it should
20 go the full time.

21
22 **CHAIRMAN BOSARGE:** Did you say Figure 2.2.1?

23
24 **DR. FROESCHKE:** Yes, I think that's right. No, it's 2.2.2.

25
26 **CHAIRMAN BOSARGE:** That's what staff had on the board for us,
27 and I just wanted to make sure that we were on the right page.
28 Mr. Riechers.

29
30 **MR. RIECHERS:** But, John, you just said, in 2018, it would
31 almost have a full season. At least as I'm reading it, and just
32 in fairness to the dialogue here, it indicates that we would be
33 open in August and September and close October 3, if I'm reading
34 correctly.

35
36 **DR. FROESCHKE:** Okay. On the table, in 2018, there would. In
37 2019, which I'm just thinking that by the time all of this gets
38 rolled in that we may be fishing on the 2019 quota, and we
39 should be okay, because we did build in those quota increases in
40 the last document.

41
42 **CHAIRMAN BOSARGE:** Dr. Mickle.

43
44 **DR. MICKLE:** Thank you. Just to chime in a little bit, and Dr.
45 Frazer may have to help me a little bit with this one, but we
46 sat down and went through the literature, and I think that what
47 Tom and I discussed was that there is twelve peer-reviewed
48 publications. Over half of those are in the Gulf of Mexico, and

1 the rest are in the South Atlantic. The main identification
2 over 2004 through 2017, April seems to be the big hitter right
3 there.

4
5 Everyone is getting along so well at this point that I almost
6 held back and didn't want to share this, but April seems to be
7 the big hitter. In talking to the fishermen yesterday and
8 hearing their input, they want to take a big swing at this. A
9 lot of them really want to take a big swing at this spawning
10 stock and see what they can do with restricting harvest, and so
11 I just wanted to share that, that these seem be the -- April
12 seems to be the big-hit month. March maybe, but, again, there
13 is temporal variation, and there is spatial variation.

14
15 They may spawn the entire summer, but recruitment, which is
16 survivorship of larvae entering the fishery, and that's what
17 recruitment truly is defined as, it could be any point in there,
18 and so you may have a massive spawn, but there may be no
19 recruitment out of the spawn.

20
21 Remember that most of these -- There is one paper that's
22 actually looking at recruitment into the fishery, based on
23 temporal spawn, but the other papers are histology and GSI,
24 gonadosomatic index, and that one is actually looking at the
25 eggs coming across the dock, which the fishermen share with us.

26
27 It's really looking at if -- Boiling it all down, March and
28 April are heavy hitters for reproductive capability of the stock
29 in the Gulf, and that's what the papers are saying. Tom, do you
30 have anything else to add with that?

31
32 **CHAIRMAN BOSARGE:** Dr. Frazer.

33
34 **DR. FRAZER:** Sure. Thank you, Paul. I think that you did a
35 pretty good job there. One thing that I would like to say as
36 well is, even though the peak periods are in March and April and
37 into May even, as the fishermen pointed out, there will be fish
38 that are reproductively mature for a much more protracted period
39 of time, but you have to think about what that really means.

40
41 Those peak periods are those periods when the environment is
42 actually selecting for successful recruits over time, and that's
43 why they're in a peak. The likelihood of fish actually
44 successfully reproducing in one of those fringe periods, whether
45 it be January or February or late summer, is relative small, and
46 so that's all that I would add to that.

47
48 **CHAIRMAN BOSARGE:** Chairman Greene.

1
2 **MR. GREENE:** I am trying to find a compromise here. I mean, I
3 kind of told you in committee how I felt about the spring. My
4 concerns are that, this year, we're already 30 percent over the
5 quota. We had landings in January, February, and the early part
6 of March, and we're done.

7
8 I think that, by moving the fishing season to August 1, as Andy
9 described, we would have a very short season for the first part
10 of 2018, and I'm hoping that that will help us get out of this
11 vicious cycle of paybacks that we're in, or at least that's my
12 thoughts.

13
14 It's hard to ever get to where we want to be when we have this
15 handicap every year of always having to overcome an overage, and
16 I'm afraid, if we're not very, very careful, we're never going
17 to get out of this spiraling situation. It seems to me that --
18 It's a pretty simple deal that we're all hung up on.

19
20 Do we change the fishing year to August 1 and let Alabama,
21 Mississippi, Louisiana, and Texas have a shot at the fish and
22 then, if there's some left over, then everybody gets a shot in
23 the spring, or do we let Florida and some of those areas have a
24 shot in the spring? I am not trying to pick on anybody, but I'm
25 just trying to state the obvious, and it's one of those things.

26
27 The alternatives before us talk about August 1 through December
28 31, and I think that, to help make sure that we have that spring
29 season, that we should be considering an August 1 through
30 October 31 alternative in here, if it can be added, and not slow
31 this document down for final. I think there should be
32 supporting documentation to that. That would be a
33 consideration.

34
35 I think that I'm going to be in support of an August 1 fishing
36 season for August, September, and October. Then, if we have
37 some, we will fish them in May. If we don't have any fish for
38 that following year for May, then they will obviously be closed,
39 and they will have an opportunity to spawn during the majority
40 of the peak spawning season. If we do, then everybody is going
41 to have a great fishing year, and it's going to be good.

42
43 I wrote down ninety-eight comments from people yesterday, and I
44 heard what everybody had to say, and, as a for-hire business
45 operator, I know what's best for me and my business as well, but
46 I'm trying to lay all that aside and do the right thing
47 specifically just for the fish on this one. We fought over some
48 amberjacks several years back. Me and Myron Fischer went back

1 and forth at the table, and, if you were here, you remember it.

2
3 Myron was right on that one, and I was wrong, and I should have
4 -- I should have done something different then, and I'm trying
5 to do it right now, and so it's one of those things, and so I
6 guess my first question is can we add another alternative to
7 this document and still go final, if we do an August, September,
8 and October fishing season?

9
10 **CHAIRMAN BOSARGE:** All right. Let me make sure that I
11 understand. It would be an alternative where we would be open
12 May and closed June and July and then open August, September,
13 and October and then close again until the following May? Okay.

14
15 **MR. STRELCHECK:** Can you clarify, Johnny? Were you talking an
16 August 1 start date as well, and so it would be August,
17 September, and October and wrap around to May? Okay.

18
19 **CHAIRMAN BOSARGE:** Chairman Green says yes. Who wants to answer
20 the question? Can we add that alternative in here and still go
21 final with this today? Mara.

22
23 **MS. LEVY:** I basically see that as an Alternative 3, except that
24 you're truncating the end of that and not staying open until
25 December 31. You are closing it before then. It seems to me
26 that it's more conservative. It's within sort of the range of
27 the alternatives.

28
29 I guess what I would like to see, if you're going to do that, is
30 someone to look at the decision tool and at least let you know
31 what the impacts of that would be, like what type of season
32 you're looking at, just so that you have an idea, because, right
33 now, we have all these tables and everything, and that's not in
34 there. It is more conservative. I think you could probably do
35 that, but I would like you to get a little bit more information
36 about the impacts of that before you would actually do it.

37
38 **CHAIRMAN BOSARGE:** All right. I have a list of people to speak,
39 and so I'm assuming that staff is working on bringing that
40 information up for us at some point. Andy, you were on the
41 list. Do you still want to speak?

42
43 **MR. STRELCHECK:** Yes, ma'am. Thank you for calling on me. I
44 wanted to just point out, in Table 2.2.2, for those that have
45 looked at it, one of the things I'm struck by is the suggestion
46 of starting January 1 and having a May opening. That results in
47 the shortest season, at least for 2018, of all of the three
48 fishing year start dates.

1
2 An August 1 start, for that same Alternative 3, would result in
3 165 days, and a September 1 start date would be 162 days. Now,
4 I recognize the table also shows, for 2019 and 2020, that we
5 wouldn't expect closures, but keep in mind, if we do have some
6 successful recovery and we're constraining catches to the catch
7 limits, at this point the projections haven't taken that into
8 consideration, in terms of changes in CPUE or harvest rates.

9
10 I would say 2018 is probably our best projections at this point,
11 and we haven't factored in changes for 2019 or 2020, and so I
12 just wanted to note that, that there is a several-month
13 difference in the length of the season, and largely that's
14 because there is less fishing effort, obviously, in the fall and
15 winter, when the weather gets worse, and so you would have more
16 fishing days, but less greater amberjack harvested during that
17 time, if you started the season later in the year.

18
19 **CHAIRMAN BOSARGE:** Next, I have Mr. Dyskow.

20
21 **MR. DYSKOW:** Madam Chairman, just refresh my memory. As a point
22 of order, don't we have a motion on the floor with a second?

23
24 **CHAIRMAN BOSARGE:** Yes, I think we do.

25
26 **MR. DYSKOW:** Wouldn't we have to vote on that before we pursue
27 an alternative?

28
29 **CHAIRMAN BOSARGE:** Well, yes, unless Johnny wants to make a
30 substitute motion, but, right now, we're just kind of having
31 discussion about where we want to go with this. Johnny didn't
32 make a substitute, and that's what I am saying. If somebody
33 wants to go with Johnny's, we would be making a substitute or
34 voting this down, but, right now, we're just kind of still
35 having a discussion, and I think it's all valid and good
36 discussion. Before we get into voting on where we want to go,
37 we are fleshing some things out and seeing which path we want to
38 take. Next, I had Robin, and then I have Kevin. Mr. Anson.

39
40 **MR. ANSON:** I wanted to address Mara's comment relative to the
41 season that Johnny suggested, and so, if you're giving leeway,
42 because I kind of tend to lean to Mr. Dyskow's comment to
43 keeping it to the motion, but I did look at the decision tool,
44 as Mara suggested, to see what we would end up with with the
45 truncated season, as Johnny suggested, which would be the August
46 1 through October 31 and then the May 1 to May 31 opening.

47
48 It would put us just below the ACL, as it's listed on the graph

1 in the decision tool that is identified as Alternative 2 and the
2 Alternative 3, Option a position, and so, when you add the extra
3 two months in there, it adds some pounds, about 150,000 pounds
4 or so, or a little less, and so it is minimal, but it does kind
5 of set you up in a position to give you a little leeway, in case
6 there are some changes in the catches, as Andy suggested, and so
7 I think, as part of this fairness issue that we're all kind of
8 discussing and trying to get to, with having a truncated fall
9 season, it gives more of that guarantee for the spring and,
10 depending upon how you look at it, the January 1 or the August 1
11 closure, but, anyway, there is -- In the decision tool, when you
12 plug in those numbers, it does result in, obviously, some
13 reduction in landings, although minimal, and it just increases
14 the chances.

15
16 You know, one of the concerns I have with a fall fishery of
17 January 1, or an August 1 start date is not as much of a
18 problem, but, at least with the January 1 start date, is that,
19 with our data situation the way it is, we won't get any
20 information on the August landings until the middle of October,
21 to make a decision.

22
23 By that time occurs, there is little opportunity to affect
24 things, as far as closing it, because most of the fishing effort
25 has already occurred, and so that's, I guess, a point for the
26 August 1 opening, just to kind of give you a sense of where I am
27 relative to the fishing year, is an August 1 opening, because it
28 gives us a little bit better opportunity, I think, to address
29 some things as you go through, with the data situation that we
30 have.

31
32 **CHAIRMAN BOSARGE:** Is there further discussion? I am assuming
33 that everybody has sort of made up their mind. Mr. Riechers.

34
35 **MR. RIECHERS:** I think what we're struggling here with is the
36 risk of who is going to overrun, fall or spring, and I don't
37 think we can do it in this document, and it will require another
38 tussle that we're going to have to deal with at some point in
39 time, but, I mean, I think what we're going to do is make a
40 first attempt here and see if it will constrain the catches in
41 either the fall or the spring, so that we end up having both
42 seasons.

43
44 Ultimately, what we may want to end up thinking about in another
45 document, and I don't think we could include it here. Mara may
46 give us the license to do it, but I think it's more complicated
47 than we would want to try to do today, given historical data
48 streams and impacts of the most recent seasons and the things

1 that we would want to do, but we could actually put an allotment
2 of poundage in the spring and in fall, basically split the
3 poundage, which would then guarantee you getting to the fall or
4 guarantee you getting to the spring.

5
6 This way, we're trying to manage that with these season dates,
7 and we don't really know how the fishery is going to react.
8 Actually, we probably do. We know that there's going to be a
9 lot of effort that's expended in that -- If we do one month in
10 the spring, there's going to be more effort. If we do it in the
11 fall, there's going to be more effort, and so I think this is a
12 good first step. I think we need to keep in mind that notion of
13 poundage, moving forward.

14
15 **CHAIRMAN BOSARGE:** Dr. Frazer.

16
17 **DR. FRAZER:** Thank you, Madam Chair. I am just curious about
18 Robin's comments about an allotment of poundage in the spring
19 and how you would even evaluate that in real-time.

20
21 **CHAIRMAN BOSARGE:** Mr. Strelcheck.

22
23 **MR. STRELCHECK:** In the South Atlantic, we split seasons for
24 many of our commercial fisheries, and it's the first six months
25 of the year and the second six months of the year. If there is
26 an underage, we carry that underage over and add it to the
27 second six-month period. If there's an overage, we deduct it,
28 and so you would have to deduct any overages when considering
29 the second season, whatever comes later.

30
31 Going back to Kevin's point, with a January 1 start, if we open
32 in May and then closed, we wouldn't have recreational data in
33 time to inform that fall season until mid-August, and so we
34 could inform it, but it would be after the start of the fall
35 season. With an August or September start date, you will get
36 that data in January or March, prior to that May opening, and so
37 you would have, potentially, a lower risk of exceeding the ACL
38 if there is underages or overages in the fall season and what
39 would need to be determined in May, and so that's just something
40 to keep in mind.

41
42 **CHAIRMAN BOSARGE:** Mr. Anson.

43
44 **MR. ANSON:** Just to Robin's point, I understand what you're
45 trying to say with allotting some pounds and such in the fall
46 and the spring. Essentially, that's what we're trying to do
47 with a season days, and so it's in days or it's pounds, and so I
48 don't know if -- I mean, I will go ahead and throw it out there,

1 because I feel fairly strongly about it, but I would like to
2 offer a substitute motion. Then Mara can tell us if it's
3 appropriate or not.

4
5 The substitute motion would be to have as the preferred in an
6 Alternative 6 that would be to modify the recreational fixed
7 closed season to be January 1 through April 30 and June 1
8 through July 31 and then November 1 through December 31, and
9 maybe that could have been changed to add November through
10 April. I am trying to get to a smaller open fall season.

11
12 **CHAIRMAN BOSARGE:** Mr. Anson, is that your motion, sir?

13
14 **MR. ANSON:** Yes, Madam Chair.

15
16 **DR. SHIPP:** I will second it.

17
18 **CHAIRMAN BOSARGE:** It's been seconded by Dr. Shipp, and you said
19 to make it the preferred when you said it on the record. Did
20 you want it to be the preferred, or are we just going to add it
21 right now?

22
23 **MR. ANSON:** I will go preferred, just to make it cleaner, I
24 guess.

25
26 **CHAIRMAN BOSARGE:** All right. So, essentially, what will happen
27 is we'll be closed November 1 through the following April. I
28 understand why you worded it the way you did, so it would match
29 our other alternatives. It will make it easier for us to
30 compare.

31
32 **MR. ANSON:** Yes, and I think, although I said probably to add
33 November 1 through April 30 is the closed time period, and that
34 would give the indication that the fishing season would be
35 August 1. That may not necessarily be the case, and so I was
36 trying to match it more to, I guess, just a calendar year, as
37 per norm.

38
39 **CHAIRMAN BOSARGE:** Understood. All right. Is there discussion
40 on this motion? Ms. Guyas.

41
42 **MS. GUYAS:** Kevin, your intention here, I think, on the previous
43 action, would be the August 1 fishing year, and I kind of got
44 that sense. I mean, I can kind of see the writing on the wall
45 here, and so this may be our best option.

46
47 I know there is going to be a lot of people that are not excited
48 about this, but we do have that document coming in the future

1 where we can look at some other things that we can tinker with
2 to get some more days, hopefully, hopefully with some --
3 Hopefully we'll see some rebuilding and those quota increases
4 will materialize into actual quota increases and we get out of
5 this payback situation.

6
7 Maybe with some of these other options, maybe it is doing quotas
8 associated with these little mini-seasons, so to speak, and
9 maybe it's tinkering with vessel limits or bag limits, but it
10 kind of looks like this may be the best we're going to get at
11 this point, in terms of a compromise.

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

14
15 **MR. ANSON:** Certainly a negotiation, a compromise, is where I
16 want to try to get to and try to look at the half glass full
17 notion, and so, in this regard, for the folks in Florida, or at
18 least in the Panhandle, you've got your October rodeo, and that
19 remains intact here with this.

20
21 Certainly going forward, if it is passed in Action 1 to go to
22 the August 1 start date, it certainly will remain intact, but I
23 think this just -- With the situation of where the fish is and
24 trying to go to the side of the biology of the fish and having
25 most of the spawning season, or at least the peak spawning
26 season, protected, through setting up the season where we have
27 the May, and that's still maintained here, I mean the April
28 season being closed, and this is an attempt to try to get there.

29
30 Again, the vagaries of the data that we have and the timing and
31 getting all of that and then having these two separate seasons,
32 at least that's where I feel that this would most match up with
33 trying to satisfy as many people as possible.

34
35 **CHAIRMAN BOSARGE:** Mr. Greene.

36
37 **MR. GREENE:** I spoke a minute ago about how we fought back and
38 forth about size limits and increases and open seasons and
39 closed seasons between me and Mr. Fischer and back and forth,
40 but I'm also a charter boat operator, and it's very difficult to
41 sit up here and wear one hat as a businessman and wear another
42 hat as you've got to do the right thing.

43
44 On the charter boat side of things, it's a pretty hopeless
45 feeling right now. I mean, we're losing access, and it feels
46 like every single time we turn around that we're losing this and
47 we're losing that and we're doing this. I hear those guys very
48 loud and clear in Panama City and Destin and the affected areas.

1 Believe me, I understand. I am in that situation with them.

2
3 I think that this is probably the best compromise there is. I
4 did see some of the data that was shared to me by Dr. Frazer. I
5 looked at it last night long and hard, and I think that, by not
6 having the November/December season, although the landings are
7 not a whole lot, but the overall landings aren't much to begin
8 with, in my opinion, on amberjack, and so every little bit of it
9 helps.

10
11 I speak in favor of this motion. I reluctantly say that this is
12 the right way to go for where we are right now. We have got to
13 get out of this spiraling downward spin on these paybacks, and I
14 think this is about as close as we're going to get in this
15 document moving forward.

16
17 **CHAIRMAN BOSARGE:** All right. Any further discussion on the
18 motion? **Seeing none, all those in favor of the substitute**
19 **motion, signify by raising your hand.**

20
21 **EXECUTIVE DIRECTOR GREGORY:** Sixteen.

22
23 **CHAIRMAN BOSARGE:** Well, heck, let's just make it unanimous.

24
25 **EXECUTIVE DIRECTOR GREGORY:** Seventeen. **The motion passes**
26 **unanimously.**

27
28 **CHAIRMAN BOSARGE:** Okay. All right. You know, we have a
29 greater amberjack stock assessment coming up, and I just wanted
30 to remind everybody of that. That will be 2020 when it's on the
31 schedule, and so that means terminal year data of 2019, and so
32 we'll have four years of the greater minimum size limit in that
33 then or three years?

34
35 We will have several years of that increase in the minimum size
36 limit, and hopefully we'll see some impact from that in that
37 stock assessment, plus we'll get this closure in the peak spawn.
38 We'll get that, unless we change anything in a couple of years,
39 and so let's hope that when we get that assessment that we will
40 finally see some sort of change in that stock and see it turn
41 around. I know these were hard decisions, and I appreciate
42 everybody kind of working together to make it happen.

43
44 Action 1. Let's go backwards now. Staff, if you can pull back
45 Action 1 and put that on the board. All right. So, back to
46 Action 1 now, modifying the fishing year for greater amberjack.
47 Is there discussion? Mr. Greene.

1 **MR. GREENE:** I have a question for Mr. Strelcheck. Is there any
2 way that we can -- We're looking at a four-month amberjack
3 season. Is it possible, Ms. Levy or Mr. Strelcheck or anybody
4 over there, that we can do -- I can't even believe I'm going to
5 say this, but, if we were to do a January 1 opening, can we do a
6 25 percent opening in May and 75 percent in the fall, or can we
7 do 75 percent in the fall or 25 percent in May, to try to make
8 sure that everybody gets a little love here somehow?

9
10 I mean, it's a contentious deal, it really is. I heard what
11 Andy said, and I think I understood him, but just to be
12 absolutely crystal clear for the boat captain at the table, I
13 want to make sure, just to see -- Is there a way that we could
14 do that or not?

15
16 **CHAIRMAN BOSARGE:** Mara.

17
18 **MS. LEVY:** So you can certainly decide that you want to split
19 the quota or the catch levels between the seasons, but I don't
20 think you can do it in this document. I mean, you're going to
21 have to have an action with alternatives and analysis and that
22 sort of stuff, and so, if you want to actually take final action
23 on this today, then I don't think you can add it right now. You
24 could certainly look at it in another document.

25
26 **CHAIRMAN BOSARGE:** Mr. Riechers.

27
28 **MR. RIECHERS:** Well, in the spirit of cooperation, and since
29 Martha made the motion and moved to Action 2, and we know what
30 we're juggling here, and I think there is probably greater risk
31 of really greater effort going into the early part of the
32 season, but, because of how we just did the previous motion and
33 pulled it up first, I will make the motion to make Alternative
34 1, the no action, the preferred alternative.

35
36 **CHAIRMAN BOSARGE:** All right. We have a motion going up on the
37 board in Action 1 to make Alternative 1 the preferred, and
38 obviously Alternative 1 is the no action alternative, do not
39 modify the current January 1 through December 31 fishing year
40 for the recreational and commercial sectors. Do we have a
41 second for the motion? It's seconded by Ms. Guyas. Is there
42 discussion on the motion? Mr. Anson.

43
44 **MR. ANSON:** Although it may have seemed like I was very strong
45 in support of an August 1 opening, I am not necessarily as
46 strongly in support of an August 1 opening. You know, the
47 numbers, and if you do the math on it, it would certainly cause
48 you to probably lean more toward an August 1 opening, but, in

1 the spirit of the negotiation, I guess, and the compromise, and
2 certainly the public testimony from the folks over in Florida
3 and their impassioned request to make sure they had some part of
4 that spring fishery, so that they can maintain that business and
5 keep it part of their business, and I heard, and so I am just a
6 little torn on it, because the flip side of that is August 1
7 would certainly keep the door open for greater access amongst a
8 greater number of folks throughout the Gulf, and so I am still
9 thinking about it. I know I am going to have to come up with a
10 final decision here quickly, but just at least putting out there
11 why I'm thinking about it, and so thank you.

12

13 **CHAIRMAN BOSARGE:** Mr. Riechers.

14

15 **MR. RIECHERS:** Kevin, I am torn too, because I agree with you
16 that I think the amount of effort that can be expended probably
17 in that spring season is great enough that the fall season is
18 greater at risk, and it's been at risk, and so I don't think
19 we're changing that risk factor here by keeping it the way it
20 is, but what I will say to that is I think, if we really want to
21 make sure that we get a fall and a spring, we're going to have
22 to go to the poundage notion and split that poundage in some
23 way, and that's really the only way I think we can ultimately do
24 that.

25

26 I am willing to leave the fishing year the way it is and give
27 this a shot and then, as we see how this works, come back to
28 that issue, because I think, ultimately, that's where we're
29 going to end up.

30

31 **CHAIRMAN BOSARGE:** Mr. Greene.

32

33 **MR. GREENE:** Well, as I told you, I took down testimony
34 yesterday, and I heard every one of them, and I feel for them.
35 I really, really do, but there is four other states that haven't
36 had an amberjack fishery in about two years, and that's where
37 I'm really fundamentally hung.

38

39 I understand those guys. They drove all the way from Panama
40 City to Biloxi, and I understand. I get it, but we have a
41 significant portion of the fishery outside of that, and it's
42 very difficult, when you have as many people that drove over and
43 spent the time and spent the money to come over and speak and to
44 think, well, I'm kind of ditching those guys or whatever, but
45 the fact is that the fishery has closed so early, due to
46 paybacks, due to reasons beyond their control.

47

48 I mean, they haven't done anything wrong. Nobody really has, I

1 mean, but we're stuck with this terrible situation of what do we
2 do, and so I can give you my word that I will work extremely
3 hard to work on the document that Mr. Riechers has brought, the
4 idea that he brought forth about the poundage. I think that's a
5 great idea. I mean, I'm thinking four months and 100 percent
6 divided up by 25 percent a month, and it would be pretty simple,
7 but nothing ever really is. **With that, I reluctantly want to**
8 **make a substitute motion for Alternative 2, Option a.**

9
10 **CHAIRMAN BOSARGE:** We have a substitute motion going up on the
11 board that, in Action 1, to make Alternative 2a the preferred.
12 Alternative 2a is modify the fishing year to be August 1 through
13 July 31. Option a is modify the recreational fishing year. Do
14 we have a second for the substitute? It's seconded by Mr.
15 Banks. Is there discussion on the substitute motion? Ms.
16 Guyas.

17
18 **MS. GUYAS:** This is where I kind of figured that we would be on
19 this action, given the discussion we just had on Action 2. I
20 will say, with this one, it is going to be a little bit more
21 painful for these folks that came from Panama City and Destin.

22
23 They're not going to be able to fish this spring, the way that
24 this is going to work, because this is not going to be -- We put
25 this in effect, and this fishing year -- The rule we passed at
26 the last meeting, I think it opens the season in like July,
27 maybe, and so until that is replaced with this, then we would --
28 That would essentially cut out this May, and so they would --
29 That's not an option for them this year.

30
31 I guess that's a short-term consequence of this, but I think
32 we're all kind of struggling with this, and it's hard to say how
33 it's going to work. We just don't know how the catches are
34 going to come in and how this is going to work, but this one
35 does have an immediate consequence, it looks like.

36
37 **CHAIRMAN BOSARGE:** Andy.

38
39 **MR. STRELCHECK:** Mara and I were just having a sidebar, and I
40 think we can have this rule implemented before May of this year,
41 and, based on my earlier comments, if we're starting a January 1
42 to August 31 season this year, or, excuse me, July 31 season,
43 you could actually have a May opening this year, and that would
44 be the only landings that would be counted towards this year's
45 fishing season. Then it would start on August 1, the following
46 fishing year.

47
48 **CHAIRMAN BOSARGE:** To that point, Mr. Greene?

1
2 **MR. GREENE:** As long as it is -- I will keep this motion as long
3 as it's what he said, because it was not my intent to do what
4 you described, although I think it was a great point that you
5 raised, and I'm really glad you did, but that was not my intent,
6 was to cut it out, although you know how I feel about that, but
7 that was the thing. That's why I was pointing at Andy the whole
8 time, because I wanted to make sure that I clearly understood
9 that there will be a season this year and then we start the year
10 over on August 1.

11
12 **CHAIRMAN BOSARGE:** To that point, Andy?

13
14 **MR. STRELCHECK:** Yes, with the caveat that the rule has to be in
15 effect at that point, and certainly we need the council then to
16 move the amendment to us quickly, so that we can begin
17 processing the proposed and final rulemaking.

