

Council Motions: March 7-10, 2005
- Birmingham, Alabama

This document contains the full chronology of motions made at the full Council session of the Gulf Council meeting held March 7-10, 2005 in Birmingham, Alabama. This includes failed, substituted, and amended motions as well as those that passed. Motions that passed (excluding motions to amend) are indicated in bold.

Administrative Policy Committee

Motion: to give Steve authorization to continue to set up the wireless program.

Motion carried with no objection.

Motion: to authorize staff to continue to improve the infrastructure of the meeting room including an improved hard drive and printers.

Motion carried with no objection.

Joint Reef Fish/Mackerel/Red
Drum Management Committee

Motion: to accept the alternatives as presented in Tab C, No. 3(a) and the bundles of alternatives in Tab C, No. 3(b).

Motion carried with no objection.

Motion: to accept the changes to the Purpose and Need Section under Tab C, No. 3(c): (1) the statement must be revised to make it clear that species other than those in FMPs may be managed by the Council; (2) delete Council from the first sentence of the third paragraph; and (3) delete the last sentence in the last paragraph.

Motion carried with no objection.

Motion: to accept the public hearing locations and dates, switching the dates Port Isabel and Galveston, under Tab C, No. 4: Kenner, LA; Biloxi, MS; Orange Beach, AL; Destin, FL; Galveston, TX; Port Aransas, TX; Port Isabel, TX; Naples, FL; and Madeira Beach, FL.

Motion carried with no objection.

Motion: to adopt red snapper for SEDAR 17 (fall 2009) and greater amberjack, vermilion snapper, and gray triggerfish for SEDAR 19 (fall 2010).

Motion carried with no objection.

Motion: to accept updates for goliath grouper (2006), gag grouper (2009), and red grouper stocks (2010), and for red drum at the earliest possible date.

Motion carried with one opposed.

Motion to amend the motion: to remove "and for red drum at the earliest possible date" from the motion - to accept updates for goliath grouper (2006), gag grouper (2009), and red grouper stocks (2010).

Amendment failed.

Migratory Species Management Committee

Motion: to request that the HMS and Billfish plans be kept separate.

Motion carried with no objection.

Motion: that there be mandatory workshops for captains on pelagic longline vessels.

Motion carried with no objection.

Motion: to suggest that an interactive web-based tutorial be available.

Motion carried with no objection.

Motion: that the interactive web-based HMS Regulations: Understanding & Compliance workshops, be made mandatory for commercial captains.

Motion carried with no objection.

Motion: to recommend that NMFS implement complementary HMS management measures in Madison-Swanson and Steamboat Lumps Marine Reserves.

Motion carried with no objection.

Motion: that the Council recommend that time/area closures in the Gulf EEZ consider a broader bycatch problem than white marlin; for instance, should include blue marlin, spearfish, sailfish, undersized swordfish, and white marlin and that time/area closures not be formulated in such a manner that encourages concentration of long-line operations in any area of the Gulf EEZ

Motion carried with no objection.

Motion: that the Council request that the HMS regulations acknowledge and comply with Gulf EEZ EFH and HAPC designations and regulations.

Motion carried with no objection.

Motion: that there be no action in the Gulf for the rebuilding plan for Northern Albacore.

Motion carried with no objection.

Motion: that the Council recommend that bullet 3: increase the minimum legal size for white and/or blue marlin be the first management measure implemented, and that the use of circle hooks when required be limited to directed HMS fishing in the Gulf of Mexico.

Motion carried with no objection.

Motion: that in the Gulf only bullet 2 be implemented: clarify that HMS tournaments must be registered with HMS Management Division & Require operators to be in receipt of confirmation number from HMS Management Division before registration is considered complete.

Motion carried with no objection.

Motion: that we request NMFS to adopt the calendar year on BFT.

Motion carried with no objection.

Motion: that the calendar year seasons apply not only to BFT but also to all HMS and billfish.

Motion to Table: table the motion until further information is received.

Motion to table the motion carried by vote of 8 to 4.

Reef Fish Management Committee

Amendment 18A

Motion: to amend Section 5.1.1 Alternative 3 to read “when the vessel is operating under its commercial permit”

Motion failed by voice vote

Amendment to the motion: amend Section 5.1.1 Alternative 3 to read “when the vessel is operating under its commercial permit or has commercial harvest of any reef fish species aboard”

Amendment failed by voice vote

Motion: that the intent of the committee that VMS Units, if required, must be on 24 hours a day, 7 days a week.

Motion carried with one opposed.

Motion: that the preferred alternative be Alternative 2: Require vessels with commercial reef fish vessel permits to comply with the sea turtle release protocols required for the HMS bottom longline fishery specified in 50 CFR 635.21(a)(3) and 635.21(d)(3), i. e., must possess inside the wheelhouse the document provided by NMFS entitled, “Careful Release Protocols for Sea Turtle Release With Minimal Injury”, must post inside the wheelhouse the sea turtle handling and release guidelines provided by NMFS, and must possess and use line clippers, dip nets, corrodible hooks and a dehooking device which meets NMFS standards.

