

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

256<sup>TH</sup> MEETING

FULL COUNCIL SESSION

Hilton Galveston Island Resort

Galveston, Texas

OCTOBER 7-8, 2015

October 7, 2015

**VOTING MEMBERS**

- Kevin Anson (designee for Chris Blankenship).....Alabama
- Martha Bademan (designee for Nick Wiley).....Florida
- Leann Bosarge.....Mississippi
- Doug Boyd.....Texas
- Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- Pamela Dana.....Florida
- Dale Diaz.....Mississippi
- Myron Fischer (designee for Randy Pausina).....Louisiana
- Johnny Greene.....Alabama
- Kelly Lucas (designee for Jamie Miller).....Mississippi
- Campo Matens.....Louisiana
- Robin Riechers.....Texas
- John Sanchez.....Florida
- Greg Stunz.....Texas
- Ed Swindell.....Louisiana
- David Walker.....Alabama
- Roy Williams.....Florida

**NON-VOTING MEMBERS**

- Jason Brand.....USCG
- Dave Donaldson.....GSMFC

**STAFF**

- Steven Atran.....Senior Fishery Biologist
- Assane Diagne.....Economist
- John Froeschke.....Fishery Biologist/Statistician
- Doug Gregory.....Executive Director
- Ava Lasseter.....Anthropologist
- Mara Levy.....NOAA General Counsel
- Charlene Ponce.....Public Information Officer
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Claire Roberts.....Essential Fish Habitat Specialist
- Bernadine Roy.....Office Manager
- Charlotte Schiaffo.....Research & Human Resource Librarian

1 Carrie Simmons.....Deputy Director  
 2  
 3 **OTHER PARTICIPANTS**  
 4 Jesse Allen.....San Antonio, TX  
 5 Pam Anderson.....Panama City Beach, FL  
 6 Billy Archer.....Panama City, FL  
 7 Hughes Andry.....Richmond, TX  
 8 Sam Ard.....Orange Beach, AL  
 9 Tom Ard.....Orange Beach, AL  
 10 Greg Ball.....Galveston, TX  
 11 Paul Bitner.....TX  
 12 Randy Boggs.....Orange Beach, AL  
 13 Kevin Borel.....  
 14 Taylor Borel.....Galveston, TX  
 15 Steve Branstetter.....NMFS  
 16 Eric Brazer.....Reef Fish Shareholder's Alliance  
 17 Gary Bryant.....Gulf Shores, AL  
 18 Shane Cantrell.....Galveston Charter Fleet, TX  
 19 Keith Carman.....Matagorda, TX  
 20 Cody Carmody.....  
 21 Mike Colby.....Clearwater, FL  
 22 Chris Conklin.....SAFMC  
 23 Jason Delacruz.....Reef Fish Shareholders Alliance/Gulf Wild  
 24 Jane DiCosimo.....National Observer Program  
 25 Michael Drexler.....Ocean Conservancy, St. Petersburg, FL  
 26 Matt Etie.....Freeport, TX  
 27 Serena Etie.....Freeport, TX  
 28 Carter Frank.....Tomball, TX  
 29 Brad Gorst.....Palm Harbor, FL  
 30 Aaron Grace.....Galveston, TX  
 31 Matthew Grace.....TX  
 32 Dan Green.....Galveston, TX  
 33 Derrick Greene.....Galveston, TX  
 34 Buddy Guindon.....Galveston, TX  
 35 Hans Guindon.....Galveston, TX  
 36 Chad Hanson.....Pew Charitable Trusts  
 37 Evan Harrington.....Freeport, TX  
 38 Scott Hickman.....Galveston, TX  
 39 George Huye.....Grand Isle, LA  
 40 Gary Jarvis.....Destin, FL  
 41 Mike Jennings.....Freeport, TX  
 42 Bill Kelly.....Marathon, FL  
 43 Bobby Kelly.....Orange Beach, AL  
 44 Garrett King.....  
 45 Keegan LaBry.....Galveston, TX  
 46 Zack Lewis.....Galveston, TX  
 47 William Love.....Houston, TX  
 48 Walter Lynch.....

- 1 Eric Mahoney.....Clearwater Beach, FL
- 2 Jordan McIntyre.....Freeport, TX
- 3 Jason McRae.....Galveston, TX
- 4 Michael Miglini.....Corpus Christi, TX
- 5 Jeff Nielsen.....Galveston, TX
- 6 Bart Niquet.....Lynn Haven, FL
- 7 Chris Niquet.....Lynn Haven, FL
- 8 Bonnie Ponwith.....SEFSC
- 9 Kellie Ralston.....American Sportfishing Association
- 10 Andrew Reed.....Matagorda, TX
- 11 Michael Regan.....TX
- 12 Robert Reynolds.....Galveston, TX
- 13 Jason Rittenhouse.....
- 14 Elizabeth Scott-Denton.....Southeast Observer Program
- 15 Clarence Seymour.....Biloxi, MS
- 16 Michael Short.....Galveston, TX
- 17 Bill Staff.....Orange Beach, AL
- 18 Josh Stone.....Surfside, TX
- 19 Andy Strelcheck.....NMFS
- 20 Skipper Thierry.....Dauphin Island, AL
- 21 Tommy Thomson.....LA
- 22 Steve Tomeny.....Fourchon, LA
- 23 Tyler Walker.....Moses Lake, TX
- 24 Shawn Warren.....
- 25 Chad Wilbanks.....Gulf Coast Leadership Institute
- 26 Marc Wilkerson.....Freeport, TX
- 27 Jillian Williams.....Galveston, TX
- 28 Johnny Williams.....Galveston, TX
- 29 Dale Woodruff.....

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33 The Full Council of the Gulf of Mexico Fishery Management  
34 Council convened at the Hilton Galveston Island Resort,  
35 Galveston, Texas, Wednesday morning, October 7, 2015, and was  
36 called to order at 11:10 a.m. by Chairman Kevin Anson.

37

**CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**

38

39  
40 **CHAIRMAN KEVIN ANSON:** Welcome to the 256<sup>th</sup> meeting of the Gulf  
41 Council. My name is Kevin Anson, Chairman of the Council. The  
42 Gulf Council is one of eight regional councils established in  
43 1976 by the Fishery Conservation and Management Act, known today  
44 as the Magnuson-Stevens Act.

45

46 The council's purpose is to serve as a deliberative body to  
47 advise the Secretary of Commerce on fishery management measures  
48 in the federal waters of the Gulf of Mexico. These measures

1 help ensure that fishery resources in the Gulf are sustained,  
2 while providing the best overall benefit to the nation.

3  
4 The council has seventeen voting members, eleven of whom are  
5 appointed by the Secretary of Commerce and include individuals  
6 from a range of geographical areas in the Gulf of Mexico and  
7 with experience in various aspects of fisheries.

8  
9 The membership also includes five state fishery managers from  
10 each Gulf state and the Regional Administrator from NOAA's  
11 Southeast Fisheries Service, as well as several non-voting  
12 members.

13  
14 Anyone wishing to speak during public comment should complete a  
15 public comment registration card and drop it in the box or give  
16 it to council staff. One card per person, please. A digital  
17 recording of the meeting is used for the public record.  
18 Therefore, for the purpose of voice identification, each member  
19 is requested to identify him or herself, starting on my left.

20  
21 **MS. LEANN BOSARGE:** Leann Bosarge, Mississippi.

22  
23 **MR. DAVID WALKER:** David Walker, Alabama.

24  
25 **MR. JOHNNY GREENE:** Johnny Greene, Alabama.

26  
27 **MR. EDWARD SWINDELL:** Ed Swindell, At-Large from Louisiana.

28  
29 **MR. CAMPO MATENS:** Camp Matens, Louisiana.

30  
31 **MR. MYRON FISCHER:** Myron Fischer, Louisiana.

32  
33 **MR. ROY WILLIAMS:** Roy Williams, Florida.

34  
35 **MR. JOHN SANCHEZ:** John Sanchez, Florida.

36  
37 **DR. PAMELA DANA:** Pam Dana, Florida.

38  
39 **MS. MARTHA BADEMAN:** Martha Bademan, Florida.

40  
41 **MR. CHRIS CONKLIN:** Chris Conklin, South Atlantic liaison.

42  
43 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.

44  
45 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.

46  
47 **DR. STEVE BRANSTETTER:** Steve Branstetter, NOAA Fisheries.

48

1 **MR. ROBIN RIECHERS:** Robin Riechers, Texas.

2  
3 **DR. GREG STUNZ:** Greg Stunz, Texas.

4  
5 **MR. DOUG BOYD:** Doug Boyd, Texas.

6  
7 **DR. KELLY LUCAS:** Kelly Lucas, Mississippi.

8  
9 **MR. DALE DIAZ:** Dale Diaz, Mississippi.

10  
11 **LCDR JASON BRAND:** Lieutenant Commander Jason Brand, Coast  
12 Guard.

13  
14 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine  
15 Fisheries Commission.

16  
17 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** Douglas Gregory, council  
18 staff.

19

20 **ADOPTION OF AGENDA**

21 **APPROVAL OF MINUTES**

22

23 **CHAIRMAN ANSON:** The next item of business would be the Adoption  
24 of the Agenda. Does anyone have any changes to the agenda?  
25 Dale.

26

27 **MR. DIAZ:** Yes, sir. I would like to add a discussion of the  
28 status of the preliminary recreational red snapper landings. I  
29 did talk with Andy and I think he can give us some information  
30 on that and possibly discuss where we're at with ACT and ACL  
31 projections.

32

33 **CHAIRMAN ANSON:** All right. Would anyone else like to add  
34 anything? Martha.

35

36 **MS. BADEMAN:** I don't see spiny lobster on here, but if I  
37 recall, we need to have a discussion about that. Is that right,  
38 Doug? Yes.

39

40 **CHAIRMAN ANSON:** Discussion on spiny lobster for Other Business.  
41 Okay. That is added. No other business? No changes? Is there  
42 a motion to adopt the agenda as amended?

43

44 **MR. RIECHERS:** I move to adopt as amended.

45

46 **CHAIRMAN ANSON:** Thank you, Mr. Riechers. It's seconded by  
47 Dale. Anyone in opposition to accepting the motion? No  
48 opposition and the motion carries. The second item is Approval

1 of the Minutes. Are there any changes to the last meeting's  
2 full council minutes? Mara.

3  
4 **MS. LEVY:** Just one correction. Page 206, line 47, it says  
5 "Amendment 8", but I believe it should say "Amendment 28".

6  
7 **CHAIRMAN ANSON:** Thank you. So noted. Any other changes or  
8 edits to the minutes? Is there a motion to accept the minutes  
9 as amended? Anyone want to make a motion?

10  
11 **MR. DIAZ:** So moved.

12  
13 **CHAIRMAN ANSON:** Mr. Diaz makes the motion to accept the minutes  
14 as amended and it's seconded by Mr. Greene. Any opposition to  
15 the motion? Seeing none, the motion carries.

16  
17 **APPROVAL OF 2016 COMMITTEE APPOINTMENTS**

18  
19 That will take us to the next item, Approval of 2016 Committee  
20 Appointments, Tab A, Number 6. This is, as you will recall, I  
21 sent out a request to all the council members to offer their  
22 suggestions or their rankings from 1 to 8 of the various  
23 committees and so I took those rankings that you all provided  
24 and put them against the various committees, administrative and  
25 management committees, that we have.

26  
27 I have made an error. I kept the Administrative Policy and the  
28 Budget/Personnel Committees separate, as was the last time I did  
29 this, but since that time, we have since combined them and so  
30 it's really only one committee and so we'll need to probably  
31 look at that, as far as membership and refining that list.  
32 These, again, are recommendations.

33  
34 I didn't use -- Beyond the rankings, I didn't really look at  
35 folks and whether or not they had particular affiliations to  
36 recreational or commercial or anything like that, but basically  
37 took the rankings.

38  
39 The one exception to the rankings is Reef Fish. Reef Fish I  
40 conferred with a couple of council members and a couple of  
41 members of staff and thought about it and looked at this last  
42 year's process and the motions that came out of Reef Fish and  
43 the discussions that were had in full council based on those  
44 motions and I thought that perhaps we might want to consider a  
45 committee of the whole.

46  
47 We would set up a committee chair and a vice chair, as we  
48 normally would, and we would come up with motions and develop

1 committee reports. The report would be provided back to the  
2 full council and we would accept or not, depending upon new  
3 information at public testimony, the motions that were passed in  
4 Reef Fish.

5  
6 Again, these are just recommendations and so certainly if anyone  
7 has any thoughts on any of the recommendations for any of the  
8 committees, please free and comment. Mr. Walker.

9  
10 **MR. WALKER:** Thank you, Kevin. I would like to be added to the  
11 Data Collection, if there was no objection. I was on there last  
12 time and I would like to see someone on there from the  
13 commercial reef fish.

14  
15 **CHAIRMAN ANSON:** Okay, Mr. Walker. Does anyone else have any --  
16 Dr. Crabtree.

17  
18 **DR. CRABTREE:** I am sort of inclined to agree with your idea of  
19 a committee of the whole. That's what we do in the South  
20 Atlantic with Snapper Grouper and what I have seen happening to  
21 us the last several meetings is we sail through committee and no  
22 one says much of anything and then we get to the last day in  
23 full council and we spend a couple of hours arguing about it all  
24 and it's because no one wants to make a motion in committee,  
25 because the votes aren't the way they're going to be at full  
26 council and all of that.

27  
28 It seems to me that we might be more productive if the committee  
29 was a committee of the whole so that we have all that discussion  
30 in the committee as a whole and then we get the public comment  
31 and then we come back at full council and go through the  
32 committee report. It might save us a little bit of having all  
33 this happen on the final day of the council meeting when folks  
34 are looking to get out.

35  
36 **CHAIRMAN ANSON:** That's a good point, Dr. Crabtree. I talked  
37 with Doug Gregory about kind of the logistics and planning for  
38 meetings. What that might mean is in fact we would have more  
39 time devoted on the frontend at Reef Fish and then that would  
40 free up or it would cause us to have less time, potentially, at  
41 full council when we go to final vote on the committee motions.  
42 Dale.

43  
44 **MR. DIAZ:** Thank you, Mr. Chair. This is on a different topic,  
45 but this is going back to what you said a minute ago and I am  
46 just making sure I understand correctly. The motion that we  
47 passed during the Joint Administrative Policy and  
48 Budget/Personnel Committee was -- The motion was to merge the

1 budget process into the Administrative Committee and leave the  
2 Personnel Committee as a standalone committee. It says the  
3 motion carried.

4  
5 What I am assuming is that, the way it's set up now, is it will  
6 be Administrative Policy and Budget and then the other committee  
7 will be Personnel.

8  
9 **CHAIRMAN ANSON:** That's a good point, Dale. I went from memory  
10 on that and that's a subtlety and so yes, that would mean there  
11 would be two committee with renaming the Administrative Policy  
12 to Administrative Policy and Budget. That was the final motion.

13  
14 **MR. DIAZ:** Thank you, Mr. Chair.

15  
16 **CHAIRMAN ANSON:** All right. Doug and then Greg, followed by  
17 Jason.

18  
19 **MR. BOYD:** Thank you, Kevin. Dale got my first point, but the  
20 second point would be a question. I am okay with a committee of  
21 the whole for Reef Fish, but I would like to remind the  
22 committee that we talked about doing this a couple of years ago,  
23 when I was Chairman, and in full council we decided not to do  
24 that and so I think we ought to just revisit if there was some  
25 rationale as to why we didn't do it, as opposed to doing it now.  
26 Again, I am not opposed to it, but I would just like to bring  
27 that up.

28  
29 **CHAIRMAN ANSON:** Greg.

30  
31 **DR. STUNZ:** I as well support the Reef Fish as a whole, but my  
32 other point is I would respectfully request to add me to the  
33 Sustainable Fisheries and Ecosystem Committee. I think some of  
34 my professional expertise would lend to that group.

35  
36 **CHAIRMAN ANSON:** Jason.

37  
38 **LCDR BRAND:** Thank you, Mr. Chair. Just one note is Rear  
39 Admiral Cook recently retired and the new Admiral for District 8  
40 is Rear Admiral David Callahan.

41  
42 **CHAIRMAN ANSON:** Thank you for that. Anyone else? Doug, you  
43 know Dr. Crabtree talked a little bit and I guess I will provide  
44 a little bit more insight into what I was thinking. You know we  
45 had, in Reef Fish -- Maybe it was because we had a lot of  
46 contentious issues or big issues, allocation at least, and that  
47 might have caused what Dr. Crabtree noted. A lot of folks maybe  
48 didn't bring fully to the table, those that were on the



1 committee, out during deliberations what they maybe thought they  
2 had on their mind and waited until full council.

3  
4 Likewise, there were members that didn't provide comment and we  
5 have a fairly open discussion process within each of our  
6 committees and oftentimes council members who are not on the  
7 committee have a chance to speak and so their comments may have  
8 waited until full council and so we kind of get bogged down at  
9 full council with that kind of dynamic that's going on or had  
10 occurred, in my opinion, this last year.

11  
12 I was just looking at a way, a process, by which if you brought  
13 all the members to the table then they would feel maybe more  
14 obligated to speak, if they were kind of withholding something  
15 to full council, or certainly speak their mind when something  
16 was brought up for a motion and vote at that time. Again, it's  
17 just my thoughts on it and looking at trying to come up with a  
18 way that would possibly be more efficient.

19  
20 Granted, again, with the consideration of more timing added to  
21 the Reef Fish Committee, but then less time at full council.  
22 That's how I was trying to approach this.

23  
24 **MR. BOYD:** Yes, I think the positives are there. I guess my  
25 question is if there were council members present when we  
26 decided not to do it, what were their thoughts about the  
27 negative points and if there still are any negative points, we  
28 ought to at least just talk about them. Again, I'm not opposed  
29 to this, but it's just that we did not approve it one time and  
30 now it looks like we might approve it again. Thank you.

31  
32 **CHAIRMAN ANSON:** Mr. Riechers, followed by Doug Gregory.

33  
34 **MR. RIECHERS:** I am going to first try to hit this point just a  
35 little bit. Obviously some of the negative points could be  
36 simply that we are going to rehash the same arguments at  
37 committee and then at full council in full detail again, in some  
38 respects. I don't necessarily see that as a problem here and I  
39 am not speaking against the notion at all, but that could be  
40 part of it, Doug.

41  
42 What I will ask here though, because I missed it, is what did  
43 you all just do with -- What was the suggestion on  
44 Administrative Policy and Budget? Was it just the naming change  
45 here?

46  
47 **CHAIRMAN ANSON:** Yes and I misspoke earlier. I was incorrect in  
48 that I had thought that the Budget and Personnel was combined

1 with Administrative Policy, but it really was just taking some  
2 of the functions in Budget/Personnel last year and putting the  
3 budget side into Administrative Policy and so it will just be a  
4 name change then at that point.  
5

6 **MR. RIECHERS:** One last point there, Doug and Kevin. You are  
7 suggesting that we're going to get longer on Reef Fish at the  
8 frontend and I'm not certain how you're going to do that. I  
9 would just tell you, looking at the calendars over the last  
10 several meetings, I don't know how you put any more time into  
11 Reef Fish on the frontend, given what we've been putting into  
12 Reef Fish.  
13

14 In fact, this change could leave you needing to just truncate  
15 some of that and make sure that we get through the agenda, so  
16 that you leave more time on the backend in the Reef Fish  
17 Committee, because you may be going through the same exact sets  
18 of discussions in full detail with all members participating  
19 that you go through on the frontend.  
20

21 **CHAIRMAN ANSON:** Yes and so, as Chair, I guess I was looking at  
22 it myself to help kind of guide the conversations, on the  
23 backend at least, at full council and we would kind of set up  
24 the time, the timeline, to try and force us to do that too and  
25 hopefully it would minimize some of the duplicative conversation  
26 at least relative to the issues. Anyone else? Camp. I'm  
27 sorry, Camp, but Doug was next and then you.  
28

29 **EXECUTIVE DIRECTOR GREGORY:** Thank you, sir. In 2013, we tried  
30 the committee of the whole and I think what we tried to do  
31 that's different than what Chairman Anson is suggesting is we  
32 tried to do the committee of the whole during the council  
33 portion of the meeting and not during the committee portion and  
34 it created confusion and that's why we didn't really pursue it  
35 any further.  
36

37 The committee of the whole during the committee section of the  
38 meeting is more distinct and then you can to revisit the  
39 decision in full council. We were trying to do them all at once  
40 and that created confusion.  
41

42 **CHAIRMAN ANSON:** Mr. Riechers.  
43

44 **MR. RIECHERS:** If there is no further discussion, I am prepared  
45 to make a motion. **I would move that we accept the committee**  
46 **assignments as shown in Tab A-6, with the naming convention**  
47 **changes between Administrative Policy and Budget/Personnel, as**  
48 **described, and with the additions that have been discussed.**

1 That was adding Mr. Walker, I believe, to Data Collection and  
2 Dr. Stunz to Sustainable Fisheries.

3  
4 I don't know if you want to put those in the motion exactly or  
5 just leave that as part of the discussion, but I will leave that  
6 up to you, Mr. Chair, as to how to handle that in the motion.

7  
8 **CHAIRMAN ANSON:** I think we could just leave it as the additions  
9 to committees and we don't necessarily have to name the folks,  
10 but we need to add that into the motion, I would think, "with  
11 the additions to committees". Mr. Riechers, that, I think,  
12 completes it.

13  
14 **MR. RIECHERS:** That will do it, sir.

15  
16 **CHAIRMAN ANSON:** Is there a second to the motion?

17  
18 **MR. BOYD:** I will second.

19  
20 **CHAIRMAN ANSON:** It's seconded by Mr. Boyd.

21  
22 **MR. BOYD:** Kevin, I think you missed Camp, didn't you, on  
23 comments?

24  
25 **MR. MATENS:** I defer.

26  
27 **CHAIRMAN ANSON:** Okay. Thank you, sir. I apologize. Mr.  
28 Swindell.

29  
30 **MR. SWINDELL:** I assume then that you're still going to have a  
31 committee report and final action in the full council?

32  
33 **CHAIRMAN ANSON:** Correct. Yes, the same process would carry on,  
34 yes. Any other discussion on the motion? **Any opposition to the**  
35 **motion? Seeing none, the motion carries.** Thank you. It will  
36 be a little bit of an experiment, but we will see how it goes.  
37 I believe that takes us to our point of recess and so we will  
38 recess until one o'clock. Thank you.

39  
40 (Whereupon, the meeting recessed at 11:30 a.m., October 7,  
41 2015.)

42  
43 - - -

44  
45 October 7, 2015

46  
47 WEDNESDAY AFTERNOON SESSION

- - -

1  
2  
3 The Full Council of the Gulf of Mexico Fishery Management  
4 Council reconvened at the Hilton Galveston Island Resort,  
5 Galveston, Texas, Wednesday afternoon, October 7, 2015, and was  
6 called to order at 1:30 p.m. by Chairman Kevin Anson.

7  
8 **CHAIRMAN ANSON:** We will start the council meeting back up  
9 again. Our next item of business is the Southeast Observer  
10 Program and Jane DiCosimo. Welcome. She will be giving the  
11 presentation.

12  
13 **PRESENTATIONS**  
14 **SOUTHEAST OBSERVER PROGRAM**

15  
16 **MS. JANE DICOSIMO:** Thank you, Mr. Chairman. I appreciate the  
17 opportunity to present a brief summary about the National  
18 Observer Program and the Southeast Observer Programs in  
19 particular. I will be co-presenting with Dr. Elizabeth Scott-  
20 Denton, who is one of the regional fishery observer program  
21 managers here at the Galveston Lab.

22  
23 I wanted to take an opportunity and accepted the invitation that  
24 the Council Chair and Executive Director offered when I gave a  
25 brief summary of the budgeting component of the National  
26 Observer Program at the June Key West Council Chairmen's  
27 Coordination Meeting.

28  
29 I would also just like to give you a little bit of background on  
30 me. I spent six years with the South Atlantic Council staff and  
31 most recently wrapped up twenty years with the North Pacific  
32 Council staff in Anchorage. I've been the National Observer  
33 Program Coordinator for a little over a year now.

34  
35 I am going to give you a brief presentation. I am thinking that  
36 this is the longer version of the presentation that I provided,  
37 Doug, and I don't know if there is another version on the site.

38  
39 I will talk a little bit about the program. The National  
40 Observer Program was created in 1999 as the result of an  
41 expanding interest in fishery-dependent data collection and we  
42 created an office at Headquarters with three staff people  
43 currently, the coordinator, a person, Lee Beneka, who  
44 specializes on bycatch, and then Dennis Hansford, who focuses on  
45 safety and observer training.

46  
47 The national office was created to provide a central policy and  
48 budgeting coordination center to enhance the regional programs.

1 Some of the objectives that the national program plays is to  
2 coordinate a National Observer Program Advisory Team, or a  
3 NOPAT.

4  
5 We meet twice a year and we develop the budget, both at the  
6 national level and for the regional programs, and we advocate  
7 for continued support of the programs, address national policy  
8 issues as it relates to observers, and observer-type programs  
9 like at-sea monitors that you may be familiar with from the  
10 Northeast and develop national standards for data collection and  
11 observer safety and training.

12  
13 As you see from the slide, nationally, the regional programs  
14 deploy over 900 observers, over 79,000 sea days in forty-eight  
15 fisheries around the country.

16  
17 Since 1999, the budget has grown, but in the most recent few  
18 years, it has leveled off. Working from the bottom up on the  
19 lines, in case you can't read the slides, federal funds is the  
20 bottom line and you will see that we've had a fairly steady  
21 increase and then flat funding in the most recent period. The  
22 same thing with the number of observed fisheries. We feel we  
23 pretty much are covering the main fisheries.

24  
25 Then if you look at the green line above that one, that's  
26 federal and industry funding and so you can see an increase  
27 contribution that the industry has been contributing in  
28 different programs and then you see the observer sea days was  
29 increasing over a period of time and what this slide doesn't  
30 show is a flattening out under flat budgets and some  
31 reprogramming for electronic technologies that comes out of the  
32 national and regional budgets.

33  
34 Looking at the most recent fiscal year, the 2015 observer  
35 budget, what these lines represent are specific budget lines  
36 that come from Congress to fund specific regional and national  
37 programs.

38  
39 In 2015, you will see that one congressional budget line is for  
40 Atlantic coast observers at over \$3 million and east coast  
41 observers at \$333,000 and so on. A little further down, I will  
42 just focus you on South Atlantic/Gulf shrimp observers has a  
43 \$1.7 million budget and, in total, it's nearly \$40 million  
44 coming into the program, with a separate reducing bycatch budget  
45 line and, just looking at the portion of that budget line that  
46 goes towards observers, it's about \$651,000.

47  
48 I want to also take you to that National Observer Program line

1 that is at \$12,503,000. That is divided in half, into two  
2 categories of funding, and most of those funds go directly to  
3 the regional programs, just a transfer, and there is some  
4 discretion to the other half of that money. Some of it funds  
5 the national office and the salaries and the activities there,  
6 electronic monitoring and electronic reporting pilot studies,  
7 through a request for proposal process, or an RFP process.

8  
9 Now this breaks it out into the regional programs and so if you  
10 were to look at the row labeled "Southeast", that's the  
11 Southeast region and that includes funding for both the South  
12 Atlantic, Caribbean, and Gulf of Mexico Council areas and the  
13 regional observer programs that are contained therein.

14  
15 If you go down that column, you will see, again, since this is  
16 all combined for the three council areas, Atlantic coast  
17 observers contributes to the programs, east coast observers, and  
18 then the National Observer Program contributes over a million  
19 and then the line in particular, the South Atlantic/Gulf shrimp  
20 observers, contributes \$1.7 million, for a total funding of  
21 close to \$5 million for the region.

22  
23 The responsibilities of the regional observer programs is kind  
24 of where the details happen. The national office does not get  
25 involved in the design and deployment of observers. These are  
26 all left to the regional observer programs to develop the  
27 sampling protocols and the observer coverage levels. Safety  
28 training is done at the regional level, though there is some  
29 cross-training that occurs from the different programs to bring  
30 best practices.

31  
32 Observer deployment is done at the regional program level and  
33 the debriefing, or the interviews that happen to verify the  
34 data, the data management, and analysis, again, are also done at  
35 the regional level.

36  
37 The location of the programs are shown in this map, everywhere  
38 from Massachusetts to Seattle and that covers the North Pacific  
39 area, but for the Gulf of Mexico, you will see that the programs  
40 are located in three offices at the Southeast Fisheries Science  
41 Center, the Miami Laboratory, the Panama City Laboratory, and  
42 the Galveston Lab.

43  
44 This is a display of the range of observer programs that are  
45 funded around the east coast and Gulf of Mexico. You will see a  
46 range of target coverage levels, but I will concentrate for here  
47 on the Gulf of Mexico programs.

48

1 The shrimp otter trawl fishery has coverage at about 2 percent  
2 and reef fish has coverage at about 3 percent combined for the  
3 different gear types. These can be compared to other programs  
4 around the country. For New England groundfish gillnet, it's  
5 about 8 percent. 8 percent seems to be a common target for the  
6 Mid-Atlantic and Northeast.

7  
8 Then you also see, on the right side of the map, for Florida,  
9 you will see coverage rates at 10 percent for the Atlantic  
10 pelagic longline and a much higher level for the shark driftnet  
11 and also for the bottom longline. I think that's 8 percent, but  
12 it's a little bit off the screen. From here, I will turn it  
13 over to Dr. Scott-Denton, who will take you through more details  
14 on the regional programs.

15  
16 **DR. ELIZABETH SCOTT-DENTON:** Hello and thank you for the  
17 opportunity to present today. As Jane mentioned, there were  
18 several southeast regional observer programs.

19  
20 The southeast gillnet fishery is administered out of the Panama  
21 City Laboratory. Their coverage is predominantly on relatively  
22 small boats, twenty-five to forty feet, from North Carolina to  
23 Texas. Trips are usually overnight and most of these vessels  
24 switch target and gear. The targets are basically sharks,  
25 mackerel, bluefish, croaker, and dogfish and the gears also  
26 change from primarily drift, strike, and sink gillnets.

27  
28 The goals of the gillnet fishery are basically vessels are  
29 selected randomly based on the past year of effort. Their  
30 target is 8 to 10 percent. This program provides estimates on  
31 sea turtles and/or marine mammals in all gillnet fisheries.  
32 They also collect data on catch and bycatch of all fish and  
33 sharks and protected resources.

34  
35 Also, life history data are collected and that includes just not  
36 only lengths and weights, but also genetic samples, gonads and  
37 otoliths and so forth.

38  
39 The shark bottom longline fishery operates from North Carolina  
40 to Louisiana and trips are one to three days in duration and  
41 they target large coastal sharks, blacktip, bull, sandbar, and  
42 longline characteristics vary, but most gear normally consists  
43 of about four to thirteen nautical miles of longline or mainline  
44 and 500 to 1,500 hooks.

45  
46 Similarly, the goals of the shark bottom longline are similar to  
47 the gillnet, in that the vessels are selected randomly based on  
48 the previous year of effort. Their target is 5 to 10 percent

1 and there is also, very interestingly, a research component to  
2 this program and that is for industry folks that want to land  
3 sandbar shark.

4  
5 This research, there is five to ten vessels that have  
6 participated in this and not only do they collect biological  
7 data with the assistance of industry, but they look at ways,  
8 with gear modification, to reduce bycatch. Again, it provides  
9 information, not only on the target, the bycatch, as well as  
10 protected resources.

11  
12 The data that is collected is available online. At the Panama  
13 City Laboratory, they produce annual reports describing the  
14 effort distribution, catch, and bycatch.

15  
16 The shrimp trawl bycatch observer program is administered  
17 through the Southeast Fisheries Science Center Galveston  
18 Laboratory and the objectives are to refine catch rate estimates  
19 of finfish and shrimp by area, depth, and season for use in  
20 stock assessments and these are primarily used, constantly,  
21 consistently, for SEDAR.

22  
23 We also evaluate bycatch reduction devices and turtle excluder  
24 devices, as well as estimate protected species bycatch. The  
25 program has been in existence since 1992. It was voluntary at  
26 the onset and there was a large number of research  
27 collaborators, the Gulf and South Atlantic Fisheries Foundation,  
28 the Texas Shrimp Association, and several others.

29  
30 Our annual coverage since 1992 has varied from less than 1  
31 percent to 2 percent of the total shrimp effort and right now,  
32 we are a little bit above 2 percent. In 2007, the programs  
33 switched from voluntary to mandatory in the Gulf and later, in  
34 2008, it went mandatory for the South Atlantic. Again, the  
35 primary goals are to estimate catch rates of shrimp and finfish  
36 and as well as evaluate gear to reduce bycatch.

37  
38 At the beginning of our program, we sought to characterize the  
39 bycatch caught on shrimp boats and a project we did was called  
40 Bycatch Characterization and we continued this for several  
41 years. Basically, what we did is we randomly selected one of  
42 the four nets for sampling and we collected total weight from  
43 that net and total shrimp and red snapper, as well as we took a  
44 20 percent subsample and identified all those organisms to a  
45 species level. They were counted and weighed and so forth.

46  
47 Right now, under the mandatory program, we select the two  
48 outboard nets and we take similar information in terms of total



1 weight, total shrimp, and red snapper. Then we take a one  
2 basket sample and characterize that to species, federally-  
3 managed species and others we group such as other crustaceans,  
4 non-penaeid crustaceans.

5  
6 The shrimp trawl bycatch program is similar to the other  
7 programs in that vessel selection is random and based on the  
8 previous year of landings and effort from NOAA and stratified by  
9 area, which is each of the Gulf states, and depth and season.  
10 We have three trimesters, basically.

11  
12 Our target is measured -- Our metric is sea days and our target  
13 for the Gulf -- Well, overall, our target is about 1,500 sea  
14 days. We allocate 80 percent of that to the Gulf and 20 percent  
15 to the South Atlantic. To date, we have had over 3,000 trips  
16 and more than 56,000 tows and almost 30,000 sea days. Again, as  
17 I said before, the coverage level is a little bit -- It's  
18 currently up to about 2 percent of the annual shrimp effort.  
19 Again, as Jane pointed out, this is all dependent on funding  
20 levels.

21  
22 The vessels that we've encountered that have had observers and  
23 so forth, looking at those data, basically there is between  
24 1,400 and 1,500 Gulf licenses and 500 in the South Atlantic and  
25 so that makes our universe of vessels approximately 2,000. Any  
26 of those vessels could be selected for observer coverage.

27  
28 Looking at vessel length in the Gulf, the vessels were about  
29 seventy-four feet and smaller in the South Atlantic. Also in  
30 the Gulf we see a majority of steel hull and freezer capacity,  
31 whereas in the South Atlantic it was wooden hull construction  
32 and ice holds.

33  
34 The average trip length in the Gulf is approximately fourteen  
35 days and in the South Atlantic it was three days. Depth is at  
36 sixteen fathoms in the Gulf and about five fathoms in the South  
37 Atlantic. Rock shrimp are a little bit deeper, at about thirty-  
38 four fathoms, and the royal red fishery is over 1,000 feet. Tow  
39 times, we have seen an average of about five hours in the Gulf  
40 and three hours in the South Atlantic.

41  
42 We also administer the reef fish observer program and the  
43 objectives are to provide quantitative biological vessel gear  
44 selectivity information as related to the directed reef fish  
45 fishery. We collect catch and fishing effort for targeted  
46 species as well as bycatch as well as we assess all the  
47 discarded species and we assess the fate and condition upon  
48 release.

1  
2 We had a voluntary program back in the early 1990s and this  
3 became mandatory in 2006 for the reef fish fishery observer  
4 program. The gears we've covered are longline and due to turtle  
5 management measures, we saw a lot of those longline vessels  
6 switch to what we call modified buoy gear. We have seen that in  
7 the last few years.

8  
9 We cover the vertical line, which is basically bandit or  
10 electric, and hand line. Again, coverage is approximately 3  
11 percent.

12  
13 The vessels are selected randomly based on coastal logbook data  
14 and stratified by area, which is the eastern and western Gulf,  
15 gear type and season. We have four seasonal components and,  
16 again, targets primarily are the bandit, hand line, and  
17 longline.

18  
19 We also have a special selection and this is funded through  
20 catch shares funding and that allows for expanded coverage on  
21 these vessels for use in the reef fish biological opinion as  
22 well as it allows us to collect additional life history, age,  
23 growth, gonads and otoliths.

24  
25 We have also had -- It's very interesting. We've had some side  
26 studies with participants from the reef fish fishery as far as  
27 hook timers, to see how long it takes for a fish to hit the  
28 hook. We have had video camera monitoring aboard longline  
29 vessels in the Gulf, as well as we did see industry  
30 participation that assisted in seafood safety after Deepwater  
31 Horizon.

32  
33 This is the location of sets in the Gulf of Mexico. This is  
34 what we call unfiltered data. We do a series of checks on all  
35 the datasets and have limits. We have IT people and other folks  
36 to ensure that the data is the best it can be.

37  
38 With that, I would like to knowledge absolutely the industry's  
39 participation, as well as the observers and the observer  
40 coordinator south, which I think my whole team is here today.  
41 They do an outstanding and incredible job, as well as the IT  
42 folks. With that, if you have any questions for Jane or me, I  
43 would be happy to entertain those.

44  
45 **CHAIRMAN ANSON:** Any questions? Dr. Lucas.

46  
47 **DR. LUCAS:** So in your thing, you have about 2,000, but the  
48 permit holders are 1,500 in the Gulf and then the other and so

1 you do roughly about 2 percent of that and then you divide that  
2 and so it's about 80 percent of that is in the Gulf and so of  
3 that forty, about thirty-two vessels is what you're --

4  
5 **DR. SCOTT-DENTON:** Exactly. It's all done basically by -- As  
6 Jane has alluded, we get certain days of funding from the  
7 National Observer Program and then we solicit other avenues for  
8 funding to enhance coverage, but right now, it's 80 percent --  
9 That's the target, 80 percent Gulf and 20 percent South  
10 Atlantic.

11  
12 **DR. LUCAS:** So if you reach out to the permit holder and they  
13 are not actively harvesting, what do you do for that?

14  
15 **DR. SCOTT-DENTON:** I'm sorry, but could you repeat that?

16  
17 **DR. LUCAS:** The harvesters, if they're not actively harvesting  
18 and if you've reached out to them to be on their vessel, do you  
19 then just do another random?

20  
21 **DR. SCOTT-DENTON:** Right and basically if they hold a federal  
22 permit, then, as we explain to them, it's a requirement to take  
23 an observer. If they are not penaeid fishing or what have you  
24 and they're going somewhere else, we say we're going with you,  
25 because it's a requirement of the permit.

26  
27 Now, if they're not fishing, then we accept that, but we also  
28 have a validation system, where we look at their landings to see  
29 if they were actually fishing or not.

30  
31 **CHAIRMAN ANSON:** Any other questions? Mr. Swindell.

32  
33 **MR. SWINDELL:** In your budget, I see that you have \$56,000 in  
34 2015 for electronic monitoring and reporting. Can you tell me  
35 where that is and what that's about?

36  
37 **DR. SCOTT-DENTON:** I'm sorry, but I couldn't tell who was  
38 talking.

39  
40 **MR. SWINDELL:** In the observer budget by region.

41  
42 **MS. DICOSIMO:** My recollection is that was an electronic  
43 reporting study that was funded through that request for  
44 proposal process that we have at Headquarters.

45  
46 **MR. SWINDELL:** It didn't work?

47  
48 **MS. DICOSIMO:** The money just went out and so it hasn't actually

1 been in the field yet. I can follow up with you on that  
2 specific project.

3  
4 **MR. SWINDELL:** What is it identified for? What are you going to  
5 do with it?

6  
7 **MS. DICOSIMO:** I don't have the information with me. I can look  
8 it up to tell you. I can follow up with you and let you know  
9 what that specific project was on.

10  
11 **MR. SWINDELL:** Okay. In the shrimp bycatch observation studies,  
12 is that in all waters of the Gulf or is it in the EEZ zone or  
13 just in waters of the Gulf of the fishery?

14  
15 **DR. SCOTT-DENTON:** Yes, it's federally-permitted vessels and so  
16 whether they hold both licenses -- For example, in Texas, they  
17 hold a Texas license and a federal permit. If they're holding  
18 that federal permit, then we go where they go.

19  
20 **MR. SWINDELL:** Okay and where do you send these -- Do you send  
21 reports out or do we have --

22  
23 **DR. SCOTT-DENTON:** Yes, we have two reports and, like I said,  
24 there is the National Bycatch Report that shows the catch,  
25 actual catch, by the Gulf, for example, as well as the data are  
26 used for numerous SEDAR. Those data are presented in those  
27 reports.

28  
29 **MR. SWINDELL:** Okay. Thank you.

30  
31 **CHAIRMAN ANSON:** Yes, Ms. Bosarge.

32  
33 **MS. BOSARGE:** I was just wondering -- I was looking at some of  
34 those statistics on the shrimp trawl and I saw where that tow  
35 time, that max tow time, was at twenty-and-a-half hours. Did  
36 you have any information on that twenty-hour two?

37  
38 **DR. SCOTT-DENTON:** No and that is something that the filtering  
39 process -- It was extreme and so we validate all of those  
40 extreme outliers and that was truly a tow time. They broke  
41 down, but that was the max, twenty. They rarely exceed I think  
42 more than fourteen. When you start getting to the fourteen  
43 hours, that's pretty much a cutoff, but the average, again, was  
44 five.

45  
46 **CHAIRMAN ANSON:** Any other questions? All right. Thank you  
47 very much for the presentation. Next we have a presentation by  
48 Dr. Branstetter. Are you ready? Thank you.

1  
2                   **STANDARDIZED REPORTING BYCATCH METHODS**  
3

4 **DR. BRANSTETTER:** While she is bringing that up, as you're  
5 aware, standardized bycatch reporting is required in our  
6 fisheries and so in the Southeast, we have begun to, in  
7 cooperation between the Regional Office and the Science Center,  
8 including Liz Scott-Denton and Jim Nance at the Galveston Lab,  
9 we've begun putting together information that we do have  
10 available on standardized bycatch reporting on the various  
11 bycatch reporting programs, the data that we actually have on  
12 bycatch.

13  
14 What I'm going to give you here today is a very brief overview  
15 of kind of where we're at in that process and when we get this  
16 all put together, then it will be presented to the council in  
17 full.

18  
19 As I said, our workgroup is -- At this point, we are still  
20 putting together the information, but we have identified where  
21 the standardized bycatch reporting methodologies have been  
22 identified within our FMPs. We have fifteen different FMPs  
23 throughout the Gulf, South Atlantic, and Caribbean that do have  
24 identified SBRMs.

25  
26 We have also identified the various bycatch data reporting  
27 programs that exist in the Southeast, including -- This would  
28 include MRIP, logbooks, the headboat survey, those types of  
29 standardized reporting requirements.

30  
31 We also have been trying to put together what fishery-specific  
32 bycatch estimates we do have, such as what Liz was talking about  
33 with looking at the composition and the quantity of shrimp trawl  
34 bycatch, the reef fish bycatch. I will show you a couple of  
35 examples of that as I go through this, but also, again, current  
36 observer levels, which I don't have to talk about anymore.

37  
38 The goal of this is to come to the councils and make the  
39 recommendations for how you could improve your standardized  
40 bycatch reporting requirements.

41  
42 Now this all stems from the last revisions to the Magnuson Act,  
43 where it, in Section 303(a)(11), it states fishery management  
44 plans shall establish standardized bycatch reporting. You all  
45 have heard this all before. It's to minimize bycatch and  
46 minimize the mortality of bycatch which cannot be avoided.

47  
48 This is also reflected again in National Standard 9, that our

1 conservation and management measures need to minimize bycatch  
2 and bycatch mortality. This is also then reiterated again in  
3 the National Standard Guidelines for National Standard 9.  
4 Obviously you can read the whole thing if you want.

5  
6 The important parts here are the councils need to make  
7 improvements in data collection methods, sources, and  
8 application of those data and it should categorize responses  
9 that are necessary. That's one of the issues that I'm sure many  
10 of you are aware that the Northeast had to come back and revise  
11 their bycatch reporting. One of the things that they're going  
12 through is a prioritization.

13  
14 Obviously everybody needs more money, but you prioritize what  
15 really needs addressing and what doesn't need addressing and  
16 maybe you put a lesser effort on things in the future.

17  
18 Now, for the Gulf, you do have standardized bycatch reporting in  
19 the reef fish fishery and the shrimp fishery. We have  
20 standardized bycatch reporting programs available for coastal  
21 migratory and spiny lobster, but they are not specifically  
22 identified as such in your FMPs.

23  
24 Then for red drum and coral, obviously all harvest is prohibited  
25 and so it's very hard to put something in the FMP to identify  
26 bycatch in those fisheries, but they are covered incidentally,  
27 because they are part of the -- They are going to get reported  
28 through the bycatch reporting programs for the other fisheries.

29  
30 Under reef fish, as Liz outlined, they have the observers and  
31 we're also -- Your bycatch reporting, your SBRM, is to expand  
32 MRFSS surveys. Obviously MRFSS has expanded to MRIP and these  
33 are programs that are in place. For shrimp, there is the ELB  
34 program and the observer program.

35  
36 For the reef fish program, there are a couple of different  
37 layers of this and this is true for shrimp as well. Not only do  
38 you have the Magnuson components, but you also have protected  
39 resources components. The reef fish observer program, under the  
40 protected resources, the biological opinion requires that the  
41 reef fish observer program cover at least 100,000 longline hooks  
42 and 105 sea days on vertical line gear.

43  
44 As you can see there, over the last few years we have averaged  
45 over a million longline hooks and at least 200 to 500 sea days  
46 of vertical line and so that part of that component is being  
47 met.

48

1 Under the shrimp observer program, as Liz just outlined to you,  
2 observers are on 2 percent of the trips and approximately 1,500  
3 days a year and, as you heard this morning, electronic logbooks  
4 are on about 450 vessels.

5  
6 We also have BRDs and TEDs. BRDs must reduce finfish bycatch by  
7 30 percent by weight and obviously TEDs are supposed to reduce  
8 sea turtles by more than 90 percent.

9  
10 I thought it might be a little interesting for you to at least  
11 see back in the 1990s the historical shrimp catch composition  
12 was about 69 percent fish and shrimp was about 16 percent. Now,  
13 with improvements in TEDs and the introduction of bycatch  
14 reduction devices and the increased shrimp catch per unit  
15 effort, that composition has changed a bit and the finfish  
16 bycatch is actually going down.