18
19 **CHAIRMAN BOSARGE:** All right, and so I have a list of people
20 here. Dale, is yours to that point?

21
22 **MR. DIAZ:** It's relevant. I don't know if it's to the point.

23
24 **CHAIRMAN BOSARGE:** Go ahead, Dale.

25
26 **MR. DIAZ:** Johnny used the words "vicious cycle" a minute ago,
27 this early in the morning too, but, if we did do this, and it
28 worked out like Andy mentioned a little while ago, this year was
29 only the month of May, and, more than likely, we wouldn't be in
30 payback mode. If we don't do this, we've got a payback that's
31 going to have to be factored into 2018, which might make 2018 a
32 lot more difficult, and so I just wanted to throw that out for
33 consideration. Whether it's to the point or not, that's up to
34 you, Madam Chair. Thank you.

35
36 **CHAIRMAN BOSARGE:** Dr. Frazer.

37
38 **DR. FRAZER:** Thank you, Madam Chair. This question is probably
39 for Doug, and I'm just curious about how long it might take to
40 incorporate kind of putting a quarter of the quota in that May
41 time period and to work through a framework action to accomplish
42 that.

43
44 **EXECUTIVE DIRECTOR GREGORY:** I would have to defer that to John,
45 but we could probably have something together by January. We
46 were going to work on a bag limit analysis anyway. John?

47
48 **DR. FROESCHKE:** At this point, my question would be -- We could,

1 I assume, do it in the document. Last time, we talked about
2 this next document would have fractional bag limits and the trip
3 limits, and so we could add it in that document, assuming you
4 still want to do the fractional bag limit.

5
6 **DR. FRAZER:** Yes, thank you.

7
8 **CHAIRMAN BOSARGE:** Dr. Stunz.

9
10 **DR. STUNZ:** As we've discussed before, if this doesn't beg for
11 regional management, I don't know what does, but that's not my
12 point. I know what the weather is like in the western Gulf
13 during this early season, and I just don't want to leave our
14 group of fishermen out, and so I support Johnny's substitute
15 motion.

16
17 Maybe we can work quickly, as Tom is saying, to get this
18 poundage thing in, to fix any issues that Martha has, but there
19 is real potential in the western Gulf to really cut them out if
20 not supporting the substitute motion.

21
22 **CHAIRMAN BOSARGE:** John.

23
24 **DR. FROESCHKE:** The only thing I was thinking about is, if we
25 did something like that for 25 percent of the quota for a one-
26 month opening, I don't see how we would monitor that in-season,
27 and so we would only -- It would seem that we could only project
28 how many days it would require in that month to catch the 25
29 percent and then do it that way, and so I don't know -- Maybe it
30 would be a three-week season, or it might be the whole month,
31 but I don't think we're set up right now to do the in-season.

32
33 **CHAIRMAN BOSARGE:** All right. Any further discussion on the
34 motion on the board? Mr. Matens.

35
36 **MR. MATENS:** Thank you, Madam Chair. I have kept out of this,
37 and I really wanted to see what you professional biologists at
38 the table had to say. I am going to support Johnny's substitute
39 motion, and I've forgotten which number it is, because, in the
40 absence of doing something like this, the people certainly in
41 Louisiana, and I can't speak to Texas and Mississippi, have been
42 cut out of this fishery for two years.

43
44 They really don't understand why this has to be, notwithstanding
45 the fact that they're cut out of triggerfish also. The guys
46 that I talked to in Louisiana, I think they really want
47 something like this. Accordingly, I support Johnny Greene's
48 motion.

1
2 **CHAIRMAN BOSARGE:** Is there further discussion? Mr. Riechers.

3
4 **MR. RIECHERS:** Johnny, I really would love to support your
5 motion, and I hope it works out the way it is supposed to, but I
6 was on record at the last meeting of telling the folks that it
7 was not our intent to cut them out of this spring season, and so
8 I'm going to go ahead and basically support the -- Not support
9 your motion, but support the motion that I made as a preferred,
10 but I hope it works out, and I hope these guys get their work
11 done, so that it in fact gives them a season and then it shifts
12 this year, but we were on record on last time, as a council,
13 telling those folks that we were not trying to cut them out of
14 the spring season, and so anything that we would vote on that
15 might do that, I just can't support at this point.

16
17 **CHAIRMAN BOSARGE:** All right. Any further discussion? John.

18
19 **DR. FROESCHKE:** I just looked at the decision tool quickly here.
20 In May, if you did what I just discussed, in order to achieve 25
21 percent of the 2018 ACT, you would have to close twelve days,
22 and so May alone it's estimated you would catch 40 percent, and
23 so that would essentially be a May 1 to May 20 season or
24 something like that.

25
26 **CHAIRMAN BOSARGE:** Dr. Shipp.

27
28 **DR. SHIPP:** In deference to John's comments, what you're doing
29 is creating a derby, and I don't think the projection of twelve
30 days would stand. I mean, we see what happens with red snapper,
31 and so I'm afraid that, unless you have some sort of in-season
32 monitoring, it's just not going to work, as much as I wish it
33 would.

34
35 **CHAIRMAN BOSARGE:** Mr. Diaz.

36
37 **MR. DIAZ:** This is a question for Robin, because I am not sure
38 that I understand your last comment, because I'm not sure that I
39 see it that way, but I am probably wrong. I am not viewing it
40 as cutting folks out in May, based off of what Andy said. If we
41 get them a document today, I thought I heard him say that they
42 could probably turn that document around and we would have a May
43 season, and so am I wrong on that?

44
45 **MR. RIECHERS:** No, you're exactly right, or at least based on
46 things that have been said around the table, you're exactly
47 right, but, I mean, as we made the motion to delay at the last
48 meeting and not make a decision, basically close until July 31,

1 so that we could come back to this meeting, we told the folks in
2 the audience and who might be listening, or at least I did, and
3 I won't say "we". We as a body did not, because we didn't make
4 it in a motion, but I did, as I helped support that motion, that
5 it was not the intent to take away that season.

6
7 I mean, for my Texas folks, I need these other months, but,
8 again, when we voted last time, we said that was not the intent
9 of what we were trying to do here. We were trying to get to the
10 next meeting and try to find a compromise that would stretch
11 this and give both a spring and a fall season.

12
13 If they do their work, if the council staff does their work,
14 this may solve itself and we get both this year, and that would
15 be excellent, and then I think it helps with the risk factor in
16 subsequent years by changing the season, but I just think we're
17 in kind of a window here, where we just don't know whether that
18 work is going to get done.

19
20 **MR. DIAZ:** Thank you.

21
22 **CHAIRMAN BOSARGE:** John.

23
24 **DR. FROESCHKE:** One other point, and sorry to keep interrupting,
25 but one thing to think about is, in 2018, if we did what you
26 were discussing now, there wouldn't be a fall season to count
27 against the 2018 quota, and so you could fish the entire thirty
28 days of May. It's very unlikely, I would think, that you would
29 exceed the entire 2018 quota based on a month. Then, going from
30 2019 on, you would have a month of real data to actually use to
31 inform the catch rates moving forward.

32
33 **CHAIRMAN BOSARGE:** All right. Mr. Swindell.

34
35 **MR. SWINDELL:** I am still having a lot of trouble trying to
36 really get a handle on just how all of this is going to work,
37 but, just as Dr. Shipp reported, you're still going to wind up
38 with a derby affair, if you're only going to give these people
39 one month, four weeks, in which to go and get their livelihood
40 done and to try to stay in business, and so I don't know what
41 that's going to do, John, to the amount of fish being caught.

42
43 I still would have question -- You know, it's going to help,
44 perhaps, the spawning for future years, but it's certainly not
45 going to see, I don't think, necessarily improvement in the year
46 of increased spawning potential. I don't know how old these
47 fish are when they're being caught now. It's just concern.

1 **CHAIRMAN BOSARGE:** Mr. Anson.

2
3 **MR. ANSON:** To Robin's point, I don't -- I mean, certainly,
4 someone could say --I don't recall us saying that we were going
5 to have the delay of opening so that we could ensure a spring
6 season. I thought it was a delay of the opening so that we can
7 ensure we had enough time to deliberate amongst how best to
8 apportion the resource and distribute the resource, and so I
9 think we've done that, and we're under the constraints of the
10 process.

11
12 The process is long and sometimes hard, and we just talked about
13 the process and how it would impact the 2018 season too, and so
14 I think we did that more as a process thing than a guarantee,
15 although I think there's been discussion to try to work within
16 the confines of the system, for data collection and for us as
17 managers, with the ACLs and everything and try to apportion the
18 season so that we can provide as much access again to as many
19 people as possible, and so I just -- I guess I will go on the
20 record, and you will see my hand raised, but I am going to go --
21 I am going to be in support of Johnny's motion, for some of the
22 points that have already been discussed.

23
24 **CHAIRMAN BOSARGE:** Okay. We have a substitute motion on the
25 board. Is there any final discussion on the motion? **Seeing**
26 **none, all those in favor, signify by raising your hand.**

27
28 **EXECUTIVE DIRECTOR GREGORY:** Fifteen yes.

29
30 **CHAIRMAN BOSARGE:** All those opposed, same sign.

31
32 **EXECUTIVE DIRECTOR GREGORY:** One opposed. The motion carries
33 fifteen to one.

34
35 **CHAIRMAN BOSARGE:** Okay. So that's the two action items in that
36 document. Mr. Strelcheck.

37
38 **MR. STRELCHECK:** John said there is a potential to bring back a
39 bag limit analysis in January, and I know there was a lot of
40 public testimony yesterday about a fractional bag limit
41 analysis, and I wanted to find out if that was of interest to
42 the committee or the council.

43
44 We did do a very preliminary analysis, and the estimate for one
45 fish per two anglers is approximately a 38 percent reduction,
46 and so it is significant. It might alleviate some of the
47 concerns of not having a spring or a fall season, and so I just
48 wanted to mention that. If there is interest, we could

1 certainly provide a more detailed analysis at the next meeting.

2
3 **CHAIRMAN BOSARGE:** Ms. Guyas.

4
5 **MS. GUYAS:** I think there is. I think, at our last meeting, we
6 passed a motion to do two frameworks, this one and then one to
7 look at bag limits and something else, I think. The trip
8 limits, and so, yes.

9
10 **CHAIRMAN BOSARGE:** Dr. Simmons.

11
12 **DR. SIMMONS:** Thank you, Madam Chair. Yes, I was just going to
13 bring that up, what Ms. Guyas pointed out. You passed a motion
14 for us to look at another framework action to look at the vessel
15 limits and the commercial trip limits. Within that, would you
16 also like us to look at changes to the commercial fishing year,
17 just to be proactive, since changes were just passed to the
18 recreational fishing year?

19
20 **CHAIRMAN BOSARGE:** Mr. Anson.

21
22 **MR. ANSON:** I would think so. Andy, correct me if I'm wrong,
23 but I thought you had said that it creates a little bit of a
24 problem in the assessment when you have the two different
25 fishing years between the two sectors, and is that correct, Andy
26 or Dr. Ponwith?

27
28 **DR. PONWITH:** I am just trying to look through our records from
29 how we've dealt with this, and there are a couple of ways we can
30 -- Having two different fishing years does make things more
31 complicated, and the real question is, mathematically, how we
32 would sort that out, whether we use the calendar years as the
33 data inputs for the assessment, which is still possible, even
34 though the fishing years, from a management standpoint, are
35 different.

36
37 I am trying to look through my notes to see how we've done that
38 with other cases, and I think that it's something that we can
39 work around. It's just a matter of whether we consolidate by a
40 calendar year or then try and work out the different fishing
41 years, but I think we can work around it.

42
43 **CHAIRMAN BOSARGE:** Mara.

44
45 **MS. LEVY:** I think we can probably work around this too, but, to
46 me, it does complicate the ACL kind of tracking. I mean, we
47 don't necessarily specify a stock ACL here, but we do have a
48 stock ABC, and then we've had that per year, and we have divided

1 it between commercial and recreational, and so now you're going
2 to have one sector kind of on a mid-year thing and one sector
3 running on a calendar year based on an ABC that right now is for
4 2018/2019, and so I think we just have to think about how to
5 measure the catches against that ABC at least, kind of figure
6 that out, and so, to me, it does complicate things to have the
7 two separate fishing years, but I don't know that it's an
8 insurmountable complication.

9
10 **CHAIRMAN BOSARGE:** Dr. Simmons.

11
12 **DR. SIMMONS:** I was just going to point out that I think we did
13 it for yellowtail snapper, most recently. We looked at changing
14 the fishing year for both the recreational and commercial
15 sectors, and that is managed jointly with the South Atlantic
16 Council, and we also adopted the same fishing year, and so I
17 think there is a level of complication, and we could look into
18 that and bring you something, at least for background
19 information.

20
21 The other question that John and I had is -- So our
22 understanding, if you would like us to do that, is we would add
23 that to the framework action, the vessel bag limits, the
24 commercial trip limits, and did you want us to look at splitting
25 a quota for fall and spring or is that still on the table as
26 well?

27
28 **CHAIRMAN BOSARGE:** Dr. Frazer.

29
30 **DR. FRAZER:** I think that would still be on the table. I would
31 certainly like to see that in the document.

32
33 **CHAIRMAN BOSARGE:** I am seeing some nodding of heads around the
34 table to go along with Dr. Frazer's comment, and so, yes, we
35 would like to see that in the document. Jack.

36
37 **DR. MCGOVERN:** For the split quotas, do you want staff to come
38 up with a range of alternatives to be considered or does the
39 council want to have some suggestions for that?

40
41 **CHAIRMAN BOSARGE:** We have heard the 25/75, and I would venture
42 to guess, when John told us what that would get us, I am
43 guessing that the percentages for the first season would go up
44 from there, if they were making alternatives, because it got you
45 a truncated month. You didn't get the whole month when you did
46 a 25 percent, but I will leave that open to the council, if you
47 want to throw out some ideas. Ms. Guyas.

1 **MS. GUYAS:** I guess we heard the 25/75 idea, but, yes, I think
2 it probably would take staff taking a hard look at past history,
3 particularly before we got to these short seasons, to see what
4 makes sense and make some options from there.

5
6 **CHAIRMAN BOSARGE:** So we're going to give staff some flexibility
7 there. Any other advice that you want to throw out to staff to
8 just kind of let them know where you're headed, or are you good
9 with this? All right. I think we're good with it. Anything
10 else on amberjack?

11
12 Well, we have picked preferreds, but we're up for final action
13 on this document, and so, if you want to implement it, we're
14 going to need at least one more motion. I will go ahead and
15 tell staff, if you want to get that language ready, that
16 typically helps with that motion. Mara, do you want to take us
17 through the codified text while they're getting that up on the
18 board for us?

19
20 **MS. LEVY:** There is codified text in the briefing book, but it's
21 pretty much a shell, because you didn't have any preferred
22 alternatives, and so it shows the things, the areas, that would
23 need to be changed, although it did just occur to me that if we
24 change the fishing year that we will also have to probably
25 change the ACL section to reflect that the recreational ACL is
26 not like -- It's not for 2018 anymore. It's like August of 2018
27 to whatever, 2019, and so I think staff will have to modify the
28 codified text to reflect that as well, and so it will definitely
29 come back to the Chair for re-deeming.

30
31 **CHAIRMAN BOSARGE:** All right, and so that was the codified text
32 that we just went through, and it was on the board. If someone
33 wants to take final action on this and send it to the Secretary,
34 that would be the motion that you would need to ask staff to put
35 on the board. Chairman Greene.

36
37 **MR. GREENE:** I make a motion to approve the Framework Action for
38 Greater Amberjack and that it be forwarded to the Secretary of
39 Commerce for review and implementation. Deem the codified text
40 as necessary and appropriate, giving staff editorial license to
41 make necessary changes in the document. The Council Chair is
42 given authority to deem any changes to the codified text as
43 necessary and appropriate.

44
45 **CHAIRMAN BOSARGE:** Is there a second to the motion? It's
46 seconded by Dr. Mickle. Any discussion on it before we go to a
47 roll call vote? Okay. This will be a roll call vote. Mr.
48 Gregory.

1
2 EXECUTIVE DIRECTOR GREGORY: Ms. Guyas.
3
4 MS. GUYAS: Yes.
5
6 EXECUTIVE DIRECTOR GREGORY: Mr. Greene.
7
8 MR. GREENE: Yes.
9
10 EXECUTIVE DIRECTOR GREGORY: Mr. Strelcheck.
11
12 MR. STRELCHECK: Yes.
13
14 EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.
15
16 MR. RIECHERS: Yes.
17
18 EXECUTIVE DIRECTOR GREGORY: Dr. Mickle.
19
20 DR. MICKLE: Yes.
21
22 EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.
23
24 MR. SANCHEZ: Yes.
25
26 EXECUTIVE DIRECTOR GREGORY: Mr. Anson.
27
28 MR. ANSON: Yes.
29
30 EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.
31
32 MR. SWINDELL: Yes.
33
34 EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.
35
36 DR. STUNZ: Yes.
37
38 EXECUTIVE DIRECTOR GREGORY: Dr. Shipp.
39
40 DR. SHIPP: Yes.
41
42 EXECUTIVE DIRECTOR GREGORY: Mr. Banks.
43
44 MR. BANKS: Yes.
45
46 EXECUTIVE DIRECTOR GREGORY: Mr. Matens.
47
48 MR. MATENS: Yes.

1
2 **EXECUTIVE DIRECTOR GREGORY:** Dr. Frazer.
3
4 **DR. FRAZER:** Yes.
5
6 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
7
8 **MR. DIAZ:** Yes.
9
10 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd. Mr. Dyskow.
11
12 **MR. DYSKOW:** Yes.
13
14 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.
15
16 **CHAIRMAN BOSARGE:** Yes.
17
18 **EXECUTIVE DIRECTOR GREGORY:** The motion passes sixteen to zero
19 with one absent.
20
21 **CHAIRMAN BOSARGE:** At this point, before we move on in the --
22 First off, there is no more discussion on greater amberjack,
23 correct? Everybody is okay? All right. Before we move on in
24 the committee report, I heard a lot of public testimony on red
25 grouper last night, and I heard some people asking for some
26 interim measures or some emergency action.
27
28 The fishermen have been telling us that for a long time. Now,
29 the landings aren't anywhere close to the ACLs, and so I'm not
30 sure exactly what the interim measure would be if the fish
31 really aren't even coming in, but, having said that, I think
32 they are correct, and so we will probably get with the Center
33 and NMFS and see if we can't bring back some sort of data to
34 give us an idea there of maybe what's going on, if there is
35 anything we can do currently and what those options might be,
36 and is that okay with everybody, if we take a look at that at
37 our next meeting? Mr. Anson.
38
39 **MR. ANSON:** I say this recalling the conversation you had, Dr.
40 Ponwith, about the process for this new path or notion of
41 looking at indices, but I am wondering if this could be a little
42 test that you can kind of tip the toe in the pool and kind of
43 come back with some of those three or four major indices, if you
44 have the data handy to look at in kind of a historical context
45 and have that as part of the information, to kind of go down
46 that path a little bit.
47
48 **CHAIRMAN BOSARGE:** Dr. Ponwith.

1
2 **DR. PONWITH:** Thank you, Madam Chair. That's exactly what we
3 would take a look at. With the amount of time we have, we would
4 take a look at what data we have in our hands, and, if you have
5 incomplete information, typically what you try and do is look at
6 multiple lines of evidence.

7
8 We would take a look at catch per unit effort, where we had
9 those data in our hands. We would look at age composition,
10 where we had those data in our hands, and see if we can pull
11 together as much of that as we have to be able to help the
12 council understand quantitatively what we're hearing
13 qualitatively through the public comment.

14
15 **CHAIRMAN BOSARGE:** Mr. Gregory.

16
17 **EXECUTIVE DIRECTOR GREGORY:** We have not done this before, and
18 so this is going to be a little exploratory effort, and it will
19 be within a short period of time, but it's broaching on an
20 update assessment, but I guess we'll see what we can do.

21
22 **CHAIRMAN BOSARGE:** Let me make it clear that I'm not asking
23 staff for an amendment of any sort or any kind of document. I
24 am simply asking for a presentation, so that we can look at the
25 data streams and the science that's there and complement that
26 with what the fishermen have been telling us and see, compare
27 the two and see where we're at and see if we think we need to
28 take -- If there is any action we can take, we'll talk to staff
29 about it at that point and make motions. I am just being clear
30 that this is just a presentation with information. Yes, sir.

31
32 **MR. GRINER:** I would like to add that this red grouper problem
33 is not just in the Gulf. We're seeing it in the South Atlantic,
34 and we're really struggling with it.

35
36 **CHAIRMAN BOSARGE:** Thank you, sir. Mr. Atran.

37
38 **MR. STEVEN ATRAN:** I was going to say that this sounds like an
39 item to put on the agenda for the SSC for their January meeting
40 to review.

41
42 **CHAIRMAN BOSARGE:** Thank you, sir. All right. Chairman Greene,
43 I will turn it back over to you to continue on with your
44 committee report.

45
46 **MR. GREENE:** Thank you, ma'am. Amendment 41, Allocation-Based
47 Management for Federally-Permitted Charter Vessels, staff
48 presented the motions from the Ad Hoc Red Snapper Charter/For-

1 Hire Advisory Panel meeting in September on Amendment 41 and the
2 referendum eligibility requirements.

3
4 Ms. Levy then provided an explanation of the steps related to
5 the referendum process. Staff then noted current preferred
6 alternatives and AP-preferred alternatives for each action in
7 Amendment 41. The committee then made the following motions.
8 **With two opposed, the committee recommends, and I so move, in**
9 **Action 1, to move Alternative 3 to Considered but Rejected.**

10
11 **CHAIRMAN BOSARGE:** Okay. We have a committee motion on the
12 board. Is there any discussion on the motion? **Seeing none, is**
13 **there any opposition to the motion? One opposed. The motion**
14 **carries.**

15
16 **MR. GREENE:** Without opposition, the Committee recommends, and I
17 so move, in Action 5.1, to add to the amendment the AP's
18 preferred Option 3d under Alternative 3, as Option 3c.

19
20 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
21 there any discussion on the motion? **All those in favor, signify**
22 **by saying aye; all those opposed, same sign. The motion**
23 **carries.**

24
25 **MR. GREENE:** The committee then discussed how hardships, such as
26 hurricanes or family illness, could affect the adaptive
27 management process and how that could be addressed. The
28 committee then made the following motions.

29
30 **Without opposition, the committee recommends, and I so move, in**
31 **Action 5.2, to add the AP-recommended option replacing Option 3b**
32 **currently in the amendment.**

33
34 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Any
35 discussion on the motion? **All those in favor, signify by saying**
36 **aye; all those opposed, same sign. The motion carries.**

37
38 **MR. GREENE:** Without opposition, the committee recommends, and I
39 so move, in Action 5.3, to make Alternative 3 the preferred.

40
41 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
42 there any discussion on the motion? Mr. Riechers.

43
44 **MR. RIECHERS:** We went through this rather fast, and we just
45 added a motion that basically created this cycle notion of how
46 they're going to redistribute and reapportion shares, and I just
47 want to go on the record -- Like I said, I wasn't certain where
48 the best place to do it was here, but I guess I want to make

1 sure that, as we talk about this, we're kind of talking about it
2 in this framework of it being this overarching give shares and
3 redistribute, but we haven't really got down to putting on the
4 record some of the level of what we think is going to happen and
5 how that's going to take place, and I want to take a moment to
6 do that here.

7
8 Obviously, if we were to do this, and I don't know that we will
9 do this, but, given this framework of distribution and
10 collection of shares and redistribution, here is what, at least
11 in my opinion, is possibly going to happen.

12
13 First of all, we've got X number of latent permits, and we also
14 know that we've got people speculating on those permits, and so,
15 when this -- If it were to go into enactment, that level of
16 latent permits is going to have to fish those shares in some way
17 to continue that allocation.

18
19 Those people are going to come into this, and they're going to
20 start fishing, and so, to create some share, and we get
21 discussion in shares and allocations intermixed here sometimes,
22 but they're going to be fishing to do that. In addition, in
23 order to get a larger redistribution of shares in following
24 years, they're going to want to fish more, and so it's going to
25 also tend itself to larger vessels that can go out or have more
26 trips or that can entertain more trips and entertain more people
27 and are going to put more people onboard to do that.

28
29 They probably can get out in weather when other people can't get
30 out as much, and so it is going to be an issue where people are
31 going to be fishing for shares to basically try to get more of
32 that redistribution when it occurs down the road, and so it's
33 going to lend itself to both somewhat of a race for fish as this
34 goes on in this X number of years where we do this cycle, but
35 also it's going to probably have a tendency to make those people
36 who can fish more days and put more people onboard and/or also
37 fish in bad weather to basically end up with more quota share if
38 you go to this sort of redistribution.

39
40 Like I said, we've talked about it, and we went through it in
41 committee, and we kind of talk about it at a real high level,
42 but I kind of wanted to make sure that, on the record, we start
43 understanding what that really means.

44
45 **CHAIRMAN BOSARGE:** Mara.

46
47 **MS. LEVY:** Just to point out that how that happens or the extent
48 to which that happens depends a lot on how you set up the other

1 aspects of the program, meaning, if people are distributed
2 shares and an allocation that goes with those shares, they only
3 have the allocation they were distributed unless they get
4 allocation from somebody else, and so you can't really -- You
5 can't just go out and fish whenever you want. You have a
6 certain poundage, and you can fish those pounds, or number of
7 fish, however you set it up. You can't get any more unless
8 someone is willing to sell it to you.

9
10 You can sort of cap that by an allocation cap, right, and so you
11 can cap how much allocation people can actually hold or use
12 during the year by having an allocation cap, in that sense, and
13 so there are ways to address that. I see what you're saying,
14 but there are other aspects of the program that could address
15 that type of situation, and you kind of -- All of it has to be
16 put together in a way that looks at the totality, I guess, to
17 actually understand what the impacts are going to be with
18 respect to those types of things.

19
20 **CHAIRMAN BOSARGE:** All right. Good discussion. Any further
21 discussion on this motion? Okay. **All those in favor, signify**
22 **by saying aye; all those opposed, same sign. The motion**
23 **carries.**

24
25 **MR. GREENE:** Without opposition, the committee recommends, and I
26 so move, in Action 6, to make Alternative 1 the preferred.

27
28 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
29 there any discussion on the motion? **Seeing none, all those in**
30 **favor, signify by saying aye; all those opposed, same sign. The**
31 **motion carries.** Mr. Dyskow.

32
33 **MR. DYSKOW:** Thank you. Just as a point of information for me,
34 and maybe I'm a slow learner, but we heard a lot of testimony
35 yesterday from people that were in support of 41 and 42, with
36 the full realization that they would have fewer shares than
37 under the current program, and these were smart businessmen, and
38 a lot of them were successful, and a lot of them had big
39 companies. They must, in their minds, have an underlying
40 process by which they intend to grow the numbers of fish
41 available to them, and what is that process? Does anybody have
42 any insight into that?

43
44 **CHAIRMAN BOSARGE:** Anybody want to answer? If not, I will take
45 a stab at it. I think it's this idea of the redistribution. In
46 other words, I think that they know that, because there is a lot
47 of latent permits, permits without landings, in other words, I
48 would venture to guess their train of thought is that we're

1 going to have to allocate -- Because we don't have a landings
2 history, we're going to have to allocate some to those
3 individuals that have not been fishing, but, if the trend is
4 that they have not fished in ten or twenty years, there's a
5 possibility that they can go fish, but that's not a certainty.

