

Gulf Council Motions August 11 - 14, 2008 - Key Largo, FL

Ad Hoc Allocation

Motion: Under Item 2 – Valuation based: include b(ii) economic impacts (direct expenditures and multiplier effects)

Substitute motion Under Item 2 – Valuation based: include b(ii) economic impacts (direct expenditures and multiplier effects) as well as NEPA assessments relating to human environment

Substitute motion carried by hand vote of 9 to 2

Administrative Policy

SOPPs Revisions

Motion: to approve the new language in Tab E, No. 4: The Council may deviate from the waiting periods on a case-by-case basis considering the employee's initial hire step and performance evaluation.

Motion carried with no objection

Motion: to approve the new language in the Handout Tab E, SOPPs Section VIII.C.5.d. Cash or Honorary Awards: within budgetary constraints, the Council may award an employee a cash award/bonus for exemplary performance or for assuming additional responsibilities at the request of the Council.

Motion carried with no objection

Proposed Guidelines

Motion: forward the comments prior to the 9/22/08 deadline in the form of a letter to Mark R. Millikin, NMFS/NOAA, OSF, with a copy sent to Dr. James Balsinger, Alan Risenhoover, Gulf Council members, and technical staff.

Motion carried with no objection

Data Collection

Motion: to request that NMFS in conjunction with GSMFC evaluate the development of a mandatory trip ticket system for permitted for-

hire vessels in the EEZ

Substitute: to request that within six months NMFS in conjunction with GSMFC evaluate the combination of precision and cost for the following: a mandatory trip ticket system, e-log books, web based reporting, video monitoring, and/or catch cards; for permitted for-hire vessels in the Gulf

Substitute motion carried

Joint Reef Fish/Mackerel/Red Drum (Aquaculture)

Motion: to adopt the seven objectives as written

Motion carried with no objection

Motion: Objective: to promote and facilitate effective enforcement of the aquaculture management program

Motion carried with no objection

Motion: to accept the changes to Action 1

Motion carried with no objection

Motion: to included migratory birds in Action 2 Alternative 3(2)(b)(7)

Motion carried with no objection

Motion: To accept the changes to Action 2

Motion carried with no objection

Motion to include an option for a written notice and public comment period when there is an intent to issue a permit

Motion carried

Motion: to accept the changes to Action 4 – Species Allowed for aquaculture and included in the aquaculture fishery management unit

Motion carried with no objection

Motion: Insert page 56- Action 6 - after applicable Federal laws in Preferred Alternative 3 (e). The siting criteria will use information such as the electronic logbooks from the shrimp industry, logbook fishing locations from other fisheries, siting information of previous aquaculture facilities, and other data that

would provide information regarding how the site would interact with other fisheries.

Motion carried

Motion: to accept the changes in Action 6

Motion carried with no objection

Motion: Action 8 to add migratory birds to Alternative 2(c)(2) and other place that references entanglement of endangered species and marine mammals and include a reference to the USFW Service list of migratory birds

Motion carried with no objection

Motion: to accept the changes to Action 8 with the change to 72 hours

Motion carried with no objection

Motion: to accept the changes to Action 10 as proposed and make Alternative 3 the preferred alternative

Motion carried with no objection

Joint Stone Crab/Spiny Lobster

Motion: Action 1, Alternative 2 be the preferred alternative: No person in the U.S. would be allowed to import a spiny lobster (*Panulirus argus*), as follows:

1. Any spiny lobster of less than 5 ounces tail weight (5 ounces is defined as a tail that weighs 4.2 – 5.4 ounces). If the imported product does not meet this minimum weight requirement, the person importing the lobster can demonstrate compliance by showing that the product imported satisfies the tail length requirement, or that it was harvested from an animal that satisfied the minimum carapace length requirement of:

- a. Greater than 3.0 inches (7.62 cm) carapace length if the animal is whole.
- b. Greater than or equal to 5.5 inches (13.97 cm) tail length if only the tail is present.