17  
18 It's hard to compare this, because the catch rates are different  
19 and the tonnages are different that are coming onboard the boat,  
20 but the shrimp catch is now a much larger percentage of the  
21 overall harvest that comes up in the net.

22  
23 For spiny lobster, as I said, we do not have identified  
24 standardized bycatch reporting. Those are things that we need  
25 to address, that the council probably needs to address, but it's  
26 another one of those that there is a minimal amount of bycatch  
27 in some of the studies that have been done in the spiny lobster  
28 fishery.

29  
30 The bycatch is -- It says 32 percent of the traps contain some  
31 sort of bycatch and much of the bycatch is stone crab and small  
32 other invertebrates and little fish and the bycatch -- The  
33 important point to walk away with here is daily bycatch  
34 mortality rates are very low and so the bycatch that is taken,  
35 that can't get out of the traps, is released alive. This would  
36 be an area that we probably need to improve on.

37  
38 For the coastal migratory pelagics, there is three different  
39 types of gear types that are used in the fishery and you can see  
40 the various -- These are the top ten species that show up in the  
41 bycatch that is reported through the coastal logbooks and  
42 through what little observer programs that have been in this.

43  
44 Obviously the hand line electric is not something that coastal  
45 migratory -- It's not a primary gear in coastal migratory and so  
46 I'm assuming that this is probably reef fish fishing that is  
47 picking up coastal migratory and discarding coastal migratory  
48 along with other regulatory discards in the reef fish fishery.

1  
 2 When you get into the trolling aspect of the coastal migratory  
 3 fishery, which is the primary gear type, as you can see,  
 4 compared to some of these other gear types, the bycatch is very,  
 5 very low and as one last kind of overview slide, as you might  
 6 expect, this is discards ranked by the amount of discards and  
 7 the amount of bycatch that show up in trips with more than 50  
 8 percent of the landings being attributed to that specific  
 9 fishery.

10  
 11 As you expect, shrimp falls in number one and hand line electric  
 12 for reef fish and coastal migratory is up fairly high and  
 13 longline in the reef fish fishery comes in fairly high and then  
 14 the others are relatively low levels of bycatch. As we talked  
 15 about, trolling for reef fish, which obviously doesn't happen  
 16 very often, and gillnet and trolling for coastal migratory is  
 17 fairly low.

18  
 19 Obviously Gulf of Mexico reef fish diver is very low, but this  
 20 is just kind of an overview of this. We have lots of big graphs  
 21 and tables that I could have put up here and put you all to  
 22 sleep with, but we do have a lot of these data that we're  
 23 accumulating now and assimilating and hopefully within the next  
 24 few months we'll be able to bring this all back before the  
 25 council for your consideration as to how to better address this  
 26 requirement for standardized bycatch reporting. That's it. I  
 27 would be glad to answer any questions.

28  
 29 **REVIEW OF EXEMPTED FISHING PERMIT APPLICATIONS**

30  
 31 **CHAIRMAN ANSON:** All right. Any questions? All right. Thank  
 32 you. If we come up with some questions, we know where to get  
 33 you, Steve. We have next on the agenda Review of Exempted  
 34 Fishing Permit Applications and Dr. Crabtree.

35  
 36 **DR. CRABTREE:** We don't have any.

37  
 38 **CHAIRMAN ANSON:** Thank you. We are ahead of schedule by about  
 39 forty-five minutes. We will wait until 2:30 to begin the Public  
 40 Comment Period and so I have checked with Mr. Riechers and he is  
 41 ready to proceed with Committee Reports. Mr. Riechers, can you  
 42 proceed with Sustainable Fisheries and Ecosystem?

43  
 44 **COMMITTEE REPORTS**

45 **SUSTAINABLE FISHERIES/ECOSYSTEM COMMITTEE REPORT**

46  
 47 **MR. RIECHERS:** Yes, Mr. Chairman. The Sustainable  
 48 Fisheries/Ecosystem Management Committee met on October 5, 2015.



1 The first item on the agenda was the SSC Review of Integrated  
2 Ecosystem Assessment/Management Strategy Evaluation/Single  
3 Species. That was Tab B, Number 4. I believe I said then we  
4 needed a different title for that, but the SSC representative,  
5 Dr. Luiz Barbieri, summarized a presentation given to the SSC by  
6 Dr. Bill Harford on how Management Strategy Evaluation could be  
7 applied to an ecosystem model to evaluate the impacts of various  
8 management strategies on single-species management.

9  
10 Evaluating the possible impacts of a future red tide event on  
11 gag and red grouper was shown as an example. The MSE approach  
12 allows the evaluation of multiple performance metrics, such as  
13 avoiding an overfished state, avoiding risk of collapse, and  
14 evaluating net present value of catch.

15  
16 It was reported that the SSC discussed formation of a workgroup  
17 to increase integration with the Integrated Ecosystem Assessment  
18 group at Southeast Fisheries Science Center. The IEA group will  
19 give a follow-up presentation to the SSC in 2016 on applying MSE  
20 to a multispecies approach based on SSC input. I will pause  
21 there in case anyone wants to have a comment or a question or a  
22 motion. Okay.

23  
24 Next on our agenda was the NOAA Ecosystem-Based Fisheries  
25 Management Policy, Tab E, Number 5(a) and (b). Dr. Jason Link  
26 presented a review of the NMFS draft ecosystem-based fishery  
27 management policy.

28  
29 Part of the reason for this policy is to make clear that NMFS  
30 needs to, can, and is committed to establishing ecosystem-based  
31 fisheries management. The draft policy includes a statement of  
32 policy, definition of ecosystem-based fisheries management, and  
33 guiding principles for implementation.

34  
35 Dr. Link pointed out that there are several levels of ecosystem-  
36 based fisheries management and that ecosystem based fisheries  
37 management is different from ecosystem-based management or an  
38 ecosystem approach to single species management.

39  
40 The comment period for the draft policy is open through December  
41 16, 2015. Executive Director Doug Gregory suggested that staff  
42 work with Chairman Kevin Anson to draft a letter providing  
43 comments on behalf of the council. The letter could be  
44 circulated to council members before being submitted to NMFS.  
45 Committee members agreed that this was a reasonable approach.  
46 Mr. Chairman, this concludes my report.

47  
48 **CHAIRMAN ANSON:** Thank you for that report. Does anyone have

1 any other questions for this committee? All right, Mr.  
2 Riechers, I believe you have Administrative Policy and Budget.

3  
4 **ADMINISTRATIVE POLICY AND BUDGET COMMITTEE REPORT**  
5

6 **MR. RIECHERS:** Yes, sir. The Joint Administrative Policy and  
7 Budget/Personnel Committee met on October 5, 2015 as well. Mr.  
8 Doug Boyd and myself were the Chairs. The committee moved to  
9 adopt the agenda as written and to adopt the minutes of the  
10 August 2015 Joint Budget/ Personnel Committee meeting, which was  
11 held in New Orleans, Louisiana, without any changes.

12  
13 We then went to the first committee item, which was Tab G,  
14 Number 4, and it was Review of the AP Staggered Terms. The  
15 committees reviewed the staff revisions to the schedule of AP  
16 appointments, based on changes made at the August council  
17 meeting to create a procedure for reviewing the appointments of  
18 one-third of the APs each year. The ad hoc APs would be  
19 reconsidered for continuation and reappointment yearly at the  
20 council's January meeting. **The committee recommends, and I so**  
21 **move, that the council move the appointment of the Spiny Lobster**  
22 **and Coral APs to 2016.**

23  
24 **CHAIRMAN ANSON:** We have a committee motion and the motion is on  
25 the board. Do we have any discussion on the motion? **Any**  
26 **opposition to the motion? Seeing none, the motion carries.**

27  
28 **MR. RIECHERS:** There was some discussion then beyond that  
29 regarding some of these committee had not met and basically, it  
30 was determined by committee that staff could notify the AP  
31 members of the change and the rationale by letter, so that we  
32 basically would explain to them why they're being either asked  
33 for reappointment or not at this point in time.

34  
35 Then that took us to Tab G, Number 5, the Review of Standard  
36 Operating Procedures Update Regarding AP Appointments and  
37 Administrative Committee Structure. The committees reviewed  
38 staff track changes to the SOPPs based on council decisions in  
39 August of 2015 and minor editorial changes.

40  
41 The presented track changes, with one exception related to  
42 personnel records, were accepted by committee. No motions were  
43 made. Staff was asked to work with General Counsel to clarify  
44 the language related to the three-year time that violations  
45 would be a factor in AP appointments.

46  
47 In addition to review of the SOPPs changes, a motion was made to  
48 limit participation at full council committees and council

1 meetings by phone or other electronic means. Currently, a  
2 member cannot vote based on MSA provisions, but can participate  
3 by other electronic means. Motion failed by a voice vote. I  
4 will pause there. Okay.

5  
6 Tab G, Number 6, Review of House and Senate Red-Snapper-Related  
7 Magnuson-Stevens Act Bills, the committees reviewed the staff  
8 summaries of red-snapper-related MSA bills, noting that we had  
9 contracted with Mr. Dave Whaley to help us monitor legislative  
10 actions through the remainder of the year related to NEPA, MSA  
11 and other Gulf-related legislation. All the summaries are on  
12 our website under "CCC Meetings", "Legislative Page". These  
13 were presented to the council for informational purposes only.

14  
15 Any additional questions or further clarifications regarding any  
16 aspect of the legislation, please contact council staff and they  
17 will attempt to clarify or get additional information. Staff  
18 will inform the council of additions as they become available.  
19 No motions were made.

20  
21 Moving to Tab G under Other Business, staff was requested to  
22 make the recent council audit report for 2013 and 2014 fiscal  
23 years available to council members, upon request, when it is  
24 completed by the auditors. Mr. Chairman, this concludes my  
25 report.

26  
27 **CHAIRMAN ANSON:** Thank you, Mr. Riechers. Any other questions  
28 under this committee? All right. We have still some time left  
29 and the two reports that are remaining that have been completed  
30 are Mackerel and SEDAR and Mackerel is rather lengthy and there  
31 might be somebody that wants to provide some testimony, some  
32 comment, today and so I will go ahead with the SEDAR Committee  
33 Report.

34  
35 **SEDAR COMMITTEE REPORT**

36  
37 Staff summarized the proceedings from the recent SEDAR Steering  
38 Committee meeting, highlighting the proposed changes to the  
39 stock assessment process. The Science Center has proposed a new  
40 process for assessing species.

41  
42 The proposed process would include a research cycle, which would  
43 essentially perform the tasks typically conducted during a  
44 benchmark assessment, except management advice would not be  
45 provided. Such advice would be generated through operational  
46 assessments, which would function similar to the current  
47 standard and update assessments, depending on the issues to be  
48 addressed.

1  
2 Comments from the Gulf and South Atlantic Councils' Science and  
3 Statistical Committee members will be solicited and used to  
4 fine-tune the proposed assessment process before implementation.  
5

6 Staff reviewed the status of planned stock assessments in the  
7 Gulf for 2017 through 2018, Tab I, Number 4. Some  
8 reorganization of assessment priorities was recommended during  
9 the SEDAR Steering Committee meeting.

10  
11 The red snapper standard assessment scheduled for 2017 would  
12 remain and would incorporate updated MRIP effort calibration  
13 data. A research cycle assessment for scamp and gray snapper  
14 would be conducted concurrently with the South Atlantic,  
15 beginning in 2017 and concluding in early 2018.

16  
17 In the latter half of 2018, the option would be available to the  
18 council to conduct update assessments which incorporate updated  
19 MRIP effort calibration data or to update as many stocks as  
20 possible, by order of priority, with the updated MRIP effort  
21 calibration data. The SEDAR Steering Committee will meet via  
22 webinar on October 30th, 2015 to finalize the schedules for 2017  
23 through 2018. This concludes my report. As I mentioned, we  
24 don't have any other committee reports. Dr. Crabtree, do you  
25 have something?

26  
27 **DR. CRABTREE:** I believe there was a request for an update on  
28 red snapper landings and Andy would be prepared to do that if  
29 you would like.

30  
31 **CHAIRMAN ANSON:** Yes, that was under Other Business and we  
32 approved that on the agenda and so, Andy, if you're ready, we  
33 can do that now.

34  
35 **OTHER BUSINESS**  
36 **UPDATE ON RED SNAPPER LANDINGS**

37  
38 **MR. ANDY STRELCHECK:** Thank you. I don't have a presentation  
39 prepared, but I can share some information afterward on the  
40 details of the landings. As you are well aware, we have many  
41 different data collection programs in the Gulf of Mexico. We  
42 have data available for various time periods and so I will be  
43 providing you both reported landings, so the information we have  
44 in hand today, as well as what we're projecting will be the  
45 final red snapper season landings, given that many state waters  
46 still remain open.

47  
48 Just as background, the Marine Recreational Information Program,

1 which covers Florida to Mississippi, we have landings through  
2 June 30. For the headboat fishery, including the Headboat  
3 Collaborative, we have landings through September 30. For  
4 Louisiana Creel, we probably have landings through the end of  
5 the month. For this summary, we have them through the middle of  
6 September and for Texas, we have their first wave of data, which  
7 is January 1 through May of 2015.

8  
9 To date, 4.82 million pounds have been landed. If you recall,  
10 the catch target is 5.61 million pounds and so we're below the  
11 catch target as well as the annual catch limit, which is  
12 approximately seven-million pounds.

13  
14 Including landings that would be projected to come in, based on  
15 all of the data that hasn't been submitted yet, we are looking  
16 at 6.1 million pounds landed for 2015 and that would equate to  
17 108 percent of the annual catch target and so it would be above  
18 the annual catch target, but we would be below the annual catch  
19 limit, at 86 percent of the ACL.

20  
21 Then, given sector separation and the splitting of the for-hire  
22 and private sectors, interestingly, both of them are tracking  
23 almost identical with our projections. We have right now landed  
24 -- I don't have the ACLs, but for for-hire, we have landed 1.97  
25 million pounds. For private, it's 2.85 million pounds and from  
26 a comparative standpoint, those are running about the same  
27 percentages for the ACL and ACT when you factor in projected  
28 landings as well as reported landings.

29  
30 At this point, our next update will be for MRIP landings to come  
31 in next week and that will include landings from July and August  
32 and with the states of Mississippi and Alabama being open into  
33 July, as well as we already have Louisiana landings, and so we  
34 expect a good amount of landings to be reported during that time  
35 period. With that, I will send around more details with the  
36 numbers so you can have them, but I will answer any questions.

37  
38 **CHAIRMAN ANSON:** Dale.

39  
40 **MR. DIAZ:** I don't have a question right at the moment, but I do  
41 want us to have some discussion and I guess to start that  
42 discussion, I will make a motion and maybe we can talk after I  
43 make the motion and see how the council feels about it. I  
44 apologize to the ladies that is handling the computer over  
45 there. I thought we were going to do this under Other Business  
46 tomorrow and I would have emailed it.

47  
48 **My motion would be to direct staff to begin a framework action**

1 for the recreational red snapper fishery to revise the buffer  
2 between the annual catch target and the annual catch limit. If  
3 I get a second, I will elaborate.

4  
5 **DR. LUCAS:** I will second, for the sake of discussion.

6  
7 **CHAIRMAN ANSON:** All right. We have a motion, which is being  
8 refined.

9  
10 **MR. DIAZ:** I can read it again if they need me to.

11  
12 **CHAIRMAN ANSON:** Yes, if you wouldn't mind.

13  
14 **MR. DIAZ:** It's to direct staff to begin a framework action for  
15 the recreational red snapper fishery to revise the buffer  
16 between the annual catch target and the annual catch limit.

17  
18 **CHAIRMAN ANSON:** Okay. That looks pretty good. The motion is  
19 to direct staff to begin a framework action for the recreational  
20 red snapper fishery to revise the buffer between the annual  
21 catch target and the annual catch limit. It's been seconded by  
22 Dr. Lucas and is there any further -- Dale.

23  
24 **MR. DIAZ:** One of the reasons I bring this up -- I know we're  
25 talking about projections right now, but if we actually want to  
26 consider doing this -- If we don't do something at this meeting,  
27 there is not going to be time to do a framework action that  
28 would be in place before the 2016 season.

29  
30 I think a framework action generally takes about six months to  
31 go through and so if we tried to start that in the January  
32 meeting, it wouldn't be ready before June 1. At least if we do  
33 this, we can get some better numbers in January and this process  
34 will be started and we can decide whether we want to proceed  
35 with the framework at that time, but if we don't start it now,  
36 it just will not have any impact on 2016, if it's justified.  
37 Thank you, Mr. Chairman.

38  
39 **CHAIRMAN ANSON:** Mr. Riechers and then Dr. Crabtree.

40  
41 **MR. RIECHERS:** Dale, just because it's not completely clear in  
42 the motion, when we say "revise the buffer", are we shrinking  
43 the buffer or are we increasing the buffer or what's -- Are we  
44 looking at both in an options paper or what is your intent?

45  
46 **MR. DIAZ:** It would be to shrink the buffer. We can make that  
47 change in the motion and that's probably very good. Thank you,  
48 Mr. Riechers.

1  
2 **CHAIRMAN ANSON:** Dale said to reduce the buffer and I think Dr.  
3 Crabtree is going to have a point of order, I guess, with this  
4 motion. Yes, sir, Dr. Crabtree.  
5

6 **DR. CRABTREE:** Not a point of order, but, one, I don't think you  
7 have time to get this done and be implemented in time for next  
8 year's season anyway. I would point out to you that you have  
9 exactly one year of actual having landings in hand with the  
10 current buffer.  
11

12 In my opinion, you have absolutely no basis to reduce this  
13 buffer from where it is now and I can tell you, given the court  
14 decisions, that the Fisheries Service will look very carefully  
15 at any amendment along these lines and I think it's very  
16 unlikely, with only one year's data, that this would be  
17 approved.  
18

19 Secondly, I am looking at a newspaper article, and I don't know  
20 if it had any basis and perhaps Myron could comment, but  
21 Louisiana is considering reopening the fishery. We are still  
22 fishing in Florida and I just don't think you have any basis for  
23 this.  
24

25 As Andy reported, we are at 86 percent, by their projections, of  
26 the ACL now. We generally close down commercial fisheries if we  
27 hit 90 percent and so you can't expect to get much closer than  
28 what we're getting to the ACL and so I speak strongly against  
29 this. We have a lot of things going on right now and this is  
30 way too premature.  
31

32 Before you are going to reduce this buffer, we're going to have  
33 to have a number of seasons under our belt showing that we can  
34 stay within these catch limits and I don't think there is any  
35 point in going down this path and winding up in front of a judge  
36 again or heading towards disapproval after we invest a lot of  
37 time and effort into it.  
38

39 Now, we have talked about working on a framework amendment to  
40 allow us to reopen the fishery in the fall if we get the data  
41 and it looks like there's enough fish left over to do that and I  
42 think that is something we potentially could do and I think  
43 that's a much more productive use of our time and effort, so  
44 that if we come in next year, at our August meeting, and it  
45 looks like there is enough fish left over to reopen again that  
46 we have the ability to do that. I would encourage us to look at  
47 ways to make sure we catch as much of the ACL as we can and  
48 remain safely under and not go down this path.

1  
2 **CHAIRMAN ANSON:** Dale.

3  
4 **MR. DIAZ:** You know that might be the way we decide with this  
5 motion, whether we vote it up or down, but, Dr. Crabtree, what I  
6 was thinking about is when we set the initial buffer, we had an  
7 analysis in front of us that said, based on information we had  
8 at that time, if you did a 5 percent buffer that this was your  
9 chance of going over. If you did a 10 percent buffer, this was  
10 your chance of going over.

11  
12 We've got some history now and we did not reach the ACT last  
13 year and we are going to be slightly over it, but we're still  
14 under the ACL this year.

15  
16 I would like to see that analysis again for what chances we  
17 would have of going over with the different percentages that we  
18 can consider and that was my reason for bringing it forward  
19 today, so we could have the discussion and see how other people  
20 feel about it. Thank you, Mr. Chair.

21  
22 **CHAIRMAN ANSON:** Do we have any other discussion on the motion?  
23 All those in favor of the motion to -- Mr. Walker.

24  
25 **MR. WALKER:** Could we have a roll call?

26  
27 **CHAIRMAN ANSON:** We have had a request for a roll call vote.  
28 Mr. Boyd.

29  
30 **MR. BOYD:** Dale just asked if we could get that table back up  
31 and do we want to look at that before we vote? I mean I will  
32 leave that up to Dale.

33  
34 **MR. DIAZ:** Part of it is I would like to see a new table  
35 developed also that includes the history that we have now. You  
36 know once we get that information -- Dr. Crabtree did point  
37 something out about timing that I may have been incorrect on.

38  
39 I was thinking framework action and it takes six months. If we  
40 wanted to do this in January, there is no way to do it and so I  
41 don't know about that. I mean I think Mr. Gregory might could  
42 speak to the timing issue of it also.

43  
44 **EXECUTIVE DIRECTOR GREGORY:** I don't think we've done anything  
45 that quickly, but, off the top of my head, and I will look to  
46 Carrie and others for assistance, if you told us that you wanted  
47 the buffer to be 10 percent or 15 percent and we could start  
48 working on it right away, we could probably bring it back for



1 final action in January, but leaving it open like this, we're  
2 going to come back to you with a 5 percent and 10 percent and 15  
3 percent buffer with analyses and you could choose it. I guess  
4 we could do that almost as quickly, but without further  
5 guidance, that's probably what we will do, is look at multiple  
6 buffers.

7

8 **CHAIRMAN ANSON:** Ms. Levy.

9

10 **MS. LEVY:** You're going to have to look at multiple buffers  
11 regardless. We can't just pick a number out of the hat and say  
12 we're going to do it. We have to do a NEPA analysis and we have  
13 to have alternatives and we have to look at the impacts.

14

15 From what I understand, the Fisheries Service won't have final,  
16 or close to final, 2015 numbers until February and so you  
17 wouldn't even know what your 2015 numbers are when you're  
18 thinking about taking final action to reduce a buffer and so I  
19 mean I would have to agree with Roy on this point, that this  
20 seems a little bit premature in deciding to reduce a buffer,  
21 when in reality we only have one year's worth of data showing  
22 performance using the ACT.

23

24 **CHAIRMAN ANSON:** Mr. Swindell.

25

26 **MR. SWINDELL:** Excuse me for being so new, but what is the  
27 buffer now?

28

29 **CHAIRMAN ANSON:** The buffer now is 20 percent. Any other  
30 discussion? The motion is to direct staff to begin a framework  
31 action for the recreational red snapper fishery to reduce the  
32 buffer between the ACT and the ACL. We've been requested for a  
33 roll call vote. Mr. Gregory.

34

35 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.

36

37 **MS. BOSARGE:** No.

38

39 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.

40

41 **MR. BOYD:** Yes.

42

43 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.

44

45 **MR. DIAZ:** Yes.

46

47 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.

48

1 DR. CRABTREE: No.  
2  
3 EXECUTIVE DIRECTOR GREGORY: Dr. Dana.  
4  
5 DR. DANA: No.  
6  
7 EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.  
8  
9 DR. STUNZ: Yes.  
10  
11 EXECUTIVE DIRECTOR GREGORY: Mr. Greene.  
12  
13 MR. GREENE: No.  
14  
15 EXECUTIVE DIRECTOR GREGORY: Mr. Matens.  
16  
17 MR. MATENS: Yes.  
18  
19 EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.  
20  
21 DR. LUCAS: Yes.  
22  
23 EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.  
24  
25 MR. FISCHER: Yes.  
26  
27 EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.  
28  
29 MR. RIECHERS: Yes.  
30  
31 EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.  
32  
33 MR. SANCHEZ: No.  
34  
35 EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.  
36  
37 MR. SWINDELL: Yes.  
38  
39 EXECUTIVE DIRECTOR GREGORY: Mr. Walker.  
40  
41 MR. WALKER: No.  
42  
43 EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.  
44  
45 MS. BADEMAN: No.  
46  
47 EXECUTIVE DIRECTOR GREGORY: Mr. Williams.  
48

1 **MR. WILLIAMS:** No.

2

3 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.

4

5 **CHAIRMAN ANSON:** Yes.

6

7 **EXECUTIVE DIRECTOR GREGORY:** The motion passes nine to eight.

8

9 **CHAIRMAN ANSON:** All right. We've got a few minutes before 2:30  
10 and to give members a chance to go ahead and use the restroom if  
11 they need to, please do so. Thank you.

12

13 (Whereupon, a brief recess was taken.)

14

15 **CHAIRMAN ANSON:** That will bring us to the public testimony  
16 portion of the agenda. I have a written statement that I need  
17 to read before we begin. 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 persons 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 all written comments will be posted to  
32 the council's website for viewing by council members and the  
33 public and will be maintained by the council as part of the  
34 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 complete a public comment  
39 registration card and give to council staff. We accept only one  
40 card per person. Each speaker is allowed three minutes for  
41 their testimony.

42

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, if needed. Time allowed to dignitaries  
47 providing testimony is extended at the discretion of the Chair.  
48 That concludes the written portion of the statement.

1  
2 I will remind folks in the audience or to new participants that  
3 I will call on two individuals and the first will approach the  
4 podium and begin their comment and if the second individual that  
5 I call out would just kind of be waiting off to the side, it  
6 would help speed up the process.

7  
8 As you can see, we have -- On the screen, we have the list of  
9 individuals who have submitted a card and please refer to that  
10 list and see when your time is up, if you submitted a card, so  
11 that when we call on you that you are present and able to come  
12 up to the podium. That being said, we will start with our first  
13 and second speakers and that is Jason Delacruz, followed by  
14 Clarence Seymour.

15  
16 **PUBLIC COMMENT**

17  
18 **MR. JASON DELACRUZ:** Good afternoon and I want to thank  
19 everybody on the council for giving us this opportunity to  
20 speak. There's not a lot on the agenda today, but I guess I  
21 will start with gag grouper. As you guys heard from the report  
22 from the AP, which is was on, I think the idea on gag to try to  
23 extend that season a little bit in December is ideal.

24  
25 A little longer would be better for my guys, but also I think we  
26 have to bear in mind the conservation of this stock. We've got  
27 a stock that we're not catching. We're not catching it no  
28 matter what we do or what changes or what allocations change or  
29 what happens in the recreational fishery and so I think that  
30 needs to be in mind as you guys think about that stock of fish  
31 and what we're doing with it.

32  
33 Also, if we do make any momentum in that fish -- Let's say we  
34 decide to make a size change in the recreational sector to  
35 twenty-four inches. All of my commercial guys and everybody  
36 that's a part of my organization agree and let's move it  
37 commercially to twenty-four inches as well. We don't want a  
38 disparity between the two sizes, for a myriad of reasons, but  
39 there is also biologically good reasons to move that fish in  
40 that direction as well.

41  
42 I think, next, the AP also had a lot of discussion about  
43 regional management and as I sat there and listened to all of  
44 that, it kind of struck me as to the fact that I really didn't  
45 understand it and I've done this enough to really understand  
46 these things pretty good and so this is such a complicated  
47 amendment. I don't possibly see how you guys are going to get  
48 in the direction and I guess all I really want to say, as far as

1 a good public comment, is please keep the charter boat guys out  
2 of this.

3  
4 We seem to be going in a direction that these guys don't want to  
5 go and everybody is just forcing them in a position that they  
6 don't want to be in. Give these guys an opportunity to build a  
7 business plan and be in a position where they actually have a  
8 real business.

9  
10 I think that's probably about all I've got today, because today  
11 seems like kind of a light day and we've solved or moved some  
12 problems along and so thank you very much.

13  
14 **CHAIRMAN ANSON:** Thank you, Jason. Martha, do you have a  
15 question?

16  
17 **MS. BADEMAN:** Yes, just real quick. Gag, what do you want to  
18 see, season-wise? What do you think your boats want to see?

19  
20 **MR. DELACRUZ:** My charter boat guys would like to see that  
21 January season, but, realistically, that fish is in bad shape  
22 and so personally, I would be content if we got it into the end  
23 of December and I think that's reasonable and fair. That gives  
24 them opportunity to that Christmas run, where we have people.

25  
26 They say the size limit, but I will be honest. Earlier this  
27 week, I got beat up on size or a bag change in red grouper,  
28 because they took it as that I was the guy that could control it  
29 and because we went to two per person, they called and yelled at  
30 me because the season was still short. That's a whole other set  
31 of complications, but I think the twenty-four across the board  
32 for both sectors and then, if we got a full December, I would be  
33 content. If we got a little bit of January, great, but nobody  
34 is heartbroken on that. Thank you.

35  
36 **CHAIRMAN ANSON:** Thank you, Jason. Clarence Seymour, followed  
37 by Brad Gorst.

38  
39 **MR. CLARENCE SEYMOUR:** Hello. I'm Clarence Seymour from Biloxi,  
40 Mississippi, the Charter Boat SYL. I came to Texas for the  
41 meeting. I rallied up a petition for the Gulf Council to see  
42 how Mississippi stood on Amendment 39, which we chose  
43 Alternative 2, Action 2.

44  
45 Thirty out of forty-one, and I think the state says we might  
46 have forty-two, but that's just the data that I have. I think  
47 we will put it in the public record also and we would like to  
48 remain under federal fishery management, which is through the

1 Gulf Council.

2  
3 Basically, I rallied -- These guys were at picnic tables and  
4 dinner tables and calling me and we want to know what we can do  
5 and how we're going to get more involved in the fishery and so  
6 we decided we were going to make Mississippi a good avenue to  
7 let the Gulf Council know that we want to be involved in all the  
8 decision-making and maybe we can listen better and know more  
9 about the system and how we're going to go about it.

10  
11 We have also come to the conclusion that we would like to move  
12 forward with Amendment 41 and 42 and get on the path of a  
13 different sector of the fishery, which we was very happy in  
14 Mississippi with Amendment 40 this year and the derby.

15  
16 The guys that I spoke with on it and myself, we had an excellent  
17 fishery. We have a good fishery in Mississippi. It's  
18 sustainable and the majority of the group basically told me that  
19 the derby is fine, but we are more into possibly some type of a  
20 tag allocation or IFQ or whatever and we would like to be part  
21 of the decision-making on that.

22  
23 Basically, when the Gulf Council votes on Amendment 39, we ask  
24 that you select Alternative 2 in Action 2 and keep us under  
25 federal management. What else have I got here? Everybody got a  
26 copy of my particular petition. I guess it's a signed signature  
27 of the reef fish permit holders in the State of Mississippi,  
28 which they are more adamant about. Like I said, I'm trying to  
29 elaborate on how we feel about the thing.

30  
31 Also, gag grouper, June 1 through December 31 on the black and a  
32 twenty-four-inch limit. I guess I'm about out of time. That's  
33 all and thank you all for having me here in Texas.

34  
35 **CHAIRMAN ANSON:** Thank you, Clarence. Clarence, we have one  
36 question from a council member, Dr. Dana.

37  
38 **DR. DANA:** Thank you, Clarence, first of all for taking the  
39 initiative to work with your fellow charter operators,  
40 federally-permitted. You know that's quite a task to get to  
41 thirty of a finite number of forty-one maximum charter boat  
42 folks and get them to sign on to something and agreeing on it.

43  
44 In our meetings yesterday, it was remarked that perhaps some of  
45 the charter operators that did sign on to that letter were not  
46 in fact -- They did not in fact fully understand what they were  
47 signing on to and that perhaps they were led to believe that  
48 they were going to lose their permits if they did not -- If the

1 federal charter guys were not taking out of 39, regional  
2 management. Can you clarify any of that for me?

3  
4 **MR. SEYMOUR:** I think possibly -- I don't know where the  
5 misunderstanding came, but as of this morning, no one on the  
6 list contacted me to be removed, which would have been a fair  
7 thing, to say, hey, I didn't understand and I would like to be  
8 removed, which I thought that -- I didn't really have the  
9 opportunity to -- I couldn't call everybody on it to find out  
10 how they actually -- If they was misrepresented, but I don't  
11 think anybody was misrepresented.

12  
13 I personally never told no one they would lose their reef fish  
14 permit. It was basically it's to keep the reef fish permit in  
15 the federal sector, like we all bought into. I did in 1997,  
16 which made me part of the fishery. They all bought it. You  
17 know we all got in it when it was the beginning and so as far as  
18 I know, out of the thirty folks here, nobody called and  
19 complained to me about me standing up here in front of this  
20 council and taking that to an action. Anybody else?

21  
22 **CHAIRMAN ANSON:** Yes, we have one other question from Mr.  
23 Walker.

24  
25 **MR. WALKER:** Clarence, you had I guess it was like ten or so who  
26 did not send the petition and was it maybe inactive permits or  
27 people you didn't know that participated in the fishery?

28  
29 **MR. SEYMOUR:** Well, what happened was I found out, by going  
30 through the deal, I've got, I think, several permit holders --  
31 I've got -- Let me get my little paper here. Okay. I've got  
32 one permit in Vicksburg, Mississippi and that's about two-and-a-  
33 half or three or four hours away from me. There's one permit in  
34 Richton, Mississippi and one permit holder in Diamondhead and  
35 one in Belden, Mississippi.

36  
37 There is five, basically, that I definitely knew I couldn't get  
38 in contact with. The thirty that's on the list was basically  
39 the guys in the harbors, from Pascagoula to Hancock County,  
40 which would put us -- I think the farthest that they guy came to  
41 see me was in Long Beach and so as far as giving Mr. Tony a  
42 chance to comment on the petition and the permit, I couldn't get  
43 in touch with him and so yes, I had five that was from a pretty  
44 good distance and then two -- I'm going to go ahead and say it  
45 on the record. Two was on the fence, 50/50, on the issue,  
46 regardless. Maybe they didn't have enough information and  
47 wanted more time to think about it and so I thought that was a  
48 fair assessment of how it was operated.

1  
2 **CHAIRMAN ANSON:** We have one other question for you.

3  
4 **DR. LUCAS:** Clarence, thanks so much for coming out from  
5 Mississippi.

6  
7 **MR. SEYMOUR:** You're welcome.

8  
9 **DR. LUCAS:** I do appreciate you taking the week off and coming  
10 here to do that. We don't always have a lot of Mississippi  
11 representation and so I appreciate it. This may help to Mr.  
12 Walker's point as well. Several of the people that you even got  
13 to sign aren't necessarily always actively fishing. Some of  
14 them aren't actively fishing and so Clarence kind of went above  
15 and beyond there.

16  
17 **MR. SEYMOUR:** That's correct, yes. Thank you.

18  
19 **CHAIRMAN ANSON:** Thank you. We have Brad Gorst, followed by  
20 Billy Archer.

21  
22 **MR. BRAD GORST:** My name is Brad Gorst and I come from  
23 Clearwater, Florida. We have three vessels and two of them are  
24 federally permitted, over six boats, and one six-passenger boat.  
25 Briefly, Amendment 39, we prefer to stay out of the state's  
26 hands and stay within federal protection and so Alternative 2,  
27 Action 2. Leave us alone. Move forward on 41 and 42, because  
28 we need that to keep going.

29  
30 My main thing is about the gag grouper. Raise the size limit  
31 for the gags to twenty-four and the blacks twenty-four as well  
32 and do away with any openings in any other time of the year  
33 other than June 1 through December 31. We ran the numbers and  
34 we will still be 13 percent below the ACT and 22 percent below  
35 the ACL with modification to the season opening. Instead of  
36 July, move it to June, to the end of the year of December 31.

37  
38 In the event that we exceed or come close to exceeding the ACL  
39 the following year, I would like to see it revert back to a July  
40 1 opening. That way, if it does, we find out that June was a  
41 problem and so, in a way, it's kind of an experiment, but it's a  
42 way that will work through the system at this point, in my  
43 vision. That would give us 183 days, which is still well below  
44 the numbers that were on some of the tables in the framework  
45 action paper here.

46  
47 Other than that, I have talked to a couple of guys down in south  
48 Florida and a fifteen-inch hogfish size is good and one guy



1 suggested keeping the boundary where it's at and it's just  
2 because it's traditional, but they would be willing to deal with  
3 any changes in that.

4  
5 I would like to see moving forward with electronic logbooks. We  
6 need that up-to-date data on a daily basis and it needs to be  
7 pushed through, because without the numbers, what have you got?  
8 It's all a big guess game. Thank you.

9  
10 **CHAIRMAN ANSON:** Thank you, Brad. Billy Archer, followed by  
11 Eric Mahoney.

12  
13 **MR. BILLY ARCHER:** Captain Billy Archer from Panama City,  
14 Florida. This is forty-first year as a captain and that's all  
15 I've ever done. I'm a third-generation fisherman. On Amendment  
16 39, I also support Action 2, Alternative 2.

17  
18 I hope the council will hear Dr. Crabtree's dire warnings about  
19 the dangers and complications of Amendment 39 and if you feel  
20 like you have to do it, please leave us out of it. It's not  
21 going to work for the federal permits.

22  
23 Amendment 40 is working, as Dr. Strelcheck just testified before  
24 you. I would encourage you to continue forward with 41 and 42.  
25 Also, I would like to -- On the issue of gag grouper, I would  
26 like to suggest Action 3, Alternative 4, set the seasons to open  
27 June 1, the same day as snapper, and increase the size limit to  
28 twenty-four inches.

29  
30 Keep the closure and close it when the ACL is met. The size  
31 limit increase should offset any potential overages on the ACL  
32 and help reduce gag discards during the month of June.  
33 According to Dr. Larkin, it could be done. It would be 13  
34 percent below the ACT, which is a safe bet, or 22 percent under  
35 the ACL. Thank you very much.

36  
37 **CHAIRMAN ANSON:** Thank you, Billy. Eric Mahoney, followed by  
38 Bobby Kelly.

39  
40 **MR. ERIC MAHONEY:** Here we go. Thank you, Chairman and council  
41 members and staff. I appreciate it. My name is Captain Eric  
42 Mahoney and I'm from Clearwater Beach, Florida. I have a  
43 charter fishing company there.

44  
45 With gag groupers, I would like to see the size limit raised to  
46 twenty-four inches across the board for recreational and  
47 commercial fishermen. I prefer, as with Billy and Brad, who  
48 just spoke, I prefer to see a June 1 opening on gags and running

1 through December 31.

2  
3 After talking with staff, I believe this would keep us under the  
4 ACL and help with the release mortality that happens with gags  
5 during the snapper season.

6  
7 I would like to see the council keep moving forward with  
8 Amendment 41 and 42. Let's not stop the progress the for-hire  
9 and headboats have made over the past few years and let's listen  
10 to the fishermen, something that you are not doing with  
11 Amendment 39.

12  
13 I am not sure how many ways or how many times our industry has  
14 to tell the state representatives and this council that we don't  
15 want any part of Amendment 39. The majority of the for-hire  
16 boats in Florida don't want it and Texas federally-permitted  
17 boats don't want it. Alabama charter guys have said no and  
18 Mississippi federally-permitted have spoken and spoken loudly,  
19 with over 70 percent of their fleet saying they want to stay  
20 under federal management for red snapper.

21  
22 What does it say about Amendment 39 when Mississippi and Texas  
23 are being promised a significant increase in days by the state  
24 and still want nothing to do with it?

25  
26 Amendment 39 leaves the for-hire fleet unprotected and in the  
27 hands of state managers who have shown very little interest in  
28 listening to federal permit holders. If the Gulf states really  
29 want to help this fishery and work towards solutions, they will  
30 listen to the overwhelming majority of charter fishermen and, on  
31 Amendment 39, support Action 2, Alternative 2, taking the for-  
32 hire fleet out of this debacle that is Amendment 39. Thank you.

33  
34 **CHAIRMAN ANSON:** Thank you, Eric. Bobby Kelly, followed by Pam  
35 Anderson.

36  
37 **MR. BOBBY KELLY:** Well, that was a tough one to follow, ain't  
38 it? Good afternoon, Gulf Council. Thank you for the  
39 opportunity to speak to you guys and address you in this  
40 beautiful great state of Texas.

41  
42 First off, I would like to say that the Alabama Charter Fishing  
43 Association has unanimously voted to support Amendment 39 only  
44 in the faction of Action 2, Alternative 2. Again, we don't want  
45 to be part of the state management scheme. We believe that we  
46 have better protection through the federal council level, such  
47 as the Magnuson-Stevens Act. Again, we only support Action 2,  
48 Alternative 2.

1  
2 I want to thank you all for the successful summer that you had  
3 and the hard work that it took to pass Amendment 40. We ask  
4 that you continue on with Amendment 41 and 42. I believe the  
5 council can get this going and not drag their feet.

6  
7 I support a June 1 opening on gag grouper and it closing  
8 December 31 and twenty-four inches for both commercial and  
9 recreational use.

10  
11 I ask that the triggerfish undergoes a benchmark assessment to  
12 overhaul the models. Please listen to the fishermen. These  
13 fish are in the Gulf and they are ravenous little creatures. I  
14 think we've all heard the phrase there is more snapper now in  
15 the Gulf than there every has been and I'm going to probably be  
16 the first person at the council level to ever say I believe  
17 there is more triggerfish in the Gulf now than there has ever  
18 been.

19  
20 I actually got to go diving last week in one of our natural  
21 bottom spots back home and I learned, after about three minutes  
22 of being on the bottom, on the 200-foot ledge I was swimming  
23 along, I do not turn around and look behind me. They were  
24 twenty deep and about fifty tall and there was over 200 legal,  
25 breeding triggerfish just following me around and that was just  
26 one spot at random and so lots of little mouths looking behind  
27 me, guys. These fish are here. I think you all can do  
28 something with it and provide us a fishery for next year. Thank  
29 you.

30  
31 **CHAIRMAN ANSON:** Thank you. Bobby, we have a question from Mr.  
32 Swindell.

33  
34 **MR. SWINDELL:** How would you feel -- Where are you on monitoring  
35 and reporting electronically?

36  
37 **MR. KELLY:** I already have a VMS installed on my boat and I will  
38 be doing the subscription plan coming up. I was one of the  
39 first boats in Orange Beach to have one. We have said for a  
40 long time that we are willing to count every fish that comes  
41 over the rail. Better data leads to a better fishery.

42  
43 **MR. SWINDELL:** Thank you.

44  
45 **MR. KELLY:** Thank you.

46  
47 **CHAIRMAN ANSON:** Pam Anderson, followed by Chris Niquet.  
48

1 **MS. PAM ANDERSON:** Mr. Chairman, Dr. Crabtree and council  
2 members, I am Pam Anderson with Captain Anderson's Marina in  
3 Panama City and a member of our Chamber of Commerce Government  
4 Affairs Committee and First Vice President of the PCBA. Thank  
5 you for this opportunity to make comment.

6  
7 One of the issues that has come up among some scientists and  
8 many stakeholders is how management is so focused on limiting  
9 and decreasing the number of participants in the fishery. It  
10 has been said many times in this room that independent data is  
11 better data than harvest data, even though the latter helps, of  
12 course, in management, in regulatory management.

13  
14 Has independent fishery data collection increased on the key  
15 reef fish species in the Gulf in recent years? We believe that  
16 this is a very important issue.

17  
18 If you recall, I have said that all these proposed measures,  
19 like daily trip reporting, just give management more control and  
20 are not for the sake of improving the stock. Some of our  
21 leaders here do not have the funds, nor the desire, to use all  
22 this data that would be provided if all the boats have daily  
23 trip reporting and a VMS and it has come out again in the Reef  
24 Fish Committee discussions. Why then would this council enact  
25 such stringent measures that are so costly?

26  
27 There is one thing that stands out to me in all of this, the  
28 elephant in the room, so to speak. The management of our  
29 fishery is based on regulating fishermen and not on how to grow  
30 and enhance the fishery. It is long overdue to rethink all of  
31 these management tools and start looking at growing the fishery  
32 and not always going to the limitation of access as a solution.

33  
34 A robust artificial reef building plan across the Gulf,  
35 providing more habitat and using a design of material that  
36 protects the juveniles, would go a long way to help rebuild  
37 fisheries quicker.

38  
39 On triggerfish, fishermen are now saying they are seeing  
40 tremendous numbers of them and having trouble, like we've said  
41 in the past about snapper, getting past them to harvest other  
42 species that are available. We agree with the SSC that there is  
43 no reason to decrease access to that fishery at this time.

44  
45 Divers are seeing more and more large three-pound lionfish  
46 offshore. Is there a program in place or can one be put in  
47 place to attempt to control this problem better? The only thing  
48 that comes to mind is some sort of fish traps, but we need to

1 find something that works. In south Florida, they have been  
2 quite successful with traps and have created a market for  
3 lionfish in restaurants.

4  
5 I submit to you that this council and the stakeholders in the  
6 Gulf fishery will be better served to have APs populated with a  
7 more realistic percentage of members from each component of this  
8 fishery who are not mostly invested in the same organizations.  
9 I do not believe it is necessary at this point to appoint a  
10 private recreational AP.

11  
12 Regional management still needs some work, but we agree that  
13 with our state leaders that this is a good path forward in the  
14 Gulf reef fish management for all recreational anglers. Thank  
15 you.

16  
17 **CHAIRMAN ANSON:** Thank you, Pam. We have a question for you  
18 from Pam.

19  
20 **DR. DANA:** Just a quick question, Pam. When you started off  
21 your talking points, you mentioned about reporting on fish  
22 catch. Now, your community, Panama City, traditionally has been  
23 pretty supportive of that. Did I misunderstand you, because it  
24 sounds like kind of a turnaround.

25  
26 **MS. ANDERSON:** Trip reporting, no, as far as I understand, but  
27 yes, electronic reporting, absolutely. There is a difference.  
28 We don't see any reason to have to report every single day, when  
29 that information isn't going to be used for a week or two. It's  
30 just causing more hassle for the operators that is not necessary  
31 and more expense.

32  
33 You know on a headboat, if you have sixty passengers and five  
34 deckhands, you are going to have to employ another person or two  
35 to keep track of all those fish as they're coming in, because  
36 you have to report it before you get back to the dock, on a trip  
37 reporting situation.

38  
39 That is an absolute nightmare. Right now, they are keeping  
40 track, of course, but it's -- They don't go in and tally up  
41 everything until the end, once they've got the passengers off  
42 and taken care of.

43  
44 **CHAIRMAN ANSON:** All right. We have Chris Niquet, followed by  
45 Bart Niquet.

46  
47 **MR. CHRIS NIQUET:** Chris Niquet, Panama City, Florida. I would  
48 like to address the council today first on the triggerfish. We

1 heard yesterday from some of the presenters here that the  
2 triggerfish information may be as high as two years behind. I  
3 would like for the people on the council to just stop and  
4 imagine for a minute if you had to base any of your decisions,  
5 everyday decisions, on information that was two years old.