6
7 They may still be in an area that's not heavily populated with
8 red snapper, hence the reason that they're not fishing them, and
9 so, as you have this cyclical redistribution, those permits that
10 don't fish, that we went ahead and initially allocated some
11 share to, it starts to come off of those shares, slowly but
12 surely, and funnel back to the people that are fishing, but, to
13 give everybody a shot at having some share in that fishery,
14 we're going to set it up in the beginning where even if you
15 weren't fishing and you have a latent permit -- I say that's
16 where we're headed right now, but that could change, but you
17 will get some share to begin with, to give you a fair shot at
18 it. Does that make sense? They know they will take cuts
19 upfront, but they're thinking it will all balance out in the
20 end.

21
22 **MR. DYSKOW:** That does answer the question, and I appreciate
23 that response. I have a little bit of concern if we go down
24 that path, because we're talking about a recreational fishery,
25 different from a commercial fishery, and yet we're allowing the
26 big to get bigger at the expense of maybe the smaller or less-
27 able people, and what does that do to access to the fishery for
28 recreational anglers that are dependent on charter boats to
29 fish?

30
31 Let me explain. If there are a hundred boats, that will provide
32 access and cost-effectiveness for the recreational angler that,
33 if there were twenty-five boats, it wouldn't. In other words,
34 if there is fewer boats, they will be able to charge a higher
35 price, and it will just change the whole business model. It has
36 the potential to change the whole business model, and that's
37 where my concern is, fundamentally, with this process.

38
39 **CHAIRMAN BOSARGE:** Mr. Boyd.

40
41 **MR. BOYD:** Mr. Dyskow, to your question, I've got a little bit
42 different take on it. I think she's exactly correct that the
43 redistribution would allow for transfer of quota to different
44 people. There is a difference between shares and quota. We
45 will get to an action later on that talks about the transfer of
46 quota.

47
48 I think, personally, and this is personal, that there is an

1 underlying desire at some point to acquire additional shares of
2 quota through the purchase of that and thereby grow your
3 business, which is exactly what you're saying.

4
5 I think that there is also an underlying desire, at some point,
6 to have intersector trading between the commercial industry and
7 the charter/for-hire industry and the headboat industry, where
8 there can be a transfer of what is now commercial fish over to
9 them, but not necessarily to the private boat recreational
10 sector, and thereby grow their share and be able to make more
11 money. That's my personal opinion.

12
13 **CHAIRMAN BOSARGE:** Thank you, sir. Yes, sir, Mr. Greene.

14
15 **MR. GREENE:** Well, those are all relative points, but I think
16 one thing that kind of sticks out to me as a charter boat
17 operator is the fact that, yes, through Amendment 40, we have
18 got forty days, and it has had an increase. However, that can
19 go the other way, and, in some ways, for me, when I look at
20 this, I can kind of almost picture some form of stability,
21 because we've been down to as few as nine days, and, in some
22 cases, it's one of those things.

23
24 While it's great that we've got forty days and we've got forty-
25 six days and we've got all this other stuff, it can obviously go
26 the other way, should things not work out so well and we have an
27 increase of latent permits starting to fish in the fishery. All
28 of a sudden, we're going over our quota, and then we start
29 seeing reduced days, and that's kind of part of it, for me.

30
31 Now, some of the stuff that has been hit on at the table, I
32 think they're relative points. I am not going to disagree with
33 anything that's been said, but, for me, personally, looking at
34 this, that's kind of what I see in it, but there is 1,200
35 charter boats, and there is 1,199 other opinions out there.

36
37 **CHAIRMAN BOSARGE:** Mr. Sanchez and then Andy.

38
39 **MR. SANCHEZ:** I would add to this too that, while we're fishing
40 right now with the days afforded by Amendment 40, if this ever
41 comes to fruition, it gives these separate business entities the
42 ability to fish days that they want to as well and taking them -
43 - Right now, they're catching all their fish with all the
44 species combined, and maybe like in sixty days or forty days or
45 what have you, but this gives them the ability to spread out the
46 days, and, in some respects, that makes access to people who
47 want to hire them spread out a little further than just this
48 compressed amount of time as well.

1
2 **CHAIRMAN BOSARGE:** Mr. Strelcheck.

3
4 **MR. STRELCHECK:** Just to add to this, we have permits from Key
5 West, Florida all the way to Brownsville, Texas, and there is
6 going to certainly vessels that are going to be allocated red
7 snapper that rarely or never catch red snapper initially, and so
8 there has to be some redistribution that occurs, and so those
9 vessels that rely on red snapper are certainly going to be
10 under-allocated relative to maybe their current landings.

11
12 What we saw with our Headboat Collaborative pilot, when we ran
13 that a couple of years ago, is even they received less quota
14 than they would have expected during a forty-five-day season or
15 whatever the season was at that time, but the benefit from that
16 program was they were able to fish year-round with the quota
17 that they had available, and they were marketing trips in
18 winter, and you heard someone yesterday speak about snowbirds
19 and fishing during snowbird season, and so it provides a lot of
20 added business flexibility.

21
22 Keep in mind, at the end of the day, with our federal
23 regulations, we have a set quota, and we have a set poundage of
24 fish, and so that's essentially what we're allowed to catch, and
25 the question then becomes, well, how do you go about harvesting
26 that, both in the charter and private sector, and can we offer
27 more flexibility.

28
29 I think the greater amberjack discussion this morning is a great
30 case in point. We debated about the merits of when to start the
31 season, because Florida would prefer having that spring season.
32 Well, this would provide that flexibility to allow Florida
33 captains to have spring fishing and potentially the rest of the
34 Gulf to offer trips in the fall, and that benefits everyone.

35
36 **CHAIRMAN BOSARGE:** Mr. Anson.

37
38 **MR. ANSON:** To Mr. Dyskow, you bring up a good point, and we
39 have kind of a unique advantage, I guess, of having the IFQ
40 program in the commercial red snapper and grouper-tilefish
41 fisheries, and a lot of the points that we're addressing in this
42 document have already been addressed and have been incorporated
43 into the commercial IFQ programs.

44
45 One of the things that we've been discussing, relative to the
46 commercial IFQ, is this idea of new entrants, and so, as Andy
47 mentioned, there is a lot of permits out there that are spread
48 throughout the Gulf and are located in areas that don't have red

1 snapper currently, but, as we go through time and the stock
2 might continue to rebuild, as we're anticipating, and, if this
3 were to be implemented before the full rebuild would occur, and
4 we go through a cyclical redistribution, as we've kind of been
5 going down that path to try to get those fish currently, in
6 today's environment, to those that really need them, I think,
7 and I will address this later, when we get through this section
8 of the document, but I just wanted to pick it up, since he
9 brought it up, is that I think we need to look at some way, some
10 mechanism, that we set aside some pounds, because, in a static
11 fishery, everybody has got a permit, and they want to hold on to
12 their permit, because they want to still continue their
13 business, but, for that person down in southwest Florida or in
14 the Keys that maybe wasn't part of the initial redistribution
15 and, five years after the fact, all of a sudden snapper are out
16 the door and they've got to toss them over and they don't have a
17 chance to access them down there, and I think we need to look at
18 the new entrants at some point certain in the process that sets
19 some pounds aside for folks, so they don't have to relinquish --
20 We're not looking at transferability and such, and so that's
21 just to address Mr. Dyskow's point about this issue of access
22 and reduction and such. Thank you.

23
24 **CHAIRMAN BOSARGE:** Mr. Dyskow.

25
26 **MR. DYSKOW:** Thank you for that, and, again, I am the new guy
27 here, and so I have a lot to learn, and I am learning when I
28 hear these comments, but I am still concerned that we are
29 fundamentally changing the business model and the customer
30 relationship, both in the charter fishing six-pack fleet and in
31 the headboat operations.

32
33 Whether that's good or bad, I want to make sure that we all,
34 particularly myself, understand that, because this is a
35 fundamental shift in that business model and in the customer
36 relationship between the recreational angler and the boat, the
37 charter boat, in this case, and I am not sure that I understand
38 that, and I'm not sure that we fully understand the unintended
39 consequences. All of the benefits, I get. I understand, but I
40 still have a big concern about this shift in the business model.

41
42 **CHAIRMAN BOSARGE:** All right, and our discussion has kind of
43 gone away from the motion on the board. Is yours to the motion,
44 Dr. Stunz?

45
46 **DR. STUNZ:** It's to Mr. Dyskow's point, but it's something that
47 might be relevant to -- To your point, a while ago, when we were
48 debating 42 and that exempted fishing permit, if you guys

1 remember, and this has been a couple of years ago now, but there
2 was a report done about the success of that program,
3 particularly from the fishing side, but there was also a
4 component of it to sort of the angler satisfaction side that
5 gets to Mr. Dyskow's point, and we barely got a glimpse of that,
6 which sort of indicated that there were some issues with the
7 actual angling experience eroding, essentially, and I don't
8 remember, but we were supposed to have a follow-up to that
9 report on that side of it, but I don't know.

10
11 That kind of just fell by the wayside, and I never really
12 thought about that until now, until Phil brought up these
13 topics, but there was some concern that the actual angling
14 experience wasn't what -- It was good for the fishermen, but it
15 wasn't necessarily good for the guys on the back of their boat,
16 and I don't even recall who wrote the report or what it was
17 about, but we never had a follow-up to that side of it, because
18 it wasn't quite complete at the time.

19
20 **CHAIRMAN BOSARGE:** Okay. I don't remember that, but we'll try
21 and follow-up and see. I don't remember that discussion.

22
23 **DR. STUNZ:** It specifically was a result of a report on the EFP.

24
25 **CHAIRMAN BOSARGE:** All right. I'm going to let Assane answer
26 that question, and then let's get back to this motion on the
27 board.

28
29 **DR. ASSANE DIAGNE:** Just very quickly to Dr. Stunz's point, the
30 person that was working with the collaborative is Dr. Josh
31 Abbott, and he teaches at Arizona State University, and he has
32 recently published an article in *Marine Policy* detailing some of
33 the results, and I will be glad to share it with the council.

34
35 **CHAIRMAN BOSARGE:** Thank you, sir. All right. The motion on
36 the board -- Chairman Greene says that he hasn't read it into
37 the record yet, and so let me let him read it.

38
39 **MR. GREENE:** Without opposition, the committee recommends, and I
40 so move, in Action 7, to make Alternative 2 the preferred.

41
42 **CHAIRMAN BOSARGE:** Mara.

43
44 **MS. LEVY:** I think we meant -- At least with the Action 6 we
45 mentioned this, but, with this, making this the preferred --
46 Right now, you have a preferred to have a PFQ, right, for 41,
47 and so this doesn't really apply to a PFQ, because, if you
48 transfer the permit, the shares go with it. That automatically

1 happens, and then it says, in the discussion, that if the permit
2 is terminated that NMFS would redistribute the shares, and so
3 this applies if you have an IFQ and you want to somehow limit
4 IFQ transfers to permit holders.

5
6 I guess you could make it the preferred. Well, the second
7 sentence doesn't really go to that, right, because they can't
8 divest of their shares. NMFS will redistribute it, and so, to
9 me, it doesn't go to what your current preferred alternative is
10 for the program. This preferred doesn't jibe up with that.

11
12 **CHAIRMAN BOSARGE:** Essentially, what you're saying is, as we get
13 further and further into this document, if PFQ stays as the
14 preferred, this whole action item will end up in Considered but
15 Rejected, and is that what you're trying to say?

16
17 **MS. LEVY:** We would probably leave it in there, but I think we
18 would need to make it -- It does say it in the discussion, but I
19 think we would need to make it clear in the title of the action
20 that it only applies to an IFQ program. I think 42 does a
21 little bit better of a job of identifying that this type of
22 action is only applying to the IFQ-type program.

23
24 I will say, looking at 42, it also says that -- It says, in the
25 alternative, what would happen for a PFQ program and that you
26 don't need this, and it also says that, if the for-hire permit
27 is terminated, that NMFS would redistribute the shares
28 proportionally, whereas this document says the method of
29 distribution would need to be determined, and so I think, as
30 staff, me included, we need to kind of look at the discussions
31 and the way the alternatives are written that are very similar
32 between these two documents and make them more similar. They're
33 the same thing, and we don't want them to be different just
34 because they're in different documents, but, yes, I think we
35 should just make it clear that this doesn't apply if you have a
36 PFQ program.

37
38 **CHAIRMAN BOSARGE:** So noted. All right. Any further discussion
39 on the motion on the board? All those in favor of the motion,
40 signify by saying -- Andy, you have discussion?

41
42 **MR. STRELCHECK:** Can I make a substitute motion?

43
44 **CHAIRMAN BOSARGE:** Well, sure.

45
46 **MR. STRELCHECK:** I'm not sure people are clear what we're doing
47 here, and so we shouldn't be selecting this as the preferred.
48 We should be selecting the no action as a preferred. **I would**

1 like to make Alternative 1 the preferred alternative.

2
3 **CHAIRMAN BOSARGE:** You can make your motion, and that's fine,
4 Andy, but it was my understanding that Mara was going to put
5 some verbiage in there that essentially this action is only
6 going to apply if we go to an IFQ. Right now, we have a PFQ as
7 our preferred, and I personally don't have a problem having a
8 preferred of Alternative 2 under this action item. I think it's
9 the AP's will, and it would show our intent that, whichever
10 direction we go, the shares are going to stay with the permit.
11 In order to maintain shares, you're going to have to have that
12 permit.

13
14 **MS. LEVY:** I would just say it's inconsistent now. You have a
15 preferred alternative for a PFQ. Having this in here is
16 inconsistent with that, because -- Especially the second
17 sentence. If the participant transfers the permit or
18 endorsement, the owner must divest of shares, and you can't do
19 that under a PFQ.

20
21 You cannot divest of your shares if you transfer your permit,
22 and so, really, there should be no preferred under this
23 alternative if your preferred for the program remains a PFQ. It
24 just doesn't apply. My suggestion would be to vote down the
25 motion and not have any preferred for this action at all, unless
26 you're going to change your preferred program.

27
28 **CHAIRMAN BOSARGE:** All right. I don't have a problem with that,
29 but let me throw one more monkey-wrench into it. It's my
30 understanding, and when and if we come to the point where we're
31 ready to vote on a referendum for this, if we have an action
32 item in the document, and you're telling us that we won't have a
33 preferred on this action item, period, if we stick with a PFQ
34 preferred, and so what's that going to mean?

35
36 It was my understanding that we had to have preferreds for
37 everything, and so do you -- In other words, this may be
38 something that the interdisciplinary team needs to look at this
39 document and figure out how to line these action items up so
40 that it all flows.

41
42 **MS. LEVY:** I would say you have to have a preferred alternative
43 for every action that's applicable to the program you are
44 creating. This action would not be applicable to a PFQ program,
45 and so I think we just need to make it clear, up at the top of
46 this action, that this is only if an IFQ program is selected.

47
48 **CHAIRMAN BOSARGE:** Perfect. Sounds great. Right now, we have a

1 PFQ program, and so you're telling us it's not appropriate to
2 have a Preferred Alternative 2. Andy, did you make a substitute
3 motion, because you started to say that you were going to make a
4 motion, and then you had comment. Is it a motion or no?

5
6 **MR. STRELCHECK:** Let's just go ahead and vote up this
7 alternative. **I will withdraw my substitute motion.**

8
9 **CHAIRMAN BOSARGE:** All right. The substitute motion is
10 withdrawn. We have motion on the board, which legal has advised
11 us that we should not make a preferred, based on our other
12 preferences, and so, if we want to follow the lead of legal, we
13 will need to vote down, vote against, the motion on the board.
14 Clear as mud. Is everybody good? Okay. **All those in favor of**
15 **the motion on the board, signify by saying aye; all those**
16 **opposed, same sign. The motion fails.**

17
18 **MR. GREENE:** By a vote of nine to four, the committee
19 recommends, and I so move, in Action 8, to make Alternative 2
20 the preferred.

21
22 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
23 there any discussion on the motion on the board? Mr. Boyd.

24
25 **MR. BOYD:** I would like to make a substitute motion in 2.8,
26 Action 8, to make Alternative 4, 4b the preferred.

27
28 **CHAIRMAN BOSARGE:** Okay. We have a substitute motion. Staff is
29 getting that motion on the board for us. 4b, and so that's
30 going to be our auction alternative. Let's let staff get it on
31 the board, so we all know, and then I'll ask for a second. Mr.
32 Boyd, is that your motion?

33
34 I will read it to you. In Action 8, to make Alternative 4,
35 Option 4b, the preferred. Alternative 4 is annual allocation
36 may be transferred by surrendering it to a NMFS allocation bank
37 from which other program participants may obtain the allocation
38 by, and Option 4b is auction.

39
40 **MR. BOYD:** That is my motion.

41
42 **CHAIRMAN BOSARGE:** Thank you, sir. Is there a second to the
43 motion? It's seconded by Dr. Shipp. Is there any discussion on
44 the motion? Mr. Anson.

45
46 **MR. ANSON:** Going back to my earlier comments about the new
47 entrants, I just want to make sure that the program participant
48 is going to be defined as just the permit holder, reef fish

1 permit holder, or is it somebody that already has allocation?

2
3 **CHAIRMAN BOSARGE:** Mara.

4
5 **MS. LEVY:** It says in the discussion that the participation in
6 the lottery or auction would be restricted to participants with
7 a charter/headboat permit for reef fish, and so it looks like
8 permit holders and not just anybody, but permit holders.

9
10 **CHAIRMAN BOSARGE:** Dr. Frazer.

11
12 **DR. FRAZER:** Thank you, Madam Chair. This is really a question
13 for Doug, and I brought this up the other day, and I was
14 concerned that the AP indicated that in no way were they
15 interested in having an auction, and so I'm just curious what
16 your rationale is for making this the preferred.

17
18 **CHAIRMAN BOSARGE:** Mr. Boyd.

19
20 **MR. BOYD:** Sure. I fully understand their desire not to have to
21 pay for the fish. Frankly, if I was in their position and I was
22 going to get my raw materials free, I would want that. I have a
23 different opinion about that. I believe that raw materials need
24 to be paid for in any business, and I will give you an example.

25
26 I build houses, and I buy antique beams. The last one that I
27 bought was out of Atlanta, and it cost me about \$8,000 to buy
28 that beam. I then had it cut and milled into flooring, which I
29 could use and sell to my customers. I would love for somebody
30 to have given me that \$8,000 beam. I think that's a good
31 example.

32
33 I also buy logs. I buy mesquite logs and have them cut into
34 flooring or into table tops or whatever I need to have done. I
35 don't do all of it that way, but that is an example of where I
36 buy the raw material, and then I have it milled into something,
37 and that's exactly what the commercial people do, and that's
38 exactly what the charter/for-hire people are recommending, and
39 that's exactly what the headboat people are recommending, is
40 that they get their raw materials free and then have the ability
41 to use them in their business to make a profit.

42
43 I just have this fundamental belief that when you cross the line
44 from providing a service to someone for a fee to taking that
45 material that, quote, unquote, I believe is theirs and selling
46 it back to them or transferring it and having the ability to
47 make money on it in a secondary market of some sort, then you
48 need to pay for that raw material.

1
2 **CHAIRMAN BOSARGE:** Okay. I think they're paying for it either -
3 - I think this is just the mechanism by which the transfer
4 occurs, right, and maybe I am misinterpreting this. This is
5 saying the only way that you're going to be able to transfer
6 allocation, aka lease, is by -- Instead of it being something
7 that happens in the private market, where one fisherman gets
8 with another fisherman and says, okay, I need some allocation
9 and can I lease it from you, and that transaction occurs, this
10 mechanism would say, all right, there is two fishermen and they
11 need to lease, but they don't go to each other and lease.

12
13 One surrenders the allocation to the NMFS allocation bank, and
14 the fisherman that needs it has to go to the allocation bank and
15 bid for it, essentially. Either way, they're paying for it, and
16 I don't think fishermen just hand allocation to somebody. It's
17 a lease. It's a lease transaction, and so they are paying for
18 it one way or the other, but it's just the mechanism by which
19 they pay for it, right?

20
21 **MR. BOYD:** I think the point here is where does that money end
22 up? The money ends up in an auction with the people of the
23 United States in the Department of the Treasury. It ends up in
24 another fisherman's pocket, and my point is -- My point is that
25 it appears to be okay for the fishermen in an IFQ program to
26 create a new cost in the program by receiving an allocation of
27 shares that they pay nothing for and then they get to sell that.
28 They have created a new cost in the entire program for other
29 fishermen. It's not okay for the American public to create a
30 new cost in the fishery.

31
32 **CHAIRMAN BOSARGE:** Okay. Well, we may need to make that clear
33 in the document, because I guess I read this as almost like NMFS
34 is simply a clearinghouse. You're saying that, no, they're
35 going to give away their quota to NMFS and any quota that a
36 fisherman chooses to give away then that could be auctioned off,
37 and so, essentially, there won't be much leasing.

38
39 **MR. BOYD:** Exactly. Whenever someone wants to transfer quota,
40 it goes into a bank and then anybody, new entrants or anybody
41 who holds a permit, can go bid on that in a transparent, public
42 auction, and I would be okay with a lottery too, and I was going
43 to ask that question of Mara. Could we, in this motion, could
44 we say to select both Option a and b, or do you have to do one
45 or the other?

46
47 **CHAIRMAN BOSARGE:** Mara.
48

1 **MS. LEVY:** I guess my question is what would you be telling the
2 agency to do, meaning I think the council needs to decide how
3 the agency is supposed to redistribute this stuff. To just say
4 that they can do it by lottery or auction seems to be giving
5 them a little bit too much discretion.

6
7 **MR. BOYD:** Okay. That's why I chose 4b.

8
9 **CHAIRMAN BOSARGE:** Okay. I have John Sanchez and then Dr.
10 Frazer.

11
12 **MR. SANCHEZ:** Thank you, Madam Chair. Yes, I would speak
13 against this. The advisory panel, the industry, they're not
14 supportive of an auction, and I would remind everyone that, as a
15 practical matter, at the end of the fishing experience, the
16 angler is going to take these fish home, and so I just don't see
17 the point of this.

18
19 **CHAIRMAN BOSARGE:** All right. Dr. Frazer.

20
21 **DR. FRAZER:** My question really, Doug, is, in a lottery
22 situation, there is still a price attached to acquiring that
23 share, right, and who would set that price?

24
25 **CHAIRMAN BOSARGE:** Doug.

26
27 **MR. BOYD:** Well, I don't know that I agree with that. That is
28 why I chose auction, because that is a straightforward,
29 transparent bid situation. Now, I don't know how NMFS would do
30 the auction. Would they do it as a live auction with auction
31 participants, or would they do it as a silent auction, sealed
32 bid, and I don't know that. I'm not trying to get into the
33 details of it all.

34
35 **CHAIRMAN BOSARGE:** All right. I had Andy and then Dale and then
36 Ed.

37
38 **MR. STRELCHECK:** Doug, I appreciate your comments, and certainly
39 you have, I think, voiced your concerns well about resource
40 rents. What I am interested in is going back to the purpose and
41 need, the linkage between the purpose and need and this
42 preferred alternative, because I see this as essentially
43 preventing transferability, or severely limiting it, and our
44 purpose and need talks extensively about providing flexibility
45 and reducing management uncertainty and improving economic
46 conditions, and so this certainly diminishes the flexibility the
47 industry would have in terms of their operations, by not
48 allowing that transferability or free flow of allocation, and so

1 I'm just curious on your comments about that.

2
3 **CHAIRMAN BOSARGE:** Mr. Boyd.

4
5 **MR. BOYD:** Well, I would say that the operable term here is
6 "free flow", as opposed to a payment for the raw materials. I
7 still think you have all of the same mechanisms in place, but
8 it's just a manner of how that transfer is executed.

9
10 **CHAIRMAN BOSARGE:** I have Mr. Diaz and then Mr. Swindell. Mr.
11 Swindell.

12
13 **MR. SWINDELL:** Doug, I have a problem with this. In fact, I
14 know that when you buy a piece of timber and you have it
15 transferred and cut and put into a house, you made money with
16 it. You wound up charging people more money for that house
17 because of that additional cost that you incurred in getting it
18 done.

19
20 The same thing is going to happen to the boat owner if he has to
21 pay more for this. He is going to have to charge, eventually.
22 He will, in order for his business to be viable. He's going to
23 charge the fisherman that is up in Tennessee that has a boat and
24 a motor and everything else, but he doesn't have the ability to
25 use it to go offshore fishing in the size boat that he is using,
26 and so, to me, the people that you are hurting is not the boat
27 owner that's going to put this into his business, but it's going
28 to be all of the sport fishermen that come down to go fishing.

29
30 They're going to wind up paying for this auction cost, and I
31 think that's wrong. I don't know why we're penalizing all of
32 the sportsmen from all of these other states and local and all
33 the communities and then, if they decide not to come, you wind
34 up hurting the tourist inflow into the business and all the
35 money that goes along with all of that, and so I can't see doing
36 it this way. Thank you.

37
38 **CHAIRMAN BOSARGE:** I have Martha and then Robin. To that point,
39 Doug?

40
41 **MR. BOYD:** To that point. We haven't talked about all the
42 unintended consequences here or all of the mechanisms. Let's
43 assume, for a minute, that the allocations are given to an
44 individual and that individual doesn't want to fish. They have
45 the ability then to lease it.

46
47 They lease it to another charter captain, and another charter
48 captain pays three-dollars a pound for it, and the same thing

1 that you're talking about happens anyway, Ed, because that
2 charter captain that received it and paid for the lease to be
3 able to use it that year has to pay something for it, and so he
4 has the potential then to upcharge his customers. I see no
5 difference. It's a matter of who gets the money, to me.

6
7 **CHAIRMAN BOSARGE:** Real quick, and then we've got to -- I've got
8 a few people on the list, but I know there is people with planes
9 to catch. This is good conversation, and I don't want to hinder
10 it, but go ahead, Mr. Swindell.

11
12 **MR. SWINDELL:** But, Doug, to me, you still wind up with the
13 final payment is going to come from the fishermen that we're
14 putting this in the rest of the country that want to come here
15 and have an opportunity to go offshore fish. They wind up
16 paying the bill for this, one way or the other.

17
18 **MR. BOYD:** Well, yes, and possibly no. Yes, they could end up
19 paying the bill, but the bill is going to be there anyway,
20 because, if the person who acquires a leased fish and then turns
21 around and sells it, if the marketplace can stand an increased
22 fee, he will probably do it. If the marketplace cannot stand an
23 increased fee, due to competition, he may not do it, and he may
24 just buy it and lease it so that he can stay in business and
25 have it as a potential fish to catch.

26
27 **CHAIRMAN BOSARGE:** All right. Martha.

28
29 **MS. GUYAS:** At least just flipping through the document, and I
30 will be honest that I just was trying to go through it and see
31 where there is auction mentioned in there, and there's not
32 really a lot of information about how this would go down.

