

Gulf Council Motions: June 6-7, 2007 New Orleans, Louisiana

Administrative Policy

Motion: that staff pull together options for ACLs and AMs; that management committees meeting in August discuss ACLs and AMs as part of their agenda under other business; and the Administrative Policy Committee at the August meeting try to pull all of those things together for a recommendation to full Council.

Motion carried with no objection.

Motion: to change the SSC stipend language "only members who are not state or federal employees," and repeat the same stipend language in Section C (APs).

Motion carried with no objection.

Budget/Personnel

Motion: to increase the state liaison funding by \$5K/year, not inclusive of GSMFC, with a review to be conducted at the November Council Meeting.

Amendment to the motion: to include GSMFC

Amendment carried

Motion as Amended: to increase the liaison funding by \$5K/year, with a review to be conducted at the November Council Meeting.

Motion as amended carried.

April 27, 2007 Closed Session
Conference Call

**During a closed session conference call
on April 27, 2007 the Council made**

the following appointments:

Ad Hoc Grouper IFQ Advisory Panel

Vishwanie Maharaj is to replace Pamela Baker_

Ecosystem SSC

All members are reappointed:

Dr. Vernon Asper
Dr. Felicia Coleman
Dr. Ken Heck
Dr. David Hicks
Dr. Stephen Holiman
Dr. Behzad Mahmoudi
Dr. Joseph Powers
Dr. Ken Rose
Dr. James Simons
Dr. Carl Walters
Dr. Priscilla Weeks

Ad Hoc Recreational Red Snapper IFQ
Advisory Panel

Alabama

Mike Rowell
Mike Thierry
Philip West

Florida

Jerry Anderson
Scott Robson
Jim Zurbrick

Louisiana

Myron Fischer
Carter Fourrier
Luis Rossignal

Mississippi

Thomas Becker
Bobby Carter
Dick Wilson

Texas

Glen Martin
Monty Weeks
Johnny Williams

Non-Voting Members

Dave McKinney, Enforcement
Jeff Barger, Environmental Defense
Donny Waters, Commercial

June 2007 Closed Session

In response to Forbes Darby's letter of May 31, 2007, the Council nominated the following persons to serve on the working groups that will be revising the MRFSS:

Degraaf Adams
Dr. Robert Shipp
Bill Daughdrill
Dr. Russell Nelson
Robert Zales, II
Dennis O'Hern

Joint Reef Fish/Mackerel/Red Drum

Aquaculture Amendment

Motion: delete the words "scientific research" from Action 1, Alternative 1.

Motion carried with no objection.

Motion: For Section 4.2, Action 2, make Alternative 2(c) – 20 years, the Council's preferred alternative.

Motion failed by a vote of 7 to 9.

Motion: insert (c) and (d) under Action 3, Preferred Alternative 3 –
c) Improve law enforcement capabilities. Components would include: 1) Any vessel authorized for use in aquaculture operations must have an aquaculture permit onboard, 2) notification of the time, date, and port of landing must be given to law enforcement at least 3 hours prior to landing, 3) a record of the number of fish raised for aquaculture (number of fingerlings placed in growout for market) must be maintained, 4) require submission of fin clips from broodstock used in spawning of fingerlings.
d) A "use it or lose it" provision for permits based on development of operations within 2 years of issuance of the permit. Development of operations is considered to be occurring when aquaculture equipment is obtained and placed in the water.

Motion carried with no objection.

Motion: For Action 4, (1) allow the aquaculture of all marine species in the Gulf managed by the Council and (2) send letter to NMFS to request they include HMS species with the exception of bluefin tuna.

Amendment to the Motion: Eliminate "with the exception of bluefin tuna."

Amendment to the Motion carried with no objection.

Substitute Motion: that the preferred alternative in Action 4 be: allow the aquaculture of all marine species managed by the Council in the Gulf.

Substitute Motion failed by voice vote.