1st Substitute Motion: add a 5th alternative and make it the preferred alternative to Require vessels with commercial reef fish permits and vessels with reef fish for hire permits to comply with the sea turtle release protocols in place for Atlantic HMS bottom longline vessels be implemented to the maximum extent practicable (50 CFR 635.21(a)(3) and 635.21(d)(3))

2nd Substitute Motion: the Council's preferred actions will be Alternative 2: Require vessels with commercial reef fish vessel permits to comply to the extent practicable with the sea

turtle release protocols required for the HMS bottom longline fishery specified in 50 CFR 635.21(a)(3) and 635.21(d)(3), i.e., must possess inside the wheelhouse the document provided by NMFS entitled, "Careful Release Protocols for Sea Turtle Release With Minimal Injury", must post inside the wheelhouse the sea turtle handling and release guidelines provided by NMFS, and must possess and use line clippers, dip nets, corrodible hooks and a dehooking device which meet NMFS standards and Alternative 4: Require vessels with recreational for-hire reef fish vessel permits to comply to the extent practicable with the same sea turtle and smalltooth sawfish release protocols as selected above for commercial vessels.

2nd Substitute Motion failed by a vote of 7 to 8

1st Substitute Motion carried by voice vote

Motion: to move Alternative 2 in Section 5.3.1 to Considered but Rejected.

Motion failed due to lack of second.

Amendment 26 (Red Snapper IFO)

Motion: to leave in the document the "Use it or Lose it" Clause in Section 3.3.1, Action 14.

Motion carried with no objection.

Motion: to remove Alternative 2D-Section 3.4; Action 17-(individual shares may not exceed twenty percent), and replace it with "Individual shares may not exceed 2%"

Motion carried with no objection.

Red Grouper Regulatory Amendment

Motion: that the "preferred" designation given to Alternative 3B (Section 2.1; Action 6) be removed, and that there be no preferred alternative.

Motion carried with no objection.

Motion: that an alternative be added to Section 3.2 for trip limits similar to those at the bottom of page 8, that would keep the commercial shallow-water grouper fishing season open year-round (except for the February 15-March 15 fixed closed season).

Motion carried with no objection.

Motion: that alternatives 3, 4, and 5 in Section 3.3.1 be moved to Considered but Rejected.

Motion carried with no objection.

Motion: that alternatives be added to reduce the aggregate grouper bag limit to 3 fish and 2 fish (one red grouper)

Motion carried with no objection.

Motion: that Section 3.3.2 (Recreational Red Grouper Size Limits) be moved to Considered but Rejected.

Motion carried with no objection.

Motion: that staff develop a series of alternatives examining seasonal closures in the grouper fishery.

Motion carried with no objection.

Motion: that Council give NMFS authority through emergency or interim rule to bring the recreational red grouper fishery within their target catch levels in Secretarial Amendment 1 for 2005.

Motion carried by role call vote if 15 to 1

with 1 absent.

Greater Amberjack Fishery

Motion: to stop any further action on a regulatory amendment to reduce harvest of greater amberjack until the new greater amberjack stock assessment is completed later this year.

Motion carried with no objection.

Shrimp Management Committee

Amendment 13

Motion: that the Council choose the following as preferred alternatives:

- Alternative 8.A: Establish Logbooks to Improve Effort Data; Option 1: No action - Do not establish logbooks.
- Alternative 8.B: Establish Electronic Logbooks to Improve Effort Data; Option 3: Same as Option 2, except that the list of shrimp vessel permit holders would be used to develop a statistically valid sample of shrimp vessels operating in the EEZ to participate in the electronic logbook program.
- Alternative 8.C: Utilize Observers in a standardize bycatch reporting methodology; Option 2: Establish a bycatch reporting methodology by utilizing the existing voluntary observer programs of the NMFS to determine effort and the amount and type of finfish and invertebrate bycatch in the shrimp fishery. The NMFS would then use total effort estimates based on best available scientific information to extrapolate the observer-collected data into overall estimates of total annual finfish and invertebrate bycatch

Motion withdrawn.

Motion: that the Council choose the following as the preferred alternative:

- Alternative 8.C: Utilize Observers in a standardize bycatch reporting methodology; Option 2: Establish a bycatch reporting methodology by utilizing the existing voluntary observer programs of the NMFS to determine effort and the amount and type of finfish and invertebrate bycatch in the shrimp fishery. The NMFS would then use total effort estimates

based on best available scientific information to extrapolate the observer-collected data into overall estimates of total annual finfish and invertebrate bycatch.

Motion failed by voice vote.