6  
7 Just try it for a while. It doesn't work out too good. Just  
8 drive down the street and close your eyes and say, let me  
9 imagine what happened two years ago at this stoplight and I will  
10 just keep them closed and just go on through here when I think  
11 it's green. It ain't going to work out, people, and it's not  
12 your fault.

13  
14 You need to talk to a scientist and talk to a fish house and  
15 talk to people who report these catches and get them to report  
16 to not just the fish house, but have the fish house report to  
17 somebody in the federal government, or to you directly, about  
18 how many they catch and when they catch them and where they're  
19 catching them and put them in your database. You can't have it  
20 two years behind the times. It doesn't make sense.

21  
22 As far as I know, the red snapper right here in Texas --  
23 Somebody said that they're just going to be reporting the first  
24 quarter of this year and this is October and January and  
25 February and March? You can't get those numbers together and  
26 get them reported before then, ten months down the road? Come  
27 on, fellas. Something is wrong.

28  
29 I know it's bigger and better in Texas, but the flow of numbers  
30 can't be that much when you can't keep track of them. Use those  
31 numbers. Let these fellas in the commercial and charter and  
32 private recreational people have a chance at these triggerfish  
33 that have shown up in the Panhandle all the way up Louisiana.

34  
35 They may not be thick here in Texas and they may not be in south  
36 Florida, but they are sure there in the Panhandle. I appreciate  
37 your time and thank you very much.

38  
39 **CHAIRMAN ANSON:** Thank you, Chris. Bart Niquet, followed by  
40 Mike Colby.

41  
42 **MR. BART NIQUET:** Bart Niquet, Panama City, commercial fishing.  
43 I am glad I can see you all this time. Despite the sort of  
44 confusion in the report from the SSC to start this meeting, I  
45 shouldn't have expected much. I was a little bit surprised.

46  
47 Despite numerous reports from the desperate regions of the Gulf  
48 conferring on the abundance of gray triggerfish and the lack of

1 gag grouper, the scientists say differently. Who are we  
2 supposed to believe, the scientists or our lying eyes?

3  
4 I am against regional management. The states shouldn't manage  
5 federal waters. There is already enough in-fighting. I think  
6 the charter/headboat section should have their own quota and  
7 draw up their own management plan. I think the private  
8 recreational anglers should have to have a license or a tag  
9 system or something to limit their catch and produce useful  
10 data. Otherwise, you are going to be overwhelmed by sheer  
11 numbers. I would also like you to explain to me why it takes  
12 years to raise the TAC, but only a couple of days to close the  
13 fishery.

14  
15 Since there are only five to fifteen active royal red shrimpers,  
16 why not require them to call when leaving and returning like  
17 they do red snapper, instead of going through all of this new  
18 licenses and new permits and new whatever you want to put on it?  
19 It works in the snapper fishing and I don't know why it wouldn't  
20 work there.

21  
22 I think gag and black grouper should both be twenty-four inches  
23 recreationally and commercially and I think otherwise we've got  
24 too many regulations. Thank you.

25  
26 **CHAIRMAN ANSON:** Thank you, Mr. Niquet. Mike Colby, followed by  
27 Steve Tomeny.

28  
29 **MR. MIKE COLBY:** Thank you, Chairman and council members. Mike  
30 Colby from Clearwater, Florida, Double Hook Charters and  
31 President of the Clearwater Marine Association. In terms of  
32 Amendment 39, what our guys are telling me is -- To them, it's a  
33 mental train wreck and I think there is far less understanding  
34 of it over in the east Gulf than there probably is everywhere  
35 else.

36  
37 I think their attitude is just keep the federally-permitted  
38 charter boats out of it and let them have their system for  
39 federal and so that would be Alternative 2. I think that's  
40 probably the consensus.

41  
42 Gag is kind of interesting and I have talked to FWC. Martha,  
43 I've talked with you about it a whole bunch of times and I have  
44 -- In the last month, I have talked with the Kline family in  
45 Steinhatchee and Gary in Steinhatchee and all of our Clearwater  
46 guys and to tarpon guys and Will Garrity in Naples and three of  
47 his federally-permitted boats that are in that area and I can  
48 tell you what we all agree on.

1  
2 What we all agree is that we go to twenty-four inches and we  
3 keep gag open until December 31. That gives everybody Christmas  
4 week. That's the olive branch for our gag guys and I think  
5 keeping that same ACL, we're not going to get in any trouble  
6 doing that through Christmas week.

7  
8 Now, we've got some other ideas from our marina on the table  
9 that I became aware of this morning and I think our fishermen  
10 would support a June 1 opening instead of a July opening, but,  
11 again, I presented that to the Steinhatchee guys just several  
12 hours ago and the Naples guys and they're saying, well, you  
13 know, do you want to poke the beehive?

14  
15 I mean we don't want to end up having to have something in stone  
16 and then if we do have some kind of update assessment next year  
17 on the gag numbers, on female to male ratios or total stock  
18 abundance, are we going to have to do an about-face, but if  
19 council staff can find that those numbers from a June 1 to a  
20 July 1 will still keep us at the ACT, I think I could take this  
21 back to everybody in the eastern Gulf and they would say fine,  
22 but the Naples guys don't even target gag in June and they would  
23 like to have January, but they don't want to do it at the risk  
24 of having a fishery that they may end up like where we are now  
25 with red grouper and we're closing them down.

26  
27 They just don't want to push the envelope so much that they end  
28 up with a fishery that's doing this on them and I agree with  
29 that, but the June 1 is really an interesting idea. I haven't  
30 talked with the rest of our Clearwater Marine Association  
31 members, but I guarantee you I think they would all be onboard  
32 with it if there was some reasonable assurance that that ACT  
33 won't be popped and that's where we would like to keep it, at  
34 the catch target.

35  
36 We don't want to get into that buffer. I don't know if that's  
37 possible. Steve Atran can tell us or somebody, but I think that  
38 would be the overall consensus, that we could do a June 1.  
39 Thank you.

40  
41 **CHAIRMAN ANSON:** Thank you, Mike. Steve Tomeny, followed by  
42 Randy Boggs.

43  
44 **MR. STEVE TOMENY:** Hi and I'm Steve Tomeny and I operate two  
45 dual-permitted vessels, charter/commercial vessels, out of Port  
46 Fourchon, Louisiana. I've been down there about thirty years  
47 and I've been in the charter business longer than that.

48



1 We all got into the permitting business, I guess, in the early  
2 1990s and we've been with the federal government regulating us,  
3 the good, the bad and the ugly, over the years. You know we're  
4 finally making some progress and we're getting some things that  
5 we've been in here pitching for for several years now.

6  
7 You know Amendment 40 and we've got Amendment 41 and 42 on the  
8 books. We're not looking to see it undone with Amendment 39 and  
9 so I guess my point on that is we just don't want to be part of  
10 it and we just want to stay in the federal system. We just feel  
11 like we're going to be better off in the long run.

12  
13 Also, my vessel has -- We've been on the electronic logbook  
14 program for about three years now and I've got VMS on the boat  
15 because of the dual permitting, but reporting with the  
16 electronic logbook has been easy. It's not a big task. We're  
17 tallying fish every day. The whole time we're out there, we're  
18 counting fish. You've got to know what's in the box all the  
19 time. I mean at least on our boats we do.

20  
21 Putting it all in the electronic and punching the buttons on the  
22 way in has just not been a problem. I think every charter boat  
23 ought to have at least that. I'm a big proponent of the VMS on  
24 everything. You know we need to know who is fishing and who is  
25 not. There's lots of good stuff that we can have and we've been  
26 asking for it and that's what we want. That's the direction  
27 we're moving in and we want to stay there.

28  
29 That's all I've got to say today. The big thing is we just want  
30 to stay with Alternative 2, Action 2 with Amendment 39 and keep  
31 the electronic monitoring on the right track. Thank you.

32  
33 **CHAIRMAN ANSON:** Thank you, Steve. Randy Boggs, followed by  
34 Bill Kelly.

35  
36 **MR. RANDY BOGGS:** Good afternoon, everybody. My name is Randy  
37 Boggs from Reel Surprise Charters from Orange Beach, Alabama.  
38 I've got a couple of headboats and a charter boat out of there.

39  
40 I've been talking to the guys in the audience and listening to  
41 what everybody has got to say about the triggerfish. The  
42 Panhandle and west seems to be pretty good. Texas seems to have  
43 a shortage of triggerfish. We seem to have a dividing line in  
44 the Gulf.

45  
46 The southern Gulf has a lot of gag groupers and a lot of red  
47 grouper and the grouper fishery there seems to be stable and the  
48 numbers increasing. We don't see them off of Alabama and from

1 what I'm understanding from the guys in Mississippi, Louisiana,  
2 and Texas, they don't have the fish. This might be one of the  
3 times that we need to look at the dividing line on what we do  
4 and maybe make the grouper season a little bit longer in south  
5 Florida and make it an incidental catch off of the Panhandle and  
6 west, because we just don't catch that many.

7  
8 Last year, I caught about -- This year, about 1,800 snapper and  
9 only about four gag grouper and so we don't have that many of  
10 them up here.

11  
12 I think the triggerfish data off the Panhandle is way behind.  
13 Some of the guys were saying they're not seeing them down off of  
14 Tampa and some of the areas there and some of the guys here in  
15 the west are not seeing them. A lot of that has to do with the  
16 gear that we fish and I talked to them about that.

17  
18 You know when we're fishing bigger circle hooks and bigger baits  
19 for the snapper, you're not going to see the triggerfish. You  
20 know you can tell when you lose a bait and you think it was a  
21 triggerfish, but we just don't see the harvest of them.

22  
23 On Amendment 39, guys, we've got 40 and 41 and 42 out there. I  
24 learned a lot about 39 here at this meeting and I think we've  
25 got a long way to go before we can make that work. I think  
26 we've got some other good options on the table.

27  
28 You know a lot of the guys here are not in favor of it. They  
29 feel like they're better protected somewhere else. There is  
30 some alternatives in there. Kevin and I talked about them last  
31 night and there is some in there that could be beneficial, but  
32 you know there's a lot more to be fleshed out in the program  
33 before we get there and so if we move forward with it, I want to  
34 see a lot of extreme caution and a lot more information out in  
35 the open before we do anything there. That's all I've got  
36 today, guys, and thank you.

37  
38 **CHAIRMAN ANSON:** Randy, we have a question from Mr. Swindell.

39  
40 **MR. SWINDELL:** Randy, how far offshore do you ever fish?

41  
42 **MR. BOGGS:** I am a unique kind of deal. I've got one partyboat  
43 that fishes mostly nearshore, inside of twenty-five or thirty  
44 miles. A lot of my stuff -- Kevin, when the guys went with me  
45 the other day on a six-hour -- We were gone five hours and we  
46 fished thirty miles offshore and so we fish thirty to fifty  
47 miles almost every day.

48

1 The Panhandle of Florida, all the natural stuff off the  
 2 Panhandle of Florida and even the bigger public wrecks, are just  
 3 -- They're almost unfishable with the triggerfish numbers. In  
 4 the deeper water, the 200 to 250 feet, you're seeing the big,  
 5 giant garbage can lid triggers and we're seeing the bigger -- I  
 6 guess what you're hinting at is the triggerfish and how far  
 7 offshore.

8  
 9 **MR. SWINDELL:** Yes.

10  
 11 **MR. BOGGS:** The guys -- I mean Bill Staff will come up next and  
 12 Bill fishes -- He will come up sometime during the day and make  
 13 sure you ask him. He fishes way offshore in a lot deeper water,  
 14 but the consensus is in that area that we're seeing a lot of  
 15 triggerfish and we talked about them migrating with the  
 16 sargassum weed and I believe that has a lot to do -- Wherever  
 17 the sargassum weed, when they get it eaten away and the shrimp  
 18 are gone out of it, then the triggerfish drop off and that's  
 19 where they stay and so I mean we're seeing them in the Panhandle  
 20 everywhere and I've heard off of Tampa not so much and I've  
 21 heard here in Texas not so much, but we fish anywhere from  
 22 thirty to fifty miles almost every day.

23  
 24 **MR. SWINDELL:** Okay. Thank you very much.

25  
 26 **CHAIRMAN ANSON:** Randy, one more question from Doug.

27  
 28 **MR. BOYD:** Randy, thank you for your testimony. In the EFP, you  
 29 manage that EFP.

30  
 31 **MR. BOGGS:** Yes, sir.

32  
 33 **MR. BOYD:** All right. You all use tags to distribute the fish?

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

36  
 37 **MR. BOYD:** How did that work for you?

38  
 39 **MR. BOGGS:** We found out -- You know the EFP was granted and it  
 40 came into effect very quickly. We got it on the ground and up  
 41 and running in about ninety days and the tag program was a  
 42 hindsight that I put into the deal and the tags were a receipt,  
 43 because if you're fishing out of season and the game wardens  
 44 stop somebody that's got two red snapper in the cooler -- We had  
 45 sequentially numbered Tyvek tags that accompanied each fish that  
 46 left the boat.

47  
 48 They're sequentially numbered and it wasn't that hard to keep up

1 with. You know we absorbed the cost of them and it's about --  
2 If you order them in bulk, it's not so bad. It's about twenty-  
3 cents a tag for the fish, but it taught us to be more diligent  
4 with our fish counts.  
5

6 You know with a headboat, when we've got thirty-two or thirty-  
7 five people and you get on a red-hot bite of fish -- Kevin was  
8 on the boat the other day and we caught twenty-six snapper in  
9 four minutes. When you've got fish like that coming in the  
10 boat, it's pretty hectic, but you know we pull off quicker and  
11 the tag program worked really, really well and you know I have  
12 no qualms about it.  
13

14 With the headboat program, we reported electronic daily and it  
15 makes us a lot more diligent about what we're doing and it makes  
16 us keep up with our fish count a lot better, because you know  
17 our reputation was on the line to make sure that we towed the  
18 line.  
19

20 I will tell you the first two weeks of it we didn't realize how  
21 many times we were one or two fish over or one or two fish  
22 under, but with the tag program, it made sure that -- Because  
23 our tags had to coincide with the fish and the first year we  
24 were really intercepted at the dock a lot and so it made us a  
25 lot more diligent with our fish count and the customers seemed  
26 to like it a lot better, because we didn't get to the dock and  
27 say we thought we had a limit and we missed one fish, but it  
28 made us -- I mean the tag program worked great and I have no  
29 problems with it.  
30

31 **MR. BOYD:** All right. Thank you.  
32

33 **CHAIRMAN ANSON:** One more, Randy, from David.  
34

35 **MR. WALKER:** Thank you, Randy. What do you think about a one-  
36 fish bag limit on trigger and maybe a later opening?  
37

38 **MR. BOGGS:** Wow. I think a one-fish bag limit on triggerfish  
39 would be good. You're going to make them throw darts at me. As  
40 long as we have state compliance with the triggerfish, so we can  
41 keep it at a one-fish bag limit -- I noticed that one-fish bag  
42 limit on trigger and in the northern Gulf, I don't think anybody  
43 would fight you too hard if we had an incidental catch on gag  
44 grouper and one or two per day per boat.  
45

46 I mean I don't see where that would -- That would keep down the  
47 dead discards and we don't necessarily have to have a long -- We  
48 don't have to have one grouper per person or two or three or

1 four. If we just had an incidental catch on grouper and even  
2 with triggerfish -- You know if you went with a five or ten fish  
3 per boat per day boat limit, that would certainly -- With a  
4 bigger size limit, that would certainly satisfy what we need to  
5 do and on a six-pack, or even on the headboats, we would be  
6 tickled to death to have that and not have a two-fish or one-  
7 fish per day bag limit with a long season.

8  
9 It doesn't matter when the triggerfish are open, if it's winter  
10 or summer or fall. Just like what we're talking about opening  
11 gags in June instead of July -- We talked about keeping one  
12 trophy fish, one big fish that you could keep, and our  
13 triggerfish have moved into that trophy fish category, because  
14 we're seeing a lot of five to eight-pound triggers. If we could  
15 separate that somehow, it would be fantastic.

16  
17 **CHAIRMAN ANSON:** Thank you, Randy. Bill Kelly, followed by Dale  
18 Woodruff.

19  
20 **MR. BILL KELLY:** Mr. Chairman and members of the council here,  
21 I'm Bill Kelly, representing the Florida Keys Commercial  
22 Fishermen's Association on three issues: king mackerel,  
23 yellowtail snapper, and spiny lobster.

24  
25 Regarding king mackerel, thirty years of rebuilding and we will  
26 reap the benefits only to listen on Monday on committee reports  
27 for two-and-a-half hours that collectively we've been  
28 underfishing them by about 50 percent, or close to that, over  
29 the last ten years and that we need to proceed cautiously so  
30 that we don't create bigger problems with all of these older  
31 fish that are out there.

32  
33 Rather incredulous, at least the mathematics part of it, is we  
34 still don't fully understand this thing, but we certainly feel  
35 that there's something wrong with the modeling that is being  
36 used here.

37  
38 Obviously there is a need for reallocation and we certainly like  
39 this concept of 5, 10, and 20 percent. If you don't take the  
40 lead on this and we don't do something with regard to  
41 reallocation, we are going to have so many old fish out there  
42 that it's going to be like the old dogsled adage.

43  
44 If you don't take the lead, if you're not the lead dog, the view  
45 ain't never going to change and next year, we'll be back here  
46 looking at the same issues again and again and again. Anyway,  
47 we encourage you to do that and please examine the reallocation  
48 and see what we can do with this on a very healthy,

1 underutilized stock.

2  
3 With regard to yellowtail snapper, reallocation is also an  
4 issue. We're seeing an abundance of fish available on the Gulf  
5 side, when the reality is probably another 20 to 25 percent of  
6 that quota should be reallocated to the South Atlantic side,  
7 where those fish are being caught.

8  
9 We also see a recreational side on the South Atlantic that's  
10 only fishing about 35 percent of the quota and we will address  
11 that with the South Atlantic Council. Again, reallocation seems  
12 to be in order.

13  
14 Very confusing here. We had this same issue about three years  
15 ago, or something similar to it. We worked with National Marine  
16 Fisheries Service and Dr. Crabtree found some irregularities in  
17 reporting and I certainly hope that we can run those numbers  
18 again and see if we don't have a similar issue, where we,  
19 because fish houses have not reported, that we're averaging the  
20 numbers and causing problems here.

21  
22 We would like to reaffirm our support for management by the  
23 councils as opposed to state jurisdiction on this, for many  
24 reasons, which I will not elaborate on at this time.

25  
26 We also applaud your action to separate the yellowtail snapper  
27 fishery issues into a framework amendment and regarding spiny  
28 lobster, we have a good year and reduce the traps. If we have a  
29 bad year, reduce the number of traps. If the sun comes up,  
30 reduce the number of traps.

31  
32 One thing or a couple of things are consistent. The greatest  
33 impact on the spiny lobster fishery is hurricanes and tropical  
34 storms and the PaV1 virus. Something else very consistent and  
35 more than a thirty-year history of a very sustainable fishery  
36 here.

37  
38 We would like to join in on the review process that will be  
39 established by both councils and we would like to recommend  
40 that, one, you have an AP meeting prior to that and let's get  
41 some industry-based solutions on the table and let's have the  
42 SSC get together with the same thing and find out what their  
43 recommendations are and possibly a joint AP/SSC meeting and then  
44 we'll sit down with that review panel.

45  
46 One thing that was consistent from the last time was that we  
47 should be exempt from an ACL exemption. Unfortunately, that  
48 language does not exist in Magnuson and we're working to have

1 that changed. Thank you very much.

2  
3 **CHAIRMAN ANSON:** Thank you, Bill. All right. We have Dale  
4 Woodruff, followed by Gary Bryant.

5  
6 **MR. DALE WOODRUFF:** Dale Woodruff, Charter Boat Class Act and  
7 Baby Blue. I am dual-permitted. I've got two boats and one of  
8 them has got a commercial permit on it and also the smaller boat  
9 does, the Baby Blue.

10  
11 Last week, as a board member of the VFA, we voted not -- We want  
12 out of 39 and so we voted to go with 39, 2, 2 and we want to  
13 move on with 41 and 42 and we would like to see maybe the sunset  
14 clause even be extended a couple more years. That would be  
15 great.

16  
17 Electronic logbooks, I just had one installed on my boat just a  
18 few days ago and it's very easy to operate and very easy to  
19 handle. You know real-time data reporting, you know where my  
20 boat is at when I leave the dock and before I get back to the  
21 dock, you should already know what I have caught, hopefully  
22 fish-by-fish by the time it's over with. If that's not good  
23 data, then I don't know what is, because the data that we've  
24 been dealing with for years has always seemed to be the best  
25 available, but it doesn't always seem to turn out that way,  
26 especially with the last deal with dealing with the triggerfish.

27  
28 You know we've got -- It's amazing that we used to pull up on a  
29 spot and snapper would be swimming on top of the water and now  
30 we pull up on a spot and triggerfish are swimming on top of the  
31 water. It's unbelievable. We are catching triggerfish on  
32 sabiki rigs at the end of our rock jetties, which is only a few  
33 hundred yards from the beach, small triggers.

34  
35 We go out three miles and the State of Alabama has put a cluster  
36 of spots out there, sixty spots, all in clusters. We are  
37 catching triggerfish this small to fourteen to eighteen-inch  
38 triggerfish three miles off the beach.

39  
40 If you get out to fifteen to twenty miles, they're five to  
41 eight-pound triggerfish. They are everywhere. You can't even  
42 chum up a black snapper and you can't do something other when  
43 all the other species are closed because of regulations. If you  
44 try to catch something else that's not closed -- Because the  
45 triggerfish are just in the way.

46  
47 You know having one area of the Gulf open longer than the other  
48 area, how is that fair and equitable? Magnuson-Stevens says

1 that one state cannot I guess supersede or be whatever and have  
2 more days and I guess that's what -- I don't know the  
3 terminology of it, but you know you're going to see a big effort  
4 shift on that. Have boat on trailer and will travel and that's  
5 what's going to happen.

6  
7 Just a few minutes ago, we watched you all do a little thing and  
8 Roy said don't do nothing with this buffer deal, because it's  
9 not going to work and so we wasted a lot of good time and money  
10 and our staffers over there are fixing to have to go through  
11 that process and for what? For it to be thrown in the garbage  
12 can and that seems like what's always happening here lately and  
13 so no to 39. Thank you.

14  
15 **CHAIRMAN ANSON:** Thank you, Dale. Gary Bryant, followed by Bill  
16 Staff.

17  
18 **MR. GARY BRYANT:** Gary Bryant, owner and operator of Red Eye  
19 Charters, Fort Morgan, Alabama. I'm also Vice President of the  
20 Alabama Charter Fishing Association. I would like to start off  
21 my comments as a representative of this association.

22  
23 We are real fortunate to have a good relationship with Kevin and  
24 Chris Blankenship. I think we work well with our fishery  
25 managers and they have taken time to meet with us and try to  
26 inform us on 39 and the benefits it could have.

27  
28 Short-term, we could actually get more days under it, but our  
29 biggest problem is a word you're all familiar with, uncertainty.  
30 That's our biggest concern, is what happens when Kevin is not  
31 there and he's gone and what happens when we get a new Governor  
32 and his biggest contributor doesn't like the charter boats.

33  
34 Anyway, our biggest problem is uncertainty and as a business  
35 owner, we are looking for stability. We figure we have more  
36 stability under the federal system. Also, in talking with our  
37 federal charter boat guys from other states, we see no reason to  
38 believe their states can offer them any more stability than we  
39 would have.

40  
41 As an association, the Alabama Charter Fishing Association, we  
42 have voted to continue our support for Amendment 41 and 42 and  
43 we would like to respectfully ask that you remove us from 39.  
44 We think that 39 would be a great tool for giving flexibility to  
45 the private recreational angler, but we would like to stay with  
46 the federal system for the charter boats.

47  
48 Also, the association would like to reaffirm our support for



1 electronic logbooks. We are currently having VMS installed and  
2 looking forward to providing data that we hope this council will  
3 be able to use at some point in the future in making decisions.

4  
5 On my personal comments, I am concerned about the triggerfish.  
6 I am seeing a growing population and I would like to see -- I  
7 don't understand why that would not show up in the assessment  
8 and so I would like for you to look at that again.

9  
10 Also, on the gag grouper, I would support the twenty-four-inch  
11 limit and would like to see an earlier opening, just to do away  
12 with the bycatch when we're catching them when we're snapper  
13 fishing. Thank you for your time.

14  
15 **CHAIRMAN ANSON:** Thank you, Gary. Gary, we have one question  
16 from Doug.

17  
18 **MR. BOYD:** Thank you, Gary. Just a question. Evidently you are  
19 one of the leaders of that organization. Did you all spend any  
20 time talking about the effects of Amendment 40, 41, and 42 on  
21 the fishermen, the recreational angler, that comes and gets on  
22 your boat and goes out with you?

23  
24 **MR. BRYANT:** On the effects of 40 and 41 on the -- When we get  
25 to our goal, we should offer more flexibility is what we're  
26 hoping. I guess I'm a little vague on how you would perceive  
27 that.

28  
29 **MR. BOYD:** Well, what we hear every time at public testimony is  
30 how you all have discussed how 40 and 41 and 42 will enhance  
31 your ability to operate and to make a profit and have you all  
32 looked at the other side of the coin, on what the impacts are  
33 and what might happen to the recreational fishermen that you  
34 serve as a guide?

35  
36 **MR. BRYANT:** Yes, sir. Anytime we increase the flexibility and  
37 access to the fishery for the charter boats, we only -- We are  
38 not fun fishing or going fishing for ourselves. Any enhancement  
39 we get will enhance the availability of recreational fishing to  
40 the general public. Thank you.

41  
42 **CHAIRMAN ANSON:** Thank you, Gary. We have Bill Staff, followed  
43 by Eric Brazier.

44  
45 **MR. BILL STAFF:** Bill Staff, Charter Boat Sea Spray. I've been  
46 fishing since 1981, charter fishing. I promise you all that  
47 Gary and I did not write our speeches together, but it's pretty  
48 redundant.

1  
2 The 2015 season was the first season in a long time that we were  
3 told we were going to get X amount of days and we got them and  
4 we booked our days. The forty-fourth day, I took somebody  
5 fishing and I didn't have to call him a week ahead and say, guy,  
6 you can't go. It was nice and it's a must for business.

7  
8 I am afraid of the regional management, just because when you  
9 implemented state non-compliance, you knew it was at the cost of  
10 the charter-for-hire. Nobody really seemed to care about that  
11 when they did this.

12  
13 Seeing the votes by the state directors against sector  
14 separation makes me wonder how the industry would be treated as  
15 a whole. I do believe Alabama probably would treat its boats  
16 decent, but we all worked together to get sector separation and  
17 I am going to go down with the ship on them. Until sector  
18 separation, I am pretty certain the charter-for-hire were not  
19 being treated fair and equitable.

20  
21 I would like to see the council implement electronic logbooks  
22 for more timely data. The pilot headboat program guys, talking  
23 to these guys, it was basically flawless. I mean they're  
24 talking about one or two fish over a year and I mean it's there  
25 and we need to do something with that. Copy it and do something  
26 close.

27  
28 Move forward with 41 and 42. The triggers are just like they  
29 say and they are rampant. This fourteen-inch size limit has  
30 helped and the going to two per person has definitely worked.

31  
32 On gags, a twenty-four-inch size limit across the board. We  
33 don't catch that many, but if it will help these other guys, I  
34 am all for it. I appreciate your time.

35  
36 **CHAIRMAN ANSON:** Thank you, Bill. Eric Brazer, followed by Tom  
37 Ard.

38  
39 **MR. ERIC BRAZER:** Great. Thank you very much, Mr. Chairman. I  
40 am Eric Brazer and I'm Deputy Director of the Gulf of Mexico  
41 Reef Fish Shareholder's Alliance. First off, I hope you guys  
42 had a good meal last night. That was a fun event and Lighthouse  
43 Charities is a really good group and we really appreciate what  
44 you guys did for them last night and so thank you.

45  
46 I am not going to regurgitate the letter I sent in, our comment  
47 letter, on Sunday. I hope you read it. I know at least two of  
48 you did and I thank both of you.

1  
2 Over the next couple of meetings, you guys have the chance to do  
3 something good and help break some of this dysfunction that  
4 we're seeing. You've got the chance to help commercial  
5 fishermen by creating a working group that allows them to work  
6 with scientists on the HAPC issue and to strengthen and not  
7 dismantle the IFQ programs, which are successful, through  
8 Amendment 36, and provide an opportunity for us to see if an IFQ  
9 may work for triggerfish and some of the other species. Let's  
10 just have the discussion.

11  
12 You have also got the chance to help the charter headboat guys  
13 by keeping them out of regional management. You heard it and  
14 you're going to continue to hear it. Keep them out, please.

15  
16 Please advance 41 and 42 and please move the Gulf forward on  
17 their own charter headboat electronic reporting program. Don't  
18 let them get bogged down by what's happening in the South  
19 Atlantic.

20  
21 You have a chance to help the private anglers. Give them state  
22 management. It's apparently what they want and do it through  
23 Amendment 39 and stop stalling this advisory panel, the Ad Hoc  
24 Private Angler Advisory Panel. Please stop stalling that.

25  
26 Finally, you've got a chance to help the resource by putting  
27 gray triggerfish under a rebuilding program and increasing the  
28 size limit on gags and improving hogfish management.

29  
30 On my final note, I want to challenge you guys, either as  
31 individuals or as a council, to take a stand and to start  
32 defending this congressional overreach that is really -- They're  
33 telling you guys that you're not doing a good job. You've got a  
34 few congressmen in D.C. that are saying they can do your job  
35 better than you can and it's a slap in the face to you and it's  
36 a slap in the face to your staff and it's a slap in the face to  
37 everybody who makes the time behind me to come to these  
38 meetings. Please don't let a few loud congressmen tell you that  
39 they can do your job better than you can. Thank you.

40  
41 **CHAIRMAN ANSON:** Thank you, Eric. Tom Ard, followed by Chad  
42 Hanson.

43  
44 **MR. TOM ARD:** Hello. I am Tom Ard from Orange Beach. I own and  
45 operate two federally-permitted charter boats and I am also on  
46 the board of directors of the Alabama Charter Fishing  
47 Association, OBFA.

48

1 I was on that vote the other day on Amendment 39. We, like Dale  
2 and a few others already said, we voted to support Action 2,  
3 Alternative 2. We also voted to fully support Amendment 41 and  
4 42. Sector separation was a really big deal for us and a nice  
5 fishery management plan to go along with that would be great.

6  
7 We just installed a VMS and electronic logbooks on both of my  
8 boats. I am looking forward to using those next year. It  
9 shouldn't be a problem to log in all the fish we catch every  
10 day. I mean, like someone said, we have to keep count of every  
11 fish we catch now, from b-liners and triggers and whatever, and  
12 so it shouldn't be a big deal to log it in.

13  
14 Our app that we've used for snapper is nothing. I mean it just  
15 takes thirty seconds and I've got the snapper stuff in and so I  
16 am hoping this electronic logbook will go along the same thing.  
17 I mean we can put all the species we catch in there and get the  
18 National Marine Fisheries instant data. I mean that would be  
19 awesome.

20  
21 June 1 on gags and twenty-four inches. My boats usually catch  
22 two to five gags a year. It's so incidental for us that it's  
23 incredible. Now that it's two to five, we might keep one. We  
24 let the other ones go in deep water and it just doesn't make any  
25 sense at all that I'm having to throw back a gag grouper when we  
26 catch so few of them. I mean it's really tough to throw one  
27 back in deep water and watch him float off.

28  
29 Triggerfish, I've always been on the triggerfish deal. The  
30 triggerfish really is a big fish for us. It's just as important  
31 as red snapper or amberjack for us off the northern coast.  
32 There's a ton of them out there now.

33  
34 When it went from twenty fish per person to two and the season  
35 closed, the population exploded. I just can't really tell you  
36 how much it exploded. We fished the area called Tricer Grounds  
37 twenty miles offshore and if we go out there right now and if  
38 there's a show of fish on it, we drive off, because when you  
39 drop the hooks down, it's going to come up with empty hooks,  
40 because there is triggerfish on there from six-inches long to  
41 nine pounds, but a bunch of small ones and the population is  
42 incredible.

43  
44 You fish reefs, like artificial reefs around there, and you  
45 could easily catch all the nice keeper triggers you wanted and  
46 so I would love to see like a May opening, even if it's for a  
47 week, and one fish and sixteen inches. I mean, like I said,  
48 they're very important to us. That's about all I've got and so

1 thanks for letting me do this public comment and we will see you  
2 all in Orange Beach.

3  
4 **CHAIRMAN ANSON:** Thank you, Tom. Chad Hanson, followed by Jesse  
5 Allen.

6  
7 **MR. CHAD HANSON:** Good afternoon, Chairman Anson and the council  
8 and staff. My name is Chad Hanson with the Pew Charitable  
9 Trusts. Thank you for the opportunity to speak to you all  
10 today. I've got a couple of issues here.

11  
12 In Amendment 39, we urge adoption of Alternative 2 in Action 2,  
13 to apply the regional management plans strictly to the private  
14 recreational fleet. This action could foster conservation and  
15 maximize flexibility for each of the unique segments of the red  
16 snapper recreational fishery.

17  
18 It would enable staff and stakeholders to continue working on  
19 Amendments 41 and 42, which could benefit the for-hire fishery.  
20 This choice acknowledges the differences between the two  
21 recreational components, while allowing both to achieve more  
22 accountability and flexibility, and it also responds directly to  
23 the request of the for-hire fleet for getting data systems and  
24 management strategies they've been desiring and also for the  
25 private recreational fleet.

26  
27 Electronic logbooks are a vital step toward catch and effort  
28 monitoring, in concert with management strategies that are under  
29 construction. We support reconvening the technical subcommittee  
30 to work out the standards and protocols for that system and with  
31 the expert guidance from that subcommittee, in concert with the  
32 Science Center and MRIP, the council will have a clear path  
33 forward on development of that program and so we urge you to get  
34 that group together.

35  
36 On gag, we support the council's preferred alternatives to  
37 increase the recreational size limit to twenty-four inches and  
38 add December to the fishing season. These options provide more  
39 fishing opportunities, especially for the southwest Florida  
40 fishery, while remaining relatively conservative.

41  
42 Several indicators point to a problem, however, with the gag  
43 population, including low landings by all sectors, low  
44 abundance, recruitment heading downward, and catch per unit  
45 effort heading downward.

46  
47 The update assessment next year, late next year, will be coming  
48 to you and likely will confirm that the health of gag is not

1 good and could require further management action and so,  
2 therefore, now is not the time to significantly lengthen the  
3 recreational season. Thank you very much for the opportunity.

4  
5 **CHAIRMAN ANSON:** Chad, we have a questions from Roy.

6  
7 **MR. WILLIAMS:** Chad, you have been fairly vocal on gag through  
8 the past several meetings. A lot of people have suggested a  
9 June 1 opening on gag and you did not address that. Do you guys  
10 have a position on that?

11  
12 **MR. HANSON:** No, I haven't had time to confer with my team, but  
13 just listening to the comments, I think it's a reasonable thing  
14 to consider, considering the people out there fishing for red  
15 snapper and they have a discard issue. We definitely want to  
16 help minimize the dead discards and so it's not an unreasonable  
17 approach.

18  
19 It would be below the ACT and ACL. However, while we supported  
20 the ACL staying at the status quo level, there is an indication  
21 that those levels may actually be too high, considering what's  
22 in the water right now, the status in the water. Our concern is  
23 that we lengthen the season and we catch those fish and we come  
24 back and have a problem with the fishery.

25  
26 To address the discards, the other day we had a presentation by  
27 Dr. Luiz Barbieri on the management strategy evaluation and yes,  
28 Robin, it's a mouthful, but when we look at an issue like the  
29 gag season, what should the optimal length of the season be, the  
30 management strategy evaluation approach could take that gag  
31 fishery and put it in the red snapper fishery and put it in the  
32 different fisheries, the dead discards, and you evaluate what  
33 that optimal season for the resource and the fishery is itself,  
34 in concern with those other fisheries and so you look at the  
35 best overall approach for the fish and the resource and the  
36 fishermen.

37  
38 I think going to an MSE approach, that's where these decisions  
39 could be made and not in isolation, but in total or overall with  
40 other species and interactions and so I would urge you guys to  
41 consider looking at the MSE as a tool that could be used for  
42 making these kinds of decisions. Thank you.

43  
44 **CHAIRMAN ANSON:** Thank you, Chad. Jesse Allen, followed by  
45 Michael Miglini.

46  
47 **MR. JESSE ALLEN:** Good afternoon, everybody. I want to thank  
48 you for the council's time. My name is Jesse Allen and I'm a

1 recreational angler from the San Antonio area of Texas and I'm  
2 here to voice my support for a private recreational fishermen  
3 advisory panel.

4  
5 I gave public testimony last year at the council meeting in  
6 Biloxi, Mississippi in support of Amendment 40 and was pleased  
7 to see that pass and I have been pleased to see the council  
8 working with the for-hire charter boats to have more  
9 accessibility for that fishery.

10  
11 What I haven't been pleased at is how the council has interacted  
12 with the recreational fishermen community and trying to find  
13 workable solutions for some of the management issues.

14  
15 I grew up in Maine in the 1980s and experienced firsthand the  
16 dramatic decline in the striped bass fishery with a subsequent  
17 rebound, a substantial rebound, and a subsequent decline. I am  
18 not 100 percent convinced that states have the restraint to  
19 successfully manage a fishery long term.

20  
21 As far as Amendment 39 is concerned, if the recreational anglers  
22 are going to get pulled into some sort of a mixture between  
23 state and federal management, I do think that it's important  
24 that we have a more accurate representation of what recreational  
25 anglers want to see from a management perspective.

26  
27 I think there are ways to better manage accessibility and  
28 sustainability, but we need to make sure that we're getting an  
29 accurate representation from what our private recreational  
30 anglers want to see.

31  
32 **CHAIRMAN ANSON:** Thank you, Jesse. Jesse, we have one question  
33 for you from David.

34  
35 **MR. WALKER:** Thank you, Jesse. There is going to be some  
36 discussion with the council and we're going to be discussing  
37 about the private angler AP development. I would just like to  
38 know what you think about that and what you hope it would  
39 accomplish, if you supported that.

40  
41 **MR. ALLEN:** What I hope it would accomplish, I would hope that  
42 we could get together, like I said, a more representative group  
43 to better measure recreational interest and try to come up with  
44 some more dynamic solutions to tackle this balance between  
45 access and sustainability. Thank you.

46  
47 **CHAIRMAN ANSON:** Michael Miglini, followed by Skipper Thierry.  
48

1 **MR. MICHAEL MIGLINI:** I am Michael Miglini and I'm here to give  
2 testimony on 39 and 40 and 41 and 42 and all of the other  
3 things. On Amendment 39, if there are some people that want to  
4 go forward on that, I understand. I don't believe that charter-  
5 for-hire should be part of it and so if you're going to vote on  
6 39, I would say 2.2.

7  
8 I really believe that the charter-for-hire is -- We've come  
9 together and we've got our Amendment 40 and we've got our little  
10 sector allocation and I think we can work something out amongst  
11 ourselves better than we can starting over with each state.

12  
13 I think that, on the sunset on Amendment 40, that it would be  
14 good to extend that sunset by maybe 100 or 200 years. That  
15 would give the council some time to work out the issues with  
16 Amendment 39 and I would say in the next year or two that we  
17 could -- You all could go ahead and move 40 and 41 forward and  
18 we can set a pretty good example by learning how to work some  
19 things out.

20  
21 I like the increase in access and some of the things that we've  
22 done with the headboat EFP. Although there is issues with  
23 anything, I think it's shown that we can move forward on some  
24 things and we can make some progress and add some flexibility in  
25 seasons and at least the option for operators to fish with less  
26 bycatch and everything else like that. At least the tool is out  
27 there and gives the boat operators the chance to have some  
28 things instead of being constrained into a one-size-fits-all  
29 season.

30  
31 Definitely I would like to keep going with 40 and 41 and 42 and  
32 if there is a consensus that 39 is a good idea for a certain  
33 group, just keep us out of it and you all have a great time.

34  
35 As far as data collection goes, I believe that there is not  
36 going to be any harm in getting some data collection on the  
37 charter-for-hire boats showing who is fishing and who is not  
38 fishing.

39  
40 It doesn't necessarily need to become part of a reduction in any  
41 fleet or anything, but it will show effort and it will show  
42 landings and I don't see a down side in having good data, but I  
43 would like the data collection and the system to be fleet-wide  
44 and professionally developed and integrate well in the system so  
45 that we can use that data effectively with the existing system  
46 and stock assessments and everything. I've got two seconds and  
47 so thank you for giving me time to give public comment.

48



1 **CHAIRMAN ANSON:** Thank you, Michael. We have a question,  
2 Michael, from Ed.

3  
4 **MR. SWINDELL:** Where are you from?

5  
6 **MR. MIGLINI:** I have boats in Port Aransas. I am not running my  
7 boat right now, because the rig removals -- I was running a  
8 spearfishing and scuba diving operation for the last fifteen or  
9 twenty years out of Port Aransas, but with all the oil platform  
10 removals, my playground has been pulled up and hauled further  
11 offshore, where it's not economically feasible for me to run  
12 diving trips anymore and so I ran a boat up in Alaska this  
13 summer and it was kind of nice, but I live in Corpus Christi and  
14 I've got some boats and hopefully with 40 and 41 and 42 coming  
15 back that it's going to be worth it for me to keep taking people  
16 offshore fishing and be able to earn a living on it, like we did  
17 when we had a 180-day season and things like that.

18  
19 **MR. SWINDELL:** Okay. Thank you.

20  
21 **MR. MIGLINI:** Thank you.

22  
23 **CHAIRMAN ANSON:** Thank you, Michael. Skipper Thierry, followed  
24 by Garrett King.

25  
26 **MR. SKIPPER THIERRY:** Good afternoon. I am Skipper Thierry and  
27 I have a headboat, the Escape, out of Dauphin Island, Alabama.  
28 I have had the Escape there for about ten years and I fished a  
29 long time before that.

30  
31 Guys, charter and headboats have made it crystal clear that we  
32 don't want to be included in Amendment 39. Among a lot of other  
33 reasons, how can we support an amendment that's so vague and has  
34 so many details yet to be worked out?

35  
36 One of the alternatives in 39 discussed yesterday at length has  
37 Mississippi, Louisiana, and Texas as really big winners, but  
38 Alabama and Florida having ten to fifteen-day seasons, while  
39 Louisiana and Texas were -- I don't remember, but seventy or  
40 eighty days.

41  
42 How is that fair and equitable? It also seems very likely this  
43 could cause a shift in effort to the western Gulf. I mean why  
44 not vacation in Biloxi or Galveston instead of Destin or Orange  
45 Beach? You know pull your boat there and take advantage of  
46 that.

47  
48 Please let us continue on the path we've been fighting for for

1 so long with Amendment 40. Please move 41 and 42 along. You  
 2 know Gary Bryant was asked how Amendment 41 and 42 could benefit  
 3 the anglers on the back of our boats and being in the  
 4 collaborative the last two years, I can tell you my customers  
 5 have been happier. Day in and day out, they've had a better  
 6 time.

7  
 8 Being out of the derby -- My boat will hold thirty-nine people.  
 9 I used to fill it up and I dropped it down to twenty-eight  
 10 people and people love that. It's a lot more room and it's just  
 11 a better time.

12  
 13 We have dropped our limit on my boat to one snapper per person  
 14 almost all year long. It kind of guarantees they have a little  
 15 mess of fish to catch and then it gives us a lot of time to fish  
 16 for other stuff, b-liners or porgies. If it's a smaller trip,  
 17 we have more time to fish for kings and cobia and you name it.  
 18 It gives people a lot more diverse catch instead of just going  
 19 out there and bringing back red snapper.

20  
 21 One of the stats I saw on the collaborative was that it  
 22 increased public access to red snapper by 100 percent and I just  
 23 saw that on a presentation one time. That's pretty big.

24  
 25 Triggerfish are more abundant than they've been in many years.  
 26 Everybody says the same thing and I would send it back to the  
 27 SSC for another look, please. They have been increasing for  
 28 several years and anything showing something different is wrong.

29  
 30 Being in the collaborative the last couple of years, we've used  
 31 a logbook and VMS every day and we haven't had any problems with  
 32 it. It's simple and easy to operate and it just takes a minute  
 33 to send in your catch at the end of the day. You know there is  
 34 additional safety at sea there, not to mention how valuable they  
 35 are for validating our landings. Please continue working to  
 36 make them a part of our management plan. Thank you.

37  
 38 **CHAIRMAN ANSON:** Skipper, we have a question from Roy.

39  
 40 **MR. WILLIAMS:** Skipper, thanks for coming. You were part of the  
 41 headboat collaborative, right?

42  
 43 **MR. THIERRY:** Yes, sir.

44  
 45 **MR. WILLIAMS:** You said you enforced a one-fish red snapper bag  
 46 limit on your boat?

47  
 48 **MR. THIERRY:** Probably on 90 percent of my trips, yes, sir.

1  
2 **MR. WILLIAMS:** How long were you able -- How many days were you  
3 able to get out of the season then?  
4

5 **MR. THIERRY:** I ran out of fish from my own little quota around  
6 the first of August this year and then I leased some from  
7 another vessel that was having a little bit slower summer and I  
8 still have a few of those. Thank you all.  
9

10 **CHAIRMAN ANSON:** Thank you, Skipper. Garrett King, followed by  
11 William Love. Is Garrett King out in the audience? William  
12 Love, followed by Jason Rittenhouse.  
13

14 **MR. WILLIAM LOVE:** My name is William Love and I've been the  
15 owner of one of these permits for twenty-four years and I am for  
16 the 42 and 41 and I just want to make a living. The logbooks, I  
17 would be ready to do something like that if you all came out  
18 with it. Thank you.  
19

20 **CHAIRMAN ANSON:** Thank you. Mr. Love, we have a couple of  
21 questions over here, I think. Pam.  
22

23 **DR. DANA:** You may be asking the same question as me, but where  
24 are you from, Mr. Love?  
25

26 **MR. LOVE:** I am from here, Houston.  
27

28 **MR. SWINDELL:** Could you say that again?  
29

30 **MR. LOVE:** Houston.  
31

32 **CHAIRMAN ANSON:** Thank you. Jason Rittenhouse, followed by Gary  
33 Jarvis. No Jason? Gary Jarvis, followed by Jason McRae.  
34

35 **MR. GARY JARVIS:** Captain Gary Jarvis, President of the Destin  
36 Charter Boat Association, the largest federally-permitted  
37 charter fleet in the Gulf of Mexico. I stand here representing  
38 myself, my fleet, and the tens of thousands of recreational  
39 anglers whose only access to the EEZ fishery annually is aboard  
40 our vessels. My video at the last meeting showed some of those  
41 anglers telling you guys thank for Amendment 40.  
42

43 Also, I noticed a couple or two meetings ago the headboat  
44 presentation, pilot presentation, showed the innate access  
45 improvement by looking towards alternative management programs.  
46 I stand here asking you to work with me, with my fleet and the  
47 other federally-permitted businesses, to sustainably and  
48 effectively manage our customers' portion of the red snapper EEZ

1 fishery.