Motion as Amended: to have as the preferred alternative in Action 4, Alternative 4: (1) allow the aquaculture of all marine species in the Gulf managed by the Council and (2) send a letter to NMFS to request they include HMS species.

Motion as Amended carried with no objection.

Motion: In Action 4, to include under preferred Alternative 4 the following language: Do not allow non-native species or transgenic species to be used for aquaculture in the Gulf of Mexico.

Motion carried with no objection.

Motion: Action 6 - that the newly configured preferred alternative 3 be adopted regarding siting criteria.

Motion carried by voice vote.

Motion: Add Alternative 4 to Action 6: Do not establish marine aquaculture areas but establish general siting criteria to be applied on a case-by-case basis to ensure reliable offshore growing system technology is used to provide environmental safeguards. Siting criteria would include the requirements of ACOE, MMS, EPA, NMFS, and other regulatory agencies with authority in the EEZ as applied to aquaculture.

Motion carried with no objection.

Motion: to accept the AP's recommendation for Action 8 that: Adopt the Preferred Alternative 2 as written, with the addition of "to be" in item b. after "report all fish", i.e., report all fish to be landed.

Motion carried with no objection.

Motion: to add to Section 4.8, Action 8 a subsection (j), which would require an annual report with a template to address activities in all of these areas.

Motion carried with no objection.

Motion: to add "migratory birds" to the end of Section 4.8, Action 8, preferred alternative 2 (d)(iii).

Motion carried with no objection.

Motion: approve the aquaculture amendment for public hearings to be held July 9 – 12, in Biloxi, Madeira Beach, Orange Beach, New Orleans, Destin, Galveston and Corpus Christi.

Motion carried with no objection.

Joint Reef Fish Shrimp

Reef Fish Amendment 27/Shrimp Amendment 14

Motion: For Action 1, change the preferred alternative to Alternative 3 - Revise the red snapper rebuilding plan in Reef Fish Amendment 22 by reducing TAC to 5.0 MP between 2008 and 2010; the commercial quota would be 2.55 MP, and the recreational quota would be 2.45 MP. After 2010, TAC would correspond to the level of catch associated with fishing at rate that produces MSY (proxy = 26 percent SPR). Review and adjust the rebuilding plan and directed fishery management measures, as necessary, based on periodic stock assessments. Management measures to achieve the 2.45 MP recreational quota would be:
Option g. 1 fish bag limit, 16-inch minimum

size limit, and: Suboption i. May 15 – October 15 recreational fishing season (154 days).

Substitute Motion: For Action 1 - adopt preferred Alternative 3, and for all vessels registered in Florida and Alabama, adopt Option g. 1 fish bag limit, 16-inch minimum size limit, and: Suboption i. May 15 – October 15 recreational fishing season (154 days); and, for all vessels registered in Louisiana, Texas, and Mississippi adopt Option a. 2-fish bag limit, 16-inch minimum size limit, and suboption i. June 1 – September 15 recreational fishing season (107 days).

Substitute Motion withdrawn.

Motion failed by a roll call vote of 5 to 11 with one abstention.

Motion: For Action 1, the proposed alternative remain Alternative 3(a)(i): Revise the red snapper rebuilding plan in Reef Fish Amendment 22 by reducing TAC to 5.0 MP between 2008 and 2010; the commercial quota would be 2.55 MP, and the recreational quota would be 2.45 MP. After 2010, TAC would correspond to the level of catch associated with fishing at rate that produces MSY (proxy = 26 percent SPR). Review and adjust the rebuilding plan and directed fishery management measures, as necessary, based on periodic stock assessments. Management measures to achieve the 2.45 MP recreational quota would be:

Option a. 2-fish bag limit, 16-inch minimum size limit, and:

Suboption i. June 1 – September 15 recreational fishing season (107 days).

Motion carried by previous action.

Motion: that the preferred alternative for Action 2 be Alternative 1: Do not take into consideration any potential post-hurricane reductions in directed fishery effort and landings when evaluating alternative TACs and management measures in Action 1.