33
34 I think, if we're going to look at this, I mean, I think we need
35 more explanation of exactly what the mechanism would be. I
36 mean, just saying that there's going to be an auction, okay, and
37 so I am not saying that I am opposed to this, but I'm not
38 really, I don't think, ready to choose it as a preferred, since
39 we don't really understand what this would look like, but, if
40 this is going to stay in the document, which it's in the
41 document now, I think we do need at least an explanation of how
42 the auction would go. I don't know if it's also other actions,
43 if there is choices that the council would need to make about
44 how this would work, but I just wanted to bring that up.

45
46 **CHAIRMAN BOSARGE:** Okay. I have Robin next.

47
48 **MR. RIECHERS:** I think part of the issue here is we're dealing

1 with auctions kind of on the backend of the discussion, as
2 opposed to maybe where it should be. This is on allocation that
3 someone would be willing to give up and put back in the system,
4 and certainly I understand the concept that we're trying to
5 achieve here, which is then to create some rents off of that.

6
7 I think the bigger question really goes to the advent of the
8 bigger program itself and whether or not, if you were to
9 establish this type of program, do you want to grant those
10 windfall profits that go with granting certain allocations to
11 people and then them having a share that is tradeable, and those
12 are the questions that we're asking in 36B of the past IFQ
13 system, because we've granted that and we've seen some of the
14 issues with that and the unintended consequences, or intended
15 consequences, however you want to classify them, depending on
16 what you were thinking the program was going to do.

17
18 I think one of the questions that we could ask of this whole
19 question is whether or not we want to continue with that thought
20 process in mind of a windfall profit.

21
22 Getting to the flexibility issue and kind of the need, is, if
23 you really want flexibility and you really want efficiency in
24 the market, do we open this up to where it's freely tradeable
25 amongst all these different categories, and that includes all
26 the categories, because that's how you create efficiency in the
27 marketplace.

28
29 **CHAIRMAN BOSARGE:** All right. Johnny, I am going to let you
30 have the last word, and then we're going to vote on this.
31 Johnny passes, and so we're going to vote on this. We have a
32 substitute motion on the board, and I do think we had some good
33 discussion, guys, and I think we will probably expand our
34 document, maybe, later in the future, to look at some more
35 stuff. All right.

36
37 In Action 8, make Alternative 4, Option 4b, the preferred.
38 Alternative 4 is annual allocation may be transferred by
39 surrendering it to a NMFS allocation bank from which other
40 program participants may obtain the allocation by, Option 4b,
41 auction. **All those in favor, signify by raising your hand.**

42
43 **EXECUTIVE DIRECTOR GREGORY:** Seven.

44
45 **CHAIRMAN BOSARGE:** All those opposed, same sign.

46
47 **EXECUTIVE DIRECTOR GREGORY:** Nine. The motion fails seven to
48 nine.

1
2 **CHAIRMAN BOSARGE:** All right, Chairman Greene. Do you want to
3 continue?

4
5 **MR. GREENE:** Yes, ma'am. The committee then discussed Action 9,
6 Share Caps, and requested additional information from council
7 staff --

8
9 **CHAIRMAN BOSARGE:** Thank you, staff. That was a substitute
10 motion, and so let's go back to our original motion on the
11 board. The original motion was, in Action 8, to make
12 Alternative 2 the preferred. Alternative 2 is an account must
13 have a charter/headboat permit for reef fish to receive
14 transferred allocation. Annual allocation can only be
15 transferred to a United States citizen or permanent resident
16 alien. Mr. Anson.

17
18 **MR. ANSON:** Picking up on what Robin just said about location of
19 this action in the document, I think he's right. I think this
20 needs to be more up in the front of the document, because it
21 really kind of would drive the show, and it helps to then
22 identify or delineate IFQ or PFQ, even though it's going to be -
23 - To be quite honest with you, I'm still a little confused
24 between the IFQ designation and the PFQ designation between 41
25 and 42.

26
27 There are some very fine subtleties, and it was brought up in
28 the last round of questioning that it perhaps should go to the
29 IPT for further refinement, and I agree, because this
30 transferability of shares and divestment of shares notion is a
31 little muddy, in my mind, and this is a very important aspect to
32 the program, and, to Mr. Swindell's comments earlier about that
33 the fishermen are ultimately going to pay the price, I agree.

34
35 The consumer in the IFQ program pays the price too, currently,
36 and the price is to have availability of product, and, in this
37 case, it's availability of charter boat owners to have a boat
38 available to fish when that person wants to fish, and so there's
39 a premium to that, rather than just trying to be forced into a
40 June 1 to July 19 time period.

41
42 This program would set it up so that those fish could be fished
43 a little more freely throughout the year, which would be more
44 conducive to an individual to pick their time that they would
45 prefer to have it, and so, in a marketplace situation, that's
46 going to automatically kind of go to those that want to pay a
47 little bit more to have more flexibility, and so I think maybe
48 that's what we ought to really consider, Madam Chair, is kind of

1 restructuring the document.

2
3 Maybe have a little bit more verbiage to describe the process a
4 little bit better, and maybe we can get this IFQ and PFQ notion,
5 and it may not be as much of a problem in 41 as it is in 42,
6 but, when you match up the two documents, there is some
7 discrepancy there, I think, and it creates some confusion
8 amongst my little pea brain, but I think the folks that are in
9 the industry and the general public as well. That's all I want
10 to comment about the motion.

11
12 **CHAIRMAN BOSARGE:** Mara.

13
14 **MS. LEVY:** I guess I have a couple of questions about that, in
15 terms of the document, meaning it goes in a particular order,
16 sort of what type of program you want, how you're going to --
17 Like how much the charter -- What species are going to be in
18 there and what the charter vessels are going to get and then how
19 you're going to distribute that charter quota among the vessels.

20
21 Well, in that action, which is the initial allocation action, it
22 has an auction. It has all of those alternatives, right? You
23 can do it by auction, or you can do it by region, or you can do
24 it by passenger capacity, or you could mix those up, and so then
25 it goes through, well, the cyclical redistribution, because that
26 kind of goes to adjusting that initial allocation, and then it
27 goes to limits on share transfers, limits on allocation
28 transfers, and so where, I guess, would you put this in that
29 order, meaning there is kind of an order that it goes in, and
30 this just happened to be Action 8, because there is so much that
31 comes before it that seemed like more initial decisions that
32 need to happen.

33
34 I mean, you can structure it any way you want, but I don't --
35 Without sort of specific instruction to staff about where you
36 think things are appropriate, I don't know that we would know
37 where to put it, because I think we structured it in such a way
38 that we thought it kind of went step-wise.

39
40 **CHAIRMAN BOSARGE:** Mr. Anson.

41
42 **MR. ANSON:** I only offered it to underscore Robin's suggestion
43 or concern, and so I understand that you've got to have A to
44 have B and then you have B to have -- I mean, I only threw it
45 out there, again, to underscore what Robin's comment was. If
46 you take it back and, again, it follows the flow, at least in
47 the IPT's mind and such, that's fine. I just think it needs
48 some further clarification on the frontend, and maybe perhaps

1 because we haven't really kind of nailed that down, the PFQ
2 notion, at least in 41, is that it needs to be fairly clear, and
3 then, again, some of the discussion here for this alternative,
4 particularly in this action, there might need to be a little bit
5 more clarification, more verbiage.

6
7 **CHAIRMAN BOSARGE:** Okay. Thank you. I appreciate it. There's
8 a motion on the board. Is there further discussion on the
9 motion? **All those in favor of the motion, signify by saying**
10 **aye; all those opposed, same sign. The motion carries.** All
11 right, Chairman Greene.

12
13 **MR. GREENE:** The committee then discussed Action 9, Share Caps,
14 and requested additional information from the council staff
15 regarding a range of percentages for consideration with
16 Alternative 3.

17
18 The committee then discussed Action 10.1, Cap on Usage of
19 Allocation for IFQs/PFQs, and noted its relationship to the
20 share caps to be established in Action 9. The committee made
21 the following motions. **Without opposition, the committee**
22 **recommends and I so move, to move Action 10.2, Harvest Tags, to**
23 **Considered but Rejected.**

24
25 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Any
26 discussion on the motion? **Seeing none, all those in favor of**
27 **the motion, signify by saying aye; all those opposed, same sign.**
28 **The motion carries.** Mr. Anson.

29
30 **MR. ANSON:** I don't want to beat a dead horse here, but, going
31 back to my statement about clearing up the language, in the
32 language for the motion that was voted on for Alternative 4 in
33 Action 8, it talks about tags that are issued and that they
34 would be reissued under the allocation, and so, if we're not
35 going to have tags in the program, and it just may be semantics
36 that it's just a word that was picked for that allocation, and
37 it made it easy to conceptualize it, but, again, that needs to
38 match up with some of this, too. Madam Chair, that was in the
39 discussion part of the alternative.

40
41 **CHAIRMAN BOSARGE:** All right. Mara.

42
43 **MS. LEVY:** I think it was like that to indicate, because we
44 hadn't removed harvest tags yet, that it applied to either
45 allocation or harvest tags, and so, since you've moved them to
46 Considered but Rejected, we'll have to go through the document
47 and kind of clear that up.

1 **CHAIRMAN BOSARGE:** Thank you, Mara. Okay. Any other
2 discussion? Johnny, do you want to go ahead?

3
4 **MR. GREENE:** Without opposition, the committee recommends, and I
5 so move, to have staff include actions for cost recovery and
6 quota adjustments in Amendment 41.

7
8 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
9 there any discussion on the motion? Seeing none, all those in
10 favor, signify by saying aye; all those opposed, same sign. The
11 motion carries. Ms. Guyas.

12
13 **MS. GUYAS:** Real quick before we leave this one, a couple of
14 people that spoke last night, they spoke about this amendment,
15 and they were also asking about the electronic logbooks, and I'm
16 just wondering if we can get an update on what's going on with
17 that amendment, since it has cleared the council process and
18 it's just kind of hanging out there.

19
20 **CHAIRMAN BOSARGE:** I was actually going to request that be on
21 our agenda for January, but, if NMFS has a preliminary update,
22 I'm sure the fishermen are still listening in and they would
23 like to hear it, or you can bring it back to us in January, but,
24 if you know it now, go ahead.

25
26 **MR. STRELCHECK:** Would you like the update now or later in the
27 day?

28
29 **CHAIRMAN BOSARGE:** Now.

30
31 **MR. STRELCHECK:** Okay. We have not yet submitted a proposed
32 rule to Headquarters. We have been advised that we need to
33 provide some additional details about the program, but, going
34 back to July, I think it was, we stood up an implementation team
35 within the National Marine Fisheries Service that includes not
36 only National Marine Fisheries Service staff, but council staff
37 and Gulf State partners and ACCSP and many others. It's an
38 extensive list of somewhere in the order of forty or fifty
39 people.

40
41 We have a number of different sub-groups that are dealing and
42 tackling with different topics, anything from where is the data
43 going to be housed and how is the data going to be validated and
44 what are the tools that we're going to be requiring for
45 submission of electronic reporting, and they are working through
46 that process deliberately.

47
48 Obviously, we won't be standing up a program at the start of

1 2018. Right now, the goal is to stand up that program for 2019,
2 and we will continue to provide updates and details as it
3 evolves through that implementation process.

4
5 **CHAIRMAN BOSARGE:** Thank you, sir. All right, Johnny. Do you
6 want to continue on?

7
8 **MR. GREENE:** The committee then discussed the two options under
9 consideration in the referendum eligibility requirements, but no
10 motion was made.

11
12 **CHAIRMAN BOSARGE:** Okay. So that concludes 41. Do you want to
13 keep going, Johnny?

14
15 **MR. GREENE:** Yes, ma'am. Amendment 42, Reef Fish Management for
16 Headboat Survey Vessels, staff gave a presentation on the
17 recommendations made by the Ad Hoc Reef Fish Headboat AP during
18 their September meeting. The AP members discussed the
19 management actions in Amendment 42, the referendum eligibility
20 requirements, and issues raised under other business.

21
22 Committee members discussed the type of program to establish for
23 headboat survey vessels and passed the following motion. **With**
24 **two opposed, the committee recommends, and I so move, in Action**
25 **1, to make Alternative 2 the preferred.**

26
27 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
28 discussion on the motion? All right. All those in favor of the
29 motion, signify by saying aye; all those opposed, same sign. We
30 need a show of hands. **All those in favor, signify by raising**
31 **your hand.**

32
33 **EXECUTIVE DIRECTOR GREGORY:** Seven.

34
35 **CHAIRMAN BOSARGE:** All those opposed, same sign.

36
37 **EXECUTIVE DIRECTOR GREGORY:** Seven. **The motion fails seven to**
38 **seven.**

39
40 **CHAIRMAN BOSARGE:** All right, Chairman Greene.

41
42 **MR. GREENE:** Thank you. Committee members discussed the
43 establishment of an endorsement or separate permit for headboat
44 survey vessels and made the following motion. **Without**
45 **opposition, the committee recommends, and I so move, in Action**
46 **4, to make Alternative 2 the preferred.**

47
48 **CHAIRMAN BOSARGE:** All right. We have a committee motion on the

1 board. Any discussion on the motion? **Seeing none, all those in**
2 **favor, signify by saying aye; all those opposed, same sign. The**
3 **motion carries.**

4
5 **MR. GREENE:** Committee members discussed the initial
6 apportionment of shares and made the following motions. **With**
7 **one opposed, the committee recommends, and I so move, in Action**
8 **7.1, to make Alternative 4 the preferred.**

9
10 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Any
11 discussion on the motion? Andy.

12
13 **MR. STRELCHECK:** Mara just pointed out, and I agree, that we're
14 selecting essentially a preferred alternative despite the fact
15 that we just voted down an IFQ program, and so there's a
16 disconnect here, in terms of selecting a preferred alternative
17 without the overarching program. I am not saying that you can't
18 do it, but it's just we voted down an IFQ program, but we're now
19 selecting a preferred for share apportionment.

20
21 **CHAIRMAN BOSARGE:** There seems to be some confusion around the
22 table. What is the confusion, guys? I see some confusion, and
23 I will be honest that I should have broken the tie, but I
24 didn't. I should have stopped it and broken the tie. Dr.
25 Frazer.

26
27 **DR. FRAZER:** If I understand this right, in Action 1, we
28 currently -- The way that the vote went down is that there is
29 not a preferred, and so that's the simple issue.

30
31 **CHAIRMAN BOSARGE:** Mara.

32
33 **MS. LEVY:** Right, and I'm not saying that you can't pick a
34 preferred for initial apportionment, but it's just that you just
35 decided that there was no preferred for the type of program that
36 you want. I mean, I guess you could just say that you're not
37 ready to decide if it's a PFQ or an IFQ, but it could also be
38 read to be you're not ready to decide that there is a program,
39 and so, I mean, I'm not -- You could go ahead. There is nothing
40 wrong with picking preferreds for other things, but it's just a
41 little bit odd that there's no preferred for the program and
42 you're selecting alternatives to implement that program,
43 potentially.

44
45 **CHAIRMAN BOSARGE:** Mara, I need an answer, because I didn't
46 vote, because I always get confused. I don't normally vote,
47 unless I'm pretty passionate about something, but, when it's a
48 tie like that, I don't know that it's going to be a tie until we

1 get both sides of the vote. Then what do I do? The Chairman
2 has the option to break the tie, and so what's the protocol? Do
3 I stop and I say -- When Doug asks me, do you want to vote,
4 Madam Chair, do you want to break the tie, or how does this
5 work? Do I just get to vote after the fact?

6
7 **MS. LEVY:** I don't really think there's a protocol. I mean, I
8 guess you get the final vote, if there's a tie.

9
10 **EXECUTIVE DIRECTOR GREGORY:** My advice was that the Chair should
11 vote the way the Chair wants to vote. When the yeas say yea, if
12 they feel like -- They should not wait to break the tie. Is
13 that inappropriate, because it seems to me to be more difficult
14 to say, okay, it's seven-to-seven and I will vote on one side or
15 the other to break the tie.

16
17 **CHAIRMAN BOSARGE:** Right, but the whole point is that I don't
18 always vote. I mean, I only vote if it's in that situation, and
19 then it's kind of strange. So, I should have stopped right then
20 and said, okay, Doug, I want to vote, and I would have voted and
21 broken the tie. Procedurally though, I don't think we can go
22 back and do that at this point, but I don't know, because we
23 have already voted on a motion, and we would be voting on the
24 same motion again. Dr. Shipp.

25
26 **DR. SHIPP:** I don't think it's really a problem. We're not
27 taking final action. All we're doing is selecting preferreds,
28 and so we're going to revisit this, it's my assumption.

29
30 **CHAIRMAN BOSARGE:** Mr. Anson.

31
32 **MR. ANSON:** I agree with Dr. Shipp, but I think, before the next
33 meeting, we ought to get some final clarification on that from a
34 Roberts Rules of Order expert.

35
36 **CHAIRMAN BOSARGE:** Thank you. Mr. Gregory.

37
38 **EXECUTIVE DIRECTOR GREGORY:** Somebody on the prevailing side can
39 always make a motion to reconsider.

40
41 **DR. SHIPP:** Yes, but, when it's a tie, which is the prevailing
42 side?

43
44 **EXECUTIVE DIRECTOR GREGORY:** Well, it failed, and so the nays.

45
46 **CHAIRMAN BOSARGE:** Let's continue on picking preferreds, and, at
47 our next meeting, we'll have that vote again, and we'll see if
48 we can come up with a preferred on that action item. I think we

1 kind of see where it stands, and so I think we should definitely
2 continue on picking preferreds. So, we have a motion on the
3 board. In Action 7.1, to make Alternative 4 the preferred.
4 Alternative 4 is apportioning initial shares among eligible
5 participants based on the year with the highest landings by
6 vessel for each species during the most recent five years of
7 2011 to 2015. Any further discussion on this motion? **All those**
8 **in favor, signify by saying aye; all those opposed, same sign.**
9 **The motion carries.**

10
11 **MR. GREENE:** With one opposed, the committee recommends, and I
12 so move, in Action 7.2, to make Alternative 2, Option 2a the
13 preferred.

14
15 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Any
16 discussion on the motion? **Seeing none, all those in favor,**
17 **signify by saying aye; all those opposed, same sign. The motion**
18 **carries.**

19
20 **MR. GREENE:** Committee members discussed the transferability and
21 maintenance of shares and made the following motions. **Without**
22 **opposition, the committee recommends, and I so move, in Action**
23 **8, to make Alternative 2 the preferred.**

24
25 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
26 there any discussion on the motion? **Seeing none, all those in**
27 **favor, signify by saying aye; all those opposed, same sign. The**
28 **motion carries.**

29
30 **MR. GREENE:** Without opposition, the committee recommends, and I
31 so move, in Action 9, to make Alternative 2 the preferred.

32
33 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
34 there any discussion on this motion? **Seeing none, all those in**
35 **favor, signify by saying aye; all those opposed, same sign. The**
36 **motion carries.**

37
38 **MR. GREENE:** Committee members discussed the transferability of
39 annual allocation and made the following motion. **By a vote of**
40 **seven to three, the committee recommends, and I so move, in**
41 **Action 10, to add an Alternative 4 that annual allocation may be**
42 **transferred by surrendering it to a National Marine Fisheries**
43 **Service allocation bank from which other program participants**
44 **may obtain the allocation by: Option 4a, lottery, or Option 4b,**
45 **auction.**

46
47 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
48 there discussion on the motion? Mara.

1
2 **MS. LEVY:** This just a suggestion, and I was going to make it
3 for the other one too, but we can do that later, and I think the
4 intent is -- It's a must, right? So, the intent for this
5 alternative, as in the other document, was this is the only way
6 that you can do an annual allocation. If that's true, it might
7 be clearer to say, "must be transferred" here, and then I assume
8 that was the intent in the other document, and we could change
9 the language, and so I'm just pointing that out, and I don't
10 know that you need a motion to do that, but I guess you can
11 decide how formal you want to be about that.

12
13 **CHAIRMAN BOSARGE:** Further discussion? Mr. Sanchez.

14
15 **MR. SANCHEZ:** I didn't interpret in this document that as an
16 absolute, a must. It was just putting another action item to be
17 considered in there, possibly, down the road.

18
19 **CHAIRMAN BOSARGE:** Ms. Levy.

20
21 **MS. LEVY:** Right, and it's adding an alternative, but I think,
22 and you can correct me if I'm wrong, that, if you actually
23 selected this alternative as a preferred in the future, that the
24 intent is that the annual allocation must be transferred in this
25 way, meaning it's not an option if you actually select it as a
26 preferred.

27
28 **CHAIRMAN BOSARGE:** Okay. Further discussion? **Seeing none, all**
29 **those in favor of the motion on the board, signify by saying**
30 **aye; all those opposed, same sign. The motion carries.**

31
32 **MR. GREENE:** The committee discussed share caps and made the
33 following motion. **Without opposition, the committee recommends,**
34 **and I so move, in Action 11, to make Alternative 2 the**
35 **preferred.**

36
37 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
38 there any discussion on the motion? **Seeing none, all those in**
39 **favor of the motion, signify by saying aye; all those opposed,**
40 **same sign. The motion carries.**

41
42 **MR. GREENE:** The committee discussed retaining annual allocation
43 before a quota reduction and made the following motion. **Without**
44 **opposition, the committee recommends, and I so move, in Action**
45 **13, to include different time periods for redistribution of**
46 **withheld annual allocation to shareholders if the effective date**
47 **of the final rule implementing the quota reduction has not**
48 **occurred by: Option a, June 1, or Option b, August 1.**

1
2 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
3 there discussion on the motion? **Seeing none, all those in**
4 **favor, signify by saying aye; all those opposed, same sign. The**
5 **motion carries.**
6

7 **MR. GREENE:** The committee discussed cost recovery fees and
8 requested that the amendment include more discussion on the
9 collection of cost recovery fees. The committee also discussed
10 alternatives for standard prices used in cost recovery.
11

12 The committee discussed new entrants and considered avenues to
13 facilitate new entrants' access to the fishery. The committee
14 requested staff include an action to consider a set-aside of
15 shares for the purpose of facilitating new entrants' access to
16 the fishery and made the following motion. **With three opposed,**
17 **the committee recommends, and I so move, in Action 15, to make**
18 **Alternative 4, the preferred.**
19

20 **CHAIRMAN BOSARGE:** We have a committee motion. Is there
21 discussion on the motion? **Seeing no discussion, all those in**
22 **favor signify by saying aye; all those opposed, same sign. The**
23 **motion carries.**
24

25 That finishes our discussion on 41 and 42. We're still behind
26 schedule, and so, if you all don't mind, we're going to carry on
27 with no break. Let's go on to our state management discussion.
28

29 **MR. GREENE:** Draft, State Management of Recreational Red
30 Snapper, staff reviewed the new allocation alternatives added to
31 the State Management Program Amendment. The SSC will review the
32 allocation approach based on red snapper biomass off each state.
33 SSC recommendations will be provided to the council at its
34 January meeting.
35

36 Staff then reviewed the individual state amendments. At the
37 last meeting, the council added an alternative to the Florida
38 and Texas state plans that was not added to the other state
39 plans. Staff noted that if an alternative is reasonable to
40 consider for one state, it would be reasonable to consider for
41 all states. The committee then passed the following motion.
42

43 **Without opposition, the committee recommends, and I so move, to**
44 **add the full delegation alternative to the Alabama, Louisiana,**
45 **and Mississippi state plans.**
46

47 **CHAIRMAN BOSARGE:** We have a committee motion on the board. Is
48 there discussion on the motion? **Seeing none, is there any**

1 opposition to the motion? No opposition, and the motion
2 carries.

3
4 **MR. GREENE:** Staff reviewed the provided list of current federal
5 regulations that could potentially be delegated to the states
6 and requested feedback from the Committee as to those
7 regulations that could be included as full delegation. The
8 staff will need further guidance in order to develop the
9 alternative for full delegation.

10
11 **CHAIRMAN BOSARGE:** That brings us to the end of our state
12 management discussion. Mr. Banks.

13
14 **MR. BANKS:** Just like what the staff wrote there, I've got to go
15 back to my boss and my commission and explain to them why I felt
16 like we needed to add this option. I am still unclear as to
17 really what full delegation means as well, and so I want to try
18 to explain it to our commission and to my boss, but I don't
19 exactly know what Texas and Florida are thinking in terms of
20 full delegation.

21
22 We heard from Mara that full delegation cannot mean doing a
23 stock assessment, and I think that's what I heard her say, on a
24 state-by-state basis, that NMFS cannot turn that kind of thing
25 over, and so I guess that would not be included in a full
26 delegation, but I am unclear as to what else would be included
27 in a full delegation, and can somebody help us out, so that I
28 can explain it my boss and our commission, please?

29
30 **CHAIRMAN BOSARGE:** Mr. Strelcheck.

31
32 **MR. STRELCHECK:** I don't think I'm going to be able to give you
33 the full list of what would constitute full delegation, and I've
34 given some thought to this as well. In committee, I mentioned
35 or had asked, in terms of interacting with your state
36 commissions and boards and other decision makers, and I think
37 what we could do is have council staff work with NMFS and
38 essentially put together a letter that could be sent to you that
39 outlines everything that could be delegated, to necessitate that
40 conversation with your board and commission, and with the hope
41 of then bringing that back in January for a more deliberate
42 discussion at the council meeting.

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

45
46 **DR. MICKLE:** I am trying to wrap my head around the full
47 delegation, and MSA is going to restrict some things, such as
48 the stock assessment and other things, and I guess this is a

1 question. Does full delegation -- Can it be customized by
2 state, or is it a one-shot deal for all five states, full
3 delegation, and we all have to agree on what that actually is of
4 what's bound by MSA and what's not and what agree on that we
5 identify as full delegation in our separate plans, as I have
6 full intent on keeping? That's a question.

7
8 **CHAIRMAN BOSARGE:** Mara.

9
10 **MS. LEVY:** I don't think there is a legal impediment,
11 necessarily, to having different delegations to different
12 states, but it seems to me that it would be extremely
13 administratively and enforcement complex, meaning a lot of the
14 delegations, at least that I know of, are in Alaska.

15
16 Alaska, compared to the Gulf, in that sense, is really easy.
17 It's one state, and it's one fishery management council. It's
18 like you delegate to Alaska and you know that Alaska is setting
19 it for everywhere in the EEZ that that council's jurisdiction is
20 over.

21
22 Here, we're talking five states in the Gulf of Mexico, and the
23 idea of having the states managing different pieces off these
24 lines that we're going to have to draw, I guess, unless somehow
25 it's landings based, but then, again, to me, that's season and
26 bag limit, almost.

27
28 I think we really need to think about the feasibility of having
29 each state have different types of delegation and whether that's
30 really going to be workable, but I am not going to say that it's
31 impossible to do, from a legal standpoint.

32
33 **CHAIRMAN BOSARGE:** Dr. Mickle, are you good with that?

34
35 **DR. MICKLE:** To that point, I think separate full delegations by
36 state will slow down everything very, very much, and I don't
37 think any of us want that. The states, my state, is at a point
38 where we want this to move forward in a way that fleshes out
39 exactly what each state wants, and I hear discussions from the
40 other states on exactly that point.

41
42 I don't think this will help, and I am not quite sure the full
43 delegation may be the way to go, but we need a lot more
44 discussion, and, again, we need those options of understanding
45 what full delegation is actually defined as. Then we come to
46 that other gorilla, which we'll discuss next time.

47
48 **CHAIRMAN BOSARGE:** Mara, to that point, and then I have Camp.