2

3 We believe in this Gulf Council process, as slow as it may be,  
4 and the laws that are required by the MSA. They provide  
5 guidance, rulemaking processes, protections, stakeholder access,  
6 and input that is not available at the state level.

7

8 There is no state constitutional language or state law that  
9 protects our right to be recognized as a separate user group or  
10 even our right to exist.

11

12 We have an innate lack of faith in the state to be objective,  
13 fair, or committed to our success, due to the repeated actions  
14 our industry in the past four or five years and so I offer a  
15 chance to change this dynamic and to start an initiative, a  
16 level of trust and a new level of co-management of these  
17 resources.

18

19 Our fleet asks this council to start that with Action 2,  
20 Alternative 2 in Amendment 39. We wish the private boat anglers  
21 much success and the state-licensed guides. We encourage  
22 management of this sector by the states if they so choose.

23

24 Mr. Chair, I have ideas and so does our industry and thoughts  
25 for that portion of the fishery and we look forward to working  
26 with the state managers and this council to improve their access  
27 as well as ours, but we are a federally-permitted sector who  
28 fish in the EEZ primarily who have an allocation of federally-  
29 managed red snapper and have the ability, with this council's  
30 help, to develop an accountable, sustainable federal FMP. We  
31 already have Amendment 41 and 42 in the process and want to  
32 remain in the federal management process and finish these  
33 amendments.

34

35 I support, and our industry and our fleet, the south Florida  
36 fleet's gag grouper request you heard today and especially I  
37 want to thank the federally-permitted Texas charter fleet for  
38 their unwavering support and damn fine Texas hospitality. Thank  
39 you.

40

41 **CHAIRMAN ANSON:** Thank you, Gary. Jason McRae, followed by  
42 Taylor Borel.

43

44 **MR. JASON MCRAE:** Good afternoon. My name is Jason McRae and  
45 I'm from here in Galveston, Texas. I run a dual-permitted  
46 charter boat. I recently came over from the recreational side  
47 and I have watched this go on for years and the regional stuff  
48 does not work. The direction that these guys have gone in the

1 past couple of years is the reason why I came over. I think  
2 that the directions are -- We're headed in the right direction.

3  
4 The federal folks that run the boards and the way they're going  
5 to do it, that's the way we need to keep going. I am not in  
6 favor of continuing with regional management on 39. 41 and 42,  
7 the amendments, I think we need to further the action of both of  
8 those. Thank you all very much.

9  
10 **CHAIRMAN ANSON:** Thank you. Sir, we have a question.

11  
12 **MR. RIECHERS:** Mr. McRae, you said you recently came over. Did  
13 you purchase a vessel and charter federal license or --

14  
15 **MR. MCRAE:** I have actually had my vessel and I finally  
16 purchased all of my permits to go with it. I decided to make  
17 the jump.

18  
19 **MR. RIECHERS:** Okay and so you did that in which year, just out  
20 of curiosity?

21  
22 **MR. MCRAE:** This year.

23  
24 **CHAIRMAN ANSON:** All right. Taylor Borel and is Garrett King in  
25 the audience? Keegan LaBry is next.

26  
27 **MR. TAYLOR BOREL:** Thank you, guys. I just want to say I'm  
28 Taylor Borel and I'm from Galveston, Texas. Like most of the  
29 guys, I don't want to go with Amendment 39. I want to go  
30 through 41 and 42 and you need to listen to Scott Hickman and  
31 Shane. They have gone all over the Gulf Coast and they have a  
32 lot of knowledge about everything and thank you all for you  
33 all's time.

34  
35 **CHAIRMAN ANSON:** Thank you. Keegan LaBry and Jason Rittenhouse.  
36 Is he in the audience? All right. Following Keegan is Dave  
37 Woodworth.

38  
39 **MR. KEEGAN LABRY:** I am Keegan LaBry from Galveston, Texas with  
40 Adventure Charters. We are here today speaking, Taylor Borel  
41 and us younger guys, speaking on behalf of not supporting  
42 Amendment 39. We would like separation from the state and we  
43 feel like Amendment 40 is doing us good and we would like to  
44 move forward with 41 and 42. Thank you, all.

45  
46 **CHAIRMAN ANSON:** Thank you, Keegan. Dave Woodworth, followed by  
47 Jeff Nielsen. Jeff Nielsen, followed by Tyler Walker.

48

1 **MR. JEFF NIELSEN:** Thank you all for being here and doing all  
2 the work you all are doing for us and stuff like that. I am  
3 Jeff Nielson with Galveston Fishing Charter Company, which is  
4 based here in Galveston. I run four boats and, as we speak, I  
5 am building a fishing lodge at this moment.

6  
7 I am for Amendment 40 and moving forward with Amendment 41 and  
8 42. I think you all have done a great job with Amendment 40 and  
9 so I think it should be pursued from this point on, especially  
10 with all these charter guys here today. That kind of puts a  
11 picture in your eye that we are very passionate of what we do.  
12 Thank you.

13  
14 **CHAIRMAN ANSON:** Thank you. We have a question. Mr. Nielson,  
15 we have a question for you from Ed.

16  
17 **MR. SWINDELL:** Do you know anything about Amendment 39?

18  
19 **MR. NIELSON:** Just a little and not much, but I know I'm in a  
20 program right now that has worked very well and I can tell you  
21 this, that I've only been in the charter business for five  
22 years. I started with one boat and I have four boats now and  
23 I'm building a fishing lodge right now.

24  
25 **MR. SWINDELL:** Okay. What about vessel monitoring and  
26 electronic monitoring?

27  
28 **MR. NIELSON:** I would love to go into that program if they  
29 offered it here for us in Texas.

30  
31 **MR. SWINDELL:** Very good. Thank you.

32  
33 **MR. NIELSON:** Thank you.

34  
35 **CHAIRMAN ANSON:** Tyler Walker, followed by Derrick Greene.

36  
37 **MR. TYLER WALKER:** Good afternoon. I am Tyler Walker and I've  
38 been a mate on a federally-permitted boat for about six years  
39 now. I go to the Maritime Academy at A&M and we do not want  
40 Amendment 39, like you've heard for the past thirty times, and I  
41 would like to have my own charter boat when I graduate from  
42 school and I'm off on the ships and initiating Amendment 41 and  
43 42 and proceeding with 40, I believe that would help me out in  
44 the future and help me get through school. Thanks.

45  
46 **CHAIRMAN ANSON:** We have a question for you from Ed.

47  
48 **MR. SWINDELL:** So you're in school now and you want to go

1 fishing full time?

2

3 **MR. T. WALKER:** No, sir. I will be out on a ship and then when  
4 I get off, I want to fish.

5

6 **MR. SWINDELL:** Okay. Where are you from?

7

8 **MR. T. WALKER:** Texas.

9

10 **MR. SWINDELL:** What part?

11

12 **MR. T. WALKER:** Moses Lake.

13

14 **MR. SWINDELL:** Okay. Good luck.

15

16 **MR. T. WALKER:** Thank you.

17

18 **CHAIRMAN ANSON:** Derrick Green, followed by Cody Carmody.

19

20 **MR. DERRICK GREENE:** Hello. My name is Derrick Greene and I am  
21 the owner and operator of In the Zone Fishing Charters. I have  
22 been fishing in the charter industry for quite a while now and I  
23 have just acquired my federal permits and I think we should go  
24 on with 41 and 42.

25

26 I really like the forty-four days we had. I hate not having the  
27 ability to give our customers the access to our fisheries. I  
28 believe that I am the future of this industry. You know I'm  
29 younger in the industry and I don't claim to know everything,  
30 but I am learning as I go.

31

32 I really think that a lot of us guys are really passionate about  
33 this industry and we think we should be able to have access to  
34 our fisheries. I actually missed a charter this afternoon to be  
35 here just to give my opinion, because I think all of our voices  
36 should be heard on this. Besides that, I pretty much appreciate  
37 your time.

38

39 **CHAIRMAN ANSON:** Thank you, Derrick. Cody Carmody, followed by  
40 Hans Guindon. Is Hans in the audience?

41

42 **MR. HANS GUINDON:** How are you all doing? I am Hans Guindon and  
43 I'm a commercial bottom longline fisherman out of Galveston,  
44 Texas. I spend a lot of time out in really deep water. I fish  
45 anywhere from 350 foot all the way out to 1,200, catching  
46 tilefish.

47

48 A growing problem I am seeing is -- You know I average 20,000

1 pounds of fish a trip, generally, and amongst that 20,000  
2 pounds, 2,000 pounds, usually, in the beginning of the year, is  
3 amberjack. Then the rest of the year, I'm having to throw back  
4 these massive fish and it's just sad to watch that many fish  
5 float off like that.

6  
7 Being able to introduce them into Amendment 36, maybe, because  
8 everything is working great in there. The snapper population is  
9 up and tilefish and grouper and everything is working great in  
10 there and so bringing Amendment 33 back up onto the table for  
11 discussion would be great for me and so definitely trying to get  
12 something to do with these amberjack.

13  
14 I can't keep throwing them back and letting them float off like  
15 that and in 600 or 700 foot of water, they're just not going to  
16 live, even with properly deflating them and everything. It's  
17 just not going to work. Thank you.

18  
19 **CHAIRMAN ANSON:** We have a question from Ed.

20  
21 **MR. SWINDELL:** How far out are you going to bottom longline?

22  
23 **MR. H. GUINDON:** I start at about a hundred miles out of  
24 Galveston, Texas.

25  
26 **MR. SWINDELL:** And you're out for how long?

27  
28 **MR. H. GUINDON:** Anywhere from ten to fifteen days, generally.

29  
30 **MR. SWINDELL:** Okay. Straight out or are you on an east/west?

31  
32 **MR. H. GUINDON:** I fish all over the Gulf, sir.

33  
34 **MR. SWINDELL:** Okay. Thank you.

35  
36 **MR. H. GUINDON:** Yes, sir. Any other questions?

37  
38 **CHAIRMAN ANSON:** No, apparently not. Thank you. Michael Regan,  
39 followed by Aaron Grace.

40  
41 **MR. MICHAEL REGAN:** Hi, ladies and gentlemen, and thank you for  
42 having me this afternoon. My name is Michael Regan and I own  
43 Lang Check Charters here out of Galveston, Texas.

44  
45 Derrick Greene and I are actually basically slip mates. We're  
46 neighbors. We're right across the street from each other. He  
47 and I are both working now and we're new. We're new to the  
48 industry. We've been doing charter fishing for a while, but



1 we're new to the offshore. We now have our own boats and we're  
2 running these charters. We are definitely against Amendment 39  
3 and we would like to go with 2.2, please.

4  
5 We are for 40. We like the extended season that we got this  
6 year. It was excellent. The customers could not be happier.  
7 People are getting the fish and to segue into that, as far as  
8 the logbooks would be concerned, I would love to prove to you  
9 guys, through these logbooks, how many fish are really out  
10 there.

11  
12 The actions you guys are taking have really improved the fishery  
13 very dynamically. Without up-to-date information, how do you  
14 know really what we're seeing? I can go out there and I can  
15 catch so many red snapper right now in places that I have never  
16 caught them before, but you guys don't know that. It's hearsay.  
17 If I have to report and tell you what I've caught, you know  
18 what's out there and that is a real-time deal. 40, like I said,  
19 is working good and 41 and 42 are excellent and please continue  
20 with the work. I appreciate it.

21  
22 **CHAIRMAN ANSON:** Thank you, Michael. Aaron Grace, followed by  
23 Scott Hickman.

24  
25 **MR. AARON GRACE:** Hello. My name is Aaron Grace and I run a  
26 federally-permitted boat out of Galveston, Texas. I don't  
27 support 39 and I do support 41 and 42 and I just wanted my vote  
28 to be heard. That's all.

29  
30 **CHAIRMAN ANSON:** Thank you, Aaron. Scott Hickman, followed by  
31 Matthew Grace.

32  
33 **MR. SCOTT HICKMAN:** Good afternoon, ladies and gentlemen of the  
34 council and welcome to Texas. It's great to have everybody here  
35 in my home fishing town. I am going to make it quick, because  
36 we've still got a lot of people to talk and I know everybody  
37 wants to get out of here today. It's so warm.

38  
39 My fleet does not want to stay in state-controlled type  
40 management or enter into that through Amendment 39. We worked  
41 real hard to get Amendment 40 done and we feel that through  
42 Amendment 41 and 42 we've got a bright future and we can develop  
43 a plan that will leave more fish in the water and reduce  
44 discards and raise the level of accountability and do all of the  
45 conservation things that are mandated under the Magnuson Act.

46  
47 I would like to see Amendment 33 untabled and brought back up.  
48 We need to move the rest of the commercial reef fish into an

1 IFQ. Wasting fish in any form or fashion should be made  
2 illegal. If you come deer hunt or duck hunt on our ranches and  
3 you're throwing game out, you would be written a ticket.

4  
5 Any fishery program that encourages the waste of a natural  
6 resource needs to be changed. Amendment 33 could really make a  
7 difference in that. That's basically all I've got to say.

8  
9 I would like to thank Robin and his folks for reaching out to us  
10 and we're discussing maybe moving Texas into one of these  
11 electronic logbook programs that GSI is putting forward and that  
12 would be fabulous. Our fleet has shown a lot of interest in  
13 doing that and so we look forward to working with you, if that's  
14 a possibility. Thank you very much.

15  
16 **CHAIRMAN ANSON:** Scott, we have a question from John.

17  
18 **MR. SANCHEZ:** More of a comment. I just want to thank you, the  
19 CFA, and the Shareholder's Alliance for that party last night.  
20 The food was amazing and I literally ate until I couldn't tie my  
21 shoes. It was fantastic.

22  
23 **MR. HICKMAN:** Thanks for all you all do and that's the least we  
24 could do. Keep up the good work and my charter boat guys, I  
25 would like to thank them as well for showing up today and taking  
26 time. We have a lot of these guys that actually -- You've seen  
27 how beautiful the weather has been this week and they have the  
28 opportunity to have charters and I got on them and said I know  
29 you can make some money, but it's important for you to get here  
30 and they agreed and they came out and so I appreciate you all  
31 listening to them. Thank you.

32  
33 **CHAIRMAN ANSON:** One more question, Scott, from Pam.

34  
35 **DR. DANA:** I am embarrassed that I have never asked this before,  
36 but how many federally-permitted charter boats are there in  
37 Texas? I appreciate you rounding up folks, because it's good to  
38 see people who are normally not present in these meetings.

39  
40 **MR. HICKMAN:** I guess they're comfortable with Mike Jennings and  
41 Shane and I traveling around to these things and speaking for  
42 them. We do a lot of communication here and pretty much all of  
43 our boats run out of Galveston, but the Houston -- The Houston,  
44 Galveston, Freeport area, which is all fishing people from  
45 Houston, are basically one fleet.

46  
47 There is 138 permits in this region. We are the third most  
48 dense percentage of federal permits in the Gulf of Mexico and so

1 we're the third largest fleet and I think Texas has a little  
2 over -- Right at 200 federal permits and the lion's share is  
3 right here and, of course, the fourth largest city in the  
4 country, with the best baseball team, and we've got a lot of  
5 people that like to go fishing.

6  
7 **CHAIRMAN ANSON:** Doug Boyd, do you have a question?

8  
9 **DR. DANA:** Wait, wait, wait. So you have 138 federally-  
10 permitted within the --

11  
12 **MR. HICKMAN:** This small area, yes, ma'am.

13  
14 **DR. DANA:** Okay and so that doesn't include all Texas and that's  
15 just your particular area?

16  
17 **MR. HICKMAN:** That's just this particular small area right here  
18 and in the whole state, I believe the number is around 200 or  
19 so. That's what I understand. 230, Robin?

20  
21 **DR. DANA:** 230? Okay. Thank you. To what extent do you  
22 maintain a cohesive kind of communication with your 138? I mean  
23 do you feel comfortable that you speak for the majority of  
24 those?

25  
26 **MR. HICKMAN:** We generally -- In Galveston County, we've got one  
27 marina and there's almost 1,000 slips. It may be the largest  
28 marina west of the Mississippi River, the Galveston Yacht Basin.  
29 We have meetings.

30  
31 I know NMFS does a sea turtle deal and Charlie Bergman goes  
32 around the Gulf Coast and he usually says he has two or three  
33 people show up and we had one earlier this summer and we had  
34 like forty or fifty permit holders there.

35  
36 Not only do we talk about the sea turtle regulations and what  
37 gear to have on our boat, but we talk about council issues and  
38 issues with our fishery and what we want to move forward with.  
39 We don't just come to these meetings and say what I want. We  
40 reach out to these guys and talk to them and say, how would you  
41 like to execute your business and how would you feel moving  
42 forward with this?

43  
44 Our level of communication here is really, really good, mainly  
45 because the fleet Mike Jennings and those guys run, it's  
46 basically off of one or two docks and the whole fleet in  
47 Galveston County runs off of one marina. We all get gas on the  
48 same dock. Like Destin, we all get bait from one or two places

1 and so it's a big fleet, but it's a small family.

2  
3 **CHAIRMAN ANSON:** All right. I have a couple more questions for  
4 you, Scott. Doug Boyd, followed by Ed Swindell.

5  
6 **MR. BOYD:** Thank you, Scott. Pam asked most of my question and  
7 so I will ask just one part of it. Of the 214 federally-  
8 permitted vessels, how many of those are in the CFA that you  
9 help represent?

10  
11 **MR. HICKMAN:** CFA has got over 600 members. A lot of those are  
12 federally-permitted folks.

13  
14 **MR. BOYD:** How many in Texas?

15  
16 **MR. HICKMAN:** I haven't done the count, but I know that a big  
17 lion's share of our membership when we started was Texas boats  
18 and so we've got a bigger following here in Texas than the rest  
19 of the -- Well, I guess since Destin just joined us and Orange  
20 Beach just joined us that that's probably -- I would say at  
21 least a hundred, just a ballpark.

22  
23 **MR. BOYD:** So approximately 50 percent of the for-hire  
24 federally-permitted people in Texas are not --

25  
26 **MR. HICKMAN:** CFA members, yes. I wouldn't know without having  
27 to go through the records.

28  
29 **CHAIRMAN ANSON:** Ed.

30  
31 **MR. SWINDELL:** How about electronic logbooks and reporting and  
32 monitoring?

33  
34 **MR. HICKMAN:** I've got a VMS on my boat now, which is the new  
35 CLS America system. It works really, really well. I haven't  
36 seen the forms that they're going to use for the program yet,  
37 but the equipment is good equipment. It's small and it's non-  
38 intrusive and it's tiny. I've got a 900-horsepower high-  
39 performance boat and it's taken a heck of a beating and it's  
40 worked well for me.

41  
42 The fleet here that's come to me has said that -- The guys at  
43 our docks would like to participate. They are very interested  
44 in that, giving Bonnie's folks at the Science Center better data  
45 so we can go out there and show them that we actually have a  
46 more robust fishery than what we thought. Better science,  
47 everybody benefits.

48

1 **MR. SWINDELL:** Thank you very much.

2

3 **MR. HICKMAN:** Thank you.

4

5 **CHAIRMAN ANSON:** Thank you, Scott. Matthew Grace, followed by  
6 Andrew Reed.

7

8 **MR. MATTHEW GRACE:** Hi. I am Matthew Grace and I work for Great  
9 Hook Charters. I'm a relatively young captain down here and I  
10 look forward to having a long-lasting career down here and as  
11 far as the snapper season goes, I appreciate that you guys did  
12 lengthen it and I think that's a step in the right direction.

13

14 Just for living and making money with customers, if we can get  
15 them down here and they're always asking about those red snapper  
16 and we can never keep them and so if we could just keep it going  
17 and maybe get the season a little bit longer, that would be  
18 great. I think that's one step in the right direction. Thank  
19 you.

20

21 **CHAIRMAN ANSON:** Thank you. Andrew Reed, followed by Evan  
22 Harrington.

23

24 **MR. ANDREW REED:** Hello. My name is Andrew Reed and I fish out  
25 of Matagorda. We have been fishing for a while out there and  
26 we've got several boats. I reckon I think I'm counting about  
27 twelve permit holders that's down there in Matagorda. Maybe  
28 give or take a few.

29

30 I think as a group, speaking for myself, but 39 is out for me.  
31 I like 40 and looking at 41 and 42, to move on. We have so many  
32 customers that call wanting to go snapper fishing and we were  
33 blessed this year to get the forty-four days and I would like to  
34 see a little bit more and so would my customers.

35

36 It's kind of hard. You know we're out there fishing and we're  
37 on a spot and you have a recreational boat come up and the  
38 season is closed for us and they're sitting there tearing the  
39 snappers up and my customers are asking me why are they catching  
40 them and we can't keep them?

41

42 I say, guys, the season is closed for federally-permitted boats  
43 and just turn your head and go on. That's all we can do. We're  
44 catching them and throwing them back and they're putting them  
45 all in the boat. If we had a little bit longer season,  
46 everybody can get their red snapper out of the way, because  
47 mostly everybody that wants to go fishing wants to catch red  
48 snapper.

1  
2 I am all for the logbooks. I think it would be a good deal so  
3 we can share our data and get everything proven out so we can  
4 have more time to fish. Thank you.

5  
6 **CHAIRMAN ANSON:** Andrew, we have a question for you from John.

7  
8 **MR. SANCHEZ:** Good afternoon and welcome. I wanted to ask you -  
9 - You're saying then to get this right that right now, as we  
10 speak, there is a lot of folks, when the federally-permitted  
11 for-hire fleet is closed that they continue -- The federal  
12 season is closed and they continue to fish in federal waters  
13 recreationally for snapper in your neck of the woods?

14  
15 **MR. REED:** Yes, sir.

16  
17 **MR. SANCHEZ:** It's widespread and it happens a lot or a little  
18 or how much?

19  
20 **MR. REED:** Quite often.

21  
22 **MR. SANCHEZ:** Okay. Thank you.

23  
24 **MR. REED:** Thank you.

25  
26 **CHAIRMAN ANSON:** Andrew, we have more one question from Ed.

27  
28 **MR. SWINDELL:** How far out are you having to go to get your red  
29 snapper?

30  
31 **MR. REED:** We're usually running anywhere from thirty to fifty  
32 miles in a day.

33  
34 **MR. SWINDELL:** Okay and you're having then fairly large  
35 recreational boats out there fishing or --

36  
37 **MR. REED:** Yes, sir.

38  
39 **MR. SWINDELL:** Okay. Thank you, sir.

40  
41 **CHAIRMAN ANSON:** Thank you, Mr. Reed. Evan Harrington, followed  
42 by Marc Wilkerson.

43  
44 **MR. EVAN HARRINGTON:** Good afternoon. I am Evan Harrington with  
45 Epic Charters. A little background about me, this is my first  
46 year to own a for-hire charter boat and so this is a little bit  
47 new for me, but I have learned a lot in my first year.

48

1 What I do want to say is that myself and my customers and the  
2 anglers that are on my boat this year appreciate what you all  
3 did with Amendment 40. I would personally like to see it keep  
4 coming into 41 and 42 and also, I hear about the logbooks,  
5 electronic logbooks, and stuff like this and just personally,  
6 you know I ran twenty-five days out of the season and not once  
7 did my fish get counted. I would like to see them counted and  
8 just moving forward with 41 and 42. That's it and thank you.

9  
10 **CHAIRMAN ANSON:** Thank you. We have a question for you from  
11 Pam.

12  
13 **DR. DANA:** Thank you. Where are you from again? I am sorry.

14  
15 **MR. HARRINGTON:** I'm from Freeport.

16  
17 **DR. DANA:** You're from Freeport and are you at like a larger  
18 marina? I haven't been to Freeport and so I don't know what it  
19 looks like, but are you from that --

20  
21 **MR. HARRINGTON:** Yes, the two.

22  
23 **DR. DANA:** The two-dock marina and so you don't have a lot of  
24 dockside intercepts over there or --

25  
26 **MR. HARRINGTON:** No, ma'am.

27  
28 **DR. DANA:** Okay. Thank you.

29  
30 **CHAIRMAN ANSON:** Thank you. Marc Wilkerson, followed by Shawn  
31 Warren.

32  
33 **MR. MARC WILKERSON:** Hello. I am Marc Wilkerson, owner and  
34 operator of Blue Street Fishing Charters out of Freeport, Texas.  
35 I would like a no vote on Amendment 39. Amendment 40 has been  
36 great for us and I would like to continue on with Amendment 41  
37 and 42 and I would like, for me, for voluntary VMS to be put on  
38 my vessel. Thank you.

39  
40 **CHAIRMAN ANSON:** Thank you. Shawn Warren, followed by Michael  
41 Short. Michael Short, followed by Kevin Burel.

42  
43 **MR. MICHAEL SHORT:** My name is Michael Short and I own and  
44 operate Good Hook Charters here out of Galveston, Texas. I have  
45 two federally-permitted boats and 39 is a no for us. I would  
46 like to see 41 and 42 go further.

47  
48 I mean how many of you all know Scott Hickman and Shane

1 Cantrell? Pretty much everybody. Then why don't you all listen  
2 to them? They are speaking for all of us. You know we have  
3 great communication down here with each other and I guess that's  
4 about it. Thanks.

5  
6 **CHAIRMAN ANSON:** Thank you. We have one question for you, Mr.  
7 Short, from Pam.

8  
9 **DR. DANA:** It's not a question, Michael, but what it is, it's  
10 that insofar your Texas representatives have not been voting on  
11 39 to allow the charter boats to remain under federal rule and  
12 so --

13  
14 **MR. SHORT:** Yes, he's been lacking a little bit and so we've  
15 still got to talk about and see how we can remedy that. Is that  
16 it?

17  
18 **CHAIRMAN ANSON:** I think so. Thank you. Kevin Burel, followed  
19 by Greg Ball. Kevin Burel? Greg Ball. Keith Carman would be  
20 next.

21  
22 **MR. GREG BALL:** Good evening. I am Greg Ball from Galveston  
23 here. I run Wave Adventure Charters and I have two federally-  
24 permitted boats. I want to ask that you keep us out of the  
25 Amendment 39. I have been tickled to death with Amendment 40.

26  
27 I am like the guy a while ago. I would like to have another  
28 year or 200 years or something for the sunset clause. That was  
29 kind of good, but, anyway, I am for Amendment 41 and moving  
30 forward with that and 42.

31  
32 Currently, I don't have the VMS on my boats, but I plan on  
33 putting them on this winter and having them set up for next  
34 year. I appreciate everything you all are doing and hopefully  
35 we can keep it going in the right direction.

36  
37 **CHAIRMAN ANSON:** Thank you.

38  
39 **MR. BALL:** Thank you all.

40  
41 **CHAIRMAN ANSON:** Keith Carman, followed by Hughes Andry.

42  
43 **MR. KEITH CARMAN:** Good afternoon, council. I appreciate the  
44 opportunity to speak with you. My name is Keith Carman and I  
45 run charters out of Matagorda, Texas. Those of you that haven't  
46 been to the lovely big city, this week is a wonderful Chamber of  
47 Commerce opportunity.

48



1 First of all, I want to thank you for Amendment 40. You cannot  
2 imagine the joy, and it's like getting a tax refund, of calls  
3 that I got to make to customers who could never, ever go during  
4 the limited season we've been having and so it's awesome to be  
5 able to call them and say, hey, no pressure, but let's pick a  
6 weekend or let's pick a day or let's pick a whatever. Thank you  
7 very much for that.

8  
9 At first, I thought I was in favor of 39, Amendment 39. I  
10 thought yes, the states regulating, you got it and I am all over  
11 that, because you know, these federal folks -- Then I got to  
12 checking it out and not so much.

13  
14 What I would like to do is stand in opposition to Amendment 39.  
15 I would absolutely not like to be mixed back there. I just  
16 remember the days that were lost and so I am against that,  
17 please.

18  
19 I do also want to say that I do support 41 and 42. You know I  
20 just want to be able to manage my business. I am fortunate  
21 enough, like a lot of the captains that have testified today,  
22 that not only do we have the families and the family reunions  
23 and things like that, but I have some corporate customers.

24  
25 As all of you know, because we don't have these meetings on  
26 Saturdays and Sundays, corporate customers typically like to  
27 have their customers out during the week and so a longer season,  
28 more opportunity, means more corporate fishing. I appreciate  
29 that very much, because, frankly, they are better tippers.

30  
31 I, unlike a lot of the folks that I have talked to here, we have  
32 dockside surveys. One of the folks on the council was asking a  
33 minute ago about dockside surveys and we have them in Matagorda.  
34 I cannot tell you that I have, and Andrew Reed, who testified  
35 before, but I cannot tell you that a trip I went this year that  
36 we did not get dockside surveyed and we're happy to do that,  
37 absolutely happy to do that and so no problem.

38  
39 That leads me into the logbook piece. I used iSnapper and I  
40 thought iSnapper was the coolest thing on the planet and I did  
41 report that and so I have no issue, no problem, telling you the  
42 fish that I've caught and so e-logbooks, obviously.

43  
44 Let's see. I think that was all the topics I had. Triggerfish,  
45 over where we're at -- I know there's an effort about  
46 triggerfish and we're not seeing so many triggerfish and the  
47 reason we're not is there are so many doggone red snapper. They  
48 are in the way. I had to clean them out of my bilge pump the

1 other day. I'm just kidding. I don't want that in testimony.  
2 Thank you very much and I appreciate the opportunity.

3  
4 **CHAIRMAN ANSON:** Keith, we have a couple of questions for you.  
5 Ed.

6  
7 **MR. SWINDELL:** May I ask -- The people that you're taking to  
8 fish, where are they -- Are they all from Texas or where are  
9 they coming from?

10  
11 **MR. CARMAN:** No, I was fortunate enough this year to have --  
12 Well, a majority are Dallas and San Antonio and we get a lot of  
13 weekenders in Matagorda, believe it or not. One of the nice  
14 things is there are boat owners, private recreational folks,  
15 that have offshore boats or offshore-capable boats, but they  
16 have never gone past basically the nine-mile limit or the nine-  
17 mile rigs, as we call it, and so we get to take those guys out.  
18 I did take a group of ministers out that was from Indiana  
19 earlier this year and that was a lot of fun.

20  
21 **MR. SWINDELL:** That's a long way. Thank you, sir.

22  
23 **CHAIRMAN ANSON:** One more question from John.

24  
25 **MR. SANCHEZ:** You are from Matagorda?

26  
27 **MR. CARMAN:** Yes, sir.

28  
29 **MR. SANCHEZ:** We heard from somebody earlier that there seems to  
30 be -- I guess he kind of describes it as problematic or  
31 excessive fishing during the federally closed season, the period  
32 where you're not allowed to fish if you have a permit, and  
33 people kind of fishing perhaps in federal waters that should be  
34 in state waters. Are you seeing that?

35  
36 **MR. CARMAN:** Yes, sir. We call those state-water snapper or  
37 those folks call those state-water snapper and they come in and  
38 they're big enough to hang on the wall. I must say, at least  
39 myself and I can't speak for the other charter captains, but I  
40 was -- Twice, I think, I was encountered by the federal law  
41 enforcement offshore and they asked about it and I did talk  
42 about it and I did tell them.

43  
44 I think what Mr. Reed said, the gentleman from Matagorda that  
45 testified before me, is our customers see these snapper come  
46 aboard and I have binoculars and I purposely look at what's  
47 going on. I am looking for the discard and I don't see it. I  
48 don't see it. It doesn't mean that they're not, but those

1 state-water snapper. Thank you.

2  
3 **CHAIRMAN ANSON:** Thank you. Hughes Andry, followed by Tommy  
4 Thomson.

5  
6 **MR. HUGHES ANDRY:** Good afternoon. Thank you to the council for  
7 letting me get the chance to get up and speak today. It's going  
8 to be a little bit different story from what you've been hearing  
9 for the balance of the day and that's unfortunate.

10  
11 I would like to start by taking the opportunity to thank the  
12 state's fishery management for their leadership in implementing  
13 and supporting state red snapper regions within their specific  
14 regions. The state-managed seasons have had a much greater  
15 economic impact to the tackle industry than the federal season  
16 could have ever offered under the current management.

17  
18 I should have started this by saying that I am in the tackle  
19 business. I have been in the tackle business for twenty-two  
20 years, going on twenty-three years, and I have sold fishing  
21 tackle in four out of the five Gulf states and so I am pretty  
22 well immersed in what's been going on over the past few years.

23  
24 Tackle store owners and their suppliers require time and a level  
25 of consistency to properly prepare and manage their business so  
26 they can capitalize on seasonal opportunities, such as the red  
27 snapper fishery.

28  
29 The federally-managed seasons offer no such consistency as of  
30 right now or much opportunity to capitalize on them. I  
31 encourage the Gulf Council to pursue state management of the red  
32 snapper fishery. I support the regional management of both  
33 private boat anglers as well as the charter vessels that carry  
34 the private recreational anglers to the resource.

35  
36 Individual state fisheries management has shown that they can  
37 successfully manage species and red drum, speckled trout, and  
38 flounder are species that are currently managed under the state  
39 guidelines and have been very successful.

40  
41 I would ask the council to look towards the NOAA Recreational  
42 Fishing Policy that was implemented this past year as a guidance  
43 document for opportunities to improve the recreational fisheries  
44 management in the Gulf of Mexico.

45  
46 In addition, there are new state fishery-dependent data  
47 collection processes, such as LA Creel and the Florida Wildlife  
48 Commission's reef fish permit, that have been implemented by

1 many states and shows promising results for more accurately  
2 measuring angler harvest.

3  
4 I would encourage the council to work with the states and the  
5 private recreational community on fostering more angler  
6 participation and accurate accounting of recreational harvest  
7 and ensure that the data is incorporated in stock assessments.

8  
9 I would ask that the council work with the states and  
10 universities on stock assessment methodologies that include more  
11 fisheries-independent data. The recreational community is not  
12 as collectively organized as the commercial sector or the  
13 charter boat community and often relies on a few small  
14 organizations to spread their message and make their views  
15 heard, but make no mistake that the recreational community is  
16 divided in any way about issues such as red snapper fishery  
17 management.

18  
19 I feel as though the decisions made by the Gulf Council in  
20 managing this public resource have been an enormous letdown to  
21 the recreational community and it's time to pass the management  
22 to the five Gulf states' leaders. Thank you for your time.

23  
24 **CHAIRMAN ANSON:** Thank you, Hughes. We have a question from  
25 John.

26  
27 **MR. SANCHEZ:** Where are you from? I didn't --

28  
29 **MR. ANDRY:** I'm sorry. I'm from Richmond, Texas.

30  
31 **MR. SANCHEZ:** Okay and so you have 365 days to fish in Texas and  
32 one question. Do you think charter boat people don't buy  
33 tackle?

34  
35 **MR. ANDRY:** No, I agree completely. They do and we're not  
36 trying to push the charter boat guys out of this. I have heard  
37 fair and equitable brought up several times and ten days of a  
38 federal season is not fair and equitable.

39  
40 **MR. SANCHEZ:** (The comment is not audible on the recording.)

41  
42 **MR. ANDRY:** Within state waters, absolutely, but I think that  
43 the states can do a better job managing the fishery. Anybody  
44 else?

45  
46 **CHAIRMAN ANSON:** We have one more from Dr. Crabtree.

47  
48 **DR. CRABTREE:** I appreciate you being here and it's good to see

1 tackle shop owners, because you're right that we don't sometimes  
2 here as much as we ought to from the private sector guys. I am  
3 curious. I can understand your support of regional management,  
4 which is Amendment 39, but pretty much all we've heard from the  
5 charter guys today is they don't want to be included in it and  
6 we've heard that same message pretty well everywhere we've gone  
7 and so I am curious as to why would you want the council and  
8 encourage the council to include the charter boats in it when it  
9 appears that they majority of them don't want to go there?

10  
11 **MR. ANDRY:** It's clear that they don't want to go there, but I  
12 don't think that it's in the best interest of the recreational  
13 fishery to take the total allotted quota and split that between  
14 a recreational sector and another recreational sector and  
15 pushing the actual recreational sector away from that specific  
16 allotted catch.

17  
18 It's difficult, again, for tackle store owners and tackle store  
19 manufacturers to manage when all they have is a ten-day season  
20 of the federal ten-day season. I think that it needs to be  
21 managed as one sector and that's a recreational sector. Thank  
22 you.

23  
24 **CHAIRMAN ANSON:** A follow-up, John?

25  
26 **MR. SANCHEZ:** This will be it. Maybe that will be a good segue  
27 to pushing for a recreational AP to discuss.

28  
29 **MR. ANDRY:** I think that the document that NOAA produced on  
30 recreational fishing is probably the guideline that we could use  
31 and so I don't feel as though an AP is needed for recreational  
32 fisheries.

33  
34 **CHAIRMAN ANSON:** Dr. Crabtree.

35  
36 **DR. CRABTREE:** We have a whole set of APs and if we don't have  
37 recreational involvement in those APs, all we're going to hear  
38 from is commercial fishermen and charter boat guys, which I  
39 think is one of the things you're --

40  
41 **MR. ANDRY:** I agree. I think you need to see more actual  
42 recreational anglers at this podium on a more frequent basis to  
43 express their concerns and views. As we saw with Amendment 40,  
44 to the council, in some cases, it didn't really matter what the  
45 APs proposed and so, again, I think that the guidelines that  
46 have been set forth by the NOAA recreational fisheries policy is  
47 what we should use as a guideline.

48

1 **CHAIRMAN ANSON:** Ed.

2  
3 **MR. SWINDELL:** I am fairly new to the council for this year, but  
4 I will tell you the advisory panels make a big impact on this  
5 council and so don't ever think that they don't. They do and  
6 unless we get enough people on advisory panels that are willing  
7 to fully work with us and try to get us to understand, we're  
8 never going to get anywhere.

9  
10 I mean you have only seventeen members here that are working  
11 with this and we use advisory panels for advice and we get some  
12 from you as we go to meetings, but advisory panels can, most of  
13 the time, do a much more intense job of helping us and so don't  
14 ever think they can't help us. Thank you.

15  
16 **MR. ANDRY:** Thank you for your opinion.

17  
18 **CHAIRMAN ANSON:** All right, Hughes. Thank you very much.

19  
20 **MR. ANDRY:** Thank you.

21  
22 **CHAIRMAN ANSON:** Tommy Thomson, followed by Kellie Ralston.

23  
24 **MR. TOMMY THOMSON:** My name is Tommy Thomson and I flew out here  
25 from California. Like Hughes -- It's obviously not easy to get  
26 up here in front of a room full of people that seem to be all in  
27 support or not in support of 39, but, like him, I work in the  
28 fishing tackle business and have done so for the last four years  
29 and so I've been keeping up with the different amendments and  
30 the issues and challenges that you guys have or are discussing  
31 and so I appreciate the opportunity to come and share my voice  
32 with you guys, as I'm here on business and I have the  
33 opportunity to be here today.

34  
35 I just wanted to express my sentiments in support of 39 and very  
36 much reemphasize some of the same points that Hughes just made.  
37 Like he had suggested, I definitely encourage you guys, the  
38 council, to pursue state management of the red snapper fishery.  
39 That's all I have to say.

40  
41 **CHAIRMAN ANSON:** Thank you. Kellie Ralston, followed by Jordan  
42 McIntyre.

43  
44 **MS. KELLIE RALSTON:** Thank you, Mr. Chairman and council members  
45 and staff. It's a pleasure to be here today and I appreciate  
46 the opportunity. My name is Kellie Ralston and I am the new  
47 Florida Fisheries Policy Director for the American Sportfishing  
48 Association.

1  
2 It's my understanding that you all have received a letter  
3 outlining an informal recreational fishing meeting that occurred  
4 last month in Biloxi. There, we discussed the issues facing  
5 this sector and are working on a pathway forward.  
6

7 I am here to speak in support of the continuation of this  
8 informal recreational group to develop improved management  
9 strategies for recreational anglers. ASA participated in this  
10 initial meeting and is committed to the long-term success of  
11 this process.  
12

13 The meeting's outcome was overwhelmingly positive and  
14 productive, with a wide swath of recreational interests  
15 represented. Future meetings are planned to continue to move  
16 forward and strive for recreational solutions.  
17

18 ASA encourages the council to support this effort and allow this  
19 recreational group to continue to develop outside the council  
20 process and work towards a positive outcome and recommendations.  
21 Thank you for your time.  
22

23 **CHAIRMAN ANSON:** Thank you, Kellie. We have a question from Dr.  
24 Crabtree.  
25

26 **DR. CRABTREE:** I just wanted to lend my support, Kellie, because  
27 we've been trying to find some way to get this conversation  
28 going with mostly private recreational anglers for some time and  
29 I think there is some merit to having it happen a little  
30 independent from the process and so however it can get done, I  
31 encourage you folks to keep talking about how to better manage  
32 these fisheries and keep bringing us your input on that.  
33

34 **MS. RALSTON:** Thank you, Dr. Crabtree. I really appreciate your  
35 support on that.  
36

37 **CHAIRMAN ANSON:** Thank you. Jordan McIntyre, followed by Josh  
38 Stone.  
39

40 **MS. JORDAN MCINTYRE:** Hello. I am Jordan McIntyre and I fish  
41 out of Freeport, Texas with Cowboy Charters. I am newer in the  
42 industry. I support Amendment 40 and I was very thankful to  
43 have those days to fish and make money and also take other  
44 people to fish and have the experience and produce the fish as  
45 well.  
46

47 I don't like 39. I think it's obvious that the charter  
48 businesses -- It kind of hurts us a little bit. I am new in the

1 industry, but I would like to continue to see the council work  
2 on building a better fishery and a better business plan and I  
3 thank you all for you all's efforts so far. Thank you.

4  
5 **CHAIRMAN ANSON:** Thank you, Jordan. Josh Stone, followed by Dan  
6 Green.

7  
8 **MR. JOSH STONE:** I am Josh Stone. I am twenty-one and I captain  
9 a boat out of Surfside, Texas for Cowboy Charters. I also live  
10 out of Matagorda, which I fish recreational when I'm not charter  
11 fishing.

12  
13 I am not in favor of Amendment 39. I want to thank you all for  
14 what you all did with Amendment 40 and I want to go ahead with  
15 41 and 42 and I think we need to do something along the lines of  
16 the VMS or stuff like that and keeping track of what we catch as  
17 we're putting it into the box and we are compliant with all the  
18 federal regulations and I think it's the other guys you all  
19 might need to keep an eye on a little more than us, but thank  
20 you all and I appreciate it. Thanks for letting me speak up  
21 here today. Thank you all.

22  
23 **CHAIRMAN ANSON:** Thank you. Dan Green, followed by Paul Bitner.

24  
25 **MR. DAN GREEN:** How is it going? My name is Dan Green and I  
26 have been in the industry and a permit holder for about nine  
27 years, right here in Galveston, Texas. Recently, I started  
28 dating this girl, about eight months ago. She's got a great  
29 job. She's a registered nurse and when we first started dating,  
30 she thought it was kind of intriguing that I was a fishing  
31 guide. She's a city girl and so it was kind of cool.

32  
33 Well, we're starting to get serious now and you know she's seen  
34 how the business went through the summer and she's like, wait a  
35 minute, I work twelve months out of the year and you've only got  
36 to work two months out of the year? That's not very fair. In  
37 her mind, she's like hoping it will be the other way around and  
38 I'm just sitting here thinking, well, I'm glad I've got you.

39  
40 Basically, I am asking you guys for some help to be able to keep  
41 my girlfriend and stay with Amendment 40 and go through with 41  
42 and 42. We don't want to be a part of 39 and I would be in  
43 support of electronic log booking and that's about it.

44  
45 **CHAIRMAN ANSON:** I was wondering if we had some questions for  
46 you, Dan. Myron.

47  
48 **MR. FISCHER:** Dan, you do realize this is streaming and she's



1 listening to it?

2

3 **MR. GREEN:** No, actually she's asleep right now, because she's  
4 got to work tonight.

5

6 **MR. SWINDELL:** One of the things that I have to ask you is are  
7 you in favor of electronic reporting?

8

9 **MR. GREEN:** Yes, I am. I have done the iSnapper program. I  
10 don't have a VMS on my boat right now, but I would be in support  
11 of that.

12

13 **MR. SWINDELL:** Are you going to do this for your --

14

15 **MR. GREEN:** For multiple reasons.

16

17 **MR. SWINDELL:** Give her the receiver?

18

19 **MR. GREEN:** Yes, she might like that too. Thanks.

20

21 **CHAIRMAN ANSON:** Thank you, Dan. Paul Bitner, followed by  
22 George Huye.

23

24 **MR. PAUL BITNER:** My name is Paul Bitner and I have been a  
25 charter captain here for thirteen years out of Galveston. Since  
26 we lost our season -- It used to be almost seven months long and  
27 we've seen a big decline in business. A lot of people that call  
28 and want to charter my boat are looking to go catch the red  
29 snapper.

30

31 I operate a thirty-eight-foot sportfishing boat and so I have a  
32 lot of extra costs that goes along with it than a lot of these  
33 captains are enduring with their outboards and so it's not cost-  
34 effective for me to do some of the fishing that -- People don't  
35 want to pay the prices to go do things if I can't catch snapper  
36 and so that kind of affects me, in a way.

37

38 I am big on what happened with Amendment 40. I think it was  
39 great and it helped us out this year some. I would like to see  
40 41 and 42 keep and continue on. I am not in favor of 39. I  
41 don't believe the state is going to do a very well job of  
42 managing something that's a federal deal.

43

44 I am pro for the electronic logbooks. I think that would be a  
45 great way to establish data and to be able to increase the  
46 length of our seasons and just keep doing the good job you're  
47 doing.

48

1 **CHAIRMAN ANSON:** Thank you. We have a question for you.