Substitute Motion: that for Action 2, Alternative 3 be the preferred alternative:

Assume a 10-percent reduction in post-hurricane fishing effort and landings when evaluating alternative TACs and management measures in Action 1.

Substitute Motion carried.

Motion: For Action 3, the proposed alternative remains Alternative 2: The red snapper bag limit for captain(s) and crew of for-hire vessels is zero.

Motion carried by previous action.

Motion: For Action 4, the proposed alternative remains Alternative 2: Reduce the minimum size limit in the commercial red snapper fishery to 13 inches TL.

Motion carried by previous action.

Motion: For Action 5, the proposed alternative remains Alternative 2(d): Require the use of non-stainless steel circle hooks when using natural baits, and require the use of venting tools and dehooking devices when participating in one of the following EEZ fisheries:
Option d. All commercial and recreational reef fish fisheries

Motion carried by previous action.

Motion: to add Alternative 6 as the preferred alternative under Action 6 (Handout): Establish a target reduction of red snapper shrimp trawl bycatch mortality on red snapper 74 percent less than the benchmark years of 2001-2003 for the years 2008 through 2010. Reduce the target goal to 67 percent beginning in 2011, and thereafter reduce the target goal, as necessary, to achieve a target reduction goal of 60 percent by 2032.

Substitute Motion: that Alternative 5 be the preferred alternative for Action 6: Establish a target reduction of red snapper shrimp trawl bycatch mortality on red snapper 74 percent less than the benchmark years of 2001-2003 and then adjust it to the appropriate percent as determined by the red snapper stock assessment updates.

Substitute Motion failed by a roll call vote of 6 to 9 with 2 abstaining.

Motion carried by a roll call vote of 9 to 6 with 2 abstaining.

Motion: For Action 7, the proposed alternative remains Alternative 2: Establish if necessary a seasonal closure beginning on the same start date as the closure of the EEZ off Texas in the 10 to 30-fathom zone of selected areas within statistical zones 10-21 in the Gulf of Mexico. The need for the closure and its extent and duration will be determined based on the annual evaluation of the level of shrimp effort and associated red snapper mortality, taking into consideration mortality reductions associated with improved BRDs and other gear improvements. Any closure would be implemented in accordance with the framework outlined in Action 8.

Motion carried by previous action.

Motion: amend preferred Alternative 2, preferred option b, in Action 8 by striking "in the subsequent year."

Motion carried with none opposed.

Motion as amended: For Action 8, the proposed alternative is Alternative 2(b) as modified: Establish a framework procedure to adjust the effort target and closed season for the shrimp fishery in the Gulf of Mexico within the scope of the preferred alternatives identified in Actions 6 and 7. Option b. The SEFSC will conduct an annual assessment of the previous year's shrimp effort for the 10- to 30-fathom area in the Gulf (Statistical Subzones 10-21) and determine the area and duration of a closure and report this to the Regional Administrator for administrative action.

Motion as amended carried with no objection.

Motion: that the Council approve Reef Fish Amendment 27/Shrimp Amendment 14 as modified above.

Substitute Motion: that the Council approve Reef Fish Amendment 27/

Shrimp Amendment 14 as modified above for submission to the Secretary of Commerce for implementation.

Substitute Motion carried by roll call vote with one absent.

Motion: ask NMFS to write the offshore oil/gas companies and operators to request that they enforce compliance with fisheries regulations, emphasizing reef fish regulations; and, that they provide feedback to NMFS on what actions they've taken.

Motion carried with no objection.

Motion: to initiate a framework action to address geographic management measures for the red snapper fishery.

Motion carried with one opposed.

Mackerel

Motion: add an alternative to Amendment 19 that would set the boundary at the jurisdictional boundary between the Gulf and SAFMC.

Motion carried with no objection.

Motion: that the Amendment 19 Scoping Document be approved for Scoping Meetings and that staff be given editorial license to revise the Purpose and Need section to more appropriately reflect the Council's reasoning for the separation of the CMP FMP.