1
2 **MS. LEVY:** I think that was what staff was trying to get at, is
3 that nobody has described what full delegation means, and that's
4 not something staff can do, meaning, when you say full
5 delegation, there is a list of regulations that are red-snapper
6 specific. For Gulf reef fish, what are the states looking to
7 take over that is now managed by this council? That is
8 something, to me, that you all are going to have to answer.

9
10 What I was saying before, in terms of stock assessments and
11 catch levels, I don't think that's something we can delegate,
12 because we have five states, and not every state can decide what
13 its catch level is going to be. We have a quota we have to stay
14 under, and so, again, it's not like the State of Alaska and
15 there is one catch level and they decide all of these things to
16 meet it. We've got a lot of different things to consider.

17
18 **CHAIRMAN BOSARGE:** Camp.

19
20 **MR. MATENS:** Thank you, Madam Chair. To some extent, I see this
21 thing differently than Dr. Mickle. It's certainly not going to
22 be a surprise to me if some of the five different states are
23 going to want something different than the others. That's where
24 this is going. Accordingly, I would rather see a letter saying
25 not what we can do, but what we could not do. Is that something
26 that we could entertain?

27
28 **MS. LEVY:** So, I mean, potentially. To me, it still gets at the
29 issue of having the five different areas, meaning, when we were
30 originally looking at delegation and we were saying the states
31 are going to be able to set their season and bag limit, and then
32 that was essentially going to be a landings-based enforcement,
33 and so the EEZ was going to be open, unless for some reason some
34 state wasn't participating, and so all the enforcement,
35 essentially, was going to happen in state waters and at the
36 dock.

37
38 That seems fairly straightforward. If you say, states, you can
39 do anything but do stock assessments and ACLs, and each state is
40 out there trying to do some closed zone off of their state or
41 the gear restriction off of Florida in the EEZ, but not off of
42 Alabama, things start to get really complicated.

43
44 I guess I'm not sure where to go with that. We could put
45 together a, no, you can't do this list, but it doesn't really
46 answer the question of what do you want to do, what do you want
47 to do, what do you want to do in this delegation.

1 **CHAIRMAN BOSARGE:** All right. Next, I have Dale.

2
3 **MR. DIAZ:** Thank you, Madam Chair. I am just trying to think
4 about the timeline here. I want states to get exactly what they
5 want, and I think every state representative here is going to
6 have to go back to their commissions and their executive
7 directors, and they're going to have to figure out where, as a
8 state, they are comfortable, and I think that's what I want to
9 happen, but I do worry about the timeline.

10
11 I mean, I would like for us to implement this in 2019. 2017 is
12 gone. When we leave here today, it's done. We've got five
13 meetings next year, but we can't wait until late in the year.
14 This is a plan amendment, and this is not a framework.

15
16 I mean, Andy could probably, or somebody else, could speak to
17 timeline, but, if we want to implement this in 2019, there is a
18 drop-dead date of which we have to pick preferreds and move in
19 this document. That line is fast approaching, and so I just
20 want us to be cognizant of that timeline and maybe discuss that
21 timeline now.

22
23 I do want to add my two-cents, which I personally think the
24 conservation equivalency is the best way to go, but I'm not
25 trying to encourage the states to do it, if you all think the
26 delegation is the way to go, but my main thing for saying that
27 is this delegation is going to have a 75 percent bar.

28
29 We might could pass a 75 percent bar today, and I don't know,
30 but we've got to talk about some tough stuff yet to go, and I
31 don't know where the votes is going to shake out at the end, and
32 that simple majority is a lot easier hurdle to cross than that
33 75 percent bar, and so, for that reason, and I do think the
34 conservation equivalency will basically get us to where we need
35 to go also, and I would encourage people to really think long
36 and hard about these conservation equivalencies, but,
37 ultimately, I will respect your decisions within the parameters
38 of your state. Thank you, Madam Chair.

39
40 **CHAIRMAN BOSARGE:** Thank you, Dale. Next on the list is Andy.

41
42 **MR. STRELCHECK:** NMFS needs to do our job, in terms of providing
43 the states with the information for understanding what full
44 delegation entails, and it's been a little bit of a gray area
45 even for us, in terms of what is intended and meant by that and
46 whether there is differences between legally what we believe we
47 can delegate versus what the states view is, in terms of what
48 they would like delegated to them.

1
2 I go back to the letter, whether we frame it in terms of what
3 you can do or what you can't do, and I think it still
4 accomplishes the same intent, but I think the most important
5 part is we need to get a sense from each of the five Gulf states
6 as to exactly how closely aligned are we or how different are
7 we, in terms of that delegation and what the authority may or
8 may not look like.

9
10 Ideally, we would like to see all five Gulf states have the same
11 delegation, if this is the path we're going to go down. I
12 recognize that that's probably not going to happen, but is there
13 areas where we are going to have a lot of similarities and then,
14 those areas that there are differences, is there potential for
15 compromise?

16
17 To me, I think the approach with the letter is that it gets this
18 conversation going, so that we can then come back and have a
19 very informed conversation and see where there is similarities
20 and differences.

21
22 **CHAIRMAN BOSARGE:** To that point, Mr. Diaz?

23
24 **MR. DIAZ:** No, not to that point, but I do want to put Mr.
25 Strelcheck on the spot, and I apologize for this, Andy, but, to
26 my point about timeline, realistically, if we wanted to
27 implement something in 2019, what point of next year do we have
28 it clear this council with a final document? If you could speak
29 to that, that would be very helpful, for me. Thank you, sir.

30
31 **MR. STRELCHECK:** Well, I think it would depend on what you are
32 delegated at that point. When you're setting seasons in 2019
33 would play into that and affect, obviously, how late in 2018 we
34 potentially could take final action and get it implemented.
35 This is a priority of the agency. I would say June is probably
36 the drop-dead, and earlier would be better.

37
38 **CHAIRMAN BOSARGE:** All right. Next, I have Patrick.

39
40 **MR. BANKS:** We could pass it final today if everybody would
41 agree to it, or at least the Louisiana plan. The reason for
42 adding the full delegation to the document is so that all the
43 documents have the same options. I mean, obviously, that's what
44 we all want, is as many options on the table as we can get.

45
46 Certainly, my initial -- I can tell you where we were initially,
47 and that's, if we just could take whatever allocation was ours,
48 like we do right now with our state season, and determine when

1 our fishermen could catch it and the manner in which they could
2 catch it, that's what we started down the road to do, and I
3 think, minimally, I think we could probably all agree that that
4 would be helpful to us in all the states.

5
6 Certainly, if we can have more options than that, I think that's
7 great, but I understand where Dale is coming from about let's be
8 realistic about what we can all agree on, and so I would urge us
9 all as well that let's don't -- The states that wanted full
10 delegation, help us understand what that is, so we can all get
11 on the same page.

12
13 I just don't know what you all were thinking with full
14 delegation, and I still don't, and I still don't know what I can
15 tell my commission nor my boss about what full delegation means,
16 and so I hear that we're going to get some information about
17 what it could mean or what it couldn't mean, but I still don't
18 know what you guys had in mind from the other two states, and
19 that would be helpful.

20
21 **CHAIRMAN BOSARGE:** Martha.

22
23 **MS. GUYAS:** Andy, I think it would be helpful, from your side,
24 to have some kind of letter explaining where you all are coming
25 from on this and how you interpret it. Patrick, I think the
26 intention here is what you just said that you guys are wanting,
27 and so this would -- I think this was our intent, and Robin will
28 correct me if there's a different perspective in Texas, but the
29 idea here is to give the states all the tools in the toolbox,
30 tools we haven't even dreamed of yet, because, if this happens
31 and states end up with a little hunk of quota that they need to
32 manage, they may need to get creative.

33
34 If we do conservation equivalency plans, those are a little less
35 nimble, and they're going to take a lot of time. If we do a
36 delegation that is restricted to seasons and bag limits, we're
37 going to have to go back to the council to make changes to do
38 what a state needs to do, and so the intention here really is to
39 maximize the flexibility that you or other states would have.

40
41 I mean, if you all are not interested in adding this alternative
42 for you all, I am not going to stand in your way, certainly, but
43 that's what our intention was, I think.

44
45 **CHAIRMAN BOSARGE:** Next, I have Kevin.

46
47 **MR. ANSON:** I am kind of with you, Patrick, is that, from our
48 perspective, if we could kind of have our little quota carved

1 out, which we're all going to have to do, whether it's full
2 delegation or not, and that's the gorilla, I think, that Dale
3 mentioned earlier.

4
5 At this point, with some of the situations that we have yet to
6 identify, I think explicitly or 100 percent, there is going to
7 be a point where the agency is not going to be able to
8 accommodate, and so, in terms of expediency and trying to get to
9 a different place, I think less is more, maybe, at this point,
10 and that might be the approach, I think, you're getting at, is
11 that we try to at least identify maybe 80 percent or 90 percent
12 of what we can do or what it would mean and the path
13 administratively that we have to take to get there, just so that
14 we can have an opportunity to try and at least take that next
15 step and get us to a place that we feel like we can offer a
16 little bit more flexibility and be in tune more to our local
17 anglers and their needs.

18
19 I didn't vote against it, or I didn't raise a ruckus about it,
20 because it was just adding an alternative, but I'm certainly
21 looking for that extra information, because there might be
22 something out there, Martha, as you described, that I'm not
23 being able to really process and think that it would be
24 important to have that, but certainly to have some of the three
25 or four items, maybe, as -- If we can at least get through that
26 hurdle, seeing that we've kind of all got to come to the table
27 and get to agreement, so that it is as easy to manage Gulf-wide
28 as possible, I think that's kind of where I am.

29
30 **CHAIRMAN BOSARGE:** Andy, you had your hand up earlier. Do you
31 still want to be on the list, or did you already address it?

32
33 **MR. STRELCHECK:** I just wanted clarity, because there isn't a
34 motion. If you're okay with the idea of a letter and council
35 staff working with NMFS, then we will prepare a letter and move
36 down that path. Okay.

37
38 **CHAIRMAN BOSARGE:** Yes, and I saw a lot of shaking of heads yes
39 around the table, and so everybody would like your letter. To
40 that point, Mr. Anson?

41
42 **MR. ANSON:** On the notion of the letter, Andy, certainly I think
43 what you would not be able to do, the no, would be kind of the
44 highlight of the letter, but add a few sentences in there on the
45 yes, as to what you would allow or what you envision the states
46 could be doing, and so just to make sure.

47
48 **MR. STRELCHECK:** Just from a legal sufficiency standpoint, it

1 might not be a fully comprehensive list, and we'll need to
2 caveat that, but we will be interested in input, in terms of
3 things that may not be on the list or that would not be allowed.

4
5 **CHAIRMAN BOSARGE:** Dr. Mickle.

6
7 **DR. MICKLE:** I think a letter is a great idea, with yes and no
8 and gray areas. It may come in a box instead of an envelope,
9 but we'll see, and I'm sure we'll have a lot to learn from it,
10 and I'm looking forward to it, but, to Martha's point, I think
11 it's important to identify state management is important. It's
12 really important to our states.

13
14 It's a top priority, but, as an administrator -- With the state
15 agencies and our budgets, we have certain monies right now,
16 because of the oil spill and these things, and we've gotten a
17 lot of our state programs, or at least I will speak for my
18 state. We have gotten ours off the ground because of it, and,
19 down the road, when those monies are no longer around and we
20 have this giant toolbox of things we can do, can we afford to do
21 them, and I am certainly not going to expend a very small state
22 budget toward a single species when we have a lot of state
23 species that will most likely suffer from a giant toolbox of
24 things we should be doing, and so these are just things to think
25 about.

26
27 **CHAIRMAN BOSARGE:** All right. Is our motion still on the board?
28 That's right. We were finished with our state -- Lord, you all
29 have got me so off track, and we don't need a motion for Andy's
30 letter. You're going to get that, but, Patrick, you've got
31 something else? Go ahead.

32
33 **MR. BANKS:** I am going to ask staff. With your question in the
34 report, have you gotten any better guidance? I think I know the
35 answer.

36
37 **CHAIRMAN BOSARGE:** Dr. Lasseter.

38
39 **DR. AVA LASSETER:** We have the next step, and that's definitely
40 what we were looking for, but I am concerned, given the
41 discussion about the timeline, and I hate to throw another
42 monkey-wrench into this, but, by June -- We are going to need to
43 develop public hearing drafts, and you are going to need to, I'm
44 assuming, hold a round of public hearings as well, and so, if
45 there are some people really wanting to move forward on this, I
46 believe there's a potential about is it possible to move this
47 full delegation alternative to Considered but Rejected for some
48 of the documents, and staff needs to come back and work on this

1 a little bit and find some way to reconcile this.

2
3 Is it possible that we just redefine this delegation, just
4 generally, to where you have to set bag limit and season, but,
5 of course, there are other things that could be included, and
6 I'm going to give you one more example that's not specified in
7 there, but I did discuss with Martha the idea of having regional
8 seasons just implicit in here as well. Florida could set a
9 Panhandle and a west Florida season, and so there are additional
10 things that could be done even under just the delegation, the
11 regular delegation, alternative.

12
13 I think we have our next step, in terms of this letter, and I
14 hope we can get responses from the states by January, because I
15 am picking up on this urgency here, and I am kind of concerned
16 about being able to accomplish all of that in this time. Thank
17 you.

18
19 **CHAIRMAN BOSARGE:** Mara.

20
21 **MS. LEVY:** I will just be frank, because I'm not on the agency
22 staff, but I don't see any way that this gets implemented for
23 2019 unless there is a decision to sort of go back to what
24 Amendment 39 basically set out. You had conservation
25 equivalency, and this has it all in it anyway, and so I'm not
26 even going to beat around the bush.

27
28 It had delegation of season and bag limits, and it had
29 conservation equivalency, and it had allowing closed areas, and
30 it had an allocation decision in it. You could add some of the
31 -- I mean, I'm not saying that we have to go back to the exact
32 document, because there are some new allocation alternatives in
33 here, but, to the extent that you're going to explore further
34 what delegation means and what you want to do with it, I
35 personally don't see it getting implemented for 2019.

36
37 I think that's going to be a lot more work and require a lot
38 more discussion, and so I'm certainly not pushing you to do it,
39 but I just don't want anyone to think that this is going to
40 happen for 2019, if we go down this what does delegation mean
41 and start trying to answer all of these questions. Maybe it
42 will, but it doesn't seem super realistic, to me.

43
44 **CHAIRMAN BOSARGE:** Mr. Banks.

45
46 **MR. BANKS:** It seems like though that if the states can deal
47 with the allocation issue, and I don't know what we can, but
48 let's say we did before January and none of the other states

1 were ready to move forward, even though we've all agreed to the
2 allocation, it seems like we could move forward with the
3 Louisiana amendment immediately. Is that not the case?

4
5 **CHAIRMAN BOSARGE:** Mara.

6
7 **MS. LEVY:** I guess we would have to see how that would work. We
8 would have to figure out, if you are going to keep all of these
9 separate, how to conduct the NEPA analysis and things like that.
10 We still have to put out the notice of intent for the NEPA
11 analysis and the EIS and do all of that, and so that may be
12 possible, if you can get over the allocation thing and then
13 Louisiana chooses a very straightforward bag and season type,
14 and I guess we would have to look at that, but I guess I was
15 going towards the extent that you're all exploring these more
16 complicated options and that 2019 seems like a stretch, to me.

17
18 **CHAIRMAN BOSARGE:** Any further discussion? Dr. Simmons.

19
20 **DR. SIMMONS:** Thank you, Madam Chair. Just to build on what Ava
21 has already discussed, from a staff perspective, we will just
22 focus on that management plan document and really get the SSC
23 input and information that we need to develop that biomass/trips
24 alternative, and that would probably be our main focus for the
25 January council meeting, regarding the state management plans.

26
27 **CHAIRMAN BOSARGE:** Yes, and was there anything else that we had
28 to flesh out and get some good data behind on the allocation
29 alternatives in that overarching document? We're fleshed out on
30 everything else?

31
32 **DR. SIMMONS:** I believe so. Staff, I think, has requested,
33 maybe perhaps in a separate document, and I'm not exactly sure
34 how we'll handle it just yet, because it probably is going to
35 add some additional options and alternatives to the current
36 draft, once we get the biomass and trips alternatives in there.
37 There might be several different options. We might propose
38 restructuring that whole action, and we might do that in a
39 separate document. I'm not sure yet how we're going to handle
40 it.

41
42 **CHAIRMAN BOSARGE:** Okay. Any further discussion? Okay. We are
43 going to take a very short five-minute break for everybody,
44 really quickly, and then we'll pick back up with our Reef Fish
45 Committee.

46
47 (Whereupon, a brief recess was taken.)
48

1 **CHAIRMAN BOSARGE:** All right. That was the longest five minutes
2 ever. Are you all ready to start back up? It looks like we
3 have a quorum. Chairman Greene, I will turn it back over to you
4 again.

5
6 **MR. GREENE:** Thank you. I will pick up with the Discussion of
7 the Joint South Atlantic and Gulf of Mexico Fishery Management
8 Council Management of Yellowtail Snapper. Staff briefed the
9 committee on the regional landings and management of yellowtail
10 snapper in the southeastern United States.

11
12 The commercial fishery in the South Atlantic has closed early
13 for the last couple of fishing years, and the South Atlantic
14 Council is concerned that these early closures could be
15 resulting in effort shifting to greater amberjack and other
16 species.

17
18 The South Atlantic Council is interested in several possible
19 solutions to that issue and sent the Gulf Council a letter to
20 gauge its interest in working on a joint effort to collectively
21 manage yellowtail snapper throughout both councils'
22 jurisdictions.

23
24 Reallocation between the recreational and commercial sectors in
25 the South Atlantic Council's jurisdiction is being considered in
26 a separate amendment, which is currently on hold until the MRIP
27 calibration updates are completed. The committee indicated it
28 was interested in working with the South Atlantic Council on
29 yellowtail snapper issues and directed staff to notify the South
30 Atlantic Council in a letter.

31
32 **CHAIRMAN BOSARGE:** Okay, and so that's the end of the South
33 Atlantic/Gulf yellowtail discussion. Anything further on that?
34 All right, Chairman Greene.

35
36 **MR. GREENE:** National Marine Fisheries Service Response
37 Regarding Referendum Requirements for Auctions, NOAA General
38 Counsel Mara Levy stated that a written legal opinion, which
39 requires substantial in-house review, had not been completed in
40 time for the council meeting. She anticipated having a written
41 opinion ready for the next council meeting in January.

42
43 **CHAIRMAN BOSARGE:** All right. Anything further on that? Seeing
44 none, Chairman Greene.

45
46 **MR. GREENE:** Discussion on For-hire Reef Fish Permit Transfers,
47 Ms. Levy explained that persons aboard a vessel that has a
48 federal for-hire permit cannot fish for red snapper in federal

1 or state waters when the federal for-hire season is closed. If
2 the federal permit is transferred off of the vessel, persons
3 aboard the vessel cannot, at any time during that fishing year,
4 fish for red snapper in federal waters when the federal for-hire
5 season is closed.

6
7 A draft Fishery Bulletin has been prepared to clarify this, but
8 National Marine Fisheries Service felt it would confuse the
9 public if it is released in the middle of the recreational
10 closed season. The Fishery Bulletin will be released before the
11 start of the next recreational red snapper fishing season. A
12 committee member recommended that the bulletin be released
13 within the next month or so and that a notification be sent to
14 the permit holder at the time that the person renews the permit.

15
16 In response to a question about the amount of permit transfers
17 occurring, Sue Gerhart stated that there has been no spike in
18 transfers at the conclusion of the for-hire season. A committee
19 member raised a concern that some recreational fishermen may
20 have a for-hire permit on their boat, just to keep their options
21 open. These persons may be unaware that they are subject to the
22 for-hire vessel restrictions, even if they do not actually
23 conduct charters.

24
25 Another committee member expressed concern that, although
26 persons on a vessel that transfers its permit may not be able to
27 fish in federal waters the remainder of that year, in the
28 following year, they could operate as a private vessel in state
29 waters until just before the for-hire season. Subsequently, the
30 permit could be then transferred back to their vessel,
31 effectively operating as both a private and for-hire vessel in
32 the same fishing year.

33
34 **CHAIRMAN BOSARGE:** All right. Anything further on that topic?
35 Seeing none, Chairman Greene.

36
37 **MR. GREENE:** Grouper-Tilefish IFQ Five-Year Program Review
38 Surveys, due to time constraints, this item was deferred until
39 the next council meeting, when it will be included as part of
40 the overall five-year review.

41
42 **CHAIRMAN BOSARGE:** All right. There's probably not anything on
43 that topic, surely. We're going to pick that back up at our
44 next council meeting. It will be back on our agenda again. All
45 right, Chairman Greene.

46
47 **MR. GREENE:** So, I went up ahead read the last part about the
48 grouper-tilefish, but this permit thing kind of bothers me some.

1 I don't know if there's any desire by other council members to
2 look into this any further or not. I don't want to be lone
3 ranger on this, but I just have some -- I just don't think that
4 this is something that should be happening, if it is at all.

5
6 I mean, if it's one boat or a hundred boats or whatever, I just
7 feel like it's something that could potentially grow into or
8 morph into something that may be an issue down the road, but I
9 don't know if anybody feels the same way as I do or wants to
10 push it any further. If not, I will drop it and let it go.

11
12 **CHAIRMAN BOSARGE:** Dr. Shipp.

13
14 **DR. SHIPP:** I agree, Johnny. I think it's a huge potential
15 loophole, and I am kind of surprised that it got through without
16 further discussion, but I think it's an issue of real concern.

17
18 **CHAIRMAN BOSARGE:** Dr. Stunz.

19
20 **DR. STUNZ:** Johnny, I feel the same way, and so I would say that
21 I'm not sure what the next step would be, but I am for doing
22 something.

23
24 **EXECUTIVE DIRECTOR GREGORY:** We can bring back the analysis we
25 did or take a different tact on the analysis, but it looked like
26 it was very minimal of boats transferring permits within a year.

27
28 **MR. GREENE:** Well, to that point, I don't really think that
29 there's a lot of boats off of Alabama that really want me
30 fishing up in there. I ain't going to brag, but I'm pretty good
31 at what I do, and I don't think that was the intent of what this
32 went down, and it's certainly a loophole that I could jump in
33 there and do whatever, but, again, I just -- If it's good for
34 the goose, it's good for the gander, and I just think there's
35 some issues, and so I would encourage -- I don't really know
36 what the next step is, but, if there's some analysis or
37 something that has been done, let's bring it to the next
38 meeting, and let's throw it out on the table and see what we've
39 got and see if we think we need some more stuff or need to add
40 to it or whatever, and then we can pick it up and go from there.
41 I don't know if you want that in the form of a motion or if the
42 conversation will suffice, but I would try to make a motion to
43 that.

44
45 **EXECUTIVE DIRECTOR GREGORY:** When we come back in January and
46 look at the overall program -- Well, this doesn't have anything
47 to do with the IFQ. I would say let's -- Work with us, and if
48 you want to address it in a proactive way before it becomes a

1 problem, that's suitable to do.

2
3 **CHAIRMAN BOSARGE:** So we'll put that on the agenda for the next
4 meeting and have some sort of presentation with the analysis,
5 but also kind of a description that's more qualitative of here's
6 the loophole and here's what could happen. Then, from there,
7 maybe we can throw out some ideas of how to address it. Then
8 that obviously would be the beginning of a new document to
9 address that and create a regulation. How does that sound? I
10 am seeing a shaking of heads yes. All right. Sounds good.
11 Chairman Greene.

12
13 **MR. GREENE:** Madam Chair, this concludes my report.

14
15 **CHAIRMAN BOSARGE:** All right. Anything else on reef fish before
16 we move on? Okay. All right. That is going to bring us back
17 around, and we'll get back on our normal order on our agenda
18 here, and so we'll pick back up with our Sustainable Fisheries
19 Report. Dr. Stunz, I will turn it over to you.

20
21 **SUSTAINABLE FISHERIES COMMITTEE REPORT**

22
23 **DR. STUNZ:** Thank you, Madam Chair. This is the Sustainable
24 Fisheries Committee Report that met on October 2, 2017. The
25 agenda and the minutes of the August 7, 2017 committee meeting
26 were approved as written.

27
28 Options Paper, Draft Modifications to the Sea Turtle Release
29 Protocol and Gear for the Reef Fish Fishery, Tab E, Number 4,
30 staff reviewed the draft options paper that considers
31 modifications to the sea turtle release protocol and gear for
32 the reef fish fishery. Staff reviewed the purpose and need, and
33 no changes were made.

34
35 The document currently has two draft actions. The first action
36 considers including the three new approved sea turtle release
37 gears for commercial and charter vessels/headboat Gulf reef fish
38 permit holders. The second action would modify the framework
39 procedure to allow new gears to be approved for use without a
40 full amendment to the fishery management plan. The committee
41 was satisfied with the range of actions and alternatives.

42
43 Staff will develop a public hearing draft for the January
44 meeting. Due to the education and outreach activities conducted
45 by the Southeast Fisheries Science Center staff, the committee
46 agreed that an online video and webinar public hearing would be
47 sufficient.

Options Paper, Framework Action to Require either Descending Devices or Venting Tools Onboard Vessels Possessing Reef Fish, Tab E, Number 5, staff reviewed the options paper, which included a revised purpose and need section from the version previously reviewed in June. One committee member felt that the purpose and need needed an additional statement to indicate how the proposed action would benefit the anglers by reducing bycatch mortality.

Committee members noted that, in Action 1, only Alternative 3 resulted in regulatory action, and therefore was the only alternative that, if adopted, would require further development of the framework action. Under this alternative, RESTORE Act funds could not be used to distribute descender devices. However, staff noted that it would take about two years for the RESTORE funds to become available and for testing and analysis to be completed.

Committee members further noted that Alternative 3 only mandated the possession of devices and not their use. There would be no way of determining how many fishermen actually used the devices. A motion to make Alternative 3, Option c, require that vessels where reef fish are onboard possess, Option c, either venting tools or descending devices, and Alternative 4, to develop an outreach program, in conjunction with Sea Grant programs, to educate fishermen on the availability and correct use of venting tools and descending devices, including best handling techniques to minimize stress to the fish. The preferred alternatives failed by a vote of three to three.

After clarification that the alternatives applied to all fishing vessels, recreational, for-hire, and private angler, the committee passed the following motion. **By a vote of four to three, the committee recommends, and I so move, to recommend staff stop working on Framework Action to Require Either Descending Devices or Venting Tools Onboard Vessels Possessing Reef Fish and instead develop a policy statement and include the development of an outreach program.**

CHAIRMAN BOSARGE: We have a committee motion on the board. Is there discussion on the motion? Mr. Boyd, you had your hand up?

MR. BOYD: I do, Madam Chairman. Just one second. I would just like to make a comment. I think it's important that we continue to explore the use of descending devices, because of the amount of bycatch that we have in both the recreational and the commercial sectors, and I would just note -- I am not going to oppose this at this moment, but National Standard 9 speaks

1 specifically to minimizing bycatch and to minimize the mortality
2 of such bycatch, and so we do have a National Standard that
3 requires us to look at this and to do what we can to make this
4 happen, and my personal feeling is that we need to have a robust
5 program to instruct both commercial and recreational fishermen
6 in the use of these devices or venting tools.

7
8 **CHAIRMAN BOSARGE:** Next, I have Ms. Guyas.