2. In Puerto Rico and the U.S. Virgin Islands: Any spiny lobster of less than 6.0 ounces tail weight (6 ounces is defined as a tail that weighs 5.9 – 6.4 ounces). If the imported product does not meet this minimum

weight requirement, the person importing the lobster can demonstrate compliance by showing that the product imported satisfies the tail length requirement, or that it was harvested from an animal that satisfied the minimum carapace length requirement of:

- a. Greater than or equal to 3.5 inches (8.89 cm) carapace length if the animal is whole.
- b. Greater than or equal to 6.2 inches (15.75 cm) tail length if only the tail is present.

Motion carried with no objection

Motion: Action 2, Alternative 2 be the preferred alternative: Alternative 2 – Do not allow the importation of spiny lobster tail meat which is not in whole tail form with the exoskeleton attached; and do not allow the importation of spiny lobster with eggs attached or importation of spiny lobster where the eggs, swimmerets, or pleopods have been removed or stripped.

Motion carried with no objection

Motion: to send Spiny Lobster Amendment 8 to the Secretary of Commerce for implementation

Motion carried by roll call vote 14 to 0 with 3 absent

Motion: the accompanying regulations be forwarded to the Council for approval as being deemed necessary and appropriate

Motion carried with no objection

Outreach and Education

Motion: to approve the revised Charge of the Outreach and Education Committee

Motion carried with no objection

Motion: Members of the O&E AP:
State Outreach and Education Specialists

1. Virginia Vail, Florida
 2. David Rainer, Alabama
 3. Lauren Thompson, Mississippi
 4. Mandy Tumlin, Louisiana
 5. Tonya Wiley, Texas
-
1. Kim Amendola, NOAA Public Affairs & Media Relations
-
1. Rowland Glenn Thomas, Louisiana
 2. 2. Chris Snyder, Mississippi –

Marine Education & Media Specialist, Gulf
Coast Research

Laboratory

3. Tom Harmening, Florida – F&H
Solutions Group VP
4. Bill Blome, Texas – Outreach Coordinator,
The Ocean Conservancy
5. Dewey Blaylock, Retired, Florida
(Tech background)

Motion carried with no objection

Reef Fish

Reef Fish Amendment 30B

Motion: Action 5: Alternative 3, that Alternative 1
be the preferred Alternative

Motion failed by a vote of 4 to 10

Motion: For Action 11: the preferred option
be Alternative 2(b) with a new preferred option
v. surface trolling for species other than reef
fish species is allowed January through April, all
fishing allowed May through December

Motion failed by a vote of 5 to 10

Motion: For Actions 11 and 12 refer to area
closures as time-areaal closures, and remove the
term marine reserves

Motion carried with one opposed

Motion: Action 9 – add an additional alternative:
Set recreational minimum size limit to 24", keep
the aggregate at five grouper, five of which may
be Gag, two of which may be Red Grouper, with a
one month closure (Feb 15th – Mar 15th) of Gag
and Red Grouper. This will result in a 26%
reduction in Gag landings.

Motion failed by a vote of 0 to 15

Substitute Motion: Action 9 – add an
additional alternative: Set recreational minimum
size limit to 24", keep the aggregate at five
grouper, two of which may be Gag, three of which
may be Red Grouper, with a two month closure (Feb
– Mar) of Gag and Red Grouper. This will result in
a 41% reduction in Gag landings.

Substitute motion withdrawn

Motion: For Action 13: the preferred alternative

be Action 1 – No Action. All vessels with federal commercial or charter reef fish permits are subject to applicable federal reef fish regulations when fishing in the EEZ, and are subject to applicable state reef fish regulations when fishing in state waters.

Motion failed by a vote of 6 to 10

Motion: to forward Amendment 30b to the Secretary of Commerce for implementation

Motion carried by roll call vote 16 to 1

Motion: to deem the regulations for amendment 30b as necessary and appropriate

Motion carried with no objection

Motion: request an interim rule to implement the preferred alternatives that pertain to ending overfishing of gag, red snapper, greater amberjack and gray triggerfish in Reef Fish Amendment 30b to go into effect at the beginning of 2009.

Motion carried 14 to 2

Reef Fish Amendment 29

Motion: That the referendum letter be modified to better reflect the Council's intent that all data from 2004 be included

Motion carried with no objection

Motion: Action B11 – The preferred alternative be Alternative 2 – IFQ shares that remain inactive for three years will be revoked and redistributed proportionately among the remaining shareholders. "Inactive" is defined as less than 30 percent of the aggregate annual average utilization of allotted IFQ shares over a three-year moving average period, except in case of death or disability.