Motion carried with no objection.

Motion: that Scoping meetings for Amendment 19 be held at the following locations: Galveston, TX; New Orleans, LA; Madeira Beach, FL; Panama City, FL; Orange Beach, AL and Biloxi, MS.

Motion carried with no objection.

SEDAR 16 South Atlantic and Gulf of Mexico King Mackerel

Motion: to accept the SSC's recommendations regarding the Terms of Reference (TOR) as follows: Modify No. 8 under the Assessment Workshop to read as follows: Estimate the ABC based on the following criteria for the assessment workshop:

A) Based on migratory groups and mixing zone dynamics defined using best available scientific information.

B) Based on these ABC's provide separate management evaluations for the two areas delineated at the Monroe-Dade County line;

But, also add a criterion C): Based on these ABC's provide separate management evaluations for the two areas delineated at the jurisdictional line between the Gulf Council and the South Atlantic Council.

Motion carried with no objection.

Motion: that the Council approve the Terms of Reference (TOR) as modified

Motion carried with no objection.

Other Business

Motion: allow the Caribbean Fishery Management Council to take the lead on amending the Caribbean, South Atlantic, and Gulf Spiny Lobster Fishery Management Plans to set a minimum size limit for imported Spiny Lobsters.

Motion carried by consensus.

Motion: to establish the Council Coordinating Committee and include the following suggested language in the Gulf Council SOPPs:

Uniform Council Motion to Establish
Council Coordination Committee

There shall be established a Council Coordination Committee consisting of the Chairs, Vice Chairs, and Executive Directors of each of the eight regional fishery management councils, other council members, and staff. The Chairs, Vice Chairs, and Executive Directors shall be voting members. The six NOAA Fisheries Regional Administrators

or their designees, other council members, and staff shall be non-voting members. The Council Coordinating Committee shall meet from time to time as appropriate to discuss issues of relevance to all councils. The Council Coordinating Committee may establish such subcommittees as it deems appropriate.

Motion carried by consensus.

Motion: to send the letter to Mr. Blackburn, with the Mote Marine Laboratory, advising that the Gulf Council concurs with the conclusion of the Mote Marine Laboratory that no conflicts exist between the proposed artificial reef permitted site and existing Gulf of Mexico Fishery management Council fishery management plans.

Motion carried by consensus.

Motion: to allow the Ecosystem SSC to hold another workshop involving other SSC Members.

Motion carried with no objection.

Motion: establish an Ad Hoc Stock Enhancement Advisory Panel to look at stock enhancement fisheries in the Gulf of Mexico and advise the Council.

Substitute Motion: to request that the Reef Fish SSC evaluate the feasibility of stock enhancement for Council managed reef fish and advise the Council regarding that.

Substitute Motion withdrawn.

Motion withdrawn.

Motion: that staff draft a red snapper allocation amendment, and present ideas at the October/November Reef Fish Committee Meeting.

Motion carried with no objection.

Reef Fish

Motion: that the Council will start an

amendment to address Red Snapper allocation.

Motion carried with one opposed.

Amendment 30A

Motion: that Alternative 4 be the preferred alternative for Action 1 for Greater Amberjack: Establish the allocation of TAC between the recreational and commercial fisheries as the average share during the years 1981 through 2004. The recreational fishery would receive 71 percent of the TAC and the commercial fishery would receive 29 percent.

Motion carried

Motion: move Alternative 2 in Action 1 to the considered but rejected section.

Motion carried with one opposed.

Motion: that Alternative 2 be the preferred alternative for Action 2 for Greater Amberjack: Modify the rebuilding plan specified by Secretarial Amendment 2. Directed TAC levels for the 2008 through 2012 would be set at the directed yield for each year as defined by the constant FOY projection from the 2006 assessment. TAC for 2008 would be 1.9 mp, TAC in 2009 would be 2.5 mp, TAC in 2010 would be 3.1 mp, TAC in 2011 would be 3.5 mp, and TAC in 2012 would be 3.7 mp.