Motion: Concerning Action 8A the preferred alternative be Option 1: No action
- Do not establish paper logbooks.

Motion carried by a vote of 10 to 5.

Motion: to remove the sentence "Vessel permits will not be renewed for vessels that do not provide reports under the schedule established by NMFS" from the top of page 24.

Motion ruled out of order.

Motion: that the subset that receives electronic logbooks also be required to furnish the missing data primarily as listed under Alternative 8.
A, Option 3:

- a. the size and number of shrimp trawls deployed for each set
- f. the type of BRD and TED

Motion carried by voice vote.

Motion: that the Vessel Gear Characterization form be an integral part of the federal shrimp vessel permit.

Motion to Table: table the motion until the next meeting.

Motion to table the motion carried by voice vote.

Motion: to change the preferred alternative

in Action 9 to Alternative 9.B: As a condition for receiving or renewing a federal shrimp vessel permit, all vessel owners or operators are required to provide to the NMFS a completed Gulf Shrimp Vessel and Gear Characterization Form that will be provided by NMFS to the permit holders

Motion carried with no objection.

Motion: to make Alternative 2.A in Action 2 the preferred alternative: No action - MSY for royal red shrimp is estimated at a range between 392,000 and 650,000 pounds of tails, annually

Motion carried with one opposed.

Motion: to adopt Alternative 3.B in Action 3 as the preferred alternative: OY for royal red shrimp is equal to MSY

Motion carried with no objection.

Motion: that the preferred alternative in Action 1 be changed to Alternative 1. C: Require a royal red shrimp endorsement to the commercial shrimp vessel permit to harvest royal red shrimp from the Gulf EEZ

Motion carried with one opposed.

Motion: that the royal red shrimp fishery endorsement be limited to vessels/individuals that have had royal red landings.

Motion failed.

Motion: to add and make Alternative 10.E the preferred alternative: Establish a 10-year moratorium on the issuance of commercial shrimp vessel permits. To be eligible for a commercial shrimp vessel permit under the moratorium, vessels

must have been issued a valid commercial shrimp vessel permit by NOAA Fisheries prior to and including May 2, 2005, and must have landed 10,000 pounds or more heads on by a documented vessel or a vessel of 40 feet or greater, in either of the years 2003 or 2004.

Motion failed.

Motion: a vessel would also qualify for a shrimp vessel permit if that vessel can demonstrate it:

- ***has obtained a valid shrimp vessel permit by 5-2-05***
- ***40-foot length or documented vessel***
- ***At least 20,000 pounds of heads on shrimp landings in 2003 or 2004***

Substitute Motion: in addition to the above alternatives any vessel that can show prior to the cut off date it was legally operating in the shrimp fishery within the waters of one of the five Gulf of Mexico states it can be eligible for a federal shrimp permit under the moratorium.

Substitute Motion withdrawn

2nd Substitute motion: Preferred Alternative 10.E: Establish a 10-year moratorium on the issuance of commercial shrimp vessel permits. To be eligible for a commercial shrimp vessel permit under the moratorium, vessels must have applied for or have been issued a permit prior to and including March 9, 2005.

2nd Substitute Motion failed by a vote of 6 to 8

Original Motion carried (motion was subsequently reconsidered - see below)

Motion: to reconsider the motion regarding Action 10.

Motion carried with one opposed.

Motion: to add as Alternative 10.E – establish a 10-year moratorium on the issuance of commercial shrimp vessel permits. To be eligible for a commercial shrimp vessel permit under the moratorium, vessels must have been issued a valid commercial shrimp vessel permit by NOAA Fisheries prior to and including May 2, 2005.

Motion carried by a vote of 9 to 6

Motion: to add an Alternative 10.F; In addition to the requirements in Alternatives 10.B and 10.C, a vessel would also qualify for a shrimp vessel permit if that vessel can demonstrate it:

- has obtained a valid shrimp vessel permit by 5-2-05
- Minimum 40-foot length or a documented vessel

Motion carried by a vote of 10 to 5.

Motion: to remove the words “during the moratorium” from Alternatives 11.A and 11.B.

Motion carried with no objection.

Motion: that we request staff and NMFS to provide additional in-depth economic and community analysis of the impacts of all the alternatives in Action 10 for each of the five Gulf states, especially in terms of the impacts on the inshore fishery.

Motion carried by a vote of 8 to 5 with one abstention.

Motion: to defer discussion on Shrimp Amendment 14 to the next Council Meeting.

Motion withdrawn.

Sustainable Fisheries Committee

Motion: that the Ecosystem SSC be scheduled to convene as soon as possible

Motion carried

Motion: The RFP include a clause that the contract include a minimum of 5 stakeholder meetings up to a maximum of 10, with the price of additional meetings over 5 bid on a per meeting basis.

Motion carried with no objection.