2  
3 **MR. SWINDELL:** I have a question. I have asked this of one  
4 other charter person. Are you getting people from out of state  
5 or just from Texas that come down here to go fishing with you?  
6

7 **MR. BITNER:** This last year, you know we only had a forty-four-  
8 day season and I fished twenty-four or twenty-five of those  
9 days. About 20 percent of the people were from out of state.  
10 Most of them were from the Dallas or San Antonio area and  
11 various parts around Texas, the Austin area.  
12

13 **MR. SWINDELL:** Okay. I appreciate that. Thank you.  
14

15 **CHAIRMAN ANSON:** Thank you. George Huye, followed by Serena  
16 Etie.  
17

18 **MR. GEORGE HUYE:** I am George Huye. I am a bit of an anomaly,  
19 in that I am a recreational fisherman first and foremost, but I  
20 do have a state charter license. I fish inshore and do this as  
21 a sideline and so therefore, I have quite a number of  
22 relationships with the charter-for-hire industry in Grand Isle  
23 and in Louisiana.  
24

25 I would like to commend the charter-for-hire industry for  
26 showing up the way they've shown up today. It's a testament of  
27 their organization and I am opposed to some of the things that  
28 have transpired over the last several years, but I am in favor  
29 of Amendment 39.  
30

31 In Louisiana, we have a terrific Wildlife and Fisheries  
32 Department and we have developed the LA Creel program, which has  
33 contributed to recreational accountability. I am in favor of  
34 recreational accountability and I am not in favor of any type of  
35 tagging or random system that would dole out permissions to  
36 fish, but I do believe the recreational sector has to become as  
37 accountable as we can possibly be.  
38

39 I am in favor of 39 and I am in favor of both the charter-for-  
40 hire and the recreational, pure recreational, sector being  
41 brought together, since the fish come from one allotment and  
42 they should be managed together going forward.  
43

44 I represent quite a number of recreational fishermen in  
45 Louisiana, being state president of CCA. We have about 23,000  
46 members and we have been firmly behind the Amendment 39. I  
47 appreciate you and thank you.  
48

1 **CHAIRMAN ANSON:** George, we have a question for you from Pam.

2  
3 **DR. DANA:** Thank you, George, for coming over from Louisiana.  
4 Are your charter permits state permits or are they federal for-  
5 hire?

6  
7 **MR. HUYE:** I am state permitted and so I fish inshore and when I  
8 fish offshore recreationally, then I am going out as a  
9 recreational fisherman and fortunately in Louisiana, we can do  
10 that. We have some good spots in the Louisiana three-mile limit  
11 and, of course, we have a wonderful offshore fishery as well as  
12 inshore fishery and so I do both.

13  
14 **DR. DANA:** Okay. I was kind of confused as to whether you were  
15 representing those in Louisiana that were federally permitted,  
16 but I got that answer.

17  
18 **MR. HUYE:** Actually, in Louisiana, the charter-for-hire and the  
19 recreational sector are very close in so many ways. We work  
20 together quite a bit. Louisiana is an anomaly in the Gulf of  
21 Mexico. We're just different.

22  
23 **CHAIRMAN ANSON:** Ed.

24  
25 **MR. SWINDELL:** George, it was nice meeting you today. I am also  
26 a recreational fisherman and a CCA member from Louisiana, but I  
27 am also very interested in strong accountability for what's  
28 happening with the fishery and I think one of the things that  
29 I've heard since the two meetings I've been on the council is  
30 the uncertainty about what is really the recreational catch.

31  
32 You know it seems to be bouncing around so much that it becomes  
33 a real problem for the council to try to manage and so I am just  
34 really interested in why you are so against any kind of tagging  
35 or anything else like they do in deer seasons and everything  
36 else and why that wasn't part of --

37  
38 **MR. HUYE:** I am against the possible randomness of such a  
39 program, where I have an investment in a home on Grand Isle and  
40 boats and all the things and a slip in the marina and where if  
41 tags or permits are issued only to a few and not to the entire  
42 sector, then I could possibly be left out.

43  
44 Somebody from Chicago could come down and apply and get a  
45 recreational permit and here I am having a vessel on the coast  
46 and I can't even fish. That's my concern. Now, accountability,  
47 I have been pushing for accountability in the recreational  
48 sector for a long time.

1  
2 I knew that we had to start going out and getting permits  
3 through the state Department of Wildlife and Fisheries so we  
4 could be counted, so we could verify who we are and how many we  
5 are.

6  
7 The more that I am involved with the APs and different programs,  
8 I think there is possibly a way, maybe through iSnapper, that  
9 the recreational could report their catch and we could get a  
10 better grip on actually what's going on out there.

11  
12 Mr. Crabtree, you had mentioned to someone else about the value  
13 of APs and I belong -- I am on the Reef Fish AP. I wish we  
14 could get more recreational on there. We had seventeen  
15 commercial and charter-for-hire and four recreational a few  
16 weeks back when we were in Tampa.

17  
18 I hear there is talk of a recreational AP and that personally I  
19 would be in favor of and so we need to get the recreational more  
20 involved, but their attitude is that it does no good and it's  
21 just that we're a few and we just don't have a proper voice.

22  
23 **MR. SWINDELL:** It's certainly not going to do any good unless  
24 you're involved.

25  
26 **MR. HUYE:** I agree. That's why I'm here.

27  
28 **MR. SWINDELL:** I agree with a recreational AP and I think it  
29 should be done. Thank you.

30  
31 **MR. HUYE:** Thank you all.

32  
33 **CHAIRMAN ANSON:** Thank you, Mr. Huye. Serena Etie, followed by  
34 Matt Etie.

35  
36 **MR. MATT ETIE:** Matt is going to go first.

37  
38 **CHAIRMAN ANSON:** All right. Matt is going to go first.

39  
40 **MR. ETIE:** Hello. My name is Matt Etie and I run a multi-  
41 passenger private charter boat out of Freeport, Texas. Our main  
42 fishing business is red snapper and we really depend on the red  
43 snapper to have a good season and so I am saying no to 39 and  
44 yes to 40 and yes on 41 and 42. I am second generation and I've  
45 been fishing out of Freeport for about thirty years. Any  
46 questions?

47  
48 **CHAIRMAN ANSON:** Apparently not, sir. Thank you. Serena Etie,

1 followed by Sam Ard.  
2

3 **MS. SERENA ETIE:** Hello. I am Serena Etie. Like my husband  
4 said, we do run an offshore charter business. It's a private  
5 multi-passenger and we are one of the largest on the Texas  
6 coast. We can carry up to twenty-four passengers, even though  
7 our permits are allotted for forty-four.  
8

9 We have been in business for several years, like he said, and as  
10 the seasons got shorter and shorter, I kept hearing over and  
11 over again that it was the data collection, the data collection,  
12 the fish count.  
13

14 I started my research and I started calling around in Texas and  
15 asking who is collecting the data and who is doing the research  
16 and where is this coming from, because since we're such a large  
17 charter and we take twenty-four people almost every day during  
18 the summer and so don't they want to know what we're catching,  
19 because we are catching a limit every day of red snapper, at an  
20 average of about eight pounds.  
21

22 I found out it was Texas Parks and Wildlife and so I called them  
23 and asked them why don't you all come to our dock and why don't  
24 you see what we're catching, but they kept telling me no,  
25 because we run off of a private dock and we have our own  
26 property and we keep all of our boats at that property and  
27 because it's private, they won't come onto our property, even  
28 though we're the owners and we gave them permission and said  
29 that they could.  
30

31 Last year, they came out with I guess the iSnapper and so they  
32 said, okay, now you can give us your fish count and how many  
33 people you take and how many fish you caught and I was like,  
34 great. This is great and finally they're going to know exactly  
35 what we're catching and maybe that will help us in the long run.  
36

37 I log on and realize that they didn't even make it to where we  
38 can report up to twenty-four passengers. It was a maximum I  
39 think of eighteen and so I had to call back and say, well, I  
40 can't report my accurate catch because you all's passenger  
41 capacity only goes up to eighteen and we can carry up to twenty-  
42 four.  
43

44 They had to go back and rework their software to allow for  
45 twenty-four passengers to be logged and we did the whole nine  
46 days and it was awesome, nine days. So I called back this year  
47 and said, okay, what are you all doing this year? Are we doing  
48 it again and are you all interested in knowing what we're

1 catching?

2  
3 They said, oh, you know, we're not going to target the for-hire  
4 and we're going to target the private sector instead, the  
5 private angler. To me, I thought, you know, that's strange,  
6 because the private sector got ten days this year and we got  
7 nine last year and the for-hire got forty-four and so wouldn't  
8 it make sense to know what the forty-four days is catching  
9 instead of another little ten-day season?

10  
11 They said, oh, you know, sorry, and I said, well, where is the  
12 data from last year? Is that public information or is there  
13 somewhere I can look that up and find it? He basically told me  
14 that's a really good question.

15  
16 I said, oh, okay, with this Amendment 39 with the regional  
17 management and no, obviously. We are very grateful for 40, to  
18 get our forty-four days. We ran every day of it except for the  
19 four or five days of the Tropical Storm Bill, but we were able  
20 to reschedule and thank God we have great customers and we are  
21 all for 41 and 42 and that's all I have to say and thank you for  
22 your time.

23  
24 **CHAIRMAN ANSON:** We have a question from Robin.

25  
26 **MR. RIECHERS:** Ms. Etie, first of all, I apologize. I am not  
27 certain who you may have talked with on the phone, but we  
28 certainly had our system up and running this year and hopefully  
29 you finally got to the website, either ours or Dr. Stunz's at  
30 Harte, which we were fronting for him, so that all the  
31 recreational anglers, both charter-for-hire and private rec,  
32 would go to that site.

33  
34 Again, I apologize for you getting any misinformation from the  
35 Department. As far as the reporting of the data, we have the  
36 nine-day data and we have reported it here to the council and I  
37 would be happy to sit down with you and your group and show it  
38 to you at any point in time. It's available. It may not be  
39 available on the website right now, but we can certainly get  
40 that information to you.

41  
42 **MS. ETIE:** Okay. Yes, I would be interested to know, even  
43 though it was only nine days. Thank you.

44  
45 **CHAIRMAN ANSON:** Thank you. Sam Ard, followed by Walter Lynch.

46  
47 **MR. SAM ARD:** My name is Sam Ard and I'm a third-generation  
48 fisherman from Orange Beach, Alabama, on a federally-permitted

1 boat. I started fishing for a living a few years ago and one of  
2 the main reasons I fell in love with it is I just love being so  
3 close to the conservation of our Gulf and being able to share it  
4 with people who don't normally have the access to these fish.

5  
6 I truly, truly appreciate everything you all have done to help  
7 us. I support Amendment 40 and I see the need for a good fish  
8 management plan for the charter-for-hire sector.

9  
10 To go along with it, triggerfish are very important to us and we  
11 need you guys to work hard to get us some kind of season for  
12 these fish during the summer or fall. We've been fighting  
13 through them all season just to get to our catchable fish and  
14 it's very frustrating to tell somebody that there aren't enough  
15 of these fish to keep and then to turn around and catch ten  
16 times more of them than something we could actually keep. I  
17 think the data is misrepresented on them there.

18  
19 The charter-for-hire boats in Orange Beach want to stay out of  
20 the regional management and so I support Action 2, Alternative 2  
21 on Amendment 39 and then I would also like to state that all of  
22 the charter boats in the OBFA are having electronic data  
23 reporting systems installed on our boats and we're trying to do  
24 our best with that, but thank you all for your time.

25  
26 **CHAIRMAN ANSON:** Thank you, Sam. Walter Lynch, followed by  
27 Johnny Williams.

28  
29 **MR. WALTER LYNCH:** My name is Walter Lynch, owner of American  
30 Fishing Charters. With you all's help, we all have had a great  
31 season with Amendment 40 and we would definitely love and  
32 appreciate to move forward with 41 and 42 and that's it.

33  
34 **CHAIRMAN ANSON:** Thank you. Johnny Williams, followed by  
35 Jillian Williams.

36  
37 **MR. JOHNNY WILLIAMS:** Good afternoon. I am Johnny Williams from  
38 Williams Partyboats, Incorporated, here in Galveston, Texas,  
39 third-generation partyboat operator.

40  
41 As a lot of my friends know, and some of them are here, there is  
42 two things I really love doing. One of them is being out on the  
43 water and another one, and Doug knows this, is singing karaoke.  
44 As you all probably realize when I come up here and speak, I  
45 don't have anything written down on paper and I sort of shoot  
46 from the hip.

47  
48 Listening to this today kind of reminds me of one of the karaoke

1 songs that I sing. It's by a group called Pink Floyd and the  
2 name of the tune is "Comfortably Numb" and it starts off with  
3 "Hello, is there anybody in there? Nod if you can hear me. Is  
4 there anyone at home?"  
5

6 Sometimes I feel that way about this council, about the snail's  
7 pace that we're working on everything. Almost to a man, people  
8 come up here and ask to be removed from 39 that are in the  
9 partyboat and charter boat industry.

10  
11 We all try to ask the council to go forward with 41 and 42 and  
12 we need to reconvene these panels and let's start coming up with  
13 a plan. I mean we're going along at a snail's pace and we've  
14 got this sunset that's going to take effect in two years and  
15 right now, I am real sad to see the pilot program end. I really  
16 enjoyed the pilot program.

17  
18 There were four boats in Texas the first year in the program and  
19 all of them wanted to be in the second year. As a matter of a  
20 fact, we even added another boat the second year from Texas and  
21 so I mean our customers loved it and we loved it and we could  
22 develop a plan like this for the whole for-hire sector and  
23 that's what I would like to see done.

24  
25 I don't want to tell the recreational people how to operate  
26 their business. That's not my duty. I agree with George that  
27 we should have an AP for recreational fishermen, but they should  
28 deal with recreational fishermen and deal with their needs and  
29 not with the for-hire sector.

30  
31 As far as Pam said about the electronic logbook, we do that. We  
32 report every day and maybe her people aren't as efficient as  
33 mine, but I didn't have to add anyone to the list to accomplish  
34 the needs. Thank you very much for your time. I appreciate it  
35 and God bless you and I hope you have a good day.

36  
37 **CHAIRMAN ANSON:** Thank you, Johnny. We have Jillian Williams,  
38 followed by Mike Jennings.

39  
40 **MS. JILLIAN WILLIAMS:** Good afternoon, everyone. My name is  
41 Jillian Williams and I'm a fourth-generation captain and  
42 partyboat operator here in Galveston, Texas. Welcome to my city  
43 and I hope you guys are having a good time here.

44  
45 You know I am disappointed that our pilot program is coming to  
46 an end and I would really love for us to be able to see to do  
47 something like that in the future, which is one of the reasons I  
48 am against Amendment 39. I would like for us to be able to



1 explore options and do what we need to do for our businesses.  
2

3 If the recreational guys want to be state managed, let them do  
4 it, but I think that we should be able to choose who manages us  
5 and I haven't been doing this nearly as long as a lot of the  
6 people here, but it seems like we are getting more things done  
7 now and I would like to continue getting to work with you guys  
8 and trying to do stuff to benefit our business.  
9

10 The pilot program worked out great for us. My guys loved it. I  
11 appreciate the longer snapper season we got this year. One of  
12 my boats is not in the pilot program and we were snapper fishing  
13 with that boat and though we had forty-four days, unfortunately,  
14 the weather being what it is, it doesn't agree with us all the  
15 time, but it was okay, because the people that couldn't go  
16 fishing those days, we got to put them on the pilot program trip  
17 and they got to go later and so everybody was still happy and so  
18 it worked out great for us and it worked out great for our  
19 customers.  
20

21 I actually had a customer call me this morning and was asking me  
22 if we're going to get to do it again next year, because it was  
23 awesome for him, because he works a lot during the summer and he  
24 can't come down in June and July when everybody else does. He  
25 lives up in north Texas and the spring and fall is when he gets  
26 to go fishing and he said he really hopes that we can get  
27 something like that again and how much he loved it and he told  
28 me to get up here and try to talk you guys into it and so I am  
29 trying.  
30

31 I really appreciate all the work you guys you have been doing  
32 for us and I really hope that we can continue working together  
33 with the federal management. Like I said, if the recreational  
34 guys want state management, I have no problem with them doing  
35 that, but I would like for us to stay with you guys and keep it  
36 rolling. Thank you.  
37

38 **CHAIRMAN ANSON:** Thank you. Mike Jennings, followed by Buddy  
39 Guindon.  
40

41 **MR. MIKE JENNINGS:** I am Captain Mike Jennings and I'm the  
42 President of the Charter Fishermen's Association and I own and  
43 operate two federally-permitted charter boats out of Freeport,  
44 Texas.  
45

46 I appreciate you all letting me speak today and from our  
47 association, I want to thank you all for the passing of  
48 Amendment 40 last fall and the forty-four-day season. It was a

1 great boost to our businesses and our economies and a great  
2 opportunity for the recreational fishermen throughout this  
3 country to take a larger role in the red snapper fishery.

4  
5 As you have heard from our guys coming up here today, Texas  
6 supports -- The Texas charter fleet supports the electronic  
7 logbook and moving forward with some kind of possible electronic  
8 monitoring, if necessary. We would like to be a part of that.  
9 We want to be left out of Amendment 39 and we would like to see  
10 the council move forward with Amendment 41 and 42. I know I  
11 sound like a broken record.

12  
13 There has been some discussion today on 39 though and why would  
14 you support it and why would you not support it and you can go  
15 into -- Depending on a person's own personal interest, you can  
16 go into a myriad of reasons why you would support it or not  
17 support it.

18  
19 From my aspect, each and every person -- This is not personal  
20 and don't take it that way, but each and every person on this  
21 council sitting in front of me right now was appointed by their  
22 governor. That's where it started, with the state. The states  
23 can manage it right now. You have that opportunity. You are  
24 state appointees and sub-allocating it to the states all of a  
25 sudden is supposed to be this grand fix. It's hard to have that  
26 faith and trust, as Corky Perret used to always say.

27  
28 I have a gentleman from the South Atlantic Council sitting here  
29 to my right that I think that if they had the cohesion that we  
30 have in the Gulf right now that they would beat you all to D.C.  
31 and to the Secretary's office with an FMP. I really believe  
32 that, but I think you all can do the same thing and that's what  
33 we would like to see happen.

34  
35 It's something that our industry is looking forward to working  
36 with each and every one of you all sitting on this council to do  
37 and move ourselves into a more accountable system, because  
38 everybody loves that word "accountability" and a system that  
39 works for the fishermen, the fish, and the recreational anglers  
40 that get on our boats and I appreciate your time. Thank you.

41  
42 **CHAIRMAN ANSON:** Mike, we have a question from Robin.

43  
44 **MR. RIECHERS:** Mike, I knew you were last and I was going to see  
45 where we were timewise and we're close enough. One of your  
46 other Freeport members here, and you all mentioned you all have  
47 a pretty small dock and area and I don't know whether you all  
48 are right next to one another or not, but mentioned not being

1 encountered. I know that we did quite a few surveys and have  
2 you gotten hit in the last two years?

3  
4 **MR. JENNINGS:** Yes, sir. They are infrequent and I will tell  
5 you what happens and --

6  
7 **MR. RIECHERS:** Excuse me, but let me go ahead. Two years ago,  
8 just so you remember, we basically tried to put a census on the  
9 dock at the Gulf ramps that we had and this year, because we  
10 went to a forty-five-day season, we obviously couldn't do a  
11 census at twenty-five ramps over that long of a period, but we  
12 increased our sampling by 300 percent at those locations.

13  
14 **MR. JENNINGS:** Right.

15  
16 **MR. RIECHERS:** I understand the periodicity and avenue of  
17 getting there this year, but certainly two years ago you should  
18 have seen us and did you see us?

19  
20 **MR. JENNINGS:** We did and I think a lot of times, Robin, it  
21 comes down to timing. You will see, because of the distance  
22 that we run out of Texas -- I mean I typically, this time of the  
23 year, when I turn to head to Freeport, Texas, at times I am  
24 eighty miles from the jetties. I am eighty miles from that dock  
25 and it's an all you can get thirty-five-knot run back to the  
26 house and you all can crawl back there and go to sleep and we're  
27 going home.

28  
29 A lot of times I'm scrambling to get fuel and by the time I get  
30 to that dock and slowed down, it's six o'clock and they're gone  
31 and I think that's where we're missing some of it, too. The  
32 guys that are getting in earlier, on the days that I would get  
33 in earlier, yes, I would see them there.

34  
35 **MR. RIECHERS:** I will just share with you, and certainly would  
36 be willing to share with any of your group if they have concerns  
37 about that, we also did a diurnal two years ago to look at that,  
38 how many people come in after that period of time and getting  
39 the biggest bang for our buck. I am happy to share that with  
40 you all as well.

41  
42 **MR. JENNINGS:** I think that may be -- When you get an individual  
43 like that that sees them a lot or doesn't see them at all -- On  
44 some of the docks, they're not there. I know of a couple that  
45 you all haven't surveyed at all that have some charter boats on  
46 them. You haven't been on them once. Others, I know that you  
47 all are on pretty often and so it's each individual's own  
48 personal experience and it varies widely. Thank you.

1  
2 **CHAIRMAN ANSON:** David.

3  
4 **MR. WALKER:** Thank you, Mike. I heard some testimony from some  
5 other fishermen speaking about seeing some recreational fishing  
6 taking place in federal waters when federal waters were closed  
7 and could you comment on that a little bit?

8  
9 **MR. JENNINGS:** We all have this idea of what may or may not be  
10 going on. I personally -- I can't speak for anyone else, but am  
11 I personally seeing red snapper caught and placed in fish boxes  
12 or in ice chests in federal waters outside of the federal  
13 recreational season, yes, sir.

14  
15 Out of my port, we have -- It becomes a joke on the dock. It  
16 becomes irritating in the afternoons when you're standing there  
17 trying to explain that to your customers. On our dock, you can  
18 leave and we have some live bottom that's within nine miles of  
19 the beach. It's actually within nine miles of the beach.

20  
21 At certain times of the year, when everything is right and the  
22 water conditions are right, there will be a few keeper fish on,  
23 but most of the time it's twelve-inch fish, but on a really good  
24 day, it's an eighteen to twenty-inch fish and that's it. Those  
25 eighteen to twenty-pound fish don't come out of state waters,  
26 period.

27  
28 Anybody that can show me those fish in state waters, I've got  
29 the boats and I have the equipment and I have cash money to make  
30 a bet. Thank you.

31  
32 **CHAIRMAN ANSON:** Dr. Stunz.

33  
34 **DR. STUNZ:** Mike, I've got a quick question for you. We keep  
35 hearing about you guys are seeing a lot of the illegal activity  
36 when you're in federal waters. Are you guys -- You know Robin's  
37 shop has got a reporting hotline and that kind of thing, but you  
38 guys are reporting them?

39  
40 **MR. JENNINGS:** Yes, sir. We seem to get more traction through  
41 the federal LEO.

42  
43 **MR. RIECHERS:** Mike, I certainly appreciate you sharing that and  
44 obviously we've got several of our enforcement folks here on the  
45 upper coast in the audience and they're hearing it as well.  
46 Hopefully -- They are our liaison for the enforcement purposes  
47 and this is a question that not only occurs in Texas and I would  
48 just remind everyone.

1  
2 **MR. JENNINGS:** No, it absolutely does not.

3  
4 **MR. RIECHERS:** It occurs in other places as well.

5  
6 **MR. JENNINGS:** It's something that I know that those -- Our  
7 state guys, I mean I know our county well and they do a great  
8 job. They do a fantastic job and they are caught in a rock and  
9 hard place on that issue. It's really tough and when you don't  
10 have -- It would take a lot of budget money to run a nine-mile  
11 gauntlet. That's tough. I know and I drive past it every day.  
12 It takes a little fuel to get there and back. Anyway, I  
13 appreciate you all's time and thank you.

14  
15 **CHAIRMAN ANSON:** One more, Mike, from Dr. Dana.

16  
17 **DR. DANA:** Thank you, Mike, for coming up. You had mentioned  
18 that each of us were appointed by our respective governors and  
19 that's so true. In the case -- I mean overwhelmingly the  
20 charter fleet, with the exception of one charter operator out of  
21 Louisiana, has been against 39 with the charter sector in it.

22  
23 Now, given that your governor appointed your folks too, have  
24 you, your fleet's members, been working with the Governor to  
25 articulate your stand on this, so then he, if he agrees, can  
26 articulate that to the Fish and Wildlife management?

27  
28 **MR. JENNINGS:** Dr. Dana, we here in Texas are exercising our  
29 right, yes, to reach out to our Governor's office and let him  
30 and his staff know where we stand as an industry. We also  
31 understand that we are not the only people who partake in the  
32 red snapper fishery, but our work with the Governor's office and  
33 in Austin we have voiced our opinions on that matter quite  
34 frequently. Yes, ma'am.

35  
36 **CHAIRMAN ANSON:** Thank you, Mike.

37  
38 **MR. JENNINGS:** Thank you.

39  
40 **CHAIRMAN ANSON:** Buddy Guindon, followed by Shane Cantrell.

41  
42 **MR. BUDDY GUINDON:** Hi. I'm Buddy Guindon. I happen to have  
43 some special insight into why Amendment 39 is so important that  
44 the CCA is driving this ball down the road. I was involved in a  
45 conference call with Jeff Angers, head of the CCA, and a couple  
46 other members of the fishing community and Bill Ball of the  
47 House Natural Resources.

1 On that conversation, it was presented to Mr. Angers and said,  
2 why don't you just take the private boat owning recreational  
3 fishermen into a management system and he said, well, Bill,  
4 after he contemplated it for a few seconds, he said, well, Bill,  
5 my constituents won't have any way to grow.

6  
7 What he means by that is that the charter boat industry is  
8 limited in their ability to grow. They are restricted to the  
9 amount of people that will ever be charter boat fishermen.

10  
11 The purely recreational fishermen are unlimited in their growth  
12 and so the reason for Amendment 40 was to stop the bleeding from  
13 the charter boat industry into the recreational industry,  
14 because it continues to grow.

15  
16 If we're going to talk truthfully here, we have to understand  
17 that this is just another way for fish to go from the business  
18 side of the red snapper fishery to the purely recreational side  
19 of the fishery, where most of the fish in this country are at  
20 right now.

21  
22 If you're going to make these guys go into a regional management  
23 scenario, you are putting them into a death sentence situation.  
24 Eventually the recreational fishermen will grow to a size where  
25 there is no more charter boat fishery or it's not viable and  
26 it's not able to make a living at and that's all I have to say  
27 about that.

28  
29 Amendment 33, the rest of the reef fish, you heard my son come  
30 up here and say he's killing amberjack and we need to stop the  
31 bleeding. He's killing brood stock of fish, the same amount  
32 that he's killing -- He's retaining them, but he's killing what  
33 he's not retaining and so we need to move these things forward  
34 to make more fish in the Gulf of Mexico for everyone.

35  
36 Amendment 36, we met all the goals of the IFQ system and why are  
37 we going to try to manipulate it, to damage it and to make it  
38 less profitable? I mean where are we headed in this?

39  
40 I would like to see you untable Amendment 33 and I would like  
41 you to have status quo on Amendment 36 and I would like you to  
42 take 39 and take your purely recreational fishermen and show us  
43 the nirvana that you are going to create for them so that we can  
44 want to be in it.

45  
46 Yesterday was no day for politics, as I said, but today is and  
47 so I want you to think with your hearts about what your job is  
48 here and what these people need for their business and do the

1 right thing and thanks for coming last night.  
2

3 **CHAIRMAN ANSON:** Buddy, you have a question from David.  
4

5 **MR. WALKER:** Thank you, Buddy. I have a question. The headboat  
6 collaborative program, to today, has landed 19.2 percent of  
7 their gag and I think the commercial has landed about 44.1  
8 percent of the gag. I was going to ask you your thoughts on  
9 that.  
10

11 **MR. B. GUINDON:** Thanks for that question, David. I think a  
12 blind man could see what's going on there. Your catch per unit  
13 effort is in the toilet. We're deciding what size gag grouper  
14 we want to catch and we're deciding what day we want to start,  
15 but what we really need is more gag grouper to catch so that we  
16 can reach our catch limits and if we're not reaching our catch  
17 limits, we have to answer the question of why? Why aren't we  
18 reaching it?  
19

20 It has to be that -- The charter-for-hire industry is starving  
21 for days to go fishing and professional fishermen know where the  
22 fish live and to only have 19 percent of the fish caught in that  
23 collaborative, answer that question yourself.  
24

25 The fish aren't there for them to catch and that's why they're  
26 not catching them. The commercial fishery is at 44 percent and  
27 professional fishermen. It's the highest value fish in the Gulf  
28 of Mexico is a gag grouper in Florida and why aren't they  
29 catching these fish? Because they're not there.  
30

31 If they were there, professional fishermen in the Gulf of Mexico  
32 would catch them and so think about what you're doing with gag  
33 grouper, because, like vermilion snapper, they're in trouble and  
34 we need to do something about it before the stock assessments  
35 catch up to the reality of what's happening on the water.  
36

37 Catch per unit effort is a really good indicator of what's going  
38 on in the Gulf of Mexico and you're seeing it from two portions  
39 of the professional fishing community. Any other questions?  
40

41 **CHAIRMAN ANSON:** Yes, we have one more from Dr. Stunz.  
42

43 **DR. STUNZ:** Buddy, I've got a question for you. On your earlier  
44 comment, when you were referring to -- I am not quite  
45 understanding where the bottleneck is for the charter captains  
46 and their clients, because you know when we were debating the 40  
47 and just a lot of public testimony, we heard that they could  
48 sell tons of trips and they're affording access to the fishery

1 to people that couldn't own their own boats and that sort of  
2 thing. It seems like there is much more of those individuals  
3 that would go to -- I am not seeing how that would --  
4

5 **MR. B. GUINDON:** There are many more of those individuals, but  
6 they're limited to only going on -- I think there's less than  
7 1,200 permits out there in the entire Gulf of Mexico that these  
8 people are limited to go on and some of those permits are  
9 inactive.

10  
11 When you talk about the private recreational fishery, they can  
12 buy a boat tomorrow. They can buy boats every day this week and  
13 they are new entrants into the fishery, but those people that  
14 access the fishery around the country on a charter boat have a  
15 limited number of charter boats that they can go and then you  
16 limit the days that those charter boats can take them fishing  
17 and you have shrunk their fishery down much, much smaller than  
18 the people you're trying to help that had only nine days.

19  
20 If you were wealthy enough, I guess, to hire a charter boat for  
21 nine days, could you get one that had nine days open during  
22 climate weather? I don't think so. I think that the problem  
23 lies in access and the access for the consuming public is  
24 already restricted to a limited amount of commercial fishermen  
25 and a limited amount of charterboat fishermen and we're allowing  
26 most of the fish in this country to go to a small amount of  
27 people that own their own boats and I don't think that's fair or  
28 equitable and I don't think any of you do.

29  
30 Some of you I know are mandated by your states to make decisions  
31 and some of you should make decisions from your heart, if you  
32 are not mandated by your state as to what is right and wrong in  
33 these decision making processes.

34  
35 **CHAIRMAN ANSON:** Thank you, Buddy. Shane Cantrell, followed by  
36 Chad Wilbanks.

37  
38 **MR. SHANE CANTRELL:** Hello. I am Shane Cantrell, the Executive  
39 Director of the Charter Fishermen's Association. First of all,  
40 I want to thank many of you for coming to our event last night  
41 hosted with the Shareholder's Alliance at the Lighthouse Charity  
42 Building. We really appreciate you all coming out there and  
43 enjoying some hospitality in the State of Texas.

44  
45 It seems to be the hot topic of the day, Amendment 39. I  
46 mentioned it last night that given the inconsistencies in what  
47 is recognized as state water by the state and by the federal  
48 government in many, three, states right now, that only further



1 complicates Amendment 39.

2  
3 Then we add on top of that the ability to do in-season closures  
4 in federal waters or not. Somebody may help me here, on  
5 Amendment 39, if 30B is still in place or not in place in that  
6 amendment. Going forward, if you want to include the charter  
7 boats in it, we see it going away really quickly.

8  
9 This will not end well for the charter boats and we have heard  
10 abundantly now from fleets all over the Gulf that we want to be  
11 left out of this. It's not going to be good for our businesses  
12 and it's not going to be good for the private anglers and it  
13 will not benefit on any side of that situation.

14  
15 For the private anglers, I think the states are very well  
16 equipped to handle those anglers. It only seems reasonable, but  
17 with federal permits and five states that don't always fairly  
18 represent our businesses, especially yesterday watching -- I  
19 mean you've heard from a large number of Texas federally-  
20 permitted charter boats today and almost every one of them, if  
21 not every one of them, has said I want out of Amendment 39 and  
22 Action 2, Alternative 2.

23  
24 Yesterday, I watched Mr. Robin make the motion to put the  
25 charter boats in Amendment 39, which would end Amendment 40,  
26 which is what we worked for for so long. That's very, very  
27 discouraging to our fleet and we've come to the podium a lot of  
28 times to work with him and I understand that he may think that's  
29 the best thing. We don't agree and we would like to be left out  
30 of Amendment 39.

31  
32 **CHAIRMAN ANSON:** Thank you, Shane. Chad Wilbanks, followed by  
33 Robert Reynolds.

34  
35 **MR. CHAD WILBANKS:** Good evening, members. I am Chad Wilbanks  
36 with the Gulf Coast Leadership Conference. I want to thank you  
37 all today and I've got a little bit of good news. I am not here  
38 to talk about Amendment 39 or 33 or 40 or 41 or anything else  
39 thrown out there.

40  
41 I want to give you all an update, for those that were available  
42 for the presentation that Lieutenant Commander Jason Brand gave  
43 about illegal unreported and unregulated fishing in the Gulf of  
44 Mexico waters.

45  
46 With his presentation back in February, we kind of took control  
47 of that and shopped around to various members of Congress and  
48 the end result of that was we ended up with thirty-nine

1 cosponsors, bipartisan, in the House of Representatives and half  
2 of those cosponsors came from the Gulf Coast, including the  
3 Congressman that represents Galveston, Congressman Randy Webber.

4  
5 It then passed unanimously by a voice vote in the House of  
6 Representatives and shortly before the August recess, the Senate  
7 took it up and the Senate Commerce Committee and we have  
8 unanimous support for it, but there is a slight hold on it right  
9 now and we're working with one of our Senators to release that  
10 hold, but I wanted to thank you all for the leadership in  
11 addressing this issue very early on, because it is so important.

12  
13 If we want to talk a little bit about red snapper, back in 2014,  
14 Mexican poachers, in our waters, took nearly 750,000 pounds of  
15 red snapper that we know of. To give you a little comparison to  
16 the State of Louisiana, last year they caught 627,000 pounds of  
17 red snapper and so there's a big discrepancy between the two.

18  
19 By moving forward with a streamlined and stronger enforcement  
20 process for the U.S. Coast Guard and enforcement agencies like  
21 the Texas Parks and Wildlife, where Texas gets hit the hardest  
22 along the Gulf Coast, we can actually increase the red snapper  
23 allocation by having stronger enforcement penalties that treat  
24 these bad actors to the same standards as American fishermen and  
25 not any more and not any less, but the way we have it right now  
26 is we capture them and we turn them over and we house them and  
27 keep them for about three days and give them some warm food and  
28 then we take them back to their country of origin and they  
29 repeat the process.

30  
31 The Illegal Unreported Unregulated Fishing Enforcement Act of  
32 2015 would help give the U.S. Coast Guard and our law  
33 enforcement stronger penalties to serve as a deterrent for those  
34 that come into our waters. Thank you for your time and if you  
35 have any questions, I would be happy to entertain them.

36  
37 **CHAIRMAN ANSON:** Thank you, Chad. Yes, we have a question from  
38 Roy.

39  
40 **MR. WILLIAMS:** What does this bill do that you referenced?

41  
42 **MR. WILBANKS:** What this bill does, it really does -- It does a  
43 whole host of things. It streamlines various treaties that we  
44 have with other countries and allows -- The Coast Guard has to  
45 deal with I think seventeen different treaties as it relates to  
46 illegal fishing in our waters. It will streamline those  
47 treaties.

48

1 The second thing it will do is allow our government to treat the  
2 foreign bad actors under the same penalties that our American  
3 fishermen have under the Magnuson-Stevens Act and so that's what  
4 we're really after at this point, because now, as it stands with  
5 our foreign policy as it relates to fishing in our waters  
6 illegally by foreign actors, it's that there is no deterrent.

7  
8 The other thing the bill would do is for those that come into  
9 our waters, we would have their flag and we would know exactly  
10 what ports they are going to. Right now, we don't know that and  
11 so that bill helps make that happen as well. It's been  
12 tremendous the bipartisan support for both parties on this bill.

13  
14 **CHAIRMAN ANSON:** Mr. Sanchez.

15  
16 **MR. SANCHEZ:** I appreciate that and a few questions. The first  
17 one is I don't know -- It's getting late, but where are you  
18 from? What's the name of your company?

19  
20 **MR. WILBANKS:** It's the Gulf Coast Leadership Conference and we  
21 have offices in Texas and in Florida.

22  
23 **MR. SANCHEZ:** Okay. Great. Welcome. I wanted to ask you -- I  
24 am just curious why you focused in on the estimated landings in  
25 Louisiana and not in Texas, being that we're in Texas, when  
26 comparing them to the panga estimate.

27  
28 **MR. WILBANKS:** Sure. Great question. We had a great meeting  
29 with Senator David Vitter's office and that was the most recent  
30 numbers that I had and so I wrote those up.

31  
32 Senator Vitter and Senator Cassidy have both been tremendous  
33 working with us on this issue. In fact, we just had a meeting  
34 last Friday discussing it and so we're getting there and that  
35 was one of the numbers I threw at them so they would get a  
36 better understanding as it relates to red snapper of what's  
37 being poached, at least in Texas waters and the Gulf of Mexico,  
38 versus what's just being caught legally in their state.

39  
40 **MR. SANCHEZ:** I agree there is a problem with the way they're --  
41 I guess a slap on the wrist, if you will, or what's going on  
42 here, but what's troubling to me, and I brought this up before,  
43 is when you look at the estimates of what a small fleet of  
44 ragtag pangas can do in comparison to an entire state that can  
45 catch fish 365 days a year in state waters and they are catching  
46 several times over what the reported landings are in Texas,  
47 doesn't that make your scratch your head a little bit?

48

1 **MR. WILBANKS:** It's certainly frustrating that they're doing it  
2 illegally, of course. When we look at this year, there's been  
3 250 incursions off the Texas coast and only thirty-nine  
4 apprehensions. I mean there's too much territory to cover.

5  
6 The Coast Guard and Parks and Wildlife have seized longlines and  
7 gillnets that stretch the entire Texas coast and we're only  
8 forty-two weeks into the year. That's a significant problem,  
9 absolutely.

10  
11 **MR. SANCHEZ:** Thank you.

12  
13 **CHAIRMAN ANSON:** All right. Thank you, Chad, for coming.

14  
15 **MR. WILBANKS:** Council members, thank you. I appreciate it.

16  
17 **CHAIRMAN ANSON:** I have in my hand, as you can all see, the last  
18 card for the first go-through and the yellow highlighted  
19 individuals will be asked next, but, Mr. Reynolds, if you're  
20 ready, come on up and then, Garrett King, if you're out in the  
21 audience, you're on deck.

22  
23 **MR. ROBERT REYNOLDS:** Robert Reynolds. I've got a federally-  
24 permitted charter boat in Galveston. I'm not a good public  
25 speaker. I am not going to use the word "amendments", because I  
26 don't know the numbers all that good, but I am going to go to  
27 this.

28  
29 The state-regulated stuff, I'm a fisherman and so my -- Not  
30 when, but if the state could manage red snappers -- One of the  
31 tackle guys said the state does good with redfish and trout and  
32 flounders and we're not talking about those.

33  
34 If, not when, because it's possible, but not probable, that the  
35 state can manage red snappers in the Gulf of Mexico -- The  
36 federal government has a hard enough time doing it. We do the  
37 best we can and don't screw it up for us.

38  
39 The other thing is VMS and I have been doing this for a long  
40 time and nobody has ever counted my fish. Count them. I want  
41 my fish counted. That's it.

42  
43 **CHAIRMAN ANSON:** Thank you, sir. Next we have Garrett King. Is  
44 Garrett King here? Jason Rittenhouse? Dave Woodworth? Cody  
45 Carmody? Shawn Warren? Kevin Burel? Is there anyone in the  
46 audience who wishes to speak who has not spoken yet?

47  
48 Before we conclude today's public testimony, I would like to

1 also forward my appreciation to the Charter Fishermen's  
2 Association and to the Gulf of Mexico Reef Fish Shareholder's  
3 Alliance for the dinner last night and the hospitality. The  
4 food was very good and the organization was very good and it was  
5 interesting to learn about what they do, not only here in Texas,  
6 but in the rest of the country. Again, we appreciate it. On  
7 that note, we will conclude until tomorrow morning. Thank you.

8  
9 (Whereupon, the meeting recessed at 5:00 p.m., October 7, 2015.)

10  
11 - - -

12  
13 October 8, 2015

14  
15 THURSDAY MORNING SESSION

16  
17 - - -

18  
19 The Full Council of the Gulf of Mexico Fishery Management  
20 Council reconvened at the Hilton Galveston Island Resort,  
21 Galveston, Texas, Thursday morning, October 8, 2015, and was  
22 called to order at 8:30 a.m. by Chairman Kevin Anson.

23  
24 **CHAIRMAN ANSON:** We are going to start off under our schedule  
25 for full council. As you will recall, we covered yesterday the  
26 committee reports for Sustainable Fisheries/Ecosystem,  
27 Administrative Policy and Budget/Personnel Committees, and SEDAR  
28 yesterday and so we have a request from a council member that  
29 has to leave a little early, but they would like to be a part of  
30 the Reef Fish Committee Report and so we will continue on with  
31 Mackerel as scheduled, but after Mackerel we are going to do  
32 Reef Fish and then after Reef Fish we will continue with Data  
33 Collection and Shrimp Committee Reports. Dr. Dana, are you  
34 ready?

35  
36 **MACKEREL MANAGEMENT COMMITTEE REPORT**

37  
38 **DR. DANA:** Thank you, Chairman Anson. The Mackerel Committee  
39 met on October 5 and we started off with Amendment 26. Staff  
40 reviewed Coastal Migratory Pelagic Amendment 26, Tab C, Number  
41 4, 4(a), 4(b), which addresses Gulf and South Atlantic migratory  
42 groups of king mackerel.

43  
44 Action 1, staff reviewed proposed changes to the stock boundary  
45 between the Gulf and Atlantic migratory groups of king mackerel.  
46 The SEDAR-38 stock assessment defined a much smaller winter  
47 mixing zone than that which is currently described. The new  
48 mixing zone occurs south of the Florida Keys from November 1

1 through March 31, with the difference in the alternatives being  
2 which council would be responsible for managing that area year  
3 round.

4  
5 **The committee recommends, and I so move, in Action 1, Adjust the**  
6 **Management Boundary for Gulf of Mexico and Atlantic Migratory**  
7 **Groups of King Mackerel, to make Alternative 3 the preferred**  
8 **alternative. Alternative 3 is to establish a single year-round**  
9 **boundary for separating the Gulf and Atlantic migratory groups**  
10 **of king mackerel at the Miami-Dade/Monroe county line. The Gulf**  
11 **Council would be responsible for management measures in the**  
12 **mixing zone.**

13  
14 **CHAIRMAN ANSON:** We have a committee motion and it's on the  
15 board. Is there any discussion on the motion? **Is there any**  
16 **opposition to the motion? Seeing none, the motion carries.**

17  
18 **DR. DANA:** Actions 2 and 3, Actions 2 and 3 are primarily South  
19 Atlantic-centric actions, focusing on defining harvest levels  
20 and provisions for selling bycatch for Atlantic king mackerel,  
21 respectively. The committee reviewed these actions and decided  
22 to wait to recommend preferred alternatives to the council until  
23 after the amendment goes out to the Coastal Migratory Advisory  
24 Panel.

25  
26 Actions 4 and 5 are also primarily South Atlantic-centric  
27 actions and were created from what was previously a three-part  
28 Action 4. The South Atlantic Council decided to divide the old  
29 Action 4 into what is now Actions 4 and 5, in order to better  
30 address the desired management issues therein. Analyses in the  
31 amendment were conducted using the new actions.

32  
33 **The committee recommends, and I so move, in Actions 4 and 5 of**  
34 **CMP 26 to accept the South Atlantic Council's modified language.**

35  
36 **CHAIRMAN ANSON:** We have a committee motion and it's on the  
37 board. Is there any discussion on the motion? **Is there any**  
38 **opposition to the motion? Seeing none, the motion carries.**

39  
40 **DR. DANA:** Action 4 addresses the commercial season in the  
41 Atlantic Southern Zone, proposing a two-season fishing year with  
42 the ACL apportioned between the two seasons. Action 5 has two  
43 parts. Action 5.1 proposes the creation of a Florida East Coast  
44 management zone within the Atlantic Southern Zone and Action 5.2  
45 proposes trip limits for the proposed Florida East Coast  
46 Management Zone.

47  
48 The South Atlantic Council representative identified an error in

1 the language in Alternatives 3 and 4 of Action 4, indicating  
2 that the end of season one in those alternatives should be  
3 October 31st, not October 1st.

4  
5 **The committee recommends, and I so move, to amend Alternatives 3**  
6 **and 4 in Action 4 of Coastal Migratory Pelagic Amendment 26 such**  
7 **that the end of season one is October 31 instead of October 1.**

8  
9 **CHAIRMAN ANSON:** It's a committee motion and it's on the board.  
10 Is there any discussion on the motion? **Seeing none, the motion**  
11 **carries.**

12  
13 **DR. DANA:** Action 6, the Gulf Council is considering revising  
14 the ACL for Gulf king mackerel, based on the results of the  
15 assessment. The assessment recommends an ABC which is lower  
16 than the current ABC. However, this new ABC does not include  
17 the current Florida East Coast subzone, which is actually part  
18 of the Atlantic migratory group.

19  
20 Also, with the exclusion of the Florida East Coast subzone comes  
21 the exclusion of a considerable amount of fishing effort. Staff  
22 have previously described this scenario as follows. The current  
23 relationship between effort and the ABC is similar to eight  
24 people sharing a pie with eight slices. Under the new  
25 recommended ABC from the stock assessment, the relationship  
26 changes, such that it is more similar to five people sharing a  
27 pie with six slices. Each person will get more pie under the  
28 new ABC, since so much effort has shifted from the Gulf to the  
29 Atlantic.