Motion carried with no objection.

Motion: that for Action 2, Alternatives 3 and 4 be moved to the considered, but rejected section.

Motion carried with no objection.

Motion: that Alternative 2 be the preferred alternative for Action 3 for Greater Amberjack: If annual landings for any sector as estimated by the SEFSC exceed the annual share of TAC for that sector, the Regional Administrator shall issue a notice reducing the length of the fishing season for that sector for the time necessary to recover the overage by the following fishing year. If, however, the Council establishes a commercial quota (see Action 4), the

Regional Administrator shall issue a notice reducing the commercial quota in the following year by the amount the quota was exceeded in the previous year(s).

Motion carried with no objection.

Motion: that Alternative 4 as modified be the preferred alternative for Action 4 for Greater Amberjack: Reduce the recreational bag limit to one fish for every two anglers with an allowance for fewer anglers and increase the recreational size limit to 30 inches FL. Reduces landings by 32 percent; and, eliminate captain and crew bag limits.

Motion carried with no objection.

Motion: to only consider the three shaded rows under the recreational options in the analysis of the document (FOY Rebuilding Plan Handout) including captain and crew analysis, and include seasonal closures in the alternatives that are analyzed.

Motion carried with no objection.

Motion: to remove the analysis of closed seasons for the Greater Amberjack commercial fishery.

Motion failed.

Motion: that the preferred alternative for Action 5 for Greater Amberjack be an alternative that uses a 32-inch FL minimum size limit and a 546,000 lb quota.

Substitute Motion: that the preferred alternative for Action 5 for Greater Amberjack be an alternative that has a 546,000 lb quota (with the current size limit).

Substitute Motion carried with no objection.

Motion: that the preferred alternative for Action 6 for Gray Triggerfish be Alternative 2a: Set MFMT equal to FMSY (proxy = F30% SPR); set MSST equal to $(1-M)*SSBMSY$ (proxy = $(1-M)*SSB30\%SPR$); and set OY as the yield associated: Option a: 75 percent of FMSY proxy when the stock is at equilibrium.

Motion carried with no objection.

Motion: that staff incorporate gray triggerfish rebuilding alternatives into the document.

Motion carried with no objection.

Motion: that Alternative 4 be the preferred alternative for Action 7 for Gray Triggerfish: Set the allocation of TAC between the recreational and commercial fisheries as the average share during the years 1981 through 2004. The recreational fishery would receive 84 percent of the TAC and the commercial would receive 16 percent.

Motion carried with no objection

Motion: to move Alternative 2 in Action 7 for Gray Triggerfish to the considered but rejected section.

Motion carried with no objection.

Motion: that Alternative 1 be the preferred alternative for Action 8: No Action. Manage gray triggerfish on a Gulf-wide basis. Implement Gulf-wide management measures to reduce gray triggerfish landings by 33 percent to end overfishing.

Substitute Motion: that Alternative 2 be the preferred alternative for Action 8: Manage gray triggerfish on a regional basis. Reduce the eastern Gulf (Fishing Statistical Areas 1 – 12, Mississippi through Florida) landings of gray triggerfish by 41 percent to end overfishing Gulf-wide

Substitute Motion failed by a vote of 6 to 9.

Motion carried.

Motion: To look at alternatives for Gray Triggerfish that involve bag and size limits and eliminate closed seasons.

Motion carried with no objection.

Motion: eliminate seasonal closures on the commercial sector for Gray Triggerfish.

Motion carried with no objection.

Amendment 30B

Motion: that staff develop options for grouper allocations and for accountability measures for Committee review at the next meeting.

Motion carried with no objection.

Motion: to send a letter to the Regional Administrator to take necessary measures to restrict vermilion snapper within the reef fish aggregate to 10.

Motion failed.

Motion: to convene the Ad Hoc Recreational Red Snapper AP at the earliest possible convenience.

Motion carried with no objection.