9
10 **MS. GUYAS:** Thank you, Madam Chair. I think this is the right
11 thing to do for right now, but I do think that we need to
12 continue to keep this in the back of our minds, and I think we
13 will want to revisit this, hopefully, after these RESTORE Act
14 funds are distributed for purchasing these devices and then we
15 have some of those testing results available. I think all of
16 those things will be helpful in moving forward in the future,
17 but, right now, I think this is the right thing to do.

18
19 **CHAIRMAN BOSARGE:** Mr. Greene.

20
21 **MR. GREENE:** I agree with everything that's been said. The one
22 part of this motion that gets to me is the last couple of words.
23 If you're expecting the staff to come up with an outreach
24 program, while I'm sure that they will, I think that they will
25 do as we instruct them to do so. However, I think there is
26 other avenues to facilitate this outreach program.

27
28 We have several angler groups that are represented in the
29 audience here, and I think that they will probably do a better
30 job of reaching out to them. I think that, while descender
31 devices work well and venting works well, if you don't do either
32 one of them just right, you're going to do more harm than good,
33 and I think it's going to have to be done, but we're going to
34 need some help from within the recreational, for-hire, and
35 commercial industry to help facilitate this if you really want
36 it to work, because you know how much sometimes the public pays
37 attention to what we do, and it's one of those things.

38
39 I agree with everything that's been said, but I encourage those
40 angler groups that are out there, commercial, for-hire, and
41 recreational, to pay attention to this and figure out what it is
42 that your group can do to help out.

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

45
46 **DR. STUNZ:** I agree with Captain Greene, and I would hope that
47 those groups would be involved. In fact, it's not just the
48 industry really wanting this. Obviously it's the fishermen.

1 Certainly, if I had my way -- I am not for the policy. I am not
2 going to not support this motion, I guess, because it seems to
3 be what is around the table.

4
5 In fact, somebody who wanted a little bit more teeth in the
6 actual regulation could point to something such as "use as
7 necessary" in addition to just carrying it onboard, but I
8 understand that maybe we slow-walk this or ease it in through a
9 policy and outreach and see how it goes, but my big concern with
10 that -- Again, I am not going to oppose it, but we don't go down
11 the route of the circle hooks or these other things that we've
12 had policy that kind of go by the wayside.

13
14 I just want to make sure, and maybe, Doug, this is kind of to
15 you, but that, at the next meeting, or at least, Leann, maybe we
16 can have it on the agenda next time to discuss what's the plan
17 or -- In other words, keep it up on the front burner and just
18 not let it go away, because this is such a positive thing for
19 everybody to get behind that I really see it as a win/win deal,
20 and so I don't want to let it go away, and so that's kind of a
21 little bit of my soapbox, as far as where I would like to see
22 this go and keep it all on our front burners, because, in the
23 end, we have a lot to gain from it.

24
25 **CHAIRMAN BOSARGE:** Mr. Gregory.

26
27 **EXECUTIVE DIRECTOR GREGORY:** Yes, I agree wholeheartedly, and we
28 revamped our Outreach and Education Committee to include members
29 from every Sea Grant Program in the Gulf of Mexico. It already
30 included communications people from each of the state agencies,
31 and so that's our leverage there, as well as getting stuff out
32 on our website, and we're going to be another voice, along with
33 the sports magazines and the organizations that are furthering
34 this.

35
36 You and I both brought this to the council's attention, because,
37 after the withdrawal of the venting regulation, it just seemed
38 like the council was not involved in that effort, and we will
39 be. I mean, it's important to all of us, and so that's our
40 approach.

41
42 We have no intention of convening any sort of regional workshops
43 or anything like that, but we have leverage to get the word out
44 and encourage others to do the same, and we know that Texas and
45 Florida Sea Grant, and probably the other Sea Grants, are
46 already doing some of this, and we will just be helping to push
47 that forward.

1 **CHAIRMAN BOSARGE:** To that point, Dr. Stunz?

2
3 **DR. STUNZ:** To that point, Madam Chair, and so that's good,
4 Doug, and so maybe Emily or whoever you're going to put in
5 charge of pushing this forward could give us a general plan of
6 what we could expect to see at the next meeting and that sort of
7 thing.

8
9 **CHAIRMAN BOSARGE:** All right. I have a list here, and so I have
10 Robin next.

11
12 **MR. RIECHERS:** I am kind of following up on just what Greg and
13 Doug were just talking about. I think what I heard in
14 testimony, at least from a couple of people, yesterday was a
15 little fear that this kind of gets just dropped.

16
17 We're going to do it, and it's a good idea, but then we don't
18 really take the action or the action steps, and so I think, if
19 we could, at the next meeting, at least get some notion of what
20 those good action steps would be, and I think, as Johnny pointed
21 out, I think there's other partners that have to get involved
22 with those steps, but it may be that we each end up being
23 charged with going back to our state and respectively talking to
24 some of those partners, but we kind of need to lay out who is
25 going to go do what, so that we all can then follow that map or
26 that plan, as much as we can.

27
28 While it may be a voluntary plan in that respect, if we can just
29 get some help in really knowing where those key points of
30 contact are and how we would like to carry that forward, or an
31 approach to carrying that forward in the months ahead, I think
32 we would all do better off, as opposed us just saying it's going
33 to be voluntary or we're going to develop an outreach program
34 and not really know what those steps are.

35
36 **CHAIRMAN BOSARGE:** Well, and you know I'm a big proponent of
37 this. I would be happy to make it a regulation, and so I
38 certainly won't drop the ball on this. I want to see it carried
39 through and see what our plan is and make sure that we involve
40 all the parties that need to be involved in that outreach
41 effort, and so you can be guaranteed that it will remain a
42 priority for me. Next, I had Dr. Frazer.

43
44 **DR. FRAZER:** Thank you, Madam Chair. Just as a follow-up to
45 your point, I think we don't want to lose sight of the prize
46 here, right? If you're able to employ these descender devices
47 in a regulatory way, such that you're able to quantifiably
48 reduce the amount of dead discards, then the value to that, to

1 the fishermen, is that they have more fish to access, and I
2 think that's the end game, and so let's not forget that, and
3 certainly don't throw it on the back burner.

4
5 **CHAIRMAN BOSARGE:** Chairman Greene.

6
7 **MR. GREENE:** Well, I mean, I kind of almost wish that this was a
8 requirement as well, because we go through and we do something
9 and we stop, and it's kind of hitting back on everything, but
10 it's kind of sending kind of some mixed signals, and it kind of
11 bothers me a little bit.

12
13 I guess I am with you guys that it does bother me, and I don't
14 know that I really want to remove an action that requires to
15 have the onboard, but I will yield to the rest of the council,
16 if you all feel this is the best way to go, and, certainly based
17 on my comments and based on what Mr. Riechers said, I will
18 certainly be glad to reach out to my industry and make them
19 aware of this and what's going on, but I certainly hope that, at
20 the next meeting or two, we can certainly get that ball rolling.

21
22 **CHAIRMAN BOSARGE:** Mr. Swindell.

23
24 **MR. SWINDELL:** As Chairman of your Education and Outreach
25 Committee, I will tell you that a lot of people there, a lot of
26 the Sea Grant people and all, were -- They were up to speed on
27 trying to get this education word out about dead discards and
28 what to do to help them survive and using these venting tools
29 and the descending devices.

30
31 You've got something happening, and let's hope we can find ways
32 to continue to encourage. I will tell you that you do have some
33 problem with making it mandatory to have the devices, because
34 not all vessels will go in deep enough water where it's
35 important, especially off of the mouth of the Mississippi River.

36
37 I will be out there fishing for speckled trout, with a guide,
38 and, all of a sudden, there's not much going on, and so we run
39 out about a mile or so to a rig and catch some snapper or some
40 other reef fish, and the water is probably only forty foot or
41 fifty foot deep. It's not deep enough for him to be required to
42 have the device, even though we had reef fish aboard, and so
43 it's those kinds of things that I think we really get into, as
44 to who is going to be really required to have it and how do you
45 define that. I just don't know. Thank you.

46
47 **CHAIRMAN BOSARGE:** Next, I have Mr. Boyd.

1 **MR. BOYD:** I have a question. If we approve this, if this
2 passes, and we stop work on it, is it possible to bring this
3 back at a later date, since we have asked staff to stop working
4 on it? Could we revisit the action and start another framework?
5 I guess that's a question for Mara.

6
7 **CHAIRMAN BOSARGE:** Mara.

8
9 **MS. LEVY:** Yes, you can always, at the next meeting, decide that
10 you want to start working on it again.

11
12 **MR. BOYD:** Thank you.

13
14 **CHAIRMAN BOSARGE:** Mr. Donaldson.

15
16 **MR. DONALDSON:** Thank you, Madam Chair. In an effort to kind of
17 keep this in the forefront, Sea Grant does meet in conjunction
18 with our meeting, and so they will be at our meeting in a couple
19 of weeks, and I can certainly talk to the leadership there and
20 make sure that they're aware of it and it's something that this
21 council is interested in and looking to help facilitate or help
22 with getting the word out about it.

23
24 **CHAIRMAN BOSARGE:** Thank you very much, because I'm hearing
25 around the table that it's most definitely a priority. It
26 sounds like we're going to go down possibly a policy statement
27 path, but follow that up at some point with reevaluating, well,
28 what do we think and is it working and should we make it a
29 regulation. Mr. Gregory.

30
31 **EXECUTIVE DIRECTOR GREGORY:** Just briefly, my impression is
32 people have been doing this. Our voice was absent. Now our
33 voice will not be absent. We've got clear direction to go out
34 and push this, and we have not been ignoring it. It's just
35 that, when we withdrew the venting rule, people got the wrong
36 impression that we didn't think it worked, and so now we're
37 going to be contributing our part to it.

38
39 **CHAIRMAN BOSARGE:** Dr. Stunz.

40
41 **DR. STUNZ:** To that point, that's my main concern about what
42 happened here, that this doesn't follow the venting path, where
43 they work and -- Despite some of the public testimony we had,
44 the science consensus is, in most circumstances, there is real
45 utility to doing that, just to clear everything up, to make sure
46 everyone is on the same page.

47
48 **CHAIRMAN BOSARGE:** Mr. Matens.

1
2 **MR. MATENS:** I really hope this doesn't add too much confusion,
3 but I don't see a problem with requiring a venting tool to be
4 onboard. It's certainly not a huge cost, and we have
5 regulations about circle hooks, and we have regulations about
6 non-stainless-steel hooks. We have all kinds of gear things
7 that make sense, and I am not going to be in support of this
8 motion, because of that.

9
10 Now, if somebody is out there speckled trout fishing and they go
11 out to a close rig, which in today's world in Louisiana, can be
12 done, and catch a snapper and it's legal and they keep it, I
13 would hope that enforcement may give them just a warning for
14 that, but, if somebody is out there a hundred miles offshore and
15 doesn't have a venting device, that's different. Thank you.

16
17 **CHAIRMAN BOSARGE:** Let me see if I can further complicate it. I
18 am just trying to think through this, right, and maybe this is
19 just what I'm hoping will happen in the future, but I do hear
20 some conversation around the table that we're going to go down
21 this policy route, but that we may, in the future, follow it up
22 with a regulation.

23
24 Would it not be easier, rather than passing this motion, to pick
25 a preferred in the document to choose the policy option and have
26 that be our preferred and develop that policy within the
27 document itself, and then, as we're developing and fleshing all
28 that out, if we see that we feel comfortable with it being a
29 regulation, we can implement it via regulation, or should we
30 just stop work and just develop a separate policy? I am just
31 trying to figure out which is the easiest -- Then we end up
32 bringing back a document later that we haven't been working on.
33 Andy.

34
35 **MR. STRELCHECK:** I made the motion during committee, and, if you
36 recall, you do not need an amendment to develop a policy or an
37 outreach program. You can do that independent. My thought on
38 this is that we haven't really given a lot of thought, in terms
39 of the details of how this might help us, in terms of reducing
40 discard mortality, and there's a lot of different circumstances,
41 depending on geographically where you're fishing and what
42 species you're catching and what depths you're fishing at, and I
43 feel like a policy statement, in tandem with an outreach
44 program, working with industry groups, could get us down that
45 path to where we could bring this back at a later date and
46 consider more thought-out regulations.

47
48 **CHAIRMAN BOSARGE:** Okay. Yes, I think that will work. It will

1 just be something that we're pretty involved with as a council
2 in developing that policy statement. That will be the document
3 that's brought back to us, and we will really work through that
4 and answer our questions there. Okay. All right. I think I'm
5 comfortable. So, any further -- That was everybody on my list.
6 Any further discussion on this motion? All right. Is there any
7 opposition to the motion? Let's have a count. There is hands
8 going up everywhere. **All in favor.**

9
10 **EXECUTIVE DIRECTOR GREGORY:** Eleven.

11
12 **CHAIRMAN BOSARGE:** Okay. **All opposed, same sign.**

13
14 **EXECUTIVE DIRECTOR GREGORY:** Five. **The motion passes eleven to**
15 **five.**

16
17 **CHAIRMAN BOSARGE:** Dr. Stunz, does that conclude your report?

18
19 **DR. STUNZ:** No, there's a few more --

20
21 **CHAIRMAN BOSARGE:** Go ahead.

22
23 **DR. STUNZ:** Next, there was Discussion on Dead Zone Regarding
24 RESTORE Act Activities. Leann Bosarge noted that Glen Constant
25 was scheduled to give a presentation on how RESTORE funds could
26 be used to address the dead zone issue. However, due to
27 obligations related to Hurricanes Harvey and Irma, Mr. Constant
28 was unable to attend the council meeting. His presentation will
29 be rescheduled for the January 2018 council meeting.

30
31 Next, there was a Presentation on Proposed Lionfish Gear and
32 Modification to the List of Allowable Gears, Tab E, Number 7(a),
33 (b), and (c). Mr. Bruce McCormack gave a presentation on a
34 proposal to use a new gear to target lionfish and to develop a
35 commercial fishery.

36
37 The gear consisted of a forty-foot harvesting vessel and a
38 remotely operated vehicle to which cameras and a slurper were
39 attached. The development version of the device would hold up
40 to seventy-five pounds of lionfish, up to two pounds in size,
41 but the production model could hold up to 400 pounds.

42
43 The corral into which the lionfish would be deposited was
44 constructed of one-and-a-half-inch mesh net, which would allow
45 small fish to escape and minimize bycatch. Lionfish would be
46 targeted and larger fish of unwanted species avoided, through
47 the use of an HD camera and acoustics.

1 Mr. McCormack's company had been conducting proof-of-concept
2 tests since September 18, 2017. Mr. McCormack envisioned having
3 ten harvesting vessels in the Gulf within five years. He also
4 discussed possible future modifications to allow capture of
5 larger lionfish from deeper depths.

6
7 Staff noted that the council needed to take action only if it
8 wanted to prohibit the gear. If no council action was taken,
9 the gear would become an allowable gear for lionfish harvest.
10 NMFS staff added that, while the council would not need to take
11 action, NMFS would need to publish a proposed rule and take
12 public comment. The committee took no action regarding the
13 proposed gear. Madam Chair, this concludes my report.

14
15 **CHAIRMAN BOSARGE:** Mara.

16
17 **MS. LEVY:** Thank you. I know that the last part says that the
18 council doesn't need to take action, but I did look at the
19 regulations that talk about the process with respect to new
20 gears and such, and it does say that, if the council finds that
21 the use of the unlisted gear would not compromise the
22 effectiveness of conservation and management, it's supposed to
23 recommend to the Regional Administrator that the list be
24 amended, and so, rather than take no action, I think it would be
25 helpful, if you don't find a problem with this gear, in terms of
26 conservation and management of the reef fish fishery, that you
27 actually recommend to the Regional Administrator that this be
28 added to the list of authorized gear, so there's some direction
29 to the agency.

30
31 **CHAIRMAN BOSARGE:** Mr. Swindell.

32
33 **MR. SWINDELL:** My only concern would be that you have to make a
34 motion so that it would limit itself only to certain fish
35 species. I mean, you want it to be limited to lionfish, and so
36 you just can't do it as it's okay in the Reef Fish Management
37 Plan to use, except for lionfish.

38
39 **CHAIRMAN BOSARGE:** Mara, that's a -- I don't know. It seems a
40 little different now. It's one thing to say, okay, we're not
41 going to take any action, and it's a little different to have a
42 motion saying, yes, we don't think this is going to have any
43 impact on the environment and please put this on the list of
44 approved gear, based on that one presentation. I know,
45 fundamentally, I guess, it gets you to the same point, but,
46 Mara.

47
48 **MS. LEVY:** There are, on the list of authorized gears, various

1 non-FMP fisheries that have allowable gears, and so it could be
2 listed as Gulf lionfish non-FMP and then have this as an
3 allowable gear for that non-FMP fishery, and so I think you
4 could limit it, in that respect. I mean, I think that's part of
5 the reason for the regulation, is the agency wants some
6 indication from the council that they think this doesn't present
7 a conservation and management issue if we add this as an
8 allowable gear.

9
10 **CHAIRMAN BOSARGE:** Mr. Swindell.

11
12 **MR. SWINDELL:** I guess I still have concern about the -- I asked
13 the question, and I was concerned about damage to the coral reef
14 in which it would be operating, and I still have concerns, and I
15 don't know, but is there not a test period or something? Who is
16 he working with to get some sort of approval that this thing
17 works properly and doesn't create a lot of damage? I would hate
18 for us to approve something that gets out there, and, yes, it
19 catches the lionfish, but it also damages too much of the coral
20 reef area that we are required to protect.

21
22 **CHAIRMAN BOSARGE:** Mr. Anson.

23
24 **MR. ANSON:** I have some similar concerns as Mr. Swindell
25 relative to the impacts of the gear on the habitat for which
26 it's going to be used in, and they described a larger basket
27 that would be implemented on the next version, and how does that
28 affect maneuverability and being able to maintain the
29 submersible above the habitat and not bump into it or scrape it
30 or whatever the case may be, and there is talk of increasing
31 these to ten to twenty vessels, at least for this individual.

32
33 I am all for folks trying to be creative and come up with ideas,
34 and I guess -- As Mr. Swindell put up, how is this going to be
35 monitored to assess some of those impacts? There wasn't any
36 documentation brought to the council as to the effectiveness of
37 the gear and some of those results, but it was just here's kind
38 of my oversight of my business plan and such.

39
40 So, I am still going to, I guess, support it, but it's a blanket
41 that will be added to this list of approved devices or gear now
42 on non-FMP species, but that might be the end of it, and so we
43 won't find much out about it until somebody does do a follow-up
44 study and such, and so those are just some of my concerns.

45
46 **CHAIRMAN BOSARGE:** I guess where I get hung up is so we heard a
47 big presentation here a while back about all the different
48 analyses that was going into developing a lionfish trap and

1 making sure that all of our environmental impacts were covered
2 there and this and that.

3
4 Well, this is another piece of gear that's going into the
5 lionfish fishery that we don't manage, and so there's a whole
6 analysis that's going into that, and then this -- Yes, we had
7 one presentation, but we really don't have any analysis on it,
8 and we're going to make a decision. I don't know, but it just
9 seems a little strange. I had Dr. Frazer.

10
11 **DR. FRAZER:** Thank you, Madam Chair. Actually, this is a
12 question for Andy, I think. This doesn't really fall under like
13 an exempted fishing permit, but it does fall under, I guess,
14 kind of a research endeavor, a research permit perhaps, and
15 could we suggest that?

16
17 **MS. LEVY:** Scientific research permits are limited to scientific
18 research from a scientific research vessel, which is something
19 that's affiliated with a university or a state and is controlled
20 by that. It can't be a private company or individual that's in
21 control of that. It wouldn't be scientific research.

22
23 **CHAIRMAN BOSARGE:** A follow-up, Dr. Frazer?

24
25 **DR. FRAZER:** I guess you could encourage them, or we could
26 encourage Mr. McCormack, to maybe perform some type of a
27 collaboration with a university entity to collect the desirable
28 data, which would be a good proof-of-concept, moving forward.

29
30 **CHAIRMAN BOSARGE:** To that point, Mara?

31
32 **MS. LEVY:** Just that I hear a lot of concerns about it, but I
33 don't hear anybody saying that they want to move to prohibit it,
34 right, and so, right now, it's not on the list of approved
35 gears, and there is a provision that says that you have to give
36 ninety days' notice to the council if you want to use a non-
37 listed gear in a non-listed fishery or whatever.

38
39 After that ninety days, it's presumed that he can use it if it's
40 not prohibited, and so, I mean, I guess what we would be looking
41 for -- The agency is looking for your recommendation of do you
42 think it should be added to the list of gears or do you think
43 that it shouldn't be and it should be prohibited or do you want
44 to start some sort of plan amendment to prohibit it or request
45 some emergency action to prohibit it, because ninety days is
46 ticking.

47
48 I think that's where we are right now, because he's given you

1 the formal notice required under the regulations and started
2 that ninety-day period that he has to wait before he can use it
3 if no further action is taken.

4
5 **CHAIRMAN BOSARGE:** Dr. Mickle.

6
7 **DR. MICKLE:** We are needing to take a stance on this with really
8 no understanding or data or analysis of any kind, and I -- This
9 is a difficult spot, because it's a gear, and it's a single
10 vendor, and so there should be a solution to this, but, again,
11 the ninety days makes it difficult to prohibit.

12
13 I mean, this thing is slurping off invertebrates and
14 microorganisms off a reef, tearing them off a reef through a
15 negative vortex, and that just seems like there could be some
16 almost -- I hate to say it, but some strong inclination of
17 negative impact, from the discussions and understanding of what
18 little understanding we have right now.

19
20 **CHAIRMAN BOSARGE:** Mr. Matens.

21
22 **MR. MATENS:** Thank you, Madam Chair. This is pretty open-ended.
23 Does this mean that I can build one of these devices, should
24 this go through a ninety-day period, and go out there and use it
25 on lionfish? I think that it probably does.

26
27 Does this prohibit me from building a device that could hold
28 4,000 pounds, although that's certainly impractical, but what's
29 the size limit on these things? He's got a six-inch PVC pipe
30 for a slurper, and I don't know how many people in this room
31 have used slurp guns, and I think there are probably some, and
32 it's not as easy as you think. However, in my experience with
33 lionfish, they don't want to go off their structure.

34
35 I mean, I can see how this would work. I don't want to try it,
36 and I don't want to be an investor, but I think this is just so
37 open-ended that there's a whole bunch of bad things that could
38 happen here. I hate to be dismissive of the ideas out of the
39 box on this invasive species, and I hate to be dismissive of
40 free enterprise, but I am just not too sure about this.

41
42 **CHAIRMAN BOSARGE:** Mr. Greene.

43
44 **MR. GREENE:** Well, I see Andy raise his hand. I am going to
45 defer and let him go, and then I will come back.

46
47 **MR. STRELCHECK:** To Camp's comment, if the agency moves forward
48 with regulations, we're going to have to provide some

1 specificity, in terms of what is the allowable gear and define
2 that and provide the specs for that. I think some of those
3 concerns could be addressed through the specification of the
4 gear.

5
6 More broadly, I guess, is we have a ninety-day clock that's
7 ticking, and so he's going to be able to use it, regardless of
8 whether or not you object or not, until some action is taken to
9 prohibit it. What I seem to be hearing is that you have your
10 reservations. You're not certain, and you don't have enough
11 information before you, and so would it be beneficial, from the
12 council standpoint, to wait to I guess authorize the gear or
13 make that decision per additional information that could be
14 provided?

15
16 **CHAIRMAN BOSARGE:** Mr. Greene.

17
18 **MR. GREENE:** If we make a motion to prohibit it right now, can
19 he come back under an EFP and test his product? I mean, how do
20 we go about doing this, because there is obviously some
21 reservation. I've been a part of using an ROV, and I understand
22 it, and I know how it works. Dr. Shipp could probably speak to
23 it as well, but, if we prohibit it, can he then file for an EFP
24 to do some type of a testing process to potentially vent out
25 some of the issues that we have or the reservations that we may
26 have?

27
28 **MS. LEVY:** I mean, if we go through the process that has to be
29 done to prohibit the use of this gear, then he could apply for
30 an exempted fishing permit to be exempt from that prohibition,
31 but you're going to have to go through the process of actually
32 making it a prohibited gear type.

33
34 You could potentially request an emergency rule to address this
35 during the time it would take to actually do the prohibition,
36 because you have to do like an amendment or a framework or
37 whatever to actually make it a prohibited gear, if that's what
38 you wanted to do, to try and take some action before the ninety
39 days passes. I think we would have to talk about -- I mean, I
40 think the emergency is kind of like it just came up, and I would
41 like to hear more, I guess, discussion of the concerns, although
42 I've heard some of it, but the basis for an emergency action, I
43 guess.

44
45 **CHAIRMAN BOSARGE:** I have Mr. Anson and then Dr. Shipp.

46
47 **MR. ANSON:** I guess I was going to talk a little bit about that,
48 Mara, was the impact of -- He is based out of west coast central

1 Florida, and that's where I think he intends to use his at least
2 initial couple of modules. He mentioned -- In his presentation,
3 as I recall, he showed the artificial reefs, but he talked about
4 the natural bottom as well, as going out and that would be his
5 locations for harvest.

6
7 I would see the device being used, or the impacts of the device,
8 being different if you were to look at artificial reefs versus
9 natural bottom, and so I'm just wondering if that's something,
10 Andy, that could be -- I know there is an enforcement issue and
11 such, but, in terms of either making it an allowable gear, but
12 only on artificial reefs, or is it -- Do you have that much
13 deference to put a restriction like that in the regulations, or
14 are the regulations currently set up to do that?

15
16 **MS. LEVY:** I think that's difficult, given that we don't manage
17 the species. Meaning, we're making it an allowable gear for a
18 non-managed species, and so to try and put bounds on it and tell
19 people where they can do it and what they can -- It seems a
20 little bit problematic.

21
22 **CHAIRMAN BOSARGE:** I think that's a lot of the problem, is that
23 we don't manage lionfish, and so this thing is not going through
24 the typical procedure that it would go through and we have all
25 of our analysis. Dr. Shipp.

26
27 **DR. SHIPP:** I think we're making way too much of this. We use
28 ROVs all the time, and I know the habits of lionfish. I don't
29 really see any kind of serious harm being done to the habitat,
30 given their behavior. I mean, they won't leave. You can come
31 up right to them and slurp them up, and I haven't heard anything
32 about the benefits.

33
34 I mean, this is an invasive species that is causing just a great
35 deal of harm, and we always have the option later on, if we find
36 out that I'm wrong and there is some damage, we could always
37 start the process. We did that with circle hooks. Once you
38 learn something is doing damage, you can move forward with it,
39 and so I don't think we should really do anything. Let the guy
40 go and see what happens.

41
42 **CHAIRMAN BOSARGE:** Is there further discussion? Mr. Atran.

43
44 **MR. ATRAN:** A couple of comments. It occurred to me that if the
45 primary concern is about potential damage to coral reefs, we may
46 not manage lionfish, but we do manage coral reefs, and so we
47 could probably do something within that FMP.

1 The other question I have, and this might be a technicality, is
2 on this list of authorized gears, and my understanding was that
3 the list was created by NMFS Headquarters and that we could not
4 change the list at the regional level, and so, if we can, we
5 know of some things that are out-of-date on the list besides
6 what we're talking about, and so can this list be modified by
7 the Regional Office?