30  
31 Alternative 2 in Action 6 would set the ACL equal to the ABC.  
32 Committee members were concerned that this alternative had a  
33 declining ACL.

34  
35 Staff clarified that a surplus of fish existed in the population  
36 as a result of historical under harvesting and that this  
37 alternative allowed the harvest of that surplus. Additionally,  
38 a constant catch scenario cannot be determined without a known  
39 allocation, which the council is considering changing in Action  
40 8 of this amendment.

41  
42 Committee members thought that it would be more appropriate,  
43 either way, to give fishermen the opportunity to harvest as much  
44 king mackerel as allowed by the stock assessment.

45  
46 **The committee recommends, and I so move, in Action 6, Modify the**  
47 **ACL for Gulf Migratory Group King Mackerel, to make Alternative**  
48 **2 the Preferred Alternative. Alternative 2 is set the Gulf**

1 migratory group king mackerel ACL equal to the ABC recommended  
2 by the Gulf Scientific and Statistical Committee for 2015  
3 through 2019. ABC values are in millions of pounds, whole  
4 weight.

5  
6 **CHAIRMAN ANSON:** Thank you. We have a committee motion and the  
7 motion is on the board. Is there any discussion on the motion?  
8 **Seeing none, the motion carries.**

9  
10 **DR. DANA:** Action 7, staff described commercial zone  
11 reallocation options, which the council is considering, since  
12 the FLEC is no longer part of the Gulf migratory group. This  
13 results in the sum of the remaining commercial zone allocations  
14 not equaling 100 percent and thus requires reallocation between  
15 the remaining commercial zones.

16  
17 Alternative 2 would reallocate the 31.91 percent of unallocated  
18 quota equally among the remaining zones, while Alternative 3  
19 would do the same, based on the proportion of the remaining  
20 allocation held by each zone.

21  
22 Alternative 4 was proposed by the Gulf Coastal Migratory AP,  
23 with the intent of providing additional allocation to each zone,  
24 but especially to the Gulf Northern Zone. This action was  
25 created to ease the concerns of traveling fishermen from the  
26 east coast of Florida coming to the Western and Northern zones  
27 to fish king mackerel. Staff will prepare a demonstration of  
28 the effects of the alternatives for full council.

29  
30 Aside from this report, I do believe Ryan had prepared something  
31 that he promised he would during the committee meeting. Ryan,  
32 is there --

33  
34 **MR. RINDONE:** Give me just a second.

35  
36 **DR. DANA:** It's the graph that he said he was going to provide  
37 everyone.

38  
39 **MR. RINDONE:** It's flying across the internet right now. I  
40 didn't send it around to everybody, because I wanted control  
41 over manipulating the numbers so that everybody could understand  
42 it the way that I wanted to convey it to you, because that's --  
43 Not to make assumptions, but -- I am going to go over towards  
44 Charlotte and Bernie and talk you guys through this for a  
45 second.

46  
47 Alternative 1 represents the commercial zone allocations that we  
48 currently have and, of course, that Florida east coast zone is



1 going away, because it's no longer considered part of the Gulf  
2 migratory group, which means that these allocations right here  
3 come out to about 68 percent and so we need to do something with  
4 the missing 31.91 percent, so that our allocations come out to  
5 100.

6  
7 That's what Alternatives 2 through 4 are looking to do and so  
8 what I've done over here, and I will scoot this over so that  
9 it's a little bit bigger, is Alternative 1 here shows our  
10 current allocations, based on our current commercial ACL, which  
11 is 3.456 million pounds.

12  
13 Now, this allocation is obviously being revised based on Action  
14 6 and Action 6, for the 2015/2016 fishing year, would have a  
15 total ACL of 9.62 million pounds and, assuming that the  
16 commercial/recreational allocations stay exactly as they are,  
17 which is 68 percent recreational and 32 percent commercial, that  
18 would result in a commercial ACL of 3.07 and change million  
19 pounds.

20  
21 When we're looking at calculating Alternatives 2 through 4, I am  
22 using this number right here, this 3.078 million pounds.  
23 Alternative 1 uses the old stuff and so even though this 3.078  
24 is less than the current commercial ACL, because there are fewer  
25 people eating pie, everybody gets more per person, if you will.

26  
27 What you see here are the poundages that would be allocated to  
28 each zone, the western zone, the northern zone, the southern  
29 hand line, and the southern gillnet, under each of the  
30 alternatives, just to give you a better idea of how that's  
31 breaking out in pounds instead of just percentages. Has anybody  
32 been lost?

33  
34 **MR. SWINDELL:** What percentages are now in place?

35  
36 **MR. RINDONE:** Our current percentages are shown here in  
37 Alternative 1. The proposed Alternatives 2 through 4 and their  
38 associated percentages are here and so Alternative 2 represents  
39 dividing this 31.91 percent by four and so essentially each of  
40 the four components would get a little under 8 percent  
41 additional from what's considered the commercial ACL.

42  
43 Alternative 3 breaks this amount up proportionally and so for  
44 the western zone, it would be the equivalent of taking 31  
45 divided by approximately 68, since these four components sum to  
46 about 68 percent, and I actually need to add that in the  
47 beginning. So you get about 45.5 percent and so that's the  
48 western zone's proportion of the remaining allocation.

1  
2 Then Alternative 4 represents the AP's recommended allocations  
3 and we covered that -- I think Pam mentioned that rationale a  
4 little bit in the discussion.

5  
6 **CHAIRMAN ANSON:** Robin.

7  
8 **MR. RIECHERS:** Why is Alternative 2, just out of curiosity,  
9 3,078,092, as opposed to 3,078,400 and we're doing two-digit  
10 decimals and I would have thought it would have been closer. I  
11 can understand a rounding error, but --

12  
13 **MR. RINDONE:** This is just 32 percent of --

14  
15 **MR. RIECHERS:** The sum of Alternative 2 should be, based on what  
16 you just described, I think the same sum as Alternative 3 and  
17 Alternative 4, but it's not.

18  
19 **MR. RINDONE:** Yes, I don't know.

20  
21 **CHAIRMAN ANSON:** We just need to probably change the format of  
22 the cell to a whole number. It's still off relative to the  
23 others, the I and J columns. That's what I think Robin is --

24  
25 **MR. RINDONE:** It's probably just a significant number issue with  
26 the percentages over here being rounded to two decimal places.

27  
28 **MR. RIECHERS:** I am looking at the opposite. If you rounded to  
29 two decimal places, we shouldn't be off quite that much. I mean  
30 am not arguing -- Something is wrong in the table somehow there  
31 or in the sum or something, but --

32  
33 **CHAIRMAN ANSON:** That would be 0.1 percent, I think of the  
34 total, that it's off by.

35  
36 **MR. RINDONE:** We can certainly look at that and this is more  
37 just for demonstration purposes than anything and so --

38  
39 **CHAIRMAN ANSON:** Any other questions for Ryan and his  
40 graph/table? David.

41  
42 **MR. WALKER:** Ryan, this discussion that the AP had on  
43 Alternative 4, was that a lot of discussion?

44  
45 **MR. RINDONE:** There was a fair amount of discussion and the AP  
46 had thought that -- They obviously wanted everybody to get some  
47 sort of bump and they thought that by combining an increase in  
48 the commercial zone ACL with the October 1 opening that it would

1 give the northern zone more opportunity to fish and so far this  
2 year, it seems -- I mean even though October is very, very  
3 young, it seems that the fish are showing up at the right time  
4 and, from early things that we're hearing, the fishermen that  
5 haven't been able to fish in the past are actually getting --  
6 They're being able to go out and use their permits.

7  
8 So the AP, banking on that, had thought that with an additional  
9 increase in ACL that that opportunity could be grown even more  
10 for the people that are in that area that haven't been able to  
11 use their permits, some claiming they haven't used them in more  
12 than a decade. They have just been renewing them and hoping  
13 that at some point they would be able to.

14  
15 **CHAIRMAN ANSON:** I have Mara and then John Sanchez.

16  
17 **MS. LEVY:** In terms of the timing of when the AP looked at this  
18 and when staff came up with the alternatives, was the AP looking  
19 at Alternative 2 and 3 and then being like, oh, we think there  
20 should be an Alternative 4 or did they come up with the numbers  
21 in Alternative 4 and then staff went back and did Alternative 2  
22 and 3? I am asking because 2 and 4 are pretty close and I am  
23 wondering what the AP was looking at when they were coming up  
24 with their recommendation.

25  
26 **MR. RINDONE:** Alternative 2 and 3 came first and Alternative 4  
27 came fourth. The AP saw Alternatives 2 and 3 and then created  
28 Alternative 4 after that.

29  
30 **CHAIRMAN ANSON:** John.

31  
32 **MR. SANCHEZ:** Thank you. In coming back to the AP, I know we  
33 recently added some of the historical participants in this  
34 fishery with respect to the Keys. They were not present and  
35 they were not on the AP at the time and I think with the  
36 exception of Tom Marvel from our neck of the woods, which is  
37 more Naples, we really had no southern representation in that  
38 historical participation, that component of the fishery, and so  
39 you get things like an Alternative 4. Probably 2 or 3 would be  
40 more, in my opinion, a fair way to do something that reflects  
41 historical participation.

42  
43 Some additional people will be on your AP and I bet your  
44 comments would change today if we were to convene them and have  
45 them take a look at this and Tom really -- He called me up on  
46 this and he said Alternative 4 is just a drastic departure from  
47 history and I was one man standing and so I couldn't do a whole  
48 lot in terms of the AP recommendation.

1  
2 **CHAIRMAN ANSON:** Dr. Dana.

3  
4 **DR. DANA:** Thank you, Chairman Anson. I was at the AP meeting  
5 and they did look at all the alternatives, Mara, but they are  
6 meeting again in November and so there is an opportunity to have  
7 them readdress this, particularly Alternative 4, because I know  
8 there is some consternation surrounding that and how they came  
9 with those particular -- You know what's the rationale behind  
10 those particular percentages. I don't feel that we necessarily  
11 have to choose a preferred at this point and maybe let them take  
12 a stab at it again.

13  
14 **CHAIRMAN ANSON:** Myron.

15  
16 **MR. FISCHER:** Thank you, Mr. Chair, and I imagine between Roy  
17 and John is some of the entire history of our mackerel  
18 management on this council. We went through pains to come up  
19 with the percentages in Alternative 1.

20  
21 Unless we are trying to reallocate fish to a different part of  
22 the Gulf, wouldn't the prudent method be to -- Not equally  
23 divide, but divide based on those percentages that 31.9, which  
24 is what I'm asking. Isn't that Alternative 3, where it takes  
25 the 31.9 percent that we're doing away with and divides it  
26 according to the percentages in Alternative 1 and the yield is  
27 what we see in Alternative 3? That way, we are not shuffling  
28 fish around the Gulf.

29  
30 **CHAIRMAN ANSON:** Dr. Dana or Ryan, can you confirm that that's  
31 the case, that Alternative 3 is based on the percentages, the  
32 previous percentages, or --

33  
34 **MR. RINDONE:** Alternative 3 is based on the percentages that  
35 were originally determined for the commercial zone allocations  
36 and so if you were using the council's previous decisions for  
37 how to allocate amongst the zones as your justification for how  
38 to allocate in the future, then Alternative 3 would be the  
39 option for that.

40  
41 **MR. FISCHER:** One quick follow-up. So unless the intent is to  
42 redistribute the fish around the Gulf, then I would feel, at  
43 this future meeting when we do choose a preferred, to think  
44 about what Alternative 3 is doing. It's just dividing according  
45 to the same percentages the existing fish and now into four  
46 groups rather than five groups.

47  
48 **CHAIRMAN ANSON:** John.

1  
2 **MR. SANCHEZ:** Can we not choose a preferred?

3  
4 **CHAIRMAN ANSON:** You can. I mean it's a little early, I guess,  
5 in the process, but it's up to --

6  
7 **MR. SANCHEZ:** Okay.

8  
9 **DR. DANA:** Okay. Action 8, staff described an issue with the  
10 original verbiage in Action 8, which was not explicit on from  
11 where the allocation to be transferred to the commercial sector  
12 would originate, with respect to the council's intent. The IPT  
13 provided corrected language to reflect the council's intent.

14  
15 **The committee recommends, and I so move, to accept the IPT's**  
16 **recommendations to give staff editorial license to update Action**  
17 **8, Revise the Recreational and Commercial Allocations for the**  
18 **Gulf Migratory Group King Mackerel, to reflect the council's**  
19 **intent.**

20  
21 **CHAIRMAN ANSON:** We have a committee motion and the motion is on  
22 the screen. Is there any discussion on the motion? Dale.

23  
24 **MR. DIAZ:** Thank you, Mr. Chair. I might be just a shade of  
25 where I should have discussed this, but I did speak during the  
26 Mackerel Committee for just a minute. As I go through the  
27 document and I look at it, I tend to think that there maybe  
28 should be one more alternative added. I sent a -- Do we need to  
29 vote this up or down before I make a motion or --

30  
31 **CHAIRMAN ANSON:** Well, depending upon what you want to do. It  
32 might be a substitute motion if it ties into what is --

33  
34 **MR. DIAZ:** The motion is going to slightly change what's  
35 currently in Action 8 now, slightly. Procedurally, I am just  
36 trying to figure out what --

37  
38 **CHAIRMAN ANSON:** Is it complementary to this motion or is it  
39 something totally different than what's in this motion?

40  
41 **MR. DIAZ:** Complementary.

42  
43 **CHAIRMAN ANSON:** It's probably a substitute motion, unless it  
44 doesn't add -- It doesn't add what's already up there and so --

45  
46 **MR. DIAZ:** Bernie, can you put the motion up there and then you  
47 all can advise me on when the proper time is. Sorry for the  
48 confusion.

1  
2 **CHAIRMAN ANSON:** Ryan.

3  
4 **MR. RINDONE:** If it's what I think Mr. Diaz wants to make a  
5 motion on, the motion that was on the board updates the language  
6 to reflect the council's intent to transfer our percentage of  
7 the stock ACL to the commercial sector, as opposed to a  
8 percentage of the recreational. Again, if your motion is what I  
9 am thinking it probably is, based on the discussions during  
10 committee, then doing this motion first just makes the language  
11 that's in the document appropriate, based on what the council's  
12 intent was, and then Mr. Diaz's motion would be added to that  
13 and it wouldn't take away from what he is trying to do.

14  
15 **MR. DIAZ:** I just want to add another alternative is what I am  
16 trying to do.

17  
18 **CHAIRMAN ANSON:** So let's go ahead and vote this committee  
19 motion up or down. The motion is to accept the IPT's  
20 recommendations to give staff editorial license to update Action  
21 8, Revise the Recreational and Commercial Allocations for the  
22 Gulf Migratory Group King Mackerel, to reflect the council's  
23 intent. **Is there any opposition to this motion? Seeing none,**  
24 **the motion carries.** Mr. Diaz, does staff have the motion ready,  
25 your motion?

26  
27 **MS. BERNADINE ROY:** Mr. Diaz, we are not seeing the motion in  
28 the inbox.

29  
30 **MR. DIAZ:** Sorry about that. If you don't mind, it's very  
31 short. **My motion would be in Action 8, Alternative 4, to add an**  
32 **option to transfer 15 percent of the recreational allocation to**  
33 **the commercial sector.**

34  
35 **CHAIRMAN ANSON:** Is that your motion, Dale?

36  
37 **MR. DIAZ:** Let's see. In Action 8, Alternative 4, to add an  
38 option to transfer 15 percent of the recreational allocation to  
39 the commercial sector. That is my motion.

40  
41 **CHAIRMAN ANSON:** Is there a second to the motion?

42  
43 **MR. SANCHEZ:** Second.

44  
45 **CHAIRMAN ANSON:** It's been seconded by Mr. Sanchez. Ryan.

46  
47 **MR. RINDONE:** Thank you, Mr. Chairman. Mr. Diaz, in keeping  
48 with the previous motion, where we changed the language to

1 reflect the council's intent, which was to transfer allocation  
2 from the stock ACL to the commercial sector, as opposed to some  
3 percentage of the recreational allocation -- The way that the  
4 motion is currently listed, it would take 15 percent of the  
5 recreational sector's 68 percent and transfer it to the  
6 commercial sector, as opposed to 15 percent being added to the  
7 commercial sector.

8  
9 The way that the other options are currently defined, based on  
10 the motion that just passed before yours, 15 percent, in keeping  
11 with that, would raise the commercial sector from 32 percent to  
12 47 percent, whereas 68 percent of the commercial sector is only  
13 10.2 percent. Does that make sense, what I'm saying?

14  
15 Basically, what I am suggesting is that, in order to keep it in  
16 line with the language change that was just made, you might  
17 consider changing where it says "of the recreational allocation"  
18 to "of the stock ACL", because that's what the rest of the  
19 options will say.

20  
21 **MR. DIAZ:** I would agree with that. If that's what the rest of  
22 the alternatives in Alternative 4 are going to say, I would  
23 agree with keeping with the same language. Thank you, Ryan.

24  
25 **CHAIRMAN ANSON:** The seconder agrees? Yes, he is nodding his  
26 head. All right. Is there any discussion on the motion? **Is**  
27 **there any opposition to the motion? Seeing none, the motion**  
28 **carries.** Dr. Dana.

29  
30 **DR. DANA:** I think that the next part is germane to this past  
31 motion. Committee members asked whether reallocating 15 percent  
32 of the stock ACL to the commercial sector had been considered.  
33 Staff replied that since 15 percent falls within the options  
34 currently being considered, the analyses presented would account  
35 for a 15 percent allocation transfer.

36  
37 Another committee member asked whether the commercial sector had  
38 been penalized for exceeding their allocation in the past.  
39 Staff responded that the commercial sector is closed by NMFS  
40 when their allocation is met or expected to be met and that  
41 sometimes that closure did not close the commercial fishery in  
42 time to prevent small overages. However, because the stock ACL  
43 had not been exceeded, accountability measures beyond a season  
44 closure had not been implemented.

45  
46 Action 9, staff briefly described the methods used to determine  
47 the effects of raising the recreational bag limit for Gulf king  
48 mackerel. Staff noted that even if everyone currently keeping

1 two king mackerel per person kept up to four and 20 percent of  
2 the stock ACL was added to the existing commercial ACL, it would  
3 be unlikely that the stock ACL would be exceeded.

4  
5 **The committee recommends, and I so move, in Action 9, Modify the**  
6 **Recreational Bag Limit for Gulf Migratory Group King Mackerel,**  
7 **to select Alternative 2 as the preferred alternative.**  
8 **Alternative 2 is increase the bag limit to three fish per person**  
9 **per day.**

10  
11 **CHAIRMAN ANSON:** We have a committee motion. The motion is on  
12 the board. Is there any discussion on the motion? David.

13  
14 **MR. WALKER:** I would like to see them raise the bag limit. I  
15 mean it seems to me that it might could address some of that 15  
16 percent they wanted to reallocate away or give away. I don't  
17 think the commercial industry has asked for any allocation on  
18 that. They wanted to just stay with the recreational fishery  
19 and maybe raising the bag limit to address some of that might be  
20 even better.

21  
22 **CHAIRMAN ANSON:** Doug Boyd.

23  
24 **MR. BOYD:** We are talking about a reallocation of recreational  
25 fish here and one of the things I don't think we've done is  
26 explore all of the management alternatives we have to allow the  
27 recreational fishermen to catch more of these fish.

28  
29 We haven't adjusted bag limits and we haven't looked at seasons  
30 and so I would think that -- I mean it's mentioned here that  
31 they could keep up to four fish and why don't we let the  
32 recreational fishermen have four fish if it's not hurting  
33 anything?

34  
35 **CHAIRMAN ANSON:** Dale.

36  
37 **MR. DIAZ:** I am just going to weigh in with some of the public  
38 comments that I've got. I've tried to seek out some fishermen  
39 and ask them what their thoughts were on this and I have talked  
40 to around a dozen fishermen on this.

41  
42 Of that, two of them have told me that they would like to see  
43 the bag limit raised to three. Their rationale -- One of them,  
44 the rationale was if we're thinking about an allocation shift,  
45 why don't we go ahead and put this in place and let them catch  
46 whatever they can and so I guess that kind of goes along with  
47 what Mr. Boyd is saying.

48



1 Most of the rest of them were not excited about going above a  
2 two-fish bag limit and so I haven't got a lot of input from  
3 recreational fishermen that they're -- My experience is the  
4 majority of them think that two is plenty and they are not real  
5 aggressively wanting to go to a higher bag limit.

6  
7 As far as season goes, I think we're open year-round now and I  
8 don't think we can give them any more of a season than what we  
9 have now. Thank you, Mr. Chair.

10  
11 **CHAIRMAN ANSON:** Thank you. Any other comments on the motion?  
12 David.

13  
14 **MR. WALKER:** I was just going to say it's more of an abundant  
15 fish and it does offer more opportunity for fishing, raising the  
16 bag limit.

17  
18 **CHAIRMAN ANSON:** Myron.

19  
20 **MR. FISCHER:** Somewhere someone fishes king mackerel. It may  
21 not be as controversial as red snapper, but for that charter  
22 boat or that private boat fishing out of that marina, whether  
23 it's in south Florida or south Texas or the northern Gulf, to  
24 them this is an important species and if it's a charter boat  
25 trying to make a day, because he doesn't have much and all he  
26 sees is the ice in the bottom of the box when they open it up --  
27 To him, four mackerel might be very important.

28  
29 **CHAIRMAN ANSON:** Doug.

30  
31 **MR. BOYD:** I would like to hear from our charter-for-hire  
32 representatives here on the council about whether four fish  
33 would help rather than two in their businesses.

34  
35 **CHAIRMAN ANSON:** Johnny.

36  
37 **MR. GREENE:** Certainly every little bit helps. To be completely  
38 honest, I don't see where me selling three king mackerel or four  
39 would make a lot of difference, to be honest with you. You know  
40 Myron certainly makes some good points. I don't have any issues  
41 with three whatsoever. I really don't have a preference of  
42 three or four. I don't think it would personally help me, but,  
43 as to Mr. Fischer's point, there may be somewhere else and  
44 perhaps Dr. Dana, down in her area, it may be more of an issue  
45 there than it is personally where I'm at.

46  
47 **DR. DANA:** I think the main advantage -- I mean they're going to  
48 catch them anyway, but the main advantage is when they come back

1 to port and being able to have it displayed and at least have  
2 fish on the board for pictures and memories and such.

3  
4 I have no problem with increasing the bag limit for all the  
5 recreational fishermen to have the opportunity to catch -- If  
6 you had a motion to also have another alternative, I mean for a  
7 higher number, I think folks would entertain it.

8  
9 **CHAIRMAN ANSON:** Mr. Swindell.

10  
11 **MR. SWINDELL:** My little bit of experience in fishing in the  
12 Gulf of Mexico off of Louisiana is that tournaments -- This  
13 could be a real big plus for king mackerel tournaments that are  
14 held down in Venice, Louisiana, to have some increase in the bag  
15 limit. Whether it's three or four, I don't know how that would  
16 play into the whole scheme of things, but my general opinion of  
17 fishing off of Louisiana -- You catch king mackerel and it's  
18 more fun than really wanting to keep the fish.

19  
20 You know people in Louisiana don't seem to like the oily fish as  
21 much and so I don't know if it's a big issue or not. I don't  
22 have a good opinion to pass around.

23  
24 **CHAIRMAN ANSON:** John Sanchez.

25  
26 **MR. SANCHEZ:** I completely -- Whatever the recreational sector  
27 wants to do in terms of an increase, I will support. I mean you  
28 can always go four fish and everybody has their own decision  
29 whether they put them in the box or not.

30  
31 **CHAIRMAN ANSON:** I had Johnny Greene, followed by Myron.

32  
33 **MR. GREENE:** I can't remember right off the top of my head, but  
34 I believe this is one of those fish that has an exclusion to  
35 where the captain and crew can't keep a bag limit and is that  
36 correct?

37  
38 **MR. FISCHER:** I think they can now, but there were years in the  
39 past where the captain and crew could not catch mackerel. We  
40 would have to ask Roy, but I think today they can.

41  
42 **CHAIRMAN ANSON:** Ryan gave me the "okay" signal that they can  
43 keep their bag limit for captain and crew. Myron.

44  
45 **MR. FISCHER:** Mr. Chairman, I think this discussion is moot,  
46 because we didn't make a motion to remove Alternative 3 and so a  
47 four-fish bag limit is in the document.

48

1 **CHAIRMAN ANSON:** Right, but, again, as Doug said, this will be  
2 going out to public hearing after the January council meeting  
3 and is that correct? We don't have to choose a preferred and so  
4 that's what this actually does. It doesn't exclude any  
5 alternative, but it does make this one the preferred.

6  
7 If you want to support making 3 a preferred, then you can vote  
8 this up or not and then Alternative 3, with four fish, still  
9 would remain in the document, regardless of what happens here.  
10 Any other discussion? Dr. Dana.

11  
12 **DR. DANA:** So what you're saying is either this body of the  
13 whole can choose to vote this down and vote later or choose a  
14 preferred later, rather than go hard on an alternative? Okay.

15  
16 **CHAIRMAN ANSON:** Myron.

17  
18 **MR. FISCHER:** I will go for the gold now and make a substitute  
19 motion that Alternative 3 is the preferred alternative.

20  
21 **CHAIRMAN ANSON:** We have a substitute motion in Action 9, Modify  
22 the Recreational Bag Limit for Gulf Migratory Group King  
23 Mackerel, to select Alternative 3 as the preferred alternative.  
24 Is there a second to the motion?

25  
26 **MR. BOYD:** I second.

27  
28 **CHAIRMAN ANSON:** Seconded by Mr. Boyd. Myron.

29  
30 **MR. FISCHER:** My only brief rationale is if we're discussing  
31 transferring quota from one sector to another, let's at least  
32 give the sector giving it away -- Give them an opportunity to  
33 maximize their catch first.

34  
35 **CHAIRMAN ANSON:** Mr. Sanchez.

36  
37 **MR. SANCHEZ:** I would agree with that.

38  
39 **CHAIRMAN ANSON:** Dr. Crabtree.

40  
41 **DR. CRABTREE:** So that means you're going to raise the bag  
42 limit, but not do anything on the allocation until you get a  
43 couple of years' worth of data to see the impact of the raising  
44 the bag limit?

45  
46 **MR. FISCHER:** I am sure our analysts can come up with the  
47 projection of what a four-fish bag limit will do and then can  
48 come up with the --

1  
2 **DR. CRABTREE:** I mean what we can do is in the document, but I  
3 can tell you that analyses to look at the impact of raising bag  
4 limits are subject to huge uncertainties, because you don't have  
5 any way of knowing how many people would really want to keep a  
6 four-fish, much less a three.

7  
8 **CHAIRMAN ANSON:** Ryan.

9  
10 **MR. RINDONE:** Thank you, Mr. Chair. Appendix C in the document  
11 has a recreational bag limit analysis in it, which analyzes a  
12 couple of different methods to determine the impacts of raising  
13 the bag limit to three or four fish and the most generous of  
14 those methods assumes that everyone who currently keeps two  
15 fish, which is a minority of fishermen, would also keep up to  
16 four fish. Even under that scenario and even if you transferred  
17 20 percent of the stock ACL to the commercial sector, you still  
18 would have very little chance of reaching the stock ACL.

19  
20 **CHAIRMAN ANSON:** Leann.

21  
22 **MS. BOSARGE:** I remember going through that table that Ryan is  
23 talking about and even if you do raise the bag limit, it doesn't  
24 have a significant impact on the recreational take. This, in my  
25 mind, would not prohibit or have any conflict with also, in  
26 tandem with this, in this document changing the allocations.  
27 You can do both and you still won't come close to harvesting  
28 what we project to be harvested.

29  
30 **CHAIRMAN ANSON:** Any other discussion on the substitute motion?  
31 Camp.

32  
33 **MR. MATENS:** Thank you, Kevin. I've been thinking about this  
34 for a long time. My intuitive thoughts are that increasing the  
35 bag limit to anything really isn't going to affect certainly the  
36 pure recreational take. Whether it would affect those charter  
37 boats that target some of these fish, I really can't speak to.

38  
39 I am a little uncomfortable about making a change in allocation  
40 in perpetuity. While I recognize the council can do anything  
41 they wish in the future, I am kind of in favor of some of the  
42 options that caused this to be alone and I understand -- Dr.  
43 Crabtree, I understand that we can do something else five years  
44 from now or ten years from now, but that's just my thoughts on  
45 it.

46  
47 I am not going to stop any of this or vote to stop any of this,  
48 but I just wanted to be on the record that we don't know what

1 the future is going to bring. We don't know whether, for  
2 example, one of the charter fleets might find it necessary to  
3 start to increase their catch, although I just can't imagine  
4 that they would increase their catch so much that it would  
5 affect this discussion, but a lot of things in life I haven't  
6 been able to imagine.

7

8 **CHAIRMAN ANSON:** Thank you. Dr. Crabtree.

9

10 **DR. CRABTREE:** Well, I can remember some years back, when we  
11 were talking about red grouper and we went from one fish to four  
12 fish and everything was good and well and guess what? Now we're  
13 shutting them down and we're lowering the bag limit back down.

14

15 I don't have a problem with raising the bag limit, but it makes  
16 more sense to me to raise it from two to three and see what  
17 happens. I haven't heard anyone asking for four and I can see  
18 all the analyses in the world saying that they won't catch it  
19 and they won't hit the catch limit, but, in my experience, I've  
20 heard that any number of times and a few years later, guess  
21 what? We hit the catch limit.

22

23 **CHAIRMAN ANSON:** Okay. No other discussion? The substitute  
24 motion is what we're voting on. In Action 9, Modify the  
25 Recreational Bag Limit for Gulf Migratory Group King Mackerel,  
26 to select Alternative 3 as the preferred alternative.  
27 Alternative 3 is to increase the bag limit to four fish per  
28 person per day. **All those in favor of the substitute motion**  
29 **signify by raising your hand.**

30

31 **EXECUTIVE DIRECTOR GREGORY:** Thirteen.

32

33 **CHAIRMAN ANSON:** All those opposed same sign.

34

35 **EXECUTIVE DIRECTOR GREGORY:** Three. Thirteen to three.

36

37 **CHAIRMAN ANSON:** The motion carried thirteen to three. Thank  
38 you. Dr. Dana.

39

40 **DR. DANA:** We then moved into Coastal Migratory Pelagic  
41 Amendment 28. Staff reviewed the status and timing of CMP  
42 Amendment 28, Tab C, Number 5. The South Atlantic Council has  
43 discontinued work on this amendment and the Gulf Council has  
44 directed staff to continue developing alternatives.

45

46 Due to the joint nature of the CMP Fishery Management Plan, this  
47 results in staff being unable to proceed with developing the  
48 document, since there is no participation by, or input from, the

1 South Atlantic Council.

2  
3 Staff noted that the document would either need to be completely  
4 restructured or the Gulf Council should reconsider moving  
5 forward with Amendment 28 at this time. **The committee**  
6 **recommends, and I so move, to discontinue work on Coastal**  
7 **Migratory Pelagics Amendment 28.**

8  
9 **CHAIRMAN ANSON:** We have a committee motion on the board, on the  
10 screen. Is there any discussion on the motion? **Is there any**  
11 **opposition to the motion? Seeing none, the motion carries.** Dr.  
12 Dana.

13  
14 **DR. DANA:** Other Business, the committee chair asked if there  
15 was any other business to be brought before the committee.  
16 Science Center staff noted that a potential funding opportunity  
17 may make available a great deal of data from Mexican fisheries  
18 managers on a number of species, including coastal migratory  
19 pelagic species like king mackerel. Whether such funding is  
20 made available should be known in the spring of 2016. Mr.  
21 Chairman, this concludes my report.

22  
23 **CHAIRMAN ANSON:** Thank you, Dr. Dana. As I mentioned earlier,  
24 we're going to modify the agenda slightly and, Mr. Greene, are  
25 you ready to start Reef Fish?

26  
27 **MR. GREENE:** Thank you, Mr. Chairman.

28  
29 **REEF FISH MANAGEMENT COMMITTEE REPORT**

30  
31 **CHAIRMAN ANSON:** Hold on one second, Johnny.

32  
33 **MR. FISCHER:** Excuse me, Mr. Chairman. What do we have  
34 remaining? I am old school and if I had my paper copies, I  
35 could check them off and I know we've taken some things out of  
36 order and I just want to see where we are on the agenda.

37  
38 **CHAIRMAN ANSON:** What we have remaining as far as committees is  
39 Reef Fish, Data Collection, and Shrimp. That will be the order  
40 that we will finish.

41  
42 **MR. FISCHER:** We will be allowed a few minutes to have a morning  
43 break for checkout purposes?

44  
45 **CHAIRMAN ANSON:** Yes, at some point during the middle of the  
46 report we'll probably go ahead and do that, but we've only been  
47 about forty-five minutes into our morning.

1 **MR. FISCHER:** Thank you.

2  
3 **MR. GREENE:** SSC Summary, Tab B, Number 4, Luiz Barbieri  
4 summarized the main topics discussed at the September 16-17,  
5 2015 SSC meeting. Best Practices for Constant Catch ABC  
6 Projections and Constant Catch ABC for Hogfish, the SSC  
7 discussed four approaches to determining a constant catch ABC.  
8 Most of the interest was in Method 2, average of the ABCs over  
9 the projection period, and Method 4, use an iterative projection  
10 process.

11  
12 Method 2 was the simplest, but could result in an ABC that  
13 exceeds OFL for some years. The iterative process takes more  
14 time, one to two weeks, but is more scientifically defensible.

15  
16 For hogfish, the iterative method will be used to estimate  
17 constant catch ABC. Some committee members suggested that the  
18 averaging method could produce adequate results with less time  
19 and work needed. The SSC will compare results from the two  
20 methods for hogfish at its January 2016 meeting.

21  
22 The SSC also recommended that for declining yield streams if new  
23 yield projections are not available by the end of the projection  
24 period, the ABC should be reduced to the equilibrium ABC until  
25 new projections are produced.

26  
27 SEDAR-43, Gray Triggerfish Standard Assessment and ABC, the SSC  
28 reviewed the gray triggerfish assessment and had concerns with  
29 several of the input parameters used. The SSC concluded that  
30 the assessment was the best available science and was adequate  
31 to determine current stock status, but was not adequate for  
32 making yield projections.

33  
34 The stock was found to be overfished, but not experiencing  
35 overfishing. It does not appear to be recovering and is  
36 unlikely to reach its ten-year rebuilding target in 2017.  
37 However, anecdotal information suggests that gray triggerfish  
38 are becoming more abundant and the most recent stock assessment  
39 predicted that age zero recruits have increased by 66 percent  
40 between 2012 and 2013. The SSC recommended that a new  
41 rebuilding plan be established and is requesting guidance from  
42 the council on how to proceed.

43  
44 Roy Crabtree stated that National Marine Fisheries Service is in  
45 the process of drafting a letter notifying the council that  
46 inadequate progress is being made in the gray triggerfish  
47 rebuilding plan. Once that letter is sent, it will require the  
48 council to develop new measures for implementation within two

1 years to rebuild the stock.

2  
3 The committee discussed possible ways to get a new assessment  
4 and the yield projections needed for a new rebuilding plan. The  
5 SEDAR schedule has little room for flexibility and the Science  
6 Center does not have the personnel, time, or budget to add a new  
7 assessment to the existing workload over the next few years.

8  
9 Council staff noted that the SSC had suggested using the ABC  
10 Control Rule Tier 3b, a data-poor method, to produce ABCs. This  
11 method would not produce a rebuilding yield stream, but would  
12 produce a more conservative ABC than current that could be  
13 implemented as an interim measure until a new assessment can be  
14 conducted.

15  
16 One suggestion was made to contract with an outside assessment  
17 scientist to rerun the assessment, taking into account the SSC's  
18 concerns. Bonnie Ponwith questioned where the funding would  
19 come from. She added that this could be even more time  
20 consuming to the Science Center staff, due to the need to train  
21 the person and to provide the data inputs needed for the  
22 assessment.

23  
24 However, committee members felt that it would be worth at least  
25 exploring the use of scientists from a scientific consortium to  
26 help with the assessment. It was noted that this approach had  
27 been used by the Mid-Atlantic Council.

28  
29 **Without opposition, the committee recommends and I so move, to**  
30 **have the council explore working with a consortium of scientists**  
31 **to begin working with stock assessments.**

32  
33 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on  
34 the motion? Dr. Lucas.

35  
36 **DR. LUCAS:** I just want to say, since I made the motion, I want  
37 to say that I think Bonnie's shop does a really good job and I  
38 wasn't trying to imply anything by suggesting the motion. I do  
39 think they are overtaxed and I was thinking that if we could  
40 look at ways to add additional capacity that that may be  
41 helpful.

42  
43 It may not be helpful necessarily just for gray triggerfish, but  
44 if we look at this mechanism that was funded by NSF and its role  
45 was to specifically focus on sustainable fisheries issues -- If  
46 that's a tool that we could use in the future, even if it's not  
47 a tool we necessarily use for gray triggerfish, if we know more  
48 about it, then maybe we would be able to make a decision when we



1 get into these situations where there is no budget in Bonnie's  
2 shop and no personnel and no extra time that we could utilize  
3 that.

4  
5 **CHAIRMAN ANSON:** Any other -- I guess, in reviewing the report  
6 here and looking at the motion and hearing a little bit of what  
7 Dr. Lucas just said, to me, this doesn't -- The motion on the  
8 board doesn't -- It says "will explore working with a consortium  
9 of scientists", yet it was borne out of the gray triggerfish  
10 assessment and you just referred to it and so it sounds like  
11 this motion doesn't match up with the gray triggerfish  
12 assessment and it would match up with future assessments and so  
13 I just wanted to -- That's my interpretation of the motion, is  
14 it doesn't use the gray triggerfish assessment as the point to  
15 which to start this. Myron.

16  
17 **MR. FISCHER:** I was going to question the ending of the motion  
18 and I was waiting for Kelly to finish. It's pretty open-ended  
19 in just saying "begin with stock assessments" and I think what  
20 we wanted to do is what you were just saying, is narrow it down  
21 to a smaller scope. I am not certain. I am not exactly certain  
22 what we're going to accomplish. I guess we have to figure out  
23 what was the goal and then create the motion to solve the goal.

24  
25 **CHAIRMAN ANSON:** Doug Gregory.

26  
27 **EXECUTIVE DIRECTOR GREGORY:** Well, unless I'm mistaken, this is  
28 referring to a presentation that was given to the council last  
29 August by Dr. Eric Powell at the University of Southern  
30 Mississippi.

31  
32 He came from the Mid-Atlantic area, working on a project, and  
33 he's trying to extend that project into the Gulf, where they can  
34 do assessments or some work.

35  
36 It's an industry/academic partnership and so this is a  
37 particular consortium and this is not an RFP type of thing and  
38 so I will distribute -- I can distribute to the council the  
39 information that I can accumulate on it, but all I have now is a  
40 press release from that organization from last year, but I can  
41 get more information from what they've done in the past in the  
42 Mid-Atlantic area, because they haven't done anything in the  
43 Gulf as yet.

44  
45 It's problematic for us to go to a particular consortium, a  
46 sole-source sort of thing, but I can certainly look more into  
47 what they have done in the past and what they might be able to  
48 do here in the Gulf, but I doubt we would be able to contract

1 with them to do particular stock assessments without going  
2 through an RFP process.

3

4 **CHAIRMAN ANSON:** I have Dr. Ponwith, followed by Dr. Lucas.

5

6 **DR. PONWITH:** Thank you. Rockefeller was asked one time how  
7 much money is enough and the answer was just a little bit more  
8 and I think the same answer is true for stock assessments. How  
9 many stock assessments are enough? It's just a little bit more.

10

11 No matter how much we've got into it, more is better, because  
12 your decisions hinge on having good and timely information and  
13 so that's absolutely understandable. There are two ways to do  
14 that.

15

16 One is to make the assessments simpler, so you get a faster  
17 refresh rate, but that costs simpler assessments. The second  
18 way is to infuse additional resources, either finances or extra  
19 hands, and I think both of those are worth exploring and keeping  
20 a conversation about.

21

22 From my perspective, the thing that maintains scientific  
23 integrity the best is to think of ways, if you're going to take  
24 the infusion approach, think of ways that can plug in as well to  
25 our current peer review process as possible. Getting a stock  
26 assessment that's done completely outside of the system and  
27 getting it peer reviewed to a level that it meets the  
28 requirements under National Standard 2 is a non-trivial -- It's  
29 a high bar and so having something that can plug into the  
30 system, into the peer review process, is something worth  
31 considering as you explore alternatives to doing this. Thank  
32 you.

33

34 **CHAIRMAN ANSON:** Dr. Lucas.

35

36 **DR. LUCAS:** I think originally, when I mentioned it, it was any  
37 group, Doug, and I think it still can be any group. I just had  
38 remembered the presentation by the NSF-funded group and I know  
39 NSF released a -- There was an article I sent you where they  
40 worked on scup or something for the Mid-Atlantic Council and the  
41 Atlantic Fisheries Commission and it -- That group operates as a  
42 consortium, because, like Bonnie is mentioning, you can't  
43 disassociate her shop.

44

45 There is somebody in there that is supplying information and  
46 providing it and that's why they like to work as the consortium,  
47 but it's people from there and it's people from kind of  
48 everywhere working together to get it accomplished.

1  
2 I certainly understand you couldn't enter -- I know that  
3 obviously the Northeast Science Center and/or the Mid-Atlantic  
4 Council must have been able to enter into that, because they  
5 produce work for them, but certainly an RFP looking at another  
6 mechanism could also be beneficial as well.

7  
8 **CHAIRMAN ANSON:** Dr. Crabtree.

9  
10 **DR. CRABTREE:** Yes and I guess exploring something and trying to  
11 figure out what the other council did sounds fine, but I am back  
12 to what Kevin said. That's all well and good, but this is way  
13 down the road and it really doesn't have any bearing on what  
14 we're going to do with triggerfish for the moment.

15  
16 **CHAIRMAN ANSON:** I just wanted to make that clear, based on the  
17 comments and the context of the report. Any other discussion?  
18 All right. David.

19  
20 **MR. WALKER:** Kind of like what Roy said and as long as it's just  
21 exploring -- I don't know about working on Gulf issues with the  
22 South Atlantic's SSC or scientists. I would rather just keep it  
23 with the Gulf.

24  
25 **CHAIRMAN ANSON:** All right. We have a motion and the motion is  
26 to have the council explore working with a consortium of  
27 scientists to begin working with stock assessments. **All those**  
28 **in favor of the motion please signify by raising your hand.**

29  
30 **EXECUTIVE DIRECTOR GREGORY:** Eleven.

31  
32 **CHAIRMAN ANSON:** All those opposed like sign.

33  
34 **EXECUTIVE DIRECTOR GREGORY:** Four. Eleven to four.

35  
36 **CHAIRMAN ANSON:** Eleven to four. Thank you. Mr. Greene.

37  
38 **MR. GREENE:** Council staff reviewed the Reef Fish AP's  
39 recommendations for gray triggerfish, Tab B, Number 11. Based  
40 on the AP's recommendation to include gray triggerfish in a reef  
41 fish IFQ program, a motion was made to untable Amendment 33 and  
42 include gray triggerfish in the amendment. This motion failed  
43 by a vote of four to four.

44  
45 In response to another AP recommendation to reduce the gray  
46 triggerfish bag limit in order to extend the recreational  
47 season, the committee passed the following motion. **Without**  
48 **opposition, the committee recommends, and I so move, to ask for**

1 **an analysis of a one-fish bag limit for gray triggerfish.**

2  
3 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.  
4 Any discussion on the motion? David.

5  
6 **MR. WALKER:** I support that. I was looking at the one-fish bag  
7 limit and I would like, before we finish on triggerfish, to get  
8 back to that motion on the IFQ.

9  
10 **CHAIRMAN ANSON:** Mr. Matens.

11  
12 **MR. MATENS:** Thank you, sir. I want to ask the charter  
13 representatives here, do you guys like a one-fish bag limit and  
14 why?

15  
16 **CHAIRMAN ANSON:** Mr. Greene.

17  
18 **MR. GREENE:** A one-fish bag limit is better than a zero-fish bag  
19 limit and we have been closed for the last year and the year  
20 before that we were closed half the year and the year before  
21 that it was a similar situation. I am not opposed to asking for  
22 an analysis of really anything and I think this certainly may be  
23 a possibility with the situation we're in with triggerfish.

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

26  
27 **MR. RIECHERS:** I am in the same boat as Mr. Greene, in that  
28 asking for the analysis will illuminate a little bit of what it  
29 will really do. I think we heard enough yesterday though to  
30 suggest that given that eighty-some-odd percent only bring home  
31 one fish now that it's probably not going to do very much for  
32 us, but we won't know that until we actually ask them to bring  
33 it forward.

34  
35 **CHAIRMAN ANSON:** Dr. Dana.

36  
37 **DR. DANA:** On Johnny's comment, he is absolutely correct. I  
38 mean to have a fishery at all, to be able to catch them and  
39 bring them in, is better than nothing. However, I am just still  
40 bothered by how we're even looking at reduction in bag limits  
41 based on the uncertain science and SSC votes and so I think we  
42 have a whole lot more to do on gray triggerfish.

43  
44 **CHAIRMAN ANSON:** All right. Any other comments on the motion?  
45 **All those in favor of the motion to ask for an analysis of a**  
46 **one-fish bag limit for gray triggerfish please, if you're in**  
47 **favor, raise your hand.**

1 **EXECUTIVE DIRECTOR GREGORY:** Fifteen.

2  
3 **CHAIRMAN ANSON:** All those opposed. Is there somebody that  
4 wants to raise their hand? No one wants to raise their hand and  
5 so it was unanimous. All right, Mr. Greene, do you want to  
6 continue the -- David, did you want to --

7  
8 **MR. WALKER:** Yes. Yes, I would like to bring the motion back up  
9 again that we had in Reef Fish, to untable Amendment 33 and  
10 include gray triggerfish in the fishery management plan.

11  
12 I think maybe we just have the staff look at the different  
13 species and get more information about that species that we  
14 included in the original list in 33 and why they were included  
15 and let's just start talking about it. If we decide we want to  
16 make triggerfish part of it or maybe we want to make triggerfish  
17 and amberjack or maybe triggerfish and amberjack and another  
18 species, but untable it and look at it.