Amendment: to strike "except in case of death or disability."

Amendment carried by a vote of 13 to 3

Motion as amended: Action B11 – The preferred alternative be Alternative 2 – IFQ shares that remain inactive for three years will be revoked and redistributed proportionately among the remaining shareholders. "Inactive" is defined as less than 30 percent of the aggregate

annual average utilization of allotted IFQ shares over a three-year moving average period.

Motion as amended failed due to tie vote 8 to 8

Motion: ACTION B5: Multiuse Allocation and Trip Allowance – The Preferred Alternatives be:

Alternative 2: At the beginning of each fishing year, convert a portion of each IFQ participant's red grouper individual species share into multi-use red grouper allocation valid for harvesting red or gag grouper. The amount of red grouper share converted into multi-use red grouper allocation is: Option c). 4%

AND

Alternative 3: At the beginning of each fishing year, convert a portion of each IFQ participant's gag grouper individual species share into multi-use gag grouper allocation valid for harvesting gag or red grouper. The amount of gag grouper share converted into multi-use gag grouper allocation is: Option c). 8%

Motion carried with no objection

Motion: upon approval and implementation of Reef Fish Amendment 29, the February 15 – March 15 commercial grouper closure be eliminated.

Motion carried by voice vote

Substitute motion: upon approval and implementation of Reef Fish Amendment 29, the February 15 – March 15 commercial grouper closure be retained for spawning purposes.

Substitute motion failed 4 to 12

Motion: to accept the use of the correction for gag and black grouper misidentification, and that appeals be allowed for application of the correction factor to landings that were already correctly reported

Motion carried with no objection

Motion: clarify in the appropriate portion of the amendment, it is the council's intent that after an individual's DWG allocation is used up then they can use their SWG allocation for speckled hind and Warsaw grouper; If an individual's SWG allocation is used up then they can use their DWG allocation for scamp

Motion carried with no objection

Motion: To forward the referendum initiation letter as edited to the Secretary of Commerce for implementation

Motion carried by a vote of 13 to 3

Motion to Table until the next Council meeting

Motion to table failed 3 to 13

SEDAR TORs

Motion: To approve the TOR for black grouper, red snapper, greater amberjack, gag, and red grouper

Amendment: to add a term of reference to ask SEDAR to exclude MRFSS data from all future stock assessments

Amendment withdrawn

Amendment: to add a term of reference to evaluate the relative reliability of fishery dependent and independent data sources and adjust model input appropriately

Amendment carried

Motion as amended: To approve the TOR for black grouper, red snapper, greater amberjack, gag, and red grouper; and to add a term of reference to evaluate the relative reliability of fishery dependent and independent data sources and adjust model input appropriately

Motion as amended carried with no objection

Motion: To recommend to the SEDAR steering committee that GOM red drum be moved in the SEDAR schedule to a later period.

Motion carried with no objection

AHRRSAP Recommendations

Motion: that alternative management measures A-E be sent to the AHRRSAP for additional discussion

Substitute Motion: that alternative management measures A, B, C, E be sent to the AHRRSAP for additional discussion.

We recommend that measures A&E be first priority for discussion and measures B&C be second priority. Measure D will be referred to the Council's Ad Hoc Allocation Committee for continuing discussions.

Substitute motion carried with no objection

Sustainable Fisheries/Ecosystem

Motion: to recommend the Council convene the Ecosystem SSC for one additional meeting with the grant funds in order to begin the process of developing a conceptual framework for advancing an ecosystem approach.

Motion carried with no objection

Other Motions

Motion: to convene a joint meeting of the SSC Selection Committee and Administrative Policy committee to review the structure of the SSC and recommend modifications as necessary

Motion carried

Motion: to hold a public question & answer session on Monday evening at the Mobile Council meeting for the aquaculture amendment

Motion carried 9 to 5

Motion: advertise as widely as possible for an Executive Director and after 60 days of date of submission if the applicants are not adequate; contract with a head-hunter

Motion carried with no objection

Motion: to elect Dr. McIlwain as Chairman

Motion carried by acclamation

Motion: to elect Dr. Shipp as Vice-Chairman

Motion carried by acclamation