8
9 **CHAIRMAN BOSARGE:** Mara.

10
11 **MS. LEVY:** I can look into the process for modifying it, but the
12 regulations clearly intend for the council to recommend to the
13 Regional Administrator that the list be amended, and so, as far
14 as the council's job, I would say that's it, and then the agency
15 has to figure out how to go through the rulemaking, based on
16 what these regulations say, to evaluate it and then the agency
17 decides whether to publish a proposed rule and then looks at the
18 comments and decides what to do with the final rule, and so the
19 process will flow after your recommendation.

20
21 **CHAIRMAN BOSARGE:** Andy, I think you had your hand up, patiently
22 waiting again.

23
24 **MR. STRELCHECK:** Dr. Shipp, I think, brings up a very valid
25 point, and we're talking about the negative consequences, but
26 the ecological effects of lionfish are significant, and
27 certainly they -- I am not diminishing that there can be habitat
28 impacts, but those habitat impacts are also occurring just by
29 the existence of lionfish and the invasive species and
30 consequences on our native species, and so I think that's
31 something to keep in mind.

32
33 Certainly, if we move forward and authorize the gear and then we
34 have additional information afterwards that tells us that maybe
35 it's having some unintended consequences, we can always revisit
36 that decision.

37
38 **CHAIRMAN BOSARGE:** Mr. Swindell, you had your hand up?

39
40 **MR. SWINDELL:** Yes, and I was just wondering -- When he was
41 showing us the pictures about where he had used this thing, was
42 it in or out of state waters?

43
44 **MR. STRELCHECK:** It was in state waters.

45
46 **MR. SWINDELL:** Then we need, I think, to ask Florida what are
47 they going to do about controlling or allowing this piece of
48 equipment.

1
2 **MS. GUYAS:** We're somewhat in a similar, but different,
3 situation. Of course, we don't regulate lionfish either. In
4 fact, our agency has taken all the measures that we can to
5 welcome people to start harvesting this species and remove them
6 from the water. I mean, we actively encourage that. We have
7 tried to reduce regulatory burdens.

8
9 In our state, we do have a special activity license. It's kind
10 of like an EFP or a scientific license. We actually have one
11 for innovative gears, where people can test new gears that they
12 would like to use in a fishery, but, because, again, lionfish is
13 not regulated, he does not need that permit, and so apparently
14 he's out there and he's using it, and that's all that I really
15 can say about that.

16
17 **CHAIRMAN BOSARGE:** Mr. Swindell.

18
19 **MR. SWINDELL:** Then I guess he gets to the point with us then
20 that, if Florida doesn't have a problem with it, and evidently
21 they don't -- Until they get something back that says there is
22 major problem here, then I don't see any reason for us to
23 prohibit it. At the same time, I don't see any reason for us to
24 stop it at all if he's going to use it in the State of Florida.

25
26 **CHAIRMAN BOSARGE:** Dr. Frazer.

27
28 **DR. FRAZER:** Again, that's why I kind of asked the original
29 question, I guess. We're asking for some type of validation or
30 verification that it doesn't cause any harm, right, and so I
31 think we could be kind of proactive about this and encourage
32 him, essentially, to collaborate with an academic entity, to say
33 these are the type of data that you need to demonstrate to the
34 council that it in fact isn't causing any environmental damage
35 or something like that, and I think we would be good to go.

36
37 **CHAIRMAN BOSARGE:** Yes, and I guess the part that bothered me --
38 Like so the next committee report is going to be Coral, and
39 we're going to talk about prohibiting bottom longlines in areas
40 of coral and anchoring in areas of coral, but then, right before
41 we do that, we're going to approve a gear that's got a 750-pound
42 basket on the back of it to go down in the coral and slurp stuff
43 off of it. I guess that's where I -- I think it maybe was just
44 the timing of his request. It makes it kind of difficult. It
45 seems like we're going in two different directions at once. Dr.
46 Frazer.

47
48 **DR. FRAZER:** I agree with all of that, and I guess what I am

1 trying to do is maybe get some preliminary data somehow,
2 something with conditions, that demonstrates that he is not
3 having a negative impact on the environment. If we can
4 accomplish that, I think we're good.

5
6 **CHAIRMAN BOSARGE:** Mara, bring us back to center here, because
7 we've heard two different things. We have in our committee
8 report that staff noted that the council needed to take action
9 only if it wants to prohibit the gear, but then you followed up
10 by saying, no, I'm going to need a motion from you to add it to
11 the list of gears, and so what do we need to do here?

12
13 **MS. LEVY:** Right, and so what happened at committee happened
14 before I went back over the regulations, and so I'm just telling
15 you what the regulations say, and they say that, if the council
16 finds that the use of an unlisted gear or participation in a new
17 fishery would not compromise the effectiveness of conservation
18 and management, it shall recommend to the RA that the list be
19 amended. It also has some other things, draft a proposed rule
20 and stuff, but I am not going to -- Obviously, we don't have a
21 proposed rule, and NMFS does that anyway, and so I think the
22 regulations are a little inconsistent with what our process is.

23
24 Then, if the council finds that it will be detrimental to
25 conservation and management efforts, it will recommend to the RA
26 that the authorized list of fisheries and gear not be amended,
27 that a proposed rule not be published, and so I think what the
28 agency is looking for is the council's recommendation as to
29 whether the list should be amended to include this as an
30 authorized gear.

31
32 I mean, I guess we can't force you to make a recommendation, and
33 then, ultimately, I don't know. NMFS would decide what to do,
34 but I suspect that -- Obviously, he's not going to be prohibited
35 from using it unless there is a prohibition, and so whether that
36 list gets amended to have it as an authorized gear or not in the
37 next ninety days, he's going to be using it when the ninety days
38 expires unless there is some action to actually prohibit its
39 use.

40
41 **CHAIRMAN BOSARGE:** Right, and, me personally, I'm okay with
42 authorizing maybe some limited testing use and let's see what
43 its impacts are. I just don't know if this council is ready to
44 go all out and say, yes, we authorize it. It sounds like we
45 have some hesitations.

46
47 I understand what you're saying. If we don't specifically
48 prohibit it, it's going to be out there, but that's different

1 from us saying, yes, we're all for it and go and it's wide open
2 and anybody can build one of these and go out there. That's
3 different, to me, but I am leaving it up to the council. Do you
4 want to make a motion, or do you want to leave it alone? Dr.
5 Shipp.

6
7 **DR. SHIPP:** I want to leave it alone. I think Mara answered my
8 question of what happens if we don't do anything, and that is my
9 recommendation. Let's not do anything, because, one, there is
10 some good aspects of this, and, two, if something does turn up
11 later on, then we can take some action.

12
13 **CHAIRMAN BOSARGE:** Dr. Frazer.

14
15 **DR. FRAZER:** Again, I don't want to belabor this. The problem
16 is I just don't know how we would identify if anything went
17 wrong. There is nothing to allow us to evaluate that.

18
19 **CHAIRMAN BOSARGE:** So, Mara, have you heard us loud and clear?
20 Is the agency clear on where we stand on this?

21
22 **MR. STRELCHECK:** Clear as mud.

23
24 **CHAIRMAN BOSARGE:** Mara.

25
26 **MS. LEVY:** I don't know what the agency will ultimately do. In
27 my opinion, you're just giving -- By not having a formal
28 decision about whether you think it should be authorized or not,
29 you're basically leaving it wide open for the agency, and that -
30 - If that's what you want to do, then okay.

31
32 **CHAIRMAN BOSARGE:** Well, you have some flexibility, you said, in
33 how you're going to write the regulation, and so we're almost
34 kind of signing a blank check here. Do you have the ability to
35 make this man report for this gear type?

36
37 **MS. LEVY:** No, and I think the authority to write the regulation
38 -- There is some discretion, but, I mean, if you look at the
39 list, it's very generic. It's trawl, and it's hook-and-line. I
40 mean, I think we're going to be very hard pressed to say ROV
41 with slurper up to -- I think it's going to have to be a little
42 more generic than that.

43
44 **CHAIRMAN BOSARGE:** Well, and I guess that's the problem. When
45 we approve other gear types, there is some accountability that
46 goes with that, because we manage the fishery that that gear
47 type is going into, and so there is some reporting requirements.
48 Heck, there may be hail-in and hail-out, and there's all kinds

1 of stuff that goes along with it, landings requirements, but we
2 don't have that, because this is lionfish, and I think that's
3 maybe part of our hesitation, that we're just saying, sure, go
4 for it. Mr. Gregory.

5
6 **EXECUTIVE DIRECTOR GREGORY:** Why don't we just write him a
7 letter? If I recall, he said he videotapes his whole process,
8 or at least I'm sure the front of the machine. He's got to find
9 the lionfish, and he's got to see the lionfish. Ask him to come
10 back in six months and give us an update on his efforts and his
11 progress.

12
13 **CHAIRMAN BOSARGE:** Andy.

14
15 **MR. STRELCHECK:** I want to ask this of Mara on the record, even
16 though I could have leaned over and talked to her. If the
17 agency does not go forward with proposed rulemaking at this
18 time, the gear is going to still be allowable, and is there
19 anything that requires us to move forwards with proposed
20 rulemaking to allow it after the ninety days, or could we wait,
21 given the council's concerns for obtaining more information, and
22 then potentially receive a recommendation from the council, six
23 months from now, later next year, to move forward with proposed
24 rulemaking, if that's the decision they make?

25
26 **MS. LEVY:** I think we would have to look into that. My issue is
27 the regulations, in terms of the list of allowable gear,
28 basically say that the use of the gear or participation in the
29 fishery not on the list is prohibited, right, and then it gives
30 people a mechanism to come in and say we want to do this new
31 thing and either prohibit it or add it to the list, and that's
32 the implication, and so how long we can really wait to make a
33 decision about adding it to the list, I don't know, and I would
34 have to look into that, but, ultimately, I think the agency
35 needs to either do it or it needs to be prohibited, because
36 you've got a specific request to use this gear now.

37
38 **CHAIRMAN BOSARGE:** Mr. Swindell.

39
40 **MR. SWINDELL:** It would seem to me that we don't want to give
41 permission to this gear. What you want to give permission to,
42 if it works well, is the production gear. He's not into
43 production mode yet, and he doesn't have the gear of the size
44 that he wants to be the gear that he's really going to use, and
45 so you have to send him a letter saying, okay, do the testing
46 you want to do, but you have to come back, when you start
47 getting into the production of holding up to 400 pounds, that
48 size gear, and you need to come to us and ask us whether or not

1 it's allowable and give us information as to the side effects.

2
3 **CHAIRMAN BOSARGE:** Dr. Stunz.

4
5 **DR. STUNZ:** I am recommending that we move on and allow him to
6 do this and write a letter, as Doug was saying. Also, to follow
7 up on Ed's point, he's not in production mode, and, just FYI,
8 this unit he's talking about here is \$100,000, and it requires a
9 lot of operational skill.

10
11 This isn't like we're going to see this pop up all over the
12 place, or maybe we will and it's real effective down the line,
13 but I think, at least for now, if you just did a cost-benefit,
14 the benefit of removing those lionfish is going to be better
15 than leaving them there and the impacts of the gear. That would
16 be my opinion at this point, but I think we're safe to let him
17 do this at this small-scale level he's doing, and then, if it
18 presents a problem, invite him back for presentations, and then
19 we can deal with it at that point.

20
21 **CHAIRMAN BOSARGE:** All right. Any further discussion on this
22 topic? Dr. Stunz, does that conclude your report?

23
24 **DR. STUNZ:** Yes, Madam Chair, that concludes my report.

25
26 **CHAIRMAN BOSARGE:** Okay. It's 12:34. We have a Coral Report,
27 and then we're done with our agency reports, and we don't have
28 any EFPs, and so we just have elections. Are you all going to
29 survive if we keep pushing forward? All right. I did warn you
30 and tell you to eat extra breakfast. Joint Coral/Habitat
31 Protection & Restoration Committee, and so, Dr. Frazer, I am
32 going to turn it over to you to take us through that report,
33 sir. I'm sorry, Dale. Maybe we should take a lunch break.
34 Hey, Dale, do you want to take us through that report, as
35 opposed to our coral scientist over there?

36
37 **MR. DIAZ:** I will.

38
39 **CHAIRMAN BOSARGE:** Do you want to do that? Thanks.

40
41 **JOINT CORAL/HABITAT PROTECTION & RESTORATION COMMITTEE REPORT**

42
43 **MR. DIAZ:** The Joint Coral/Habitat Protection & Restoration
44 Committee Report, staff presented the results from the SEDCI
45 research expedition. A more detailed final report will be
46 presented to the SSC at its January 2018 meeting.

47
48 Review Public Hearing Draft of Coral Amendment 9, staff

1 presented the committee with the Public Hearing Draft of Coral
2 Amendment 9. There are nine actions in the document. The
3 committee made several recommendations regarding background
4 information, including changing some terminology and
5 highlighting the difference between VMS and ELB data. The
6 committee requested that staff make the units consistent
7 throughout the document and adding the zeroes to the economic
8 sections.

9
10 Staff reviewed Action 1, incorporation of deep-water octocorals
11 in the fishery management unit, and clarified that only the
12 genera included in Table 2.1.1 would be included in the FMU
13 should the council choose any alternative other than Alternative
14 1.

15
16 NOAA GC provided an overview of the process and rationale for
17 including species in the FMU. A committee member gave some
18 rationale for including deep-water octocorals in the FMU, such
19 as octocorals provide important structural habitat, octocorals
20 contribute to high biodiversity, and octocorals are significant
21 contributors to the ecosystem.

22
23 Other committee members discussed that octocorals are non-reef
24 building and, currently, there is not enough information in the
25 document to warrant inclusion. Should the council incorporate
26 octocorals in the FMU, the SSC will need to set an OFL and an
27 ABC, which is problematic, as there is no evidence of harvest
28 other than shallow-water octocorals off Florida.

29
30 Further, there is not a stock assessment for either deepwater or
31 shallow-water octocorals. Staff requested that the committee
32 select a preferred alternative, as Action 2 is directly affected
33 by the council's preferred alternative in Action 1.

34
35 **The committee recommends, and I so move, in Action 1, to make**
36 **Alternative 1 the preferred Alternative. Alternative 1 is no**
37 **action, do not incorporate deep-water octocorals into the Gulf**
38 **FMU. The motion carried five to two. Madam Chair.**

39
40 **CHAIRMAN BOSARGE:** Thank you, Dale. We have a committee motion.
41 Is there any discussion on the motion? **Is there any opposition**
42 **to the motion? Seeing none, the motion carries.**

43
44 **MR. DIAZ:** Staff proceeded to review Action 2, but noted that,
45 with the committee's preferred alternative in Action 1, only one
46 Alternative, Alternative 1, was appropriate. **The committee**
47 **recommends, and I so move, in Action 2, to make Alternative 1**
48 **the preferred alternative. Alternative 1 is no action,**

1 management benchmarks will not be established for octocorals.
2 The motion carried with no opposition. Madam Chair.

3
4 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
5 discussion on the motion? **Seeing none, is there any opposition**
6 **to the motion? The motion carries.**

7
8 **MR. DIAZ:** Staff proceeded to review Actions 3 through 8, which
9 all address creating new HAPCs in the various regions of the
10 Gulf. Action 3 addresses potential modifications to the
11 boundaries of the Pulley Ridge HAPC. The expansion of the area
12 is contentious, as bottom long-liners currently use this area,
13 especially during the thirty-five-fathom seaward seasonal
14 closure.

15
16 The committee asked if having two adjacent areas with different
17 regulations would be too cumbersome for law enforcement. Staff
18 noted that this document was scheduled to be reviewed at the
19 LETC/LEC meeting at the Gulf States Marine Fisheries Commission
20 meeting in two weeks.

21
22 **The committee recommends, and I so move, in Action 3, to make**
23 **Alternative 4 the preferred. Alternative 4 is add a new area,**
24 **Pulley Ridge South Portion A, within the Pulley Ridge North HAPC**
25 **adjacent to Pulley Ridge South HAPC with separate regulations.**
26 **Pulley Ridge South A will have the following regulations:**
27 **fishing with a bottom trawl, buoy gear, pot or trap, and bottom**
28 **anchoring by fishing vessels are prohibited year-round in the**
29 **area of the HAPC. Pulley Ridge South Portion A will be bounded**
30 **by the following coordinates, connecting in order. The motion**
31 **carried seven to two.**

32
33 **CHAIRMAN BOSARGE:** All right. We have a committee motion. Is
34 there any discussion on the motion? Dr. Simmons.

35
36 **DR. SIMMONS:** Thank you, Madam Chair. It was not regarding this
37 motion, but, when you're done with that, can we go back and talk
38 a little bit about 1 and 2 and how staff has a suggestion about
39 that?

40
41 **CHAIRMAN BOSARGE:** Yes, ma'am, most certainly. Any discussion
42 on this motion? **Seeing none, is there any opposition to the**
43 **motion? Seeing none, the motion carries.** Dr. Simmons, do you
44 want to back now?

45
46 **DR. SIMMONS:** Yes, and thank you, Madam Chair. I was just going
47 to suggest, if the council is certain that they don't want to
48 include the deepwater octocorals in the FMU at this time, would

1 it be appropriate to move both Action 1 and 2 to Considered but
2 Rejected for this amendment? We would have some more work to do
3 in Action 2, and then the SSC would need to spend significant
4 time on that as well, to get that really in shape for us to go
5 out to public hearings at this point, so, if you're ready to
6 remove it, then I think it would be prudent to do that at this
7 time. Thanks.

8
9 **CHAIRMAN BOSARGE:** All right. Is there discussion? I am
10 looking at you, Dr. Frazer, because I feel you're going to have
11 some hesitation. Go ahead, sir.

12
13 **DR. FRAZER:** I appreciate that, and I think, again, based on the
14 comments that we had, I think everybody understands how I feel
15 about the habitat provisions for octocorals, but, again, they're
16 not being harvested at this point, other than in Florida, and I
17 think Florida is doing a good job with that, and so I think, at
18 this time, I'm happy to accept that recommendation.

19
20 **CHAIRMAN BOSARGE:** Okay. Does anyone else around the table have
21 any thoughts or feelings on that? Staff is talking about taking
22 that and putting it in the Considered but Rejected. Mr. Greene.

23
24 **MR. GREENE:** I am kind of looking at Martha here. Is there
25 going to be any issues within Florida by doing this?

26
27 **MS. GUYAS:** No, we're good to go here. I was going to make a
28 motion.

29
30 **CHAIRMAN BOSARGE:** Let's have a motion. If we're going to
31 remove something from the document like that, I think we
32 probably need a motion.

33
34 **MS. GUYAS:** Sure. I will make a motion to send Actions 1 and 2
35 to the Considered but Rejected.

36
37 **CHAIRMAN BOSARGE:** All right. Staff is getting that motion on
38 the board, and it has been seconded by Mr. Greene. I am going
39 to let staff get it on the board, and then we'll read it into
40 the record. Is there any discussion on it, while staff is
41 putting that up on the board for us? Okay.

42
43 The motion is to move Actions 1 and 2 to Considered but
44 Rejected. 2.1, Action 1, is Incorporation of Deepwater
45 Octocoral Species into the Gulf of Mexico (Gulf) Fishery
46 Management Unit, FMU. 2.2, Action 2, is Establish Management
47 Benchmarks for Octocoral Species. Is there further discussion
48 on the motion? **Seeing none, is there any opposition to the**

1 motion? The motion carries. Chairman Diaz.

2
3 **MR. DIAZ:** Thank you. Staff reviewed Actions 4 through 7. In
4 these actions, depending upon current usage of the area
5 indicated by VMS and ELB data, there may be specific options for
6 exempting certain gear types from bottom-tending gear
7 prohibitions.

8
9 The committee discussed that there are different mechanisms for
10 mitigating bottom anchoring, such as mooring buoys, breakaway
11 anchor requirements, stationing, and outreach and education
12 efforts. The committee made the following motions.

13
14 The committee recommends, and I so move, in Action 4, to make
15 Alternatives 2, 3, and 4 and Option b the preferred. I am going
16 to read Alternatives 2, 3, and 4, but I'm only going to read
17 Option b one time, but it applies to all three. Alternative 2
18 is establish a new HAPC named Long Mound bound by the following
19 coordinates, connecting in order. Option b is prohibit bottom-
20 tending gear in the Long Mound HAPC. Bottom-tending gear is
21 defined as bottom longline, bottom trawl, buoy gear, dredge, pot
22 or trap, and bottom anchoring by fishing vessels. Alternative 3
23 is establish a new HAPC named Many Mounds bound by the following
24 coordinates, connecting in order. Alternative 4 is establish a
25 new HAPC named North Reed bound by the following coordinates,
26 connecting in order. The motion carried eight to zero with no
27 opposition.

28
29 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
30 discussion on the motion? Seeing none, is there any opposition
31 to the motion? The motion carries.

32
33 **MR. DIAZ:** The committee recommends, and I so move, in Action 5,
34 to make Alternatives 2 through 6, Option b, and Alternative 7,
35 Option c the preferred. Alternative 2 is establish a new HAPC
36 named Alabama Alps Reef bound by the following coordinates,
37 connecting in order. Option b is prohibit bottom-tending gear
38 in the Alabama Alps Reef HAPC. Bottom-tending gear is defined
39 as bottom longline, bottom trawl, buoy gear, dredge, pot or
40 trap, and bottom anchoring by fishing vessels. Alternative 3 is
41 establish a new HAPC named L&W Pinnacles and Scamp Reef bound by
42 the following coordinates, connecting in order. Alternative 4
43 is establish a new HAPC named Mississippi Canyon 118 bound by
44 the following coordinates, connecting in order. Alternative 5
45 is establish a new HAPC named Roughtongue Reef bound by the
46 following coordinates, connecting in order. Alternative 6 is
47 establish a new HAPC named Viosca Knoll 826 bound by the
48 following coordinates, connecting in order. Alternative 7 is

1 establish a new HAPC named Viosca Knoll 862/906 bound by the
2 following coordinates, connecting in order. Option c, which
3 applies only to Alternative 7, is prohibit bottom-tending gear
4 in the Viosca Knoll 862/906 HAPC. Bottom-tending gear is
5 defined as bottom longline, bottom trawl, buoy gear, dredge, pot
6 or trap, and bottom anchoring by fishing vessels. Provide an
7 exemption to the bottom-tending gear for fishermen possessing a
8 royal red shrimp endorsement and is fishing with royal red
9 shrimp fishing gear. The motion carried six to one.

10
11 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
12 discussion on the motion? Seeing none, is there any opposition
13 to the motion? One opposed, and the motion carries.

14
15 **MR. DIAZ:** The committee recommends, and I so move, in Action 6,
16 to make Alternatives 2, 3, 4 and Option b the preferred.
17 Alternative 2 is establish a new HAPC named AT 047 bound by the
18 following coordinates, connecting in order. Option b is
19 prohibit bottom tending gear in the AT 047 Bank HAPC. Bottom-
20 tending gear is defined as bottom longline, bottom trawl, buoy
21 gear, dredge, pot or trap, and bottom anchoring by fishing
22 vessels. Alternative 3 is establish a new HAPC named AT 357
23 bound by the following coordinates, connecting in order.
24 Alternative 4 is establish a new HAPC named Green Canyon 852
25 bound by the following coordinates. The motion carried six to
26 three. Madam Chair.

27
28 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
29 discussion on the motion? Seeing none, is there any opposition
30 to the motion? The motion carries.

31
32 **MR. DIAZ:** The committee recommends, and I so move, in Action 7,
33 to make Alternatives 2 and 3 and Option a the preferred.
34 Alternative 2 is establish a new HAPC named Harte Bank bound by
35 the following coordinates, connecting in order. Option a is do
36 not establish fishing regulations in the Harte Bank HAPC.
37 Alternative 3 is establish a new HAPC named Southern Bank bound
38 by the following coordinates, connecting in order. The motion
39 carried eight to one, Madam Chair.

40
41 **CHAIRMAN BOSARGE:** We have a committee motion. Is there
42 discussion on the motion? Seeing none, is there any opposition
43 to the motion? The motion carries.

44
45 **MR. DIAZ:** Staff presented Action 8, which would establish eight
46 HAPCs with no fishing regulations. The committee discussed
47 adding information about individual areas and the fishermen that
48 use those areas. Staff stated that the information would be

1 provided at Full Council.

2
3 Four areas have VMS points. Two are discussed in the document.
4 Garden Banks 299 had only fifteen VMS points for the entirety of
5 the time series. Green Canyon 140 and 272 has VMS points in the
6 north central portion of the area, and points are nearly evenly
7 divided between bandit gear and bottom trawl gear, approximately
8 fifty to sixty points each. Mississippi Canyon 751 also has
9 nine fishing points, mostly from bottom longline, and
10 Mississippi Canyon 885 has five fishing points, four from bottom
11 longline. Based on ELB information, these areas are not
12 shrimping areas.

13
14 **The committee recommends, and I so move, in Action 8, to make**
15 **Alternatives 2 through 9 the preferred. Alternative 2 is**
16 **establish a new HAPC named South Reed bound by the following**
17 **coordinates, connecting in order. Alternative 3 is establish a**
18 **new HAPC named Garden Banks 299 bound by the following**
19 **coordinates, connecting in order. Alternative 4 is establish a**
20 **new HAPC named Garden Banks 535 bound by the following**
21 **coordinates, connecting in order. Alternative 5 is establish a**
22 **new HAPC named Green Canyon 140 and 272 bound by the following**
23 **coordinates, connecting in order. Alternative 6 is establish a**
24 **new HAPC named Green Canyon 234 bound by the following**
25 **coordinates, connecting in order. Alternative 7 is establish a**
26 **new HAPC named Green Canyon 354 bound by the following**
27 **coordinates, connecting in order. Alternative 8 is establish a**
28 **new HAPC named Mississippi Canyon 751 bound by the following**
29 **coordinates, connecting in order. Alternative 9 is establish a**
30 **new HAPC named Mississippi Canyon 885 bound by the following**
31 **coordinates, connecting in order. The motion carried with one**
32 **in opposition. Madam Chair.**

33
34 **CHAIRMAN BOSARGE:** We have a committee motion. Is there any
35 discussion on the motion? **Is there any opposition to the**
36 **motion?** Seeing none, the motion carries. **We have two opposed.**
37 **The motion carries with two opposed.**

38
39 **MR. DIAZ:** Staff presented Action 9, which would address
40 prohibiting dredging in existing HAPCs with fishing regulations.
41 The committee did not make any recommendations on this action.
42 **Madam Chair, at this time, I would like to make a motion that we**
43 **make Alternative 2 the preferred for Action 9.**

44
45 **CHAIRMAN BOSARGE:** Okay. We will give staff a minute to get
46 that on the board.

47
48 **MR. DIAZ:** Is it all right if I give my rationale?