19  
20 I mean it could be good conservation. I mean we have a lot of  
21 discards that's going on in the commercial industry and I think  
22 this could be a good way of addressing some of the discards and  
23 maybe not just in triggerfish.

24  
25 I think we have some issues in amberjack with discards and I  
26 mean it's worked well in the snapper fishery and it's a tool  
27 that fishermen could use. I mean maybe they decide they don't  
28 want it and I don't know. Maybe the council decides and I don't  
29 know, but I would like to have the opportunity to discuss it  
30 more and have staff come back maybe in April. I mean they're so  
31 busy and we don't have to come back in January, but we can come  
32 back in April and look at it.

33  
34 **CHAIRMAN ANSON:** We have a motion to untable Amendment 33 and  
35 include gray triggerfish in the amendment. Is there a second to  
36 the motion?

37  
38 **MR. SANCHEZ:** I'll second it.

39  
40 **CHAIRMAN ANSON:** It's seconded by Mr. Sanchez. Any discussion  
41 on the motion? Dr. Crabtree.

42  
43 **DR. CRABTREE:** I don't have any problem with untabling it and  
44 coming back to it at some point. I think there is a -- We've  
45 loaded a lot of work on our staff and so I don't know how much  
46 can be done on this and we've also got I think it's Amendment 36  
47 that's based on the five-year review of the red snapper program  
48 and looks at some modifications there and I do think we need to

1 address issues with the current IFQ program, so that if we're  
2 going to bring more species in or set up a new program that we  
3 address some of the issues that have been raised.

4  
5 Leasing issues keep coming up and those types of things and so I  
6 guess I will go ahead and support this motion now, but I think  
7 there's a lot of other things that are going to have to get done  
8 before we're going to make a lot of progress towards looking at  
9 this.

10  
11 **CHAIRMAN ANSON:** I would just add to that that I concur on both  
12 of your points, Dr. Crabtree, but if I were to vote, I would  
13 vote in opposition for those two points, but would anyone else  
14 like to comment? Mr. Boyd.

15  
16 **MR. BOYD:** I don't know that the council is familiar with  
17 Amendment 33 in detail and what all is in it and so I would not  
18 vote for this until we had a chance to understand completely  
19 what Amendment 33 is and what all it involves. There may be  
20 things in there are moot in today's world and it could be that  
21 there's things in there that we can't or shouldn't support and  
22 so I would vote against this, until we know about Amendment 33.

23  
24 **CHAIRMAN ANSON:** Dr. Crabtree.

25  
26 **DR. CRABTREE:** I guess we could table this motion until the next  
27 meeting and have staff go over what's in Amendment 33 at that  
28 time and then come back to it.

29  
30 **CHAIRMAN ANSON:** David.

31  
32 **MR. WALKER:** That just -- You know the IFQ has been successful  
33 and it's been a good fishery management plan that has addressed  
34 a lot of issues and I just don't see why we don't go ahead and  
35 look at it. I mean it doesn't hurt to look at it. It's a tool  
36 and we should look at all the tools and hear from the industry  
37 and let's talk about it and discuss.

38  
39 I mean maybe the council just brings it back and maybe explains  
40 more at the next meeting and then we could continue on. I mean  
41 it could always be tabled again, I guess, but I just think that  
42 the industry has asked for it to address some of their issues  
43 and we heard it in testimony and I don't see any harm in it.

44  
45 I mean we're not voting to implement it today. We're just  
46 voting to look at it. Let's just look at the tools. It's good  
47 conservation and I would like to have a roll call for this vote.

48

1 **CHAIRMAN ANSON:** All right. Mr. Swindell.

2  
3 **MR. SWINDELL:** Well, you know, being on the council for two  
4 months, I have not gone through enough documentation to look and  
5 see what 33 is all about, but I somewhat agree with David that  
6 unless it's -- Unless it's a big burden on the staff and the  
7 staff has got too much to do -- You know where does it fit in  
8 the priority list of getting stuff accomplished? That would be  
9 my only concern about voting for it, whether or not the staff  
10 can even get this possibly done and just I don't have a good way  
11 of knowing anything.

12  
13 **CHAIRMAN ANSON:** Doug, do you want to comment to that?

14  
15 **EXECUTIVE DIRECTOR GREGORY:** Well, I can refer you to our  
16 priority list of actions that we have in our briefing material  
17 and consider the things that have been added at this meeting.  
18 Yes, I think Amendment 36 has been lagging because of our  
19 business with other red snapper amendments.

20  
21 The South Florida stuff is lower priority and the circle hook  
22 stuff that you approved meetings ago we're not working on right  
23 now because of lower priority and so we have a lot on the plate.  
24 We just keep plugging away as best we can and like you said,  
25 oftentimes the squeaky wheel gets the grease, but we have a lot  
26 on our plate. There's no doubt about that and if you look at  
27 our website, we have like eleven different amendments in some  
28 process or stage of being worked on.

29  
30 **CHAIRMAN ANSON:** I have several folks. Johnny, followed by Dr.  
31 Crabtree and Myron.

32  
33 **MR. GREENE:** Just a question for anybody that wants to take a  
34 stab at it, but if you table a motion, my understanding is that  
35 you have to stop work and discussion and everything else about  
36 it and so for us to look at it or figure out any more  
37 information about it, wouldn't we have to untable it first?

38  
39 **CHAIRMAN ANSON:** Mara.

40  
41 **MS. LEVY:** I don't know if it's a lawyer question. It's a  
42 procedural question, but from what I understand, the amendment  
43 wasn't tabled and so generally if you have a motion, you table  
44 the motion and then you don't have discussion about it. You  
45 just vote on whether to table it or not and if you're going to  
46 untable it, you don't have discussion about it and you just vote  
47 on whether to untable it.

1 I think really, in reality, what happened is the council just  
2 decided to stop work on it and so what you're deciding now is  
3 whether you want to continue to work on it and one suggestion  
4 would be to just say that at the next meeting you're going to  
5 put it on the agenda for discussion and staff doesn't have to do  
6 anything. They can give you the document that was already there  
7 and you can talk about the document and everyone can look at it  
8 and you can decide whether to proceed.

9  
10 I don't think you necessarily have to direct staff to start  
11 working on it again, but you might want to decide whether you  
12 want to put it on the agenda for the next meeting, so you all  
13 can talk about it with some context about what it is.

14  
15 **CHAIRMAN ANSON:** Dr. Crabtree.

16  
17 **DR. CRABTREE:** In light of that legal guidance, I would like to  
18 offer a substitute motion that at our next council meeting we  
19 review the status of Amendment 33 and Amendment 36, the contents  
20 of these amendments, workload implications, and we have a  
21 discussion on how to proceed.

22  
23 **CHAIRMAN ANSON:** There is a substitute motion that's offered and  
24 we're just cleaning it up right now. Roy, is that your  
25 substitute motion?

26  
27 **DR. CRABTREE:** Yes, I think that's fine.

28  
29 **CHAIRMAN ANSON:** Is there a second to the substitute motion?  
30 It's seconded by Roy Williams. Dr. Crabtree.

31  
32 **DR. CRABTREE:** I offer this to try to find something a little  
33 less contentious and maybe less objectionable to some folks and  
34 it takes into account the other things going on and this seems  
35 like a reasonable thing to do, to me.

36  
37 **CHAIRMAN ANSON:** All right. Is there any other discussion?  
38 David? No? We had a roll call request and I am just checking  
39 to make sure that there is no more discussion on the substitute  
40 motion. Myron.

41  
42 **MR. FISCHER:** I know we'll be coming up with 39 possibly coming  
43 final and do you know what other agenda workloads we have for  
44 the January meeting?

45  
46 **EXECUTIVE DIRECTOR GREGORY:** Carrie, help me here. We've got 41  
47 and 42 and Shrimp Amendment 17, A and B. I will try to minimize  
48 Administrative Policy.



1  
2 **DR. SIMMONS:** The electronic reporting document.  
3  
4 **EXECUTIVE DIRECTOR GREGORY:** You all are keeping us busy.  
5  
6 **DR. SIMMONS:** We're trying to work towards an options paper for  
7 Amendment 36 for January as well, but, again, after this meeting  
8 we will have to have our staff meeting and then get back with  
9 the Chair and Vice Chair.  
10  
11 **CHAIRMAN ANSON:** Dr. Branstetter.  
12  
13 **DR. BRANSTETTER:** To follow up on Doug's comment about eleven  
14 active things, I have fifteen on my active list for our Gulf  
15 Branch working in cooperation with the council staff on the  
16 IPTs. You have added three at this meeting and removed one.  
17  
18 **CHAIRMAN ANSON:** Leann.  
19  
20 **MS. BOSARGE:** I don't think this would add a whole lot to the  
21 agenda and that committee and as we discuss further down this  
22 committee report, there might be some things that we end up  
23 taking off the agenda for next time and so I think this will be  
24 just fine. The amendments are already in place and they are  
25 already there. Staff will simply review it and we'll have a  
26 short conversation and decide if we want to do something at the  
27 next meeting with it or not.  
28  
29 **CHAIRMAN ANSON:** All right. No other discussion? We have a  
30 request for a roll call vote. Mr. Gregory.  
31  
32 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.  
33  
34 **MR. WILLIAMS:** Yes.  
35  
36 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.  
37  
38 **MS. BADEMAN:** No.  
39  
40 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.  
41  
42 **MR. WALKER:** Yes.  
43  
44 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.  
45  
46 **MR. SWINDELL:** Yes.  
47  
48 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.

1  
2 **MR. SANCHEZ:** Yes.  
3  
4 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.  
5  
6 **MR. FISCHER:** No.  
7  
8 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.  
9  
10 **MR. RIECHERS:** Yes.  
11  
12 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.  
13  
14 **DR. LUCAS:** Yes.  
15  
16 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.  
17  
18 **MR. MATENS:** No.  
19  
20 **EXECUTIVE DIRECTOR GREGORY:** Mr. Greene.  
21  
22 **MR. GREENE:** Yes.  
23  
24 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.  
25  
26 **DR. STUNZ:** Yes.  
27  
28 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.  
29  
30 **MR. BOYD:** Yes.  
31  
32 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.  
33  
34 **DR. CRABTREE:** Yes.  
35  
36 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.  
37  
38 **MR. DIAZ:** Yes.  
39  
40 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.  
41  
42 **DR. DANA:** Yes.  
43  
44 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.  
45  
46 **MS. BOSARGE:** Yes.  
47  
48 **EXECUTIVE DIRECTOR GREGORY:** Chairman Anson.

1  
2 **CHAIRMAN ANSON:** Yes.

3  
4 **EXECUTIVE DIRECTOR GREGORY:** It's fourteen to three and it  
5 passes.

6  
7 **CHAIRMAN ANSON:** Thank you. I think, Mr. Greene, that will take  
8 you to your committee report.

9  
10 **MR. GREENE:** Committee members noted that the priority was to  
11 develop a new triggerfish rebuilding plan, but a bag limit  
12 change could be included as an action in the amendment.

13  
14 The committee discussed the SSC's twelve to eight split vote to  
15 accept the gray triggerfish assessment as the best available  
16 science. Roy Crabtree asked for a verbatim transcript of the  
17 SSC meeting in order to better understand why the vote was  
18 split. He stated that most other SSCs used a consensus approach  
19 rather than parliamentary procedure when making recommendations  
20 and felt that was a better way for the SSC to proceed. Other  
21 committee members felt that under a consensus approach, one or  
22 two of the SSC members tend to dominate the decision-making.

23  
24 **CHAIRMAN ANSON:** Mr. Williams.

25  
26 **MR. WILLIAMS:** Before we leave triggerfish, I wondered -- In  
27 listening to the public testimony yesterday, there is a real  
28 feeling of desperation about triggerfish from at least Orange  
29 Beach into Texas of the charter fishermen. Captain Ard, Tom  
30 Ard, had suggested a one-fish bag limit at a sixteen-inch  
31 minimum size limit, which is two-inches larger than we presently  
32 use.

33  
34 I would -- I am going to make a motion that we ask for an  
35 analysis of both the effect of a fifteen-inch and a sixteen-inch  
36 minimum size limit on triggerfish.

37  
38 **MR. SANCHEZ:** Second.

39  
40 **CHAIRMAN ANSON:** The motion is to ask for analyses of both a  
41 fifteen-inch and sixteen-inch size limit on gray triggerfish or  
42 for gray triggerfish.

43  
44 **MR. WILLIAMS:** Yes and my reason is there was -- I think at  
45 least half the people that spoke yesterday addressed  
46 triggerfish. They are convinced that there is some recovery of  
47 triggerfish that's not being reflected in our assessment and I  
48 am influenced from a long time ago.

1  
2 One time we reduced the bag limit on king mackerel to zero and I  
3 remember Bob Zales coming to the Marine Fisheries Commission and  
4 saying, the old Florida Marine Fisheries Commission, and saying  
5 one fish is okay and I can sell a one king mackerel bag limit,  
6 but I can't sell a zero king mackerel bag limit and so whatever  
7 you can do to get me one fish, we can sell that, but we can't  
8 live with zero.

9  
10 Right now, this closure of triggerfish is really having an  
11 effect on these guys, I think, and so I am looking for a way to  
12 try to keep their fishery open, but achieve our conservation  
13 goals. This, I'm hoping, might do that.

14  
15 **CHAIRMAN ANSON:** Just to make sure it was on the record, John  
16 Sanchez seconded the motion. Any other discussion on the  
17 motion? **Is there any opposition to the motion?** David.

18  
19 **MR. WALKER:** I was just going to say I support the motion. I  
20 think it's good to look at analysis and it might help. Anything  
21 that could provide another tool or raising the size limits -- I  
22 strongly support this.

23  
24 **CHAIRMAN ANSON:** So is there anyone in opposition to this  
25 motion? **Seeing none, the motion carries.** Mr. Williams.

26  
27 **MR. WILLIAMS:** I was having a sidebar conversation with Myron  
28 and Mr. Ard also suggested a May 1 opening. I don't know if we  
29 want to try to explore some -- I don't know what the Gulf-wide  
30 effects of something like that is going to have. It's likely to  
31 have some regional effect to it and that's my only trepidation  
32 about asking for that analysis as well, but what do you think?  
33 Should we ask for something like that?

34  
35 **CHAIRMAN ANSON:** Dr. Crabtree had his hand up and so he might  
36 have some insight.

37  
38 **DR. CRABTREE:** I mean we're going to be looking at a whole lot  
39 of things, I think, with gray triggerfish and so I don't know if  
40 we need to ask for that right now or not. I will leave that to  
41 you, but I think we do need to talk about the issues of  
42 projections and whether we need a motion or we just need to  
43 direct staff, but it seems to me we do need to get projections  
44 and maybe we already have them. I think we do, but I am not  
45 positive that we've got projections at F equals zero.

46  
47 It appears, based on what I know, that the rebuilding plan  
48 cannot extend past ten years and so we're going to need a

1 projection that looks at a ten-year rebuilding plan and then if  
2 there's any room in between the F zero and ten years, I would  
3 think we would want an intermediate projection and then we need  
4 to reconvene the SSC at some point and have them work on this  
5 and I think some discussions in the interim between the Science  
6 Center and some of the SSC would be productive. I guess my  
7 question for Mr. Gregory is to get these results back in front  
8 of us at the next council meeting, do we need a motion or how do  
9 we need to do that to proceed?

10  
11 **EXECUTIVE DIRECTOR GREGORY:** We have an SSC meeting scheduled in  
12 January. It's a one-day meeting now and so we have time to do  
13 something else. Now, what I also hear is something more like a  
14 workshop, a one or two-day workshop, in Miami with some of the  
15 SSC members working with Science Center staff.

16  
17 Is that part of the discussion that I heard yesterday? That  
18 would be something different and that would have to occur before  
19 the January SSC meeting. Or is the Center going to provide some  
20 more analyses for the SSC to review?

21  
22 **DR. CRABTREE:** I don't know that I'm asking for anything that  
23 formal. I am more asking for staff and perhaps the Chair or  
24 Vice Chair of the SSC to engage in some discussions with the  
25 Center about what is needed and what they want to see.

26  
27 I am asking for a lot of advance staff work by the Center and  
28 the SSC before our next meeting, so that all the things the SSC  
29 thinks they need to see and need to have addressed have been  
30 given a lot of thought and the analyses are all there so we can  
31 have a really productive next SSC meeting and hopefully come out  
32 with some more straightforward guidance on where we're heading  
33 with this.

34  
35 I don't know -- If the discussion turns out they think they need  
36 a workshop, then great, but I am not thinking of anything that  
37 formal. I am thinking just some really good thoughtful  
38 preparation for the next SSC meeting.

39  
40 **CHAIRMAN ANSON:** Dr. Ponwith.

41  
42 **DR. PONWITH:** Thank you. I actually agree with Dr. Crabtree on  
43 this. I think that if we had the council's approval to work  
44 informally with the council staff and with the SSC and the  
45 Science Center to make sure that we've got the input we need to  
46 run the projections that we need to address the questions that  
47 we have right now and have them prepared in time for the SSC  
48 meeting, that would be, I think, the level of engagement that we

1 would need.

2  
3 The scope of those discussions, I think we have discussed at  
4 length in the council meeting and so it would be just to get the  
5 clarification on exactly what those projections would look like,  
6 the timeframe, the reference points for those projections, to  
7 enable us to have the projections done in time for the SSC  
8 meeting.

9  
10 **CHAIRMAN ANSON:** To that point, Dr. Ponwith, and maybe Dr.  
11 Crabtree or Mara, you know the projections are based on the  
12 assessment and, as I recall, there was questions on the  
13 assessment side and the projections side, but the projections  
14 side were based on the assessment and how the assessment was  
15 conducted and so in terms of any jeopardy or questions that the  
16 public might have with what Dr. Crabtree proposed, inasmuch as a  
17 very informal gathering of stock assessment scientists and SSC  
18 members, and then any changes that might have or impact that  
19 might have, what is -- What is the council's thought on that  
20 relative to maybe impacting the assessment, which would impact  
21 projections, potentially? I guess that's what I'm looking at,  
22 seeing if that will happen.

23  
24 **DR. PONWITH:** I guess I need -- If you can say what you said  
25 again, because I am not following what the question is.

26  
27 **CHAIRMAN ANSON:** Mara, do you have --

28  
29 **MS. LEVY:** So I would not recommend that there be any informal  
30 gathering of folks and so we're not talking about a workshop or  
31 a meeting. I think what we're talking about is a discussion  
32 that is facilitated through staff about what the SSC would like  
33 to see that the Science Center present to them at the next  
34 meeting, so that they can make their determinations.

35  
36 From what I understood from the discussion with the SSC, and  
37 maybe they can clarify this at their next meeting, is that they  
38 accepted the assessment's determinations of status, but then  
39 were having trouble with the projections, because they were  
40 looking at projections that some of them increased the TAC into  
41 the future. Some of them looked like recommendations about what  
42 you should set your ABC at if you want to rebuild within ten  
43 years of 2015.

44  
45 So I think there needs to be some discussion about when the SSC  
46 looks at an assessment and says yes, we agree that this is still  
47 overfished and we're not going to meet our rebuilding target  
48 then, in my mind, the appropriate response from the SSC is to

1 say we need now projections that give us a Tmin, a Tmax, and  
2 some sort of in between, so that we can make recommendations and  
3 the council can assess what the appropriate rebuilding time is.  
4

5 I think there was sort of confusion about what should happen  
6 once you agree with the assessment results, but the projections  
7 don't seem to address those rebuilding questions. Maybe what  
8 this next SSC meeting can do is clarify some of that and get the  
9 SSC the projections that they need to make catch level  
10 recommendations for a new rebuilding timeframe.  
11

12 **CHAIRMAN ANSON:** Dr. Crabtree.  
13

14 **DR. CRABTREE:** Yes and that's my motion. I think she summed it  
15 up exactly right and that's where we need to go and I guess my  
16 question is, do we need a motion to get all that done or are we  
17 okay with just direction to staff is where we want to head?  
18

19 **CHAIRMAN ANSON:** Dr. Ponwith.  
20

21 **DR. PONWITH:** Just to that point, the notion is, again, we've  
22 had these discussions on the record and getting them streamlined  
23 into a very specific this is what we need from the Science  
24 Center within the range of those discussions and then, once that  
25 has happened, getting a letter sent to the Science Center that  
26 captures that advice crisply is, in my mind, the best way to go  
27 forward to make sure the SSC has what they need to deliberate  
28 upon at their next meeting.  
29

30 **EXECUTIVE DIRECTOR GREGORY:** We hear you loud and clear, motion  
31 or no motion, but if you look at the SSC report, they list five  
32 or six things that concerned them and they conclude the report  
33 by saying we need a benchmark assessment, which is not going to  
34 happen.  
35

36 There is some question or talk amongst staff of if we even had  
37 another update assessment, incorporating the more recent  
38 recruitment trends, things might look different, but I will  
39 certainly get with the Chair and Vice Chair of the SSC and we  
40 will try to identify the issues, if there is any more other than  
41 what's in the SSC report, and write that letter to you, Dr.  
42 Ponwith, and go from there.  
43

44 **CHAIRMAN ANSON:** Just to follow up, Mara, on your -- Dr.  
45 Crabtree mentioned this as well, about getting it from the SSC,  
46 is unless there is another webinar or something where it calls  
47 all the SSC members together, it's only going to be from the SSC  
48 Chair and Vice Chair that those recommendations will come, in

1 order for the projections to get generated and then it will be  
2 provided to the full SSC for review, unless the full SSC needs  
3 to reconvene, which you have to set that up, and then still give  
4 time for the projections to be done and then be available for  
5 the January SSC meeting. That's just something else. Leann,  
6 you had something?

7  
8 **MS. BOSARGE:** I am okay with everything that's been said and  
9 making sure that this transpires, however we need to have it  
10 transpire, per Dr. Crabtree through Mara. I just want to make  
11 sure that as we do go through all this and we're getting all  
12 this hashed out and lined up -- I mean in the SSC report, there  
13 were some elements to the actual stock assessment that they had  
14 a few qualms with, the pooled growth rate for male and female  
15 and the stock recruit steepness and the shrimp trawl bycatch  
16 mortality that was assigned entirely to age zero fish. There is  
17 a list of bullet points.

18  
19 If that needs to be addressed to get anything from the Science  
20 Center before the SSC meeting, so that they can evaluate it, I  
21 just want to make sure that we do make sure we get them all the  
22 data that they need to evaluate during their meeting, their next  
23 meeting.

24  
25 **CHAIRMAN ANSON:** Mara.

26  
27 **MS. LEVY:** I guess Bonnie can address this, but I don't see sort  
28 of any changes of that magnitude to the assessment without doing  
29 a new assessment or some sort of thing that -- I mean we have  
30 the assessment and we have said or the SSC has said yes, it's  
31 still overfished and we're not going to meet the rebuilding  
32 target.

33  
34 The thing that needs to happen now -- They didn't feel like they  
35 could give ABC recommendations at this particular point in time,  
36 but, regardless of that, the council is going to have an  
37 obligation to figure out what the rebuilding time is and as  
38 short as possible and all of that and so we've got to get those  
39 projections so that you can see is it ten years or less and then  
40 what it would be with F zero and all those other things, so that  
41 you can come back and revise or do a new rebuilding plan. That  
42 has to happen regardless of what the SSC said about the  
43 projections, in my opinion.

44  
45 **CHAIRMAN ANSON:** Robin.

46  
47 **MR. RIECHERS:** It seems like we have two different discussions  
48 going on. One is the discussion about the reaction to the



1 current stock assessment and the finding that it was best  
2 available science, which is what the folks at this end of the  
3 table are suggesting we do, which is get those projections now,  
4 the new projections, and the council is going to have to look at  
5 that moving forward and the SSC is going to have to review that.  
6

7 The other conversation that we have ongoing that seems a little  
8 more subtle or it's not really subtle in nature, but it seems to  
9 be being tossed to the side just a little bit in nature, or not  
10 -- That's a strong word and not tossed to the side, but more  
11 difficult to figure out how to do is how do we look at some of  
12 those issues that it seems at least as if we heard the SSC --  
13 That was part of the reason they weren't going forward with the  
14 projections.  
15

16 Not only do they need new projections, but they had these other  
17 concerns that they wanted to look at in some way. It may be  
18 that they can't be addressed until a benchmark. I think what we  
19 talked about in committee was is there some step between a  
20 benchmark and some sort of iterative process right now that will  
21 either help ameliorate those concerns or maybe even have us  
22 factor in some other considerations as we look at some of those  
23 other things.  
24

25 I don't know whether we need two motions to do that. I thought  
26 we were kind of just directing staff to do that second part. I  
27 just don't want that to be forgotten when we come back here the  
28 next time and say we didn't get to that or that doesn't really  
29 matter, because I do think that's been what many council members  
30 have been asking for and, Leann, I think that's exactly what you  
31 were getting at, in some respects, is how do we take that  
32 iterative step approach and maybe answer, hopefully, to the  
33 conclusion that it really doesn't change anything regarding the  
34 benchmark and the SSC becomes comfortable with that.  
35

36 **CHAIRMAN ANSON:** Dr. Ponwith.  
37

38 **DR. PONWITH:** So what I'm hearing is that we have an obligation  
39 to move on refining those projections so they are the  
40 projections we need to get to the SSC to enable them to set ABC  
41 advice, given the circumstances that we're in with this stock.  
42

43 On the other hand, what I'm hearing is there were questions in  
44 the report about the assessment and so that -- When I talk to  
45 the analysts and ask them about the degree of the discussions,  
46 what I hear is that the discussions were -- I wasn't at the  
47 meeting and so this isn't first-person.  
48

1 What I am hearing is the discussions were long and they were  
2 detailed and they were robust discussions about these issues and  
3 questions were raised about parameters in the assessment and  
4 sensitivity analyses were run to evaluate the role of some of  
5 those parameters and the sensitivity analyses showed that it's a  
6 logical question to ask, but this particular issue did not have  
7 a high impact on the outcome of the assessment.

8  
9 Because I wasn't in the meeting itself, I can't tell you one-to-  
10 one with the bullet list that you had just read that a  
11 sensitivity analysis was run on each of those. I can't do that  
12 in real time, but what I have in the record is that the  
13 assessment was approved and that we were ready to run these  
14 analyses.

15  
16 The problem with iterative is if you, on one hand, say I don't  
17 accept the stock assessment and I want you to change a bunch of  
18 stuff, you can't do that at the same time as you're running  
19 projections.

20  
21 You need the assessment to be able to run those projections and  
22 you need to make sure those projections are parameterized in a  
23 way that answer the question you're trying to answer, which is  
24 to get at that rebuilding time in a revised plan for rebuilding.

25  
26 **CHAIRMAN ANSON:** Dr. Dana.

27  
28 **DR. DANA:** Thank you, Chairman Anson. But how do you revise the  
29 projections based on an assessment which frankly people are  
30 saying is a mess? I mean I have heard many folks around this  
31 table use that term to describe the assessment and you know with  
32 what we're hearing from those that are on the water, it's that  
33 the fishery, at least from Panama City to Mobile and further, is  
34 very robust and that's not what the assessment is saying.

35  
36 **DR. PONWITH:** First of all, if a council member were at the  
37 review and witnessed the review and their determination is that  
38 the assessment is a mess, I am willing to hear, but your  
39 scientific body was there and they participated in that  
40 deliberation and the deliberation was robust and there was a lot  
41 of discussion, but that scientific body approved the stock  
42 assessment for determining the status of that stock, which is  
43 that it is overfished.

44  
45 That is your advisory panel on this. In terms of what's being  
46 seen on the water, if anecdotal information and early  
47 information from the fishery-independent data collections  
48 corroborate one another and say things have improved, I will be

1 the first to pop the cork on the champagne bottle, but I don't  
2 necessarily view that at odds with the stock assessment, because  
3 the stock assessment has a terminal year, right?

4  
5 That terminal year has to be set to be able to get all the data  
6 we need into the assessment process, peer reviewed, and analyzed  
7 in time to run the stock assessment. So if things are happening  
8 on the water post-terminal year of this that are different than  
9 what we were seeing in the trends, then you know it's certainly  
10 worthy of paying attention to and incorporating in our plans for  
11 how we deal with this going forward, but we would be -- We don't  
12 want to be chasing our tails on stock assessments here without  
13 thinking through the repercussions.

14  
15 The council is contemplating putting another stock assessment  
16 for this stock into the mix for the SEDAR schedule and it is the  
17 council's prerogative to set priorities for the SEDAR schedule.

18  
19 The catch is for everything you put in, you need to remove  
20 something and I am reasonably confident the council will not  
21 want to entertain red snapper being the thing that's removed and  
22 so it's a matter of maybe revisiting the SEDAR schedule and  
23 saying where would you want something in there, to be able to  
24 test that hypothesis, you know based on some of the early data  
25 we're seeing in our own fishery-independent, which doesn't  
26 disagree with some of the observations that people are seeing.

27  
28 The other thing that concerns me a little bit is one of the  
29 issues in the assessment is the recruitment issue and that we're  
30 seeing not as much recruitment in the stock assessment as one  
31 would hope, given the management measures that have been put in  
32 place. Now the anecdotal information is we're seeing some of  
33 these pre-recruits to the fishery, these smaller fish that  
34 aren't keepers, but will be soon. I think that's promising.

35  
36 **DR. DANA:** Thank you, Bonnie, but you just remarked that our  
37 advisory body, and I am assuming you're talking about our SSC,  
38 approved scientifically the findings of the assessment, but what  
39 I heard the other day at the committee was that was not  
40 necessarily a unanimous case and that there was quite a close  
41 vote between those that approved it and those who did not, or  
42 not approved it, but those who thought it was worthy of  
43 forwarding versus those not.

44  
45 I am not comfortable, to tell you the truth, based on what I am  
46 hearing and what the assessment says -- I don't know, because I  
47 am not a scientist, but I don't know how you go about making  
48 sure that an assessment, a solid assessment, is in place so that

1 you can do valid projections.

2

3 **CHAIRMAN ANSON:** To that point, Dr. Ponwith, and then Greg.

4

5 **DR. PONWITH:** Just to that point, I applaud your concern,  
6 because making decisions on sound science is a practice we  
7 should all embrace and all I can tell you is we carried out the  
8 stock assessment according to the best practices and according  
9 to the protocols that exist in SEDAR.

10

11 We peer reviewed that product according to the peer review  
12 protocols that we have set up under SEDAR that we have blessed  
13 and that comport with National Standard 2. Based on those  
14 methodologies, that stock assessment was approved by the SSC.  
15 The vote was twelve to eight, which means it's not unanimous,  
16 but that it passed.

17

18 At this stage, if you want to go on process, I guess the  
19 question is how much bigger of a yes than a majority vote do we  
20 need or do we need to revisit, from a SEDAR process standpoint,  
21 the methods we're using for arriving at decisions, but in terms  
22 of the assessment, when I look at the process that was followed  
23 and the outcomes, in my mind that's an approved stock  
24 assessment.

25

26 **CHAIRMAN ANSON:** Dr. Stunz.

27

28 **DR. STUNZ:** I too agree with Pam that it concerns me some,  
29 Bonnie, and I suppose a vote is a vote and maybe even Doug can  
30 shed some light if -- There was some earlier discussion that,  
31 for example, had they heard the full discussion at the end that  
32 it wouldn't have been a twelve-to-eight vote and, for me, it  
33 seems like it should be revisited it a little bit, but, Doug,  
34 maybe a question for you.

35

36 This was the first meeting, I guess, since we restructured the  
37 SSC, right, and so you had these new guys coming in which  
38 weren't the standard stock assessment guys that were used to  
39 doing this and just having been on that committee and who knows  
40 the reason people voted, but you don't want to vote that it's  
41 not the best science, because it is the best science. That's  
42 what you've got, but then we have this whole confounding thing  
43 of but not used for management advice.

44

45 It just seems like a very confusing deal and then last night we  
46 hear that very opposite report of what's going on on the water  
47 and so I don't know. There's just a lot of moving parts, which  
48 makes me a little skeptical about where we're going with this.

1  
2 **CHAIRMAN ANSON:** Doug Gregory, to that point.

3  
4 **EXECUTIVE DIRECTOR GREGORY:** We will clearly look at all this  
5 and triggerfish will be on the SSC agenda in January for sure  
6 and we will work with the Chair and Vice Chair and the Center  
7 and try to clarify what needs to be done.

8  
9 I think it's a series of things and it wasn't just that it was a  
10 new committee. It was also that some of the people we assigned  
11 to the panel to work with the stock assessment scientists didn't  
12 all show up and so the expertise might not have been there  
13 upfront. It could be that the SSC was kind of blindsided by all  
14 this. It's the projections that were bothersome.

15  
16 I am going to work with the SSC and I don't think it's  
17 appropriate to say things like it's not good enough for  
18 management. What they should say is this is the best available  
19 data, but it's not a good assessment or this is the best  
20 available data and it's a good assessment, but we don't think  
21 the projections are right and keep them confined to the data and  
22 the science, but we will work it all out.

23  
24 We have clearly heard what the concerns are and maybe the  
25 projection, the rebuilding timeframe, was incorrect based on an  
26 older assessment. We had a 2006 benchmark and a 2010 update and  
27 the update information wasn't implemented in the management  
28 measures until 2013 and so it was only two years ago and so  
29 fishing mortality is low. The stock is continuing to rebuild,  
30 but not at the original trajectory and so we'll look into all  
31 that and come back to you in January with a more complete  
32 summary.

33  
34 **CHAIRMAN ANSON:** To that point, Dr. Ponwith.

35  
36 **DR. PONWITH:** To that point, this is an SSC that's comprised  
37 under the new model that was established and a blending of the  
38 different areas of expertise and one of the things we spoke  
39 about at length in trying to make these APs, and the SSC  
40 included, more cost-effective and more efficient is managing the  
41 expertise contribution and the size of them and I'm a big fan of  
42 that, because you know I'm constrained the same way. You only  
43 have as much as you have to work with and you need to make sure  
44 you are configured properly.

45  
46 I would like to, just as an upshot of this conversation, raise  
47 concern. I know the agreement when this was done was that no  
48 fewer than four of the SSC members would be stock assessment

1 competent and I am wondering if we need to keep a really close  
2 eye on that and consider raising that number. Again, nothing --  
3 It's just something to keep on our radar going into the future.

4  
5 **EXECUTIVE DIRECTOR GREGORY:** If I may, the thing was no more  
6 than seven. The problem we're having is the problem the SSC has  
7 always had. We do not have a good cadre, or a large cadre I  
8 should say, of stock assessment scientists in the southeastern  
9 United States.

10  
11 If we want more high power, we've got to go to New England or  
12 the North Pacific and we've got to bring people in. We just  
13 don't have the schools and that's why some of us went to the  
14 University of Washington to get our degrees, because we don't  
15 have fishery schools of that caliber in the Southeast and so  
16 it's not the new system. We have always had this problem with  
17 the old system. I think part of it might be that some of the  
18 people that have been doing the work day in and day out just  
19 weren't involved in this one.

20  
21 I mean we'll look at the dynamics. There is some dynamics here  
22 that is a bit unusual, but we will look at all that, but it's  
23 not the new structure, because we have always had a problem with  
24 a shortage of stock assessment people and with Greg and I gone,  
25 it's even worse.

26  
27 **CHAIRMAN ANSON:** I had Dr. Lucas on my list, but I want to close  
28 it out and we'll have Dr. Dana too, but Dr. Lucas.

29  
30 **DR. LUCAS:** I think both Greg and Doug said the part about the  
31 management thing, about not using it for management, which I  
32 guess is what makes all of us shaky, but I mean I also  
33 specifically asked Luiz, in light of the information they found  
34 out during the process, if he thought that information could  
35 improve the assessment and he did say yes, that he thought that  
36 could improve the assessment.

37  
38 I feel like they know there is information out there that they  
39 could utilize to improve this assessment and I don't think we  
40 can discount that.

41  
42 **CHAIRMAN ANSON:** Dr. Dana.

43  
44 **DR. DANA:** Just briefly, I think Dr. Crabtree brought up a good  
45 point the other day with the committee that in other SSCs they  
46 don't -- They arrive to a consensus rather than a vote and the  
47 stakes become very high, especially when you have a close vote,  
48 twelve to eight. That's pretty significant when almost -- When

1 a significant number of your scientific team doesn't agree with  
2 an assessment. Maybe we look at consensus, like other SSCs,  
3 versus votes.

4  
5 **CHAIRMAN ANSON:** All right and so just to recap for everybody,  
6 it sounds like that the SSC Chair and Vice Chair will work with  
7 the Science Center assessments and kind of come up with those  
8 projections, with some intermediate range or terms in there, and  
9 they will be presenting that to the January SSC and then we'll  
10 see it at the January council. Let's go ahead and take a break,  
11 fifteen minutes, and if you need to check out, go ahead and do  
12 so. Thank you.

13  
14 (Whereupon, a brief recess was taken.)

15  
16 **CHAIRMAN ANSON:** All right. We'll go ahead and start Reef Fish  
17 back up again. Mr. Greene.

18  
19 **MR. GREENE:** Thank you, Chairman Anson.

20  
21 Final Action, Framework Action to set Gag Recreational Season  
22 and Gag and Black Grouper Minimum Size Limits, staff reviewed  
23 the draft framework action Reef Fish AP recommendations, Tab B,  
24 Number 11, and written comments received.

25  
26 The council had previously adopted preferred alternatives for  
27 Action 1, the gag recreational minimum size limit, and Action 2,  
28 the black grouper minimum size limit, to set a twenty-four-inch  
29 recreational minimum size limit, and a preferred alternative in  
30 Action 3 to eliminate the December 3 through 31 recreational  
31 fixed closed season. This would result in a recreational gag  
32 season of July 1 through December 31, or until the ACL was  
33 projected to be reached.

34  
35 Other alternatives in Action 3 could extend the season, but  
36 committee members felt that a precautionary approach was  
37 warranted until a new stock assessment is conducted. Mara Levy  
38 reviewed the codified regulations, Tab B, Number 5(b), and noted  
39 that they reflected the current preferred alternatives.

40  
41 **CHAIRMAN ANSON:** Martha.

42  
43 **MS. BADEMAN:** Thank you, Mr. Chairman. Before we get to the  
44 motion in the committee report, I would like to offer a motion  
45 based on some of the public testimony we heard yesterday. **That**  
46 **motion would be in Action 3 to add a new preferred alternative**  
47 **that would remove the June 1 through 30 portion of the fixed**  
48 **closed season and begin the season on June 1 and close when the**

1 recreational ACL is projected to be met.

2  
3 **CHAIRMAN ANSON:** Is that your motion?

4  
5 **MS. BADEMAN:** Yes, that's it.

6  
7 **CHAIRMAN ANSON:** All right. So we have a motion on the board  
8 and do we have a second? It's seconded by Mr. Fischer. Any  
9 discussion on the motion? Martha.

10  
11 **MS. BADEMAN:** I've talked to a lot of people about gag since we  
12 I guess got the analysis with the twenty-four-inch size limit  
13 that showed that we could potentially open the season earlier.  
14 There were two general themes, I would say. One, something is  
15 up with the stock. We've been hearing that for quite some time.  
16 Two, if we do a longer season, December is very, very important,  
17 particularly for southwest Florida.

18  
19 I want to be sensitive to southwest Florida. They've been --  
20 The current season that we have now has not been so favorable to  
21 them. I know the AP ended up with a season that would have  
22 opened in the year, starting in January and closing February and  
23 March and then opening again in the spring until the end of the  
24 year.

25  
26 I want to support that and I hope it would be a good compromise.  
27 I think maybe if gag was in better shape, but my worry with that  
28 is that if we open in January and open in the spring that we end  
29 up in situation like we are with red grouper now, where we have  
30 an early closure and it backfires on them and they cannot be  
31 open in December.

32  
33 A lot of the comments yesterday addressed that if we open in  
34 June that that maybe could alleviate some of the discards that  
35 are going on during red snapper season in June and so I just  
36 want to throw this out there as a possible compromise between  
37 what the AP is looking for and our current preferred  
38 alternative.

39  
40 **CHAIRMAN ANSON:** I have Steven, followed by Johnny Greene.

41  
42 **MR. ATRAN:** According to the decision model spreadsheet, if we  
43 were to have a June 1 through December 31 open season, we would  
44 be under both the ACL and the ACT. We would be about 13 percent  
45 below the ACT.

46  
47 **CHAIRMAN ANSON:** Mr. Greene.



1 **MR. GREENE:** Well, I have a little concern. I mean I understand  
2 the discards June would have, because I do fish almost every  
3 day, except for the council meeting that I will attend, and I  
4 certainly understand that, but you know red snapper is a big  
5 draw to our area during the month of June and we can -- We can  
6 do with or without gag.

7  
8 I know there are some people who may not understand where I'm  
9 coming from on this, but I think that that -- I just want to  
10 make absolute sure that those guys down along the coast of  
11 Florida that really depend on gag in December get that season.  
12 I think that's more important to them than some discard issues  
13 in the northern Gulf with gag during the month of June.

14  
15 **CHAIRMAN ANSON:** Myron.

16  
17 **MR. FISCHER:** I would support this motion. I just enjoy the  
18 ecosystem approach of it of having some of your reef fish open  
19 simultaneously to alleviate the discard problem.

20  
21 **CHAIRMAN ANSON:** All right. Mr. Williams.

22  
23 **MR. WILLIAMS:** Steve Atran, did you say that fishing June  
24 through the end of December we would still be 13 percent below  
25 the ACT? Is that what I heard?

26  
27 **MR. ATRAN:** That is correct, with the caveat that there is no  
28 attempt to try to predict any changes in fishermen behavior.

29  
30 **CHAIRMAN ANSON:** All right. Any further discussion on the  
31 motion? **Is there any opposition to the motion? We have one**  
32 **opposed and seeing that, the motion carries.** Mara.

33  
34 **MS. LEVY:** I guess, just to make sure that we're correct for  
35 staff about this, this would essentially add a new Alternative 5  
36 to that action that would then also then be the preferred  
37 alternative and that if you're going to go to the next motion  
38 that's going to submit to the Secretary, to just be aware that  
39 staff is going to have to analyze this and edit the document, as  
40 well as the codified text you reviewed earlier, because that's  
41 not in there right now.

42  
43 **CHAIRMAN ANSON:** Dr. Crabtree.

44  
45 **DR. CRABTREE:** I think, and, Mara, correct me if I'm wrong, it's  
46 within the range of what's already in the document and has been  
47 analyzed and it certainly came out of public comment yesterday,  
48 because I heard a number of fishermen ask for this and so I

1 think it's fine, from a NEPA perspective.

2

3 **CHAIRMAN ANSON:** All right. Thank you.

4

5 **MR. GREENE:** Without opposition, the committee recommends and I  
6 so move --

7

8 **CHAIRMAN ANSON:** Hold on, Johnny, one -- Dale.

9

10 **MR. DIAZ:** I am sorry, Mr. Chairman, but I was kind of hoping we  
11 would have some discussion about -- Several of the commercial  
12 fishermen yesterday said that they thought that the commercial  
13 size limit should be raised to twenty-four inches and I was  
14 wanting to ask either David or Leann if they had got some  
15 feedback from some commercial fishermen in some other areas and  
16 what type of feedback they had gotten.

17

18 **CHAIRMAN ANSON:** Mr. Walker.

19

20 **MR. WALKER:** Yes, they supported the twenty-four-inch. It would  
21 make it better for enforcement and I think most of the  
22 commercial industry is for better enforcement and twenty-four  
23 inches would be consistent with the recreational. You know if  
24 it helps extend the season and prevents some discards -- I  
25 haven't seen many fish that are under twenty-four and I think we  
26 heard testimony on that as well.

27

28 **CHAIRMAN ANSON:** Leann.

29

30 **MS. BOSARGE:** Dale, I haven't heard any feedback out of our guys  
31 in Mississippi and over that way.

32

33 **CHAIRMAN ANSON:** Martha.

34

35 **MS. BADEMAN:** I was just going to say I was listening to the  
36 webinar when the AP met and when they talked about raising the  
37 size limit to twenty-four and one of the comments that was made  
38 was -- It's consistent with what David just said, that they're  
39 bringing in fish that are bigger than twenty-four anyway and so  
40 they were supportive of that.

41

42 **MR. DIAZ:** With that, Mr. Chairman, I would like to make a  
43 motion that we change the minimum size limit on the commercial  
44 sector to twenty-four inches. That's based on public comments.

45

46 **CHAIRMAN ANSON:** We have a motion to change the commercial size  
47 limit to twenty-four inches and it's been seconded by Mr.  
48 Walker. Dr. Crabtree.

1  
2 **DR. CRABTREE:** There is no action currently in the amendment  
3 that addresses the commercial size limit and so you would have  
4 to add an action to the document and then we would have to take  
5 action on this at our next meeting, because staff would have to  
6 add that and analyze it and bring it back to us. You can do  
7 that if you want to, but understand that means we can't finalize  
8 the document today.

9  
10 **MR. DIAZ:** What does that mean for overall timing of this thing  
11 then, Dr. Crabtree? I mean when would implementation take place  
12 if we decided to take that step?

13  
14 **DR. CRABTREE:** Well, our next meeting is in late January and so  
15 probably June implementation. I think it would be iffy as to  
16 whether we could get it done in time to open June. I wouldn't  
17 rule it out, but it would be close.

18  
19 **CHAIRMAN ANSON:** Martha.

20  
21 **MS. BADEMAN:** Dale, if you're willing, I mean I think I would  
22 prefer to -- I am with you, but I think I would prefer to do it  
23 in a separate action, so that we've got enough time and we know  
24 we can get our changes done for the season in time.

25  
26 **MR. DIAZ:** Based on comments around the table, if the seconder  
27 agrees, I would like to withdraw my motion.

28  
29 **MR. WALKER:** I agree.

30  
31 **CHAIRMAN ANSON:** All right. Mr. Walker agrees and so the motion  
32 is withdrawn. Mr. Greene.

33  
34 **MR. GREENE:** Without opposition, the committee recommends, and I  
35 so move, that the council approve the Final Framework Action for  
36 Gag and Black Grouper and that it be forwarded to the Secretary  
37 of Commerce for review and implementation and deem the codified  
38 text as necessary and appropriate, giving staff editorial  
39 license to make the necessary changes in the document. The  
40 Council Chair is given the authority to deem any changes to the  
41 codified text as necessary and appropriate.

42  
43 **CHAIRMAN ANSON:** It's a committee motion. Is there any  
44 discussion on the motion? Martha.

45  
46 **MS. BADEMAN:** Just, Mara, this meets what we need to have in  
47 there for staff to make the necessary changes, based on what we  
48 just did?