1
2 **CHAIRMAN BOSARGE:** Yes, sir, most certainly.
3

4 **MR. DIAZ:** I think this is basically just a housekeeping thing.
5 Some of our descriptions include dredge and some of them do not
6 include dredge, and so this is for consistency throughout the
7 document, and I believe it's not going to have an impact. I am
8 not aware of anybody that's dredging, but it's just a
9 consistency housekeeping type of thing.
10

11 **CHAIRMAN BOSARGE:** Okay. So, we have a motion in Action 9 to
12 make Alternative 2 the preferred. Alternative 2 is prohibit
13 dredging in all existing HAPCs that have fishing regulations.
14 Is there a second to the motion? It's seconded by Dr. Frazer.
15 Is there discussion on the motion? Mr. Swindell.
16

17 **MR. SWINDELL:** I have one question. Why is the dredging just
18 being proposed in areas that have fishing regulations?
19

20 **CHAIRMAN BOSARGE:** Dr. Kilgour.
21

22 **DR. MORGAN KILGOUR:** The reason the IPT came up with just the
23 fishing regulations is we have several HAPCs that have no
24 regulations at all, and those are contained in the beginning of
25 the document, and I think it's Table 1.1.2. Like Dale said, it
26 was just a housekeeping issue, to maintain consistency
27 throughout the HAPCs that have regulations. Should the council
28 choose to add dredging as a prohibition to other HAPCs, we could
29 do the analysis and bring that back to you, but this was mainly
30 just a housekeeping issue. Again, there are several HAPCs that
31 don't have fishing regulations at all.
32

33 **CHAIRMAN BOSARGE:** Ed, just to clarify a little further, I think
34 probably maybe that got left out of some of the regulations,
35 because we don't have a dredging fishery in the Gulf, and so
36 that's probably why it was overlooked in the regulations where
37 it's not listed, and so this is just to kind of go back in and,
38 where it was overlooked, apply it there.
39

40 **MR. SWINDELL:** I was just curious as to how we could ever allow
41 dredging in any of the HAPCs.
42

43 **CHAIRMAN BOSARGE:** So noted. All right. Is there further
44 discussion on this motion? **Seeing none, is there any opposition**
45 **to the motion? No opposition, and the motion carries.**
46

47 **MR. DIAZ:** Full Council is requested with determining if it
48 would like to send the document out to public hearings after the

1 January 2018 SSC meeting. The document will also be presented
2 to the Reef Fish AP, the Shrimp AP, and the Coral AP at their
3 next meetings. Staff has provided a list of proposed public
4 hearing locations based on fishermen potentially affected in the
5 document and historic participation in the action guide.

6
7 These locations are: Brownsville, Texas; Galveston/Palacios,
8 Texas; D'Iberville/Biloxi area, Mississippi; Bayou La Batre/Bon
9 Secour, Alabama; Madeira Beach, Florida; Key West, Florida, and
10 a webinar. Madam Chair.

11
12 **CHAIRMAN BOSARGE:** Mr. Anson.

13
14 **MR. ANSON:** I think, for Alabama, just put Mobile. It's more
15 centrally located.

16
17 **UNIDENTIFIED:** Louisiana would like to get added to the list, if
18 possible, and offer a venue also, which would be potentially our
19 Fisheries Research Lab on Grand Isle, and there would probably
20 be no cost to the council to do that.

21
22 **CHAIRMAN BOSARGE:** That sounds good. Let's get our list of
23 locations back up. This is something that the council is being
24 requested to determine. It would be out to public hearings
25 after the January 2018 SSC meeting, and so, essentially, that
26 means -- I doubt seriously that you're going to take this out to
27 public hearings after the SSC meeting in January but before the
28 council meeting in January, and so, more than likely, this is
29 going to happen after the January council meeting, I am
30 assuming, and so I'm wondering if we're going to have a Coral
31 Committee meeting in January where we can finalize this. I am
32 just saying that because Mr. Riechers is not at the table, and
33 it sounds like we have some time to finalize it. We need to
34 start nailing it down, but I hated to do that without Robin.
35 Yes, Dr. Kilgour.

36
37 **DR. KILGOUR:** I would hesitate to wait until the January council
38 meeting. It takes us several weeks to have -- It has to be
39 three weeks in the FRN before we can go out to public hearing,
40 and I did go through where did we get comments on the scoping
41 document, and I went through, and those are where we came up
42 with the locations, and so I think we have a really good range,
43 but, again, if we wait until January, it might be too tight
44 between then and the April council meeting to get the input that
45 you want.

46
47 **CHAIRMAN BOSARGE:** Okay. So noted. Martha.

1 **MS. GUYAS:** Just as a suggestion, if you're worried about
2 getting input from Robin, I would say somebody could maybe reach
3 out to him and just confirm that these locations are good for
4 them after we move forward with passing this list.

5
6 **CHAIRMAN BOSARGE:** Okay, and so we just put our Louisiana
7 location up there, and that's Grand Isle. Mr. Boyd.

8
9 **MR. BOYD:** We talked about this briefly, and we really didn't
10 conclude anything other than we were curious as to the
11 Galveston/Palacios. Is that two meetings or one meeting,
12 because they are different fleets, and Palacios is a major port
13 for shrimpers on the Texas coast, and so I was just curious
14 about that.

15
16 **CHAIRMAN BOSARGE:** Dr. Kilgour.

17
18 **DR. KILGOUR:** That was going to be one meeting. When we went
19 out to scoping for this document, we had significant input at
20 the Galveston location, from my recollection. At the Palacios
21 location, we did have several people comment on the shrimp
22 document that went out to public hearing at the same time as the
23 scoping draft, but no comments on the coral document that was
24 presented to them, and so that is why that's kind of combined.

25
26 **MR. BOYD:** Okay. Well, I would leave it up to you all then.

27
28 **CHAIRMAN BOSARGE:** My other comment regarding Texas is that
29 there is another stakeholder group out there that this is going
30 to have some impact on, and that's going to be the oil industry.
31 When you draw an HAPC box around it, that puts them in a new
32 category, as far as what they have to do if they want to do
33 anything inside that area, and so you're probably going to want
34 to take this to Houston, and I say that because I've already
35 gotten some feedback from some of those people. I am saying as
36 an additional Texas location. Let me be clear. No, don't cut
37 the shrimp fleet out. Mr. Diaz.

38
39 **MR. DIAZ:** I had a question about the AP meetings for either Dr.
40 Simmons or Mr. Gregory. Do you all have kind of outlined what
41 the timeline is to have the Reef Fish AP, the Shrimp AP, and the
42 Coral AP meet again?

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

45
46 **DR. SIMMONS:** Thank you, Madam Chair. Nothing really
47 solidified. We have typically been convening the Shrimp AP,
48 Morgan, before the April council meeting, and is that correct,

1 for the Texas closure and to address the stock assessments that
2 we get once a year for the three shrimp species, penaeid shrimp
3 species, and so I think we've been having that around late
4 February or early March, based on when the Science Center can
5 provide that information, and so we kind of kill two birds with
6 one stone. We would coordinate with them on the Shrimp AP
7 meeting, to make sure those materials are ready, so they are
8 reviewing all of that material at the same time.

10 Then, for the Reef Fish AP, I think it would be around the same
11 spring time. I think we're trying to see if we can get the gray
12 snapper assessment and potentially the red snapper assessment
13 and have the SSC review that, and maybe that information will
14 also go to the Reef Fish AP. If that all ends up, it would be
15 sometime probably late March or early April, is what I'm
16 thinking right now, and so a lot of meetings in the spring.

18 As far as the Coral AP goes, Morgan, I'll have to let you talk
19 about that, because I am not sure if they should be convened in
20 conjunction or the following day with the Coral SSC or not.
21 What were you thinking there?

23 **CHAIRMAN BOSARGE:** Dr. Kilgour.

25 **DR. KILGOUR:** I was going to bring that up at our staff meeting,
26 but, typically, the Coral AP and Coral SSC have met together.
27 This will be the first time that the Coral SSC is meeting with
28 the Standing SSC, and so hopefully it will be in the spring,
29 before the April council meeting, but that's something that I
30 was going to bring up at our staff meeting. I am not quite sure
31 on the timing of that.

33 **CHAIRMAN BOSARGE:** Okay, and so we have a list in front of us.
34 We have Louisiana added to the list, and the Houston location is
35 added to the list. Did we make a decision on Galveston versus
36 Palacios, because everybody is still on the board.

38 **EXECUTIVE DIRECTOR GREGORY:** It sounds like Galveston is the
39 better place for the coral input.

41 **CHAIRMAN BOSARGE:** I did reach out to Southern Shrimp Alliance,
42 and they said Palacios gets the most attendance for shrimp, and
43 so it's a toss-up.

45 **DR. STUNZ:** It might be possible, since Houston and Galveston
46 are so close, to do something in between Houston and Galveston
47 that captures both of those and you still preserve the Palacios
48 area.

1
2 **CHAIRMAN BOSARGE:** Timewise, how far is Houston from Galveston?

3
4 **DR. STUNZ:** Downtown Houston is forty or fifty miles, and so you
5 could do something in --

6
7 **CHAIRMAN BOSARGE:** So the Galveston people may just come to
8 Houston is what you're saying?

9
10 **DR. STUNZ:** Yes, or there is cities in between that you could
11 have it. The best thing would be to ask Lance. He would know
12 exactly where to put that, since he's familiar with that area.

13
14 **EXECUTIVE DIRECTOR GREGORY:** Our intention was not to identify
15 two places, like D'Iberville and Biloxi, but just identify a
16 general area, and I'm sorry for the confusion.

17
18 **CHAIRMAN BOSARGE:** Mr. Boyd.

19
20 **MR. BOYD:** The only issue that you and I have both noted is that
21 there's a substantial fleet of shrimpers in Palacios, and I
22 really would hate to cut them out. We had a -- I can't remember
23 the exact meeting, but I was the council representative for a
24 meeting at Palacios, and there was a lot of attendance there.

25
26 **CHAIRMAN BOSARGE:** Right, and I have noted that as well, and so
27 we have a general area there, and we have Palacios listed out by
28 itself, and then we have a Galveston/Houston general area, and
29 so we'll get with Robin and nail down that Galveston/Houston
30 exact location.

31
32 **MR. BOYD:** I am sorry that I didn't see that we had separated
33 Galveston and Palacios, and so that's good. Thank you.

34
35 **CHAIRMAN BOSARGE:** All right. Are all the other states okay
36 with their locations listed there? Do we need a motion to
37 accept these? Anybody ready to make that motion?

38
39 **MR. GREENE:** I will make that.

40
41 **MR. BOYD:** I will second.

42
43 **CHAIRMAN BOSARGE:** Mr. Greene makes the motion to accept staff's
44 recommended locations for public hearings on Coral Amendment 9.
45 Did I have a second for that motion? It was seconded by Mr.
46 Boyd. All right. Before we vote on that, I am just looking at
47 the Florida locations, and I am remembering what the shrimp
48 fleet from told me, and they said this the last time, when we

1 took coral out, but they wanted a Tampa location. Now, we have
2 an office in Tampa.

3
4 **EXECUTIVE DIRECTOR GREGORY:** Only one person comes to our Tampa
5 public hearings when it comes to do with shrimp, and so I don't
6 see the benefit of that.

7
8 **CHAIRMAN BOSARGE:** Let me ask you this. When you do that
9 webinar one, can that not be done in the office as an also come
10 in public hearing? I mean, you're going to do this webinar from
11 the office. That could be your Tampa/webinar location. Dr.
12 Kilgour.

13
14 **DR. KILGOUR:** I would also like to note that the Madeira Beach
15 location is about thirty minutes from the office, and so it's
16 not that far from Tampa either, and we get all the longliners
17 that have been participating in the process at that location as
18 well.

19
20 **EXECUTIVE DIRECTOR GREGORY:** There are shrimp docks in St.
21 Petersburg.

22
23 **CHAIRMAN BOSARGE:** Which is close to Madeira Beach, I'm
24 assuming, is what you're trying to say. You're talking to a
25 woman from Mississippi, and so okay. All right. Thank you.
26 Dr. Stunz.

27
28 **DR. STUNZ:** Real quick, Lance just emailed me, and he said that
29 Clear Lake would capture the people from Galveston and Houston,
30 and so, if we wanted to change that Houston/Galveston to Clear
31 Lake, Texas, that's right in the middle there, and on the coast,
32 and so it's an appropriate venue.

33
34 **CHAIRMAN BOSARGE:** Okay. I will tell you what. Let's leave it
35 as Galveston/Houston, just because I have no idea what hotels
36 are in Clear Lake, and I don't want to bind staff to Clear Lake,
37 and so if that's okay. It may be a big location and there is no
38 problem, but I have never seen that in our listing of cities.
39 Perfect. Now we have it all up there. We have Clear Lake on
40 the board as well. All right. Is everybody happy with this
41 motion? Is our seconder still happy with the motion? Great.
42 Is there further discussion on the motion? **Seeing none, is**
43 **there any opposition to the motion? With no opposition, the**
44 **motion carries.**

45
46 **MR. DIAZ:** Madam Chair, this concludes my report. Thank you.

47
48 **CHAIRMAN BOSARGE:** Thank you, Chairman Diaz. All right. That

1 takes us to Other Business. Is there any other business to come
2 before the council? Mr. Strelcheck.

3
4 **OTHER BUSINESS**
5 **RED SNAPPER LANDINGS UPDATE**
6

7 **MR. STRELCHECK:** Earlier in the meeting, I know there was some
8 frustration that we didn't have the Wave 3 landings, and so I
9 don't have it for all species, but I just wanted to let the
10 council know that, as of Wave 3, plus including LA Creel
11 landings, we are at 68 percent of the catch target for the for-
12 hire sector for red snapper, and we are at 134 percent of the
13 catch target for the private red snapper sector and 107 percent
14 for the ACL.

15
16 Then I know -- I believe, Patrick, Louisiana was meeting this
17 week, and has your commission made any decision about fall
18 openings or is there any decisions about fall red snapper
19 openings by other states?

20
21 **CHAIRMAN BOSARGE:** Mr. Banks.

22
23 **MR. BANKS:** Our commission met today, and they decided not to
24 reopen the fall season. We were about 100,000 pounds underneath
25 our self-imposed quota, and they were afraid of overruns.

26
27 **CHAIRMAN BOSARGE:** Excellent news. Thank you. Any other
28 states? Mr. Anson.

29
30 **MR. ANSON:** As we agreed to for the second federal season that
31 we would not open up state waters beyond the last day of the
32 federal season, but, just to confirm, what were those dates that
33 those numbers are reflected, Andy, was that through the end of
34 August?

35
36 **MR. STRELCHECK:** Through the end of June for MRIP, and then we
37 have some LA Creel landings for July and August. I've been told
38 that we'll also have July and August MRIP and headboat sometime
39 next week.

40
41 **CHAIRMAN BOSARGE:** Ms. Guyas.

42
43 **MS. GUYAS:** Florida is closed, like Alabama. Once the federal
44 season closed, we closed.

45
46 **CHAIRMAN BOSARGE:** Dr. Mickle.

47
48 **DR. MICKLE:** Andy, in aggregate then -- Do you have an aggregate

1 value? You presented it as the for-hire sector and the
2 recreational sector.

3
4 **MR. STRELCHECK:** The aggregate is, right now, around 5.6 million
5 pounds.

6
7 **DR. MICKLE:** Do you have a percentage?

8
9 **MR. STRELCHECK:** I don't have it as a percentage. The total
10 ACL, I believe, is around 6.6 million pounds.

11
12 **DR. MICKLE:** Thank you.

13
14 **CHAIRMAN BOSARGE:** Go ahead, Dr. Mickle.

15
16 **DR. MICKLE:** The Commission on Marine Resources met and got our
17 season-ending report from our Tails and Scales landing program,
18 and they were very interested in what our projection was of what
19 we thought we were going to catch with the thirty-nine-day
20 season, and they were very critical of how accurate our
21 reporting system was, which I really admire that they were being
22 critical of it, and there was no discussion of a fall season,
23 and we have no intention of opening up at this point in time.
24 Thank you.

25
26 **CHAIRMAN BOSARGE:** Thank you, sir. Mr. Banks.

27
28 **MR. BANKS:** Andy, the July/August landings, you said you will
29 probably have it by January?

30
31 **MR. STRELCHECK:** We will definitely have it for the next
32 meeting, but preliminary numbers should be available as early as
33 next week.

34
35 **MR. BANKS:** Okay. Thank you.

36
37 **CHAIRMAN BOSARGE:** Andy, I'm sorry, but I do better when I have
38 numbers on the board, and so what you said is that the overall
39 recreational landings are at 107 percent of the ACL, as of the
40 end of June, landings as of the end of June plus LA Creel for
41 July and August?

42
43 **MR. STRELCHECK:** We have MRIP landings through June, and we have
44 LA Creel through September 4, when they closed, and we have
45 headboat through June. We do not have Texas at this point in
46 the year, and we don't have, obviously, July through September,
47 when the season closed, for MRIP or headboat.

1 What I said was that we were at 68 percent of the catch target
2 for for-hire and 55 percent of the catch limit for the for-hire
3 sector. 134 percent of the catch target for private and 107
4 percent for the catch limit for private.
5

6 **CHAIRMAN BOSARGE:** The extension of the season opened in July,
7 right, that outside the three-day original season, and that
8 opened in July and went through September 4, or whatever it was,
9 and so, essentially, we don't have those landings yet for
10 Florida, Mississippi, Alabama, and Texas.
11

12 **MR. STRELCHECK:** Yes, and I think the three-day weekends began
13 the third full weekend in June, like around June 16, and went
14 through September 4, and so we're probably looking at about
15 twenty-five days or so that aren't accounted for with landings
16 yet.
17

18 **CHAIRMAN BOSARGE:** Okay. Thank you, sir. Mr. Greene.
19

20 **MR. GREENE:** Patrick, based on what your commission did, is
21 there anything -- I mean, does that show a lack of faith on us
22 to be able to manage or anything? Is there more to that there?
23

24 **MR. BANKS:** Well, I certainly hope not. I mean, I hope what
25 they're trying to do is help show that we can be responsive and
26 conservative-minded. We had over 100,000 pounds left on the
27 table, so to speak, in Louisiana for our anglers under our self-
28 imposed limit. We certainly, within the agency, know that we
29 can manage very close to that, and we could have reopened a fall
30 season.
31

32 I don't know what the discussion was in front of the commission
33 today, and so I don't know exactly what their thoughts were. I
34 hope it's not that they didn't believe that we could actually
35 stop the harvest at that 100,000 pounds. I certainly don't
36 think so, and I hope not. I hope it was just that we want to
37 show that we can do our part and try to keep the whole Gulf
38 within the ACL, but 100,000 pounds is a tiny bit of a 5.9-
39 million-pound harvest, and so I honestly don't know. I hope
40 not, Johnny.
41

42 **CHAIRMAN BOSARGE:** Well, and I'm glad they didn't, since we now
43 know that we're over at this point, before we even count those
44 other landings, and so, in the interest of the fish, that's the
45 way to go. Mr. Banks.
46

47 **MR. BANKS:** To that point, unfortunately, it continues a trend
48 where Louisiana, and to a certain extent Texas, we're having to

1 pay for the sins of other states' harvest, and that's what has
2 concerned us for a number of years, which is why we went to this
3 self-imposed quota. We now have our recreational community not
4 able to harvest its historical percentage of the Gulf-wide
5 harvest, which is going to hurt us in allocation calculations
6 down the road, and so that's the downside to it, and it's just
7 not fair, sort of like the amberjack thing.

8
9 I mean, you know, if we ever allocated amberjack, for instance,
10 I mean we would be in a bad way, and so would Texas and so would
11 Mississippi, because all of that amberjack is caught up by folks
12 in the eastern Gulf, and so that's the downside to it, and I
13 think all of this begs for state management.

14
15 **CHAIRMAN BOSARGE:** All right, guys. Any other business?
16 Anything else? That brings us in our agenda then to the
17 Election of Chair and Vice Chair. I am going to turn it over to
18 Mr. Dave Donaldson, sir.

19
20 **ELECTION OF CHAIR AND VICE CHAIR**
21

22 **MR. DONALDSON:** Thank you, Madam Chair. I will open the floor
23 for nominations for Chairman. Dr. Mickle.

24
25 **DR. MICKLE:** I nominate Leann Bosarge as Chairman of the Gulf
26 Council.

27
28 **MR. SWINDELL:** I will second it.

29
30 **MR. DONALDSON:** Any other nominations?

31
32 **MR. MATENS:** I nominate Greg Stunz for Chair of the Gulf
33 Council.

34
35 **MR. DONALDSON:** I have a second. Any other nominations? All
36 right. Doug, do we -- We will get nominations for Vice Chair
37 and do it the same time, or do we vote on Chairman?

38
39 **EXECUTIVE DIRECTOR GREGORY:** One at a time.

40
41 **MR. DONALDSON:** One at a time. Mr. Diaz.

42
43 **MR. DIAZ:** Just not seeing anybody else, I move that the
44 nominations be closed, but I'm certainly not trying to do that
45 if somebody else wants to nominate, but I am just not seeing
46 anybody. Move the nominations be closed.

47
48 **MR. DONALDSON:** Okay. There's a second by Kevin. I will

1 distribute the official ballots. Please vote, and then the
2 Coast Guard and I will collect them and tally them and then
3 we'll get back with you, and then we'll do the Vice Chair.
4 **After the vote, Leann Bosarge was elected Chairman of the Gulf**
5 **Council for the next year.** I will now open the floor for
6 nominations for Vice Chairman. Mr. Diaz.

7
8 **MR. DIAZ:** I would like to nominate Dr. Tom Frazer for Vice
9 Chair of the Gulf Council.

10
11 **MR. DONALDSON:** We need a second. Camp seconds. Are there
12 other nominations? Mr. Banks.

13
14 **MR. BANKS:** I will nominate Captain Greene.

15
16 **MR. DONALDSON:** We need a second for Captain Greene. We have a
17 second. Are there other nominations? If not, I need a motion
18 to close.

19
20 **MR. SWINDELL:** I move to close the nominations.

21
22 **MR. DONALDSON:** We've got a second. All right.

23
24 **DR. FRAZER:** I am willing to walk away from this certainly, if
25 Johnny Greene wants to do this, for sure.

26
27 **MR. DONALDSON:** I am not sure what the protocol of that is. I
28 am pretty sure, since you've been nominated, we need to -- We
29 have already closed it. **If Dr. Frazer withdraws his nomination,**
30 **then congratulations, Captain Greene.** I will turn it back to
31 you, Madam Chairman.

32
33 **CHAIRMAN BOSARGE:** Thank you. I am honored to be your Chairman
34 again, I truly am. I want to say though that you did not have a
35 bad option in that vote, because we would have been in wonderful
36 hands with Dr. Stunz as well. From my heart, I mean that.

37
38 You know how they say that you have chapters in your life, and
39 then they say that there will be certain chapters of your life
40 that are so significant that those will be like the bookends on
41 your life, when it's all said and done, and I just want to say
42 that this experience, to be Chairman, I am positive will be one
43 of the bookends of my life, and so thanks. Mr. Swindell.

44
45 **MR. SWINDELL:** I also have to say that, Vice Chairman Greene,
46 you have done one heck of a job carrying through with all of the
47 stuff with the reef fish and still trying to pay attention to
48 some of the general stuff that you've got to pay attention to as

1 Vice Chair, and so congratulations on your term.

2
3 **MR. GREENE:** Thank you. I appreciate it. It's an honor for the
4 most ignorant boat captain you ever met to sit at this table,
5 and the faith that you guys have in me is very humbling, and I
6 appreciate it, although I was considering a motion to the
7 nomination process to add in an auction or a lottery, but I
8 figured that I would hold off.

9
10 **CHAIRMAN BOSARGE:** I'm glad that we're all still friends and
11 still laughing at the end of this meeting.

12
13 **MR. BOYD:** I just want to say that I want you to buy my next
14 beam out of Atlanta. They're thirty-something feet long, and
15 about eighteen-by-eighteen.

16
17 **MR. GREENE:** You buy a boat, and I'll buy a beam.

18
19 **MR. BOYD:** They come in on an eighteen-wheeler, if that tells
20 you anything.

21
22 **CHAIRMAN BOSARGE:** All right, guys. That takes us to the end of
23 our agenda, and so this meeting is adjourned, or almost
24 adjourned. Yes, sir, Mr. Anson.

25
26 **MR. ANSON:** I think you covered a little bit at the beginning of
27 the council meeting, but how are you going to go about the
28 committee structure and associating people to committees and all
29 of that stuff?

30
31 **CHAIRMAN BOSARGE:** We will be emailing out essentially like a
32 spreadsheet to all the members of the council, and you will
33 prioritize what committees that you would like to be on. You
34 will also list, on that spreadsheet, if there is a committee
35 that you would like to be considered for Chair or Vice Chair.
36 You will list that on the spreadsheet as well, and that will
37 come from staff.

38
39 You will email that back to staff, and I will come up with
40 recommendations for how the committees will be structured, and
41 we'll go into Full Council at the beginning of our meeting in
42 January and present that list to you all. If you all have no
43 amendments, if you're okay with it, you will bless it, in the
44 form of a motion, and that will be the assignment of committees.
45 We will come back out of Full Council at that point and start
46 our committee meetings with those people on the committees that
47 we just blessed.

1 **MR. MATENS:** Will the email reflect whether we will still have
2 Reef Fish as a committee of the whole or not?

3
4 **EXECUTIVE DIRECTOR GREGORY:** This is the second year we've done
5 that, and do you all like that approach? I mean, it's really up
6 to the Chair or the group as a whole.

7
8 **CHAIRMAN BOSARGE:** I will tell you my personal opinion on it. I
9 think it's been working quite well. I feel like we do most of
10 our heavy lifting in Reef Fish, but I am open to suggestions.
11 If you all want to go back to the way it was and just have
12 specific people on the Reef Fish Committee -- Sometimes what it
13 means is when we get to Full Council that a lot of things
14 change, but I am open to discussion if you don't like it that
15 way, if you all think it worked better the other way.

16
17 **MR. MATENS:** Let me just go on record that I like it, but I just
18 wanted to make sure, as I thought this over, that that was part
19 of the calculus.

20
21 **CHAIRMAN BOSARGE:** Let me put it like this. Usually everybody
22 has Reef Fish as like their number one, two, or three priority
23 on that list, and so -- Vice Chair Greene.

24
25 **MR. GREENE:** I think the committee of the whole works really
26 well. I think we should almost consider it in just about every
27 committee we do, unless someone has a strong opposition to being
28 on a committee, because we all sit at the table, and we're all
29 here. We're all experienced in most everything.

30
31 I mean, I don't know much about a spiny lobster, and the only
32 shrimp I have ever caught was with a fork, but there are things
33 that everybody has to contribute, and so maybe that should be a
34 consideration as well. If anybody has any strong feelings one
35 way or the other, please let us know, so we can try to make some
36 determination of that.

37
38 **CHAIRMAN BOSARGE:** Mr. Sanchez.

39
40 **MR. SANCHEZ:** I just want to thank everyone who reached out
41 during the post-Irma to check up on me and pre and make sure
42 that everything was going to be all right and safe. It meant a
43 lot, and I appreciate that, and the same goes for Harvey. It's
44 kind of east and west coming together a little bit in a horrible
45 fashion, and I hope that everyone who may or may not be looking
46 at an event this weekend, be safe. Bonnie, farewell, and
47 welcome back, Dr. Shipp, and, Phil, I look forward to working
48 with you.

1
2 **CHAIRMAN BOSARGE:** Thank you, guys. Any other questions? All
3 right. Our next meeting is January 29 through February 1 at the
4 Hyatt Centric in New Orleans, and we'll see you there. Meeting
5 adjourned.

6
7 (Whereupon, the meeting adjourned on October 5, 2017.)
8

9 - - -
10