1  
2 **MS. LEVY:** Yes, I think that's fine and we will send the Council  
3 Chair the new codified text that reflects what you just added.  
4  
5 **CHAIRMAN ANSON:** All right. Is there any further discussion?  
6 Is there any opposition to the motion? This is a roll call,  
7 that's right. Mr. Gregory.  
8  
9 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.  
10  
11 **DR. CRABTREE:** Yes.  
12  
13 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.  
14  
15 **DR. LUCAS:** Yes.  
16  
17 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.  
18  
19 **MS. BOSARGE:** Yes.  
20  
21 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.  
22  
23 **MR. FISCHER:** Yes.  
24  
25 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.  
26  
27 **MR. WILLIAMS:** Yes.  
28  
29 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.  
30  
31 **MR. SWINDELL:** Yes.  
32  
33 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.  
34  
35 **DR. DANA:** Yes.  
36  
37 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.  
38  
39 **MR. WALKER:** Yes.  
40  
41 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.  
42  
43 **MR. DIAZ:** Yes.  
44  
45 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.  
46  
47 **MR. MATENS:** Yes.  
48

1 **EXECUTIVE DIRECTOR GREGORY:** Captain Greene.

2

3 **MR. GREENE:** Yes.

4

5 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.

6

7 **MS. BADEMAN:** Yes.

8

9 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.

10

11 **MR. SANCHEZ:** Yes.

12

13 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.

14

15 **MR. RIECHERS:** Yes.

16

17 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.

18

19 **DR. STUNZ:** Yes.

20

21 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.

22

23 **MR. BOYD:** Yes.

24

25 **EXECUTIVE DIRECTOR GREGORY:** Chairman Anson.

26

27 **CHAIRMAN ANSON:** Yes.

28

29 **EXECUTIVE DIRECTOR GREGORY:** It's unanimous.

30

31 **CHAIRMAN ANSON:** Mr. Greene.

32

33 **CHAIRMAN GREENE:** Options Paper, Amendment to Define Gulf of  
34 Mexico Hogfish Stock and set ACL and Status Determination  
35 Criteria, Tab B, Number 7, council staff reviewed the options  
36 paper for hogfish.

37

38 There are three actions: 1)define the geographic boundary  
39 between the Gulf and East Florida/Florida Keys hogfish stocks;  
40 2)establish status determination criteria of MFMT, MSST, and MSY  
41 proxy); and 3)set ACL and, optionally, ACT for the Gulf hogfish  
42 stock.

43

44 Staff noted that Action 2 to define status determination  
45 criteria could be moved into the MSST amendment that is being  
46 developed concurrently. Also, Action 3 is not yet complete,  
47 because the constant catch ABC needed for one of the  
48 alternatives is not yet available.

1  
2 Council staff reviewed the Reef Fish AP's recommendations, which  
3 included a motion to increase the minimum size limit to fourteen  
4 inches fork length. **Without opposition, the committee**  
5 **recommends, and I so move, to add an action to look at increases**  
6 **to the minimum size limit for hogfish.**

7  
8 **CHAIRMAN ANSON:** We have a committee motion and it is on the  
9 board. Is there any discussion on the motion? **Is there any**  
10 **opposition to the motion? Seeing none, the motion carries.**  
11 Hold on one second, Johnny. Steven.

12  
13 **MR. ATRAN:** Before you get off of hogfish, Action 2, which is  
14 setting the status determination criteria, we've got another  
15 options paper, a minimum stock size threshold, which would also  
16 take care of that same item and so I would suggest we simply  
17 remove that from the hogfish document and take care of status  
18 determination criteria in the MSST amendment.

19  
20 **EXECUTIVE DIRECTOR GREGORY:** Steven, which document do you think  
21 we could get through quicker and does that even make a  
22 difference, in your opinion?

23  
24 **MR. ATRAN:** I don't think it makes any difference, unless we're  
25 expecting to get a new hogfish assessment very quickly, but both  
26 of those documents are on about the same timeline.

27  
28 **CHAIRMAN ANSON:** Mara.

29  
30 **MS. LEVY:** Well, we're redefining what the hogfish fishery  
31 management unit is and we need the status determination criteria  
32 to go with that new stock and so we can't really separate them,  
33 because when we define it, we need to establish what the status  
34 determination criteria are and so we can't just throw it in  
35 another amendment when it hasn't been defined yet and we don't  
36 want to define it without the status determination criteria.

37  
38 **CHAIRMAN ANSON:** Dr. Crabtree.

39  
40 **DR. CRABTREE:** So I appreciate Steve's suggestion and I hear  
41 where you're coming from, Steve, but just as a matter of law and  
42 how this stuff works, I think we need to leave it in the hogfish  
43 amendment.

44  
45 **CHAIRMAN ANSON:** All right. Thank you though, Steven. Martha.

46  
47 **MS. BADEMAN:** I just have something on gag that I just forgot  
48 and it's based on what Dale and I were just talking about. When

1 we're ready to back up to that and I don't know if it's right  
2 now, but --

3  
4 **CHAIRMAN ANSON:** Why don't we talk about it right now, since  
5 it's relatively fresh.

6  
7 **MS. BADEMAN:** I wanted to make a motion to direct staff to begin  
8 a framework amendment that would increase the minimum size limit  
9 for commercial harvest of gag and black groupers to twenty-four  
10 inches total length.

11  
12 **CHAIRMAN ANSON:** All right. The motion is on the board. Is  
13 there a second to the motion? It's seconded by Mr. Diaz. Is  
14 there any other discussion on the motion? Carrie.

15  
16 **DR. SIMMONS:** Mr. Chairman, I believe black grouper is already  
17 twenty-four inches total length for the commercial sector.

18  
19 **MS. BADEMAN:** If it's already twenty-four, then we're good to  
20 go. I just want it to be the same, that's all.

21  
22 **DR. SIMMONS:** Just not for the recreational.

23  
24 **MS. BADEMAN:** Right.

25  
26 **CHAIRMAN ANSON:** Steven.

27  
28 **MR. ATRAN:** Carrie said what I was going to say.

29  
30 **MS. BADEMAN:** So I guess just take black out of there.

31  
32 **CHAIRMAN ANSON:** Dale, you concur?

33  
34 **MR. DIAZ:** Yes, sir.

35  
36 **CHAIRMAN ANSON:** All right. Is there any opposition to the  
37 motion to direct staff to begin a framework amendment that would  
38 increase the minimum size limit for commercial harvest of gag  
39 grouper to twenty-four inches total length? Any opposition?  
40 Seeing none, the motion carries. Martha, do you have one more?  
41 No? Okay, Mr. Greene.

42  
43 **MR. GREENE:** Revised Public Hearing Draft Amendment 39, Regional  
44 Management of Recreational Red Snapper, Tab B, Number 6, staff  
45 reviewed the actions and alternatives in Regional Management of  
46 Recreational Red Snapper and the Reef Fish AP's recommendations  
47 for each action, Tab B, Number 11.

48

1 In Action 1, the committee discussed the proposed timeline and  
2 required analyses for delegation and conservation equivalency  
3 plans. A committee member noted that the three-year sunset  
4 provision adopted by the council for sector separation was not a  
5 long time to evaluate the new management structure and the  
6 committee passed the following motion.

7  
8 **By a voice vote of four to three, the committee recommends, and**  
9 **I so move, in Action 1 to add Alternative 5, Option b as a**  
10 **preferred alternative. Alternative 5 is to establish a**  
11 **provision to sunset regional management after Option b, five**  
12 **calendar years of the program.**

13  
14 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
15 discussion on the motion? Is there any opposition to the  
16 motion? That's what I thought. **All those in favor of the**  
17 **motion please raise your hand.**

18  
19 **EXECUTIVE DIRECTOR GREGORY:** Ten people.

20  
21 **CHAIRMAN ANSON:** All those opposed please raise your hand.

22  
23 **EXECUTIVE DIRECTOR GREGORY:** Seven. Ten to seven.

24  
25 **CHAIRMAN ANSON:** Mr. Greene.

26  
27 **MR. GREENE:** In Action 2, staff reviewed the new tables and  
28 figures that provide the regional allocations and estimated  
29 season lengths for the alternatives, based on the council's  
30 current preferred alternatives for allocating the recreational  
31 sector ACL in Action 6.

32  
33 After an initial motion to make Alternative 2 the preferred, the  
34 committee passed the following substitute motion. **By a voice**  
35 **vote of five to three, the committee recommends, and I so move,**  
36 **in Action 2 to make Alternative 4 the preferred alternative.**  
37 **Alternative 4 is end the separate management of the federal for-**  
38 **hire and private angling components upon implementation of this**  
39 **amendment and have this amendment apply to the entire**  
40 **recreational sector. The private angling and the federal for-**  
41 **hire components would be managed as a single unit by each region**  
42 **under regional ACLs, based on the allocation selected in Action**  
43 **6.**

44  
45 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
46 discussion on the motion? Dr. Dana.

47  
48 **DR. DANA:** I would like to offer a substitute motion, if I can



1 get a second. I would like to make the motion that in Action 2  
2 that Alternative 2 be the preferred alternative, which is to  
3 extend the separate management of federal for-hire and private  
4 angling components of the recreational sector. This amendment  
5 would apply to the private angling component only. The private  
6 angling component would be managed by each region under the  
7 ACLs, based on the allocation selected in Action 6.  
8

9 **MR. SANCHEZ:** Second.

10  
11 **CHAIRMAN ANSON:** We have a motion and it's been seconded by Mr.  
12 Sanchez. I will give staff a little bit of time to cut and  
13 paste. Does anyone want to start discussion on that? Dr. Dana.  
14

15 **DR. DANA:** Thank you. First of all, in extending the separate  
16 management of the federal for-hire component, that -- Obviously  
17 we had a three-year program put into place to sunset after three  
18 years and it's working well. The industry appreciates the  
19 program and to allow it to continue, in my mind, and in many  
20 others, is worthy.  
21

22 Secondly, from -- Obviously from what we heard from the  
23 industry, both in this room and outside, the -- For the most  
24 part, they are in favor of a regional management plan going  
25 forward that responds to the needs of the private recreational  
26 sector. The for-hire opts to remain under the management of the  
27 federal.  
28

29 **CHAIRMAN ANSON:** Mr. Williams.  
30

31 **MR. WILLIAMS:** I was going to say that I agree with Dr. Dana on  
32 this. The charter and headboat fisheries are very happy, from  
33 what I've heard, with what we did in Amendment 40. The only  
34 objection that I've heard is they wished it went on for a longer  
35 period of time, rather than just the three-year sunset that we  
36 gave them. I would speak in favor of this motion.  
37

38 **CHAIRMAN ANSON:** Mr. Boyd.  
39

40 **MR. BOYD:** Yes, I have a question for Mara, if she doesn't mind.  
41 Is she here? She is busy right now and I will ask in just a  
42 second, but I don't want to go away without asking her the  
43 question.  
44

45 Mara, we heard extensive public testimony over the months about  
46 how Magnuson provides some cover -- That is my word and not  
47 their word, but it provides assurances that the charter-for-hire  
48 industry can continue to exist and the implication is, and the

1 statements have been, that under state management that would not  
2 be the same and they are very worried about continued business  
3 operations if the state is managing.

4  
5 My question to you is if Amendment 39, Option 4 was selected,  
6 would that negate Magnuson or would it in any way nullify the  
7 parts of Magnuson that offer this, quote, unquote, protection  
8 that the charter-for-hire thinks they have?

9  
10 **MS. LEVY:** It's a little bit hard to answer that, just because  
11 that's a very ambiguous idea of protection. I mean, to me, this  
12 amendment provides the states with the authority to choose very  
13 specific management measures for red snapper and it to apply to  
14 everybody that lands in their state, so long as they have an  
15 approved conservation equivalency plan.

16  
17 The Alternative 4 just says to me that the private and the  
18 charter headboat components of the recreational sector are going  
19 to be under the same rules, the same season, the same bag limit,  
20 that the states set. To me, it's pretty limited, the very vague  
21 notion of somehow having protections for the charter industry  
22 and all of that. It's hard to answer exactly what their  
23 concerns are. Obviously the states can't nullify their permits,  
24 right? They have federal permits and did that answer your  
25 question at all?

26  
27 **MR. BOYD:** Well, it helps it. I don't know that it answers it,  
28 because I don't see, and I am not an attorney, but I don't see  
29 that Magnuson is nullified in any way and that Magnuson goes  
30 away if the states are managing the bag limits and the seasons.  
31 I have a hard time understanding their testimony as to a lack of  
32 protection or a lack of continued business operations and I  
33 think you just said that.

34  
35 **MS. LEVY:** Right. I mean it's still being managed under the  
36 Magnuson Act, because it's a council plan that's putting this  
37 into place and anything that happens has to be consistent with  
38 the Magnuson Act and so I will agree with you there.

39  
40 **MR. BOYD:** All right. My second part of this question is would  
41 the council's ability to manage go away or be nullified in any  
42 way if Action 2, Number 4 is selected?

43  
44 **MS. LEVY:** I mean to the extent that the council is basically  
45 saying that the states can submit these plans and be in charge  
46 of these particular elements, yes, it does sort of give that  
47 authority, in a sense, to the state, but in the sense that the  
48 council has no mechanism to take that back, no, because the

1 council always has the prerogative to amend the plan again and  
2 say we're not going to do these CEP things anymore and we're  
3 going to decide on bag limits and seasons for everybody or  
4 whoever is applicable.

5

6 **MR. BOYD:** Thank you.

7

8 **CHAIRMAN ANSON:** I have several people. I have Roy Williams,  
9 John Sanchez, and Dr. Crabtree.

10

11 **MR. WILLIAMS:** Doug, I would like to try to answer your  
12 question. I think Buddy Guindon answered it yesterday. He said  
13 approval of Option 4 is really the death knell for the charter  
14 industry and the reason it's going to be the death knell is that  
15 the recreational fishery will continue to expand and it will  
16 expand and it will just slowly squeeze the charter fishery out.

17

18 I think his characterization is correct. I think it will begin  
19 -- Approval of Option 4 will begin the slow decline of the  
20 charter boat fishery and the headboat fishery as we know it.  
21 They will simply not have much allocation. They will not have  
22 enough to survive.

23

24 **CHAIRMAN ANSON:** John Sanchez.

25

26 **MR. SANCHEZ:** I think we've heard -- Again, I sound like a  
27 broken record. We have heard from everybody for years. I mean  
28 this is their fishery. They chose this with a myriad of options  
29 available to them and in some instances, their landings comprise  
30 the majority of the landings from different respective states.

31

32 If this is what they want, I don't know why we're hell bent on  
33 not giving it to them already. They perceive this as the state  
34 controls something they don't want to do and they have this  
35 existing management and they've come up with a plan and let them  
36 do it. We should be fostering it and not trying to fight it at  
37 every meeting. I'm just at a loss.

38

39 **CHAIRMAN ANSON:** Dr. Crabtree.

40

41 **DR. CRABTREE:** I mean I guess the way I look at this, Doug, is  
42 what's the compelling reason that the charter boats need to be  
43 included in this? I haven't heard one. They clearly don't want  
44 to be and it appears that the private folks would like to do  
45 this.

46

47 I just haven't heard a compelling reason why -- We got to a lot  
48 of time and expense to collect public comment and it's been

1 really overwhelming from the charter boats, I think, and they  
2 seem very united on this at this point and it's not clear to me  
3 why we would put them into this state management if it's not  
4 what they want.

5  
6 I think some of it has to do with looking at the councils versus  
7 the state commissions. I think they look at this council and it  
8 has a representation on the council that's more reflective of  
9 the mix of fisheries in the country and this council has actual  
10 charter boat operators that sit on the council.

11  
12 We have always had at least a couple or one or two charter boat  
13 operators sitting on this council. Mr. Fischer was on this  
14 council originally as a charter boat operator and so I think  
15 that -- I can't say for certain if it's true or not, but I don't  
16 think all of the state commissions have charter boat members on  
17 them and so I think they see the council as having more  
18 representation that they're able to go to with it and they are  
19 comfortable right now with the management from the council and I  
20 just can't come up with a compelling reason as to why we would  
21 ignore their comments and put them into the regional management  
22 plan if that's not what they want to do.

23  
24 **CHAIRMAN ANSON:** I have Mr. Matens, Dr. Lucas, Robin, and John  
25 Sanchez.

26  
27 **MR. MATENS:** Thank you, Mr. Chairman. One of the things that  
28 I've thought about this situation and spoken with some of the  
29 people in my state -- Mara, you made a statement that I inferred  
30 to mean that the charter guys and the pure recreational guys  
31 would have the exact same seasons and the exact same bag limits  
32 and I don't think we see it that way.

33  
34 I think we see it that we can give our charter fleet the days  
35 that they want and we could give our pure recreational fleet the  
36 days that they want. If the pure recreational guys want a  
37 Thanksgiving season and the charter guys don't want that, we  
38 would do that. Now, I know --

39  
40 **DR. CRABTREE:** That's simply not correct. Under Action 2,  
41 Alternative 4, you cannot do that. You have to manage them  
42 together.

43  
44 **MR. MATENS:** Well, I guess it's a question of what manage them  
45 together means.

46  
47 **DR. CRABTREE:** It means that they're fishing under the same bag  
48 limit and the same season.

1  
2 **MR. MATENS:** I disagree with that.  
3

4 **DR. CRABTREE:** I think we ought to have General Counsel clarify  
5 that and staff, because this is an important point and I don't  
6 want folks voting based on a misunderstanding of how this works.  
7

8 **MS. LEVY:** The way that alternative reads, it's that the two  
9 components would be managed as a single unit by each region. It  
10 would not give you the flexibility to manage them separately.  
11 That's what Alternative 3 does. It gives you the option to  
12 manage them separately under the current allocation formula that  
13 we've talked about in Amendment 40. This would not do that and  
14 if you submitted a conservation equivalency plan under this  
15 alternative that did it separately, I think that NMFS would have  
16 to say we can't accept your plan, because it's not consistent  
17 with the FMP at that point.  
18

19 I see what you're saying, but the way that it's described in the  
20 document and the language is clear that they have to be managed  
21 as a single unit. If you don't want to do that, don't choose  
22 this Preferred Alternative 4.  
23

24 **MR. MATENS:** I don't want to do that.  
25

26 **MS. LEVY:** Sorry. Don't choose Alternative 4. I am not talking  
27 about 2.  
28

29 **CHAIRMAN ANSON:** I have Dr. Lucas and Robin Riechers and John  
30 Sanchez.  
31

32 **DR. LUCAS:** This is kind of to two Roy's points. To Dr.  
33 Crabtree, our state commission does have charter-for-hire  
34 represented on it, just to let you know, but also to Roy  
35 Williams, I had our people do some calculations and I think in  
36 Mississippi that our charter-for-hire has the ability to grow,  
37 in terms of capacity of taking people out, just as much as the  
38 private recreational anglers do.  
39

40 During the forty-five-day season, we have forty-one federally-  
41 licensed boats and there were 600 people that were taken out by  
42 charter-for-hire in Mississippi and that's including the state  
43 boats. Now, it doesn't include the headboats, but there is  
44 forty-one permits there and there was 600 passengers and  
45 certainly there is a capacity there to grow that and we are  
46 working with that in terms of helping promote ecotourism and  
47 that, in Mississippi, includes charter-for-hire and all that.  
48

1 I think they have the ability to grow just as well as the  
2 private recreational sector has the ability to grow and so part  
3 of managing them -- Part of managing them together is giving  
4 them that ability to take out more passengers.

5  
6 **CHAIRMAN ANSON:** To that point?

7  
8 **MR. WILLIAMS:** But you are going to end up with a 180-day  
9 season, whereas the Florida season is going to be like two  
10 weeks.

11  
12 **DR. LUCAS:** We may or may not. If you notice the caveats at the  
13 end of that table, it pretty much says this is highly uncertain  
14 for Mississippi. Now, we put in that mandatory reporting system  
15 because we're trying to get away from having that 80 percent  
16 error bar around our numbers. We are trying to narrow that down  
17 so we have a better estimate. Do I think we're going to have a  
18 lot of days to fish? I do think we are, but is it necessarily  
19 that?

20  
21 I am not sure and I'm not sure that's the case for every state.  
22 I think Alabama may be seeing that, as they use their census  
23 data, that they may not -- That effort may not be there and they  
24 may be able to give their fishermen more days to fish as well.

25  
26 **CHAIRMAN ANSON:** Robin.

27  
28 **MR. RIECHERS:** I am going to go back to one of Roy's points and  
29 Roy and Myron may be the ones around the table, including Mr.  
30 Gregory and Dr. Crabtree, that remembers when we were projecting  
31 that charter fishing effort was going through the roof and we  
32 put a moratorium in place. As it turns out, that leveled off  
33 and plateaued and certainly we understand that with recreational  
34 fishing interest there is only a certain amount of recreational  
35 fishing interest, just because of socioeconomic factors that go  
36 into who can get offshore and utilize those resources, in some  
37 respects.

38  
39 Certainly I will say that the private recreational folks on the  
40 back of those boats will not allow them to go out of business,  
41 everyone's business, whether it's a tackle shop or whether it's  
42 a hotel here on the coast or whether it's a bait shop, as well  
43 as whether it's a charter fisherman somewhere along the Gulf  
44 Coast.

45  
46 What has hurt everybody's business is these shrunken seasons  
47 that has caused us to go into discussions about sector  
48 separation and to go into discussions about regional management

1 and to go into discussions about how do we find some way to  
2 extend these seasons and how do we manage better locally, as  
3 opposed to one-size-fits-all.

4  
5 We are all struggling at it and I am certainly glad to hear Roy  
6 wants to take into account public comment regarding this  
7 document, because certainly in some of the documents in the past  
8 public comment hasn't made a lot of difference, but I just can't  
9 -- When we say it's going through the roof and it's going to  
10 squeeze them out, it's not. Everybody is being hurt by these  
11 shrunken seasons. There will still be private recreational  
12 anglers who want to get on the back of their boats and go  
13 fishing.

14  
15 **CHAIRMAN ANSON:** John Sanchez.

16  
17 **MR. SANCHEZ:** That's a good segue into what I wanted to say. I  
18 guess the reason why they've come here in overwhelming numbers  
19 is they got tired of the prior approach to this, which was  
20 shrunken seasons. I mean it was getting ridiculous. Nine days  
21 and seven days and what are we going to do, have a half-day  
22 season?

23  
24 They opted out and they came up with their own thing that  
25 represented their needs and it seems to be working and so now  
26 you have the commercial sector that's controlled and accountable  
27 and constrained within what they should catch and shouldn't  
28 catch.

29  
30 The charter-for-hire sector is well on the way to that too and  
31 the only remaining sector that hasn't done anything to be  
32 accountable and constrain themselves and avoid this shrunken  
33 season scenario is the recreational sector. Yet, you would  
34 advocate pulling them back into that. They fought like hell to  
35 get out of it and I don't know why we're not listening.

36  
37 **CHAIRMAN ANSON:** Mr. Walker.

38  
39 **MR. WALKER:** I was just going to mention we hear about shrinking  
40 the seasons and it's not the -- 30B and the charter industry, I  
41 mean they're not the causation of this shrinking. You know it's  
42 365-day seasons in some states. There's a lot of state non-  
43 compliance and they didn't seem too concerned about the charter  
44 industry when they left their seasons opened up longer than the  
45 federal season and that it continues to deplete them.

46  
47 They've been capped and the quota is -- They are fishing under  
48 the more restrictive and, of course, they've been separated from

1 that and they've got their forty-four days this year, but the  
2 quota is being wildly consumed by this non-compliance or non-  
3 consistent or whatever you want to call it, but it's the biggest  
4 causation of this issue, is the non-consistent and the  
5 regulations.  
6

7 The states don't seem too concerned about the charter industry  
8 when they have seasons that are different and that seems to be a  
9 problem for the charter industry and I understand. I mean I  
10 listened to the testimony yesterday and I have discussions all  
11 the time and I get emails and I get texts and I get phone calls,  
12 but the charter industry does not want to be a part of it. The  
13 Alabama charter industry does not want to be a part of it. I  
14 don't think I've heard one testimony from one charter boat in  
15 Alabama that wants to be a part of this.  
16

17 It's just not fair and equitable for them. Now, there's a lot  
18 of recreational fishermen that don't have their own boats and  
19 they're not private anglers that can afford their own access,  
20 but they can afford to go on a charter boat and maybe it's a  
21 little bit safer for them too, you know? I mean you've got a  
22 licensed captain and crew a Coast-Guard-certified vessel to give  
23 them access.  
24

25 You know there's a lot of fishermen who like to go on charter  
26 boats and they don't want to be a part of it. If the private  
27 recreational wants to be a part of it, I think everybody  
28 supports that and I don't have an issue with that, but don't  
29 take them. They want to go on their own and they've been happy  
30 with the federal system and they would like to do something a  
31 little bit different for their industry and they don't support  
32 it and I don't either.  
33

34 **CHAIRMAN ANSON:** Johnny Greene.  
35

36 **MR. GREENE:** Thank you, Mr. Chairman. I think the majority of  
37 you know where I feel about this and there is a lot of  
38 differences between charter boats and private recreational  
39 operating vessels, simply from the standpoint of just the  
40 regulations that have been passed on us.  
41

42 As you saw yesterday in the presentation by NOAA about  
43 observers, there are observers that have to go on charter boats.  
44 Now, I don't know about private rec on that, but we also have to  
45 carry turtle devices to release turtles and I don't think the  
46 private rec has to handle that. We have a lot of regulations  
47 that come down through the Coast Guard and other entities that  
48 are applied specifically to us that are not -- We are not



1 allowed to keep a captain and crew limit in a lot of fisheries.

2  
3 You know ever since the effort was capped within the industry,  
4 we have been constrained and held at a particular level.  
5 Sometimes we have been used as the deciding tool between whether  
6 a state opens their state waters or whether they don't.

7  
8 Now, a lot of the hesitation that you're running into is that  
9 when we set up to do Amendment 41 and 42, that process was  
10 initiated by scoping and then it goes out to an advisory panel  
11 and it comes back before the council and we weigh in and we  
12 deliberate and we talk about it amongst ourselves and we have  
13 very healthy conversations of that.

14  
15 The process is open to the public for comment and it's  
16 transparent to everyone and a lot of the issues that I frankly  
17 have with it are the unknown of what a CEP is going to look  
18 like. What is the process and how does that work out?

19  
20 I think that without knowing what's in something that it's kind  
21 of hard to pass it and those are issues that I have problems  
22 with. I have really tried to be very neutral in looking at this  
23 and set my own personal thoughts aside and look at it from an  
24 industry-wide perspective.

25  
26 I have looked at Action 2 pretty hard, as you know, and I've  
27 looked at Action 3 extremely hard and I have sat down with my  
28 state-appointed people on several occasions and had very vibrant  
29 conversations with them and I personally believe that my state  
30 would do what they've said and take care of it.

31  
32 The problem that you run into is that you have an issue where  
33 the charter boats kind of need the states and the states need  
34 the charter boats, but yet it's an awkward situation, because  
35 it's driven on landings. Alabama has a high representation of  
36 charter boat landings for a state and obviously they don't want  
37 to see that leave.

38  
39 I think there are other states that way, but one of the  
40 questions that was asked to me that I really struggled to answer  
41 is in another alternative you could get twenty or twenty-five  
42 more days than what you're going to get under Alternative 2, but  
43 I think that, being that we have been constrained as an industry  
44 and we have been withheld as an industry to a certain degree,  
45 looking at state water non-compliance, that I have a hard time  
46 separating myself from a state business as compared to an  
47 industry.

48

1 I think that at this time, for the for-hire industry and  
2 everybody that I've talked to, that it is best for us to stay  
3 with Alternative 2.

4  
5 **CHAIRMAN ANSON:** I have several people, Doug Boyd, Leann, Camp,  
6 and Dr. Lucas. Doug Boyd.

7  
8 **MR. BOYD:** Pass.

9  
10 **CHAIRMAN ANSON:** You will pass. So I have Leann.

11  
12 **MS. BOSARGE:** I think that we -- You know we passed 40 and we  
13 passed it for a reason, because -- And we deliberated on it a  
14 long time and we saw that in order to give the recreational  
15 sector the flexibility that it needed to access this red snapper  
16 fishery that they really needed more than one management plan.

17  
18 There is recreational anglers that don't own their own boat or  
19 even choose to go fishing on charter boats even if they do own  
20 their own boat and they needed one plan to give them the  
21 flexibility and the access that they needed. They had different  
22 goals.

23  
24 Then we needed a plan to fit the goals and needs of the private  
25 angler. We deliberated on that and we passed that and since  
26 then, we have developed 41 and 42 and we're working on that, to  
27 further the management plan that the for-hire sector needs to  
28 give the flexibility to its recreational anglers that they would  
29 like to see.

30  
31 Hopefully we will either use this or some other document to give  
32 some flexibility to the private anglers that possibly the states  
33 can do better and that they can provide a management plan for  
34 those private anglers that better fits their needs, but we have  
35 heard overwhelmingly from the for-hire sector that they're happy  
36 with 41 and 42 and maybe something else that comes on the table.

37  
38 They have a path forward at the federal level that they've put a  
39 lot of time and effort in and that they want to see through. I  
40 don't think it necessarily is a reflection on states or their  
41 state management departments. I don't think that they're  
42 meaning that as an insult. In fact, from what I heard at the  
43 podium, especially towards Alabama, they have the utmost respect  
44 for the state management systems that are upheld there.

45  
46 It's simply that they have put their time and their effort in to  
47 get their management plans in place here and it fits their  
48 needs. It's going to be successful, in their eyes.

1  
2 They want to follow that through and they don't want to go down  
3 into what we have right here, where we put everybody back  
4 together again and there is no flexibility to manage them  
5 separately and that's it. Whatever fits private anglers has to  
6 fit them or whatever fits them has to fit private anglers and  
7 we've already done that and we see it doesn't work and so I  
8 don't know why we would go down this path again.

9  
10 **CHAIRMAN ANSON:** Mr. Matens.

11  
12 **MR. MATENS:** Thank you, Mr. Chairman. David, you brought up 30B  
13 and some of you were at this table a couple of years ago when we  
14 voted to eliminate the restriction that 30B had on the charter  
15 guys. I voted to eliminate it. I am all for that.

16  
17 Subsequently, in the afternoon, we voted to un-eliminate it. If  
18 that vote was on this table today, I would vote to eliminate 30B  
19 and sometimes I think that had we eliminated 30B that we  
20 wouldn't be at this table right now having this discussion.  
21 Everybody would be happier. I think we just -- If there was  
22 ever a motion again to eliminate 30B, I would vote for it.  
23 Thank you.

24  
25 **CHAIRMAN ANSON:** To that point, yes, sir.

26  
27 **MR. GREENE:** Mr. Matens, you're wrong and I am going to tell you  
28 why you're wrong. I could have benefited immensely from taking  
29 30B off the table. The reason you're wrong is if you turn 1,200  
30 of the very best fishermen loose in state waters, there wouldn't  
31 have been anything for anybody to catch. There would have been  
32 no recreational federal season at all for anybody.

33  
34 It's a very hard decision to make. If some of you guys had to  
35 set aside personal gain in your own private business to do the  
36 right thing and would you do the same thing I did? That's where  
37 it comes from, because I am telling you there is some really  
38 good fishermen and there wouldn't have been a federal  
39 recreational season at all.

40  
41 **MR. MATENS:** To that point. Mr. Greene, with all possible  
42 respect, I think I disagree with you. I understand where you're  
43 coming from and you and I have become friends and maybe I am  
44 just looking at it from my state's perspective and you're  
45 looking at it from your state's perspective, but we have bag  
46 limits and we have season limits and that's how we control these  
47 fish. Thank you.

1 **CHAIRMAN ANSON:** All right. I have Dr. Lucas, followed by Mr.  
2 Walker, Dr. Stunz, and Mr. Boyd.

3  
4 **DR. LUCAS:** To begin with, this takes us back just a second. I  
5 do want to speak to something John Sanchez said regarding  
6 recreational fishermen not being accountable. They are being  
7 accountable to our management measures. You tell them to go  
8 catch two fish, they go catch two fish. If you tell them they  
9 can only fish for this many days, they try to do that.

10  
11 To some degree, I would argue it's not them missing the mark.  
12 It's us missing the mark. We are not able to get the  
13 appropriate management measures so that they can stay  
14 constrained. That's to some degree and that led them in  
15 Mississippi to agree to count every fish. You know it's  
16 something that is not even really needed. It's never been used  
17 really and it's not used in the recreational sector, but they  
18 agreed to do it because they are sick of being told they're not  
19 accountable. They're accountable to whatever we put in place.  
20 They are not out there fishing illegal and stuff like that.  
21 They are trying to stay within the bounds. To some degree, it's  
22 us and not necessarily them.

23  
24 **MR. SANCHEZ:** I agree.

25  
26 **DR. LUCAS:** To Johnny Greene's point, the equivalency plan, we  
27 planned, in the State of Mississippi, and I think every other  
28 state probably would too, but it's going to be a very public  
29 process. I mean we want to hear from everybody and we want to  
30 tailor it to everybody and you're right that Mississippi needs  
31 charter-for-hire.

32  
33 I am out there promoting to people to stay an extra day and to  
34 get on a boat and go fishing or to get on a kayak and I need  
35 them to be there to take people out and so I want to work with  
36 them to make it the most beneficial to them as possible.

37  
38 I can't -- We have some ideas of what we think a good  
39 equivalency plan would look like, but until we kind of  
40 straighten out some of this, I can't really just lay it all out  
41 on the table, but we plan, and I think every state plans, to  
42 work with their constituents to make it the most feasible as  
43 possible. Thanks.

44  
45 **CHAIRMAN ANSON:** Mr. Walker.

46  
47 **MR. WALKER:** I was just going to correct for the minutes that I  
48 support the Action 2. When I said I didn't support it, I meant

1 I didn't support Action 4. Alternative 4.

2

3 **CHAIRMAN ANSON:** Dr. Stunz.

4

5 **DR. STUNZ:** I just wanted to add a few points about state  
6 management and you know the way I'm looking at it, a lot of  
7 times you look at -- We keep hearing from the charter guys that  
8 it's not going to be good under state management, but if you  
9 look at all our indicators of what's going on, especially the  
10 state that I'm familiar with in terms of Texas, but I really  
11 think all along the Gulf Coast the states have done a great job.

12

13 We're talking about pretty much open access fisheries for some  
14 of the key species and, as far as I know, there is a great  
15 relationship between the charter guys, the for-hire sectors,  
16 that they currently manage and with liberal bag limits at that.  
17 I don't see -- I mean they've got a proven track record to show  
18 that it can be done.

19

20 My second point with this would be sort of a follow-up on John's  
21 comment. We still have the sunset provisions -- Not still, but  
22 they are built into these alternatives or they're not built into  
23 -- They were removed and I do agree that it's better, John. I  
24 mean there's more days. I mean that's a good thing. I don't  
25 think anyone is going to argue with that.

26

27 In terms of real success, we hear about how it's going to be a  
28 lot more accountable and there's going to be all of this data  
29 collection and those sorts of things and we haven't seen any of  
30 that yet. I mean we haven't had the Data Collection Committee  
31 meeting yet, but, as you know, that's moving at a snail's pace.

32

33 Yes, we've got more days, but I don't know that it's any better  
34 than it was before in terms of the days that the charter guys  
35 got were at the expense of the recreational side and so I don't  
36 know that I am willing to say that it's totally been a success  
37 yet and if you bring my point back around that the states have  
38 been very successful at what they do and so I don't see where  
39 the argument can be made that they can't manage this for-hire  
40 fishery as well.

41

42 **CHAIRMAN ANSON:** Mr. Boyd.

43

44 **MR. BOYD:** A couple of points. In Texas, we have about a  
45 thousand charter-for-hire state-managed captains who work every  
46 day taking recreational fishermen out within the state waters.  
47 We have 214 federally-permitted charter-for-hire captains or  
48 permits.

1  
2 I talked to a lot of captains who work in the state and I have  
3 yet to have one of them tell me that they are as afraid as the  
4 federal charter-for-hire guys of the state. They seem to have a  
5 very good relationship and they seem to be very happy with what  
6 they're doing and they seem to be happy with how the state  
7 manages them. I have a hard time understanding why the federal  
8 charter-for-hire guys have such an aversion to state management.

9  
10 The other thing is that, as we saw yesterday, we have a large  
11 group here who is very vocal in the charter-for-hire industry,  
12 but we are also only hearing from about 50 percent of the  
13 federally-permitted charter-for-hire captains and permit holders  
14 in this type of testimony.

15  
16 There is a lot of others out there and we're not hearing from  
17 them, except for a very small few who represent them and the  
18 other thing that I would like to say is that we're hearing about  
19 the wants -- This is to John Sanchez's point. We hear a lot  
20 about the wants of the charter-for-hire industry and we hear  
21 very little about have they considered the ramifications of what  
22 they want on the true fishermen, the fisherman that's on the  
23 back of their boat.

24  
25 The answer I got yesterday when I asked that question was, well,  
26 whatever is good for us is good for them. I don't agree with  
27 that logic. There have been a lot of times I've seen things  
28 that are good for one group that end up being a disaster for  
29 another and I think there's going to be some unintended  
30 consequences out of that. Thank you.

31  
32 **CHAIRMAN ANSON:** All right. I have Myron and John Sanchez and  
33 Dr. Dana.

34  
35 **MR. FISCHER:** Thank you, Mr. Chair. Doug took some of what I  
36 was going to state away. He beat me to it, but in our state, we  
37 manage our state and we are presently taking part in managing  
38 the federally-permitted boats, to some degree.

39  
40 The federally-permitted boats make up about 20 percent of our  
41 charter fleet and so 80 percent of our boats are being managed  
42 state-wide by the state government very successfully, just  
43 similar to we manage a lot of our commercial fisheries, our  
44 shrimp and oyster and crab fisheries, and we do those real  
45 successfully.

46  
47 You know the states have a track record of doing this and it's  
48 not like they're just going to get into the management game.

1 The present system, we didn't have the data meeting yet and  
2 that's coming up, but we are working under what's on the table  
3 today. The present system of the forty-four days, our Louisiana  
4 charter fleet did not get to harvest the percent that have been  
5 discussed in the documents, where Louisiana gets approximately  
6 14.5 percent of the fish and our charter fleet is on the lower  
7 end of what's caught in other states.

8  
9 If you project that out, I think they were around 32 percent  
10 under. It was some substantial, around a quarter to a third,  
11 under what they should have harvested and the way the present  
12 system is going, some of the states are slowly being squeezed  
13 out, because the federal system ends before their historic  
14 landings would be made. We feel that if we had the charter  
15 boats within our state control, with our data management system  
16 and our reporting system, we could have extended these vessels a  
17 few more days and they could have reaped the benefits of more  
18 trips.

19  
20 Then comes the fundamental and philosophical question that we  
21 brought up somewhat during the debates about 40 and that is a  
22 recreational angler gets out of his car and walks down the dock  
23 and why is he treated differently if he takes a right to the  
24 charter boats or takes a left to the private boats? He is still  
25 that recreational angler and he is being treated differently and  
26 that's one of the things that this council has never really  
27 answered.

28  
29 **CHAIRMAN ANSON:** Mr. Sanchez.

30  
31 **MR. SANCHEZ:** Thank you, Mr. Chairman. I guess what I was  
32 trying to do, to clarify, since I've been mentioned a couple of  
33 times, is when I was saying that this is succeeding, sure it's  
34 premature. We don't know fully, quantitatively, whether it's  
35 succeeding.

36  
37 What I meant was you have a group that now has the ability to  
38 stay constrained within their allotment. You have the  
39 commercial guys under their system that they created for  
40 themselves with a lot of work that is doing that and this  
41 fishery is overfished. We are on a rebuilding program.

42  
43 Now you've got two segments of it that have done something that  
44 will keep them from overrunning their slice of the pie. The  
45 other section is not and you are probably right that it's not  
46 the fishermen themselves individually. It's management that  
47 allows this to continue and so why, if we have groups that have  
48 come with a plan, something of substance that will prevent that

1 from happening, are we arguing against it and trying to pull  
 2 them back into something where the only loser is going to be the  
 3 red snapper? If we all lump them together again and turn them  
 4 loose, I promise you the loser is going to be the red snapper.

5

6 **CHAIRMAN ANSON:** To that point, Dr. Stunz.

7

8 **DR. STUNZ:** To that point, John, and I am certainly not trying  
 9 to be argumentative, but on the accountability side, we're still  
 10 not any further along than we were before we passed 40 in terms  
 11 of accountability of the for-hire side.

12

13 You know we're starting to hear things about double trips and  
 14 multiple trips per day and a whole bunch of other things, which  
 15 could exceed that allocation. Now, of course, we're waiting on  
 16 numbers and that kind of thing to come in and, believe me, I am  
 17 for getting as accountable as we can in any fishery, but you  
 18 know before we're saying how great this is working out and  
 19 really going along, I think we need to wait a little while  
 20 before we really see how much of a success it is.

21

22 **CHAIRMAN ANSON:** Dr. Dana.

23

24 **DR. DANA:** Thank you, Chairman Anson. Greg, we can talk about  
 25 waiting a little while, but if this -- If Amendment 39 went  
 26 through and Alternative 2 did not pass and let's say we went  
 27 with 4, then we couldn't really wait a while to see if it  
 28 worked, because the programs for the for-hire would be done away  
 29 with and the sunset.

30

31 Essentially, where we're coming from as an industry, the for-  
 32 hire federally-permitted, is the program is working and people  
 33 have -- The people in the industry have seen that this program  
 34 lends to certainty, so that they can plan a -- Even if it's a  
 35 finite number of days, you know there's forty-four days for the  
 36 federal fishermen to be able to fish, and let's say Florida has  
 37 sixty days for everyone else, we have a reduced amount.

38

39 However, we have the certainty to plan. With a regional  
 40 management program for the federal for-hire, the certainty is  
 41 lost. Now, maybe a state is magnanimous and does a terrific  
 42 job, but we're uncertain and it's a scary thing. That industry  
 43 could be absorbed entirely and lost in the fray.

44

45 Someone mentioned on the microphone yesterday about politics  
 46 changing. In Florida, we have a great relationship with our  
 47 FWC, but people get elected and they change commissioners and  
 48 that could totally change and then that could really damage a



1 relationship between our industry and how we're treated under a  
2 management plan.

3  
4 What I've heard, at least those who have been vocal from Texas  
5 and from Florida, my area that's huge with the charter stuff,  
6 and with Alabama and with Mississippi, it's that they support  
7 being treated separately under the federal system and not under  
8 the regional management.

9  
10 I'm totally supportive of regional management going forward to  
11 best serve the private angler, but that's essentially why I've  
12 put Alternative 2 on the table.

13  
14 **CHAIRMAN ANSON:** David Walker.

15  
16 **MR. WALKER:** What Doug has said about the state charter fleet,  
17 you know I would imagine they would be happy. They can have a  
18 365-day season and when he mentioned it was around 50 percent, I  
19 think it's about 100 percent of apportionment giving testimony  
20 in support of staying with the federal management.

21  
22 I mean, listen. The charter guys don't have a problem with the  
23 private angler going with this Amendment 39, but there are  
24 people who are less fortunate who don't have their own fishing  
25 vessel to go catch and they want a safe opportunity to take  
26 their family and you know the charter boat works better for them  
27 and the charter boat industry doesn't want to be managed by the  
28 states.

29  
30 I mean you hear the testimony about the 365-day season and you  
31 also have heard a lot of testimony and people calling me and  
32 it's a problem over here and it's a problem in several areas,  
33 but you know over here a lot, because I guess because of the  
34 season, the 365 days. People are fishing and going out to  
35 federal waters and catching these snapper and they run back in  
36 and we see the hands raised up and how big the fish and they  
37 just don't catch those fish in that depth of water up inside the  
38 nine miles.

39  
40 You know, in testimony, I may have heard two or three people  
41 that supported that and one of the charter and some of them were  
42 the tackle industry. They still sell tackle. It's open 365  
43 days a year.

44  
45 I mean it's just over and over the testimony from the charter  
46 industry and they want support of staying with 41 and 42.  
47 That's what I kept hearing yesterday, 41 and 42. I support the  
48 Action 2.

1  
2 **CHAIRMAN ANSON:** Leann.

3  
4 **MR. WALKER:** Alternative 2.

5  
6 **MS. BOSARGE:** I have heard a lot about state charter fleets and  
7 has the for-hire sector, federal for-hire sector, thought about  
8 how their actions affect the private angler, but maybe we need  
9 to take a step back and I guess it's all in your perspective,  
10 but has the private angler thought about what the for-hire fleet  
11 did in what was it, 2004 or 2008? When did you put your permit  
12 moratorium into place?

13  
14 If that was still open access federally and we could have as  
15 many federal for-hire boats as we wanted out there and this  
16 train had been allowed to -- You know this party had been  
17 rocking on ever since being open access on both sides, for-hire  
18 and private angler, do you know what that season would look like  
19 for the private anglers? It probably would be zero.

20  
21 They took the first step to accountability and that's a big  
22 bullet to bite for a permit moratorium. That is a big deal. As  
23 Johnny said, these people are professional fishermen and we  
24 limited how many professional fishermen we would let take  
25 private anglers out there so they could get catch fish. Had we  
26 not done that at some point as a council, we would be in a much  
27 worse position with red snapper right now than what we are.

28  
29 Yes, their actions affect the private angler and that was to the  
30 benefit of the private angler, in my mind, and so I think we  
31 need to look at this from both perspectives and make sure that  
32 we understand that everybody is making sacrifices and some of  
33 the sacrifices that have been made by the for-hire sector have  
34 actually benefitted the private angling sector.

35  
36 **CHAIRMAN ANSON:** To that point, yes, sir.

37  
38 **MR. BOYD:** I see it a little bit differently, Leann. I don't  
39 think every seat is full on every charter trip today, either  
40 charter-for-hire or headboat, and I don't think every seat would  
41 have been full if we had an open access fishery.

42  
43 I think there is a limited number of people who come to every  
44 state and fish and not every boat is going to be full every day  
45 and so I think that logic is a little bit flawed, in that if we  
46 had an open access fishery that the fishery would be inundated.

47  
48 **CHAIRMAN ANSON:** All right. I have two folks on my list and

1 then after the second person, and it's Robin and Roy, I think we  
2 need to go ahead and make a vote. Mr. Riechers.

3  
4 **MR. RIECHERS:** These points have been hit, but I am going to hit  
5 a couple or three points that I want to just -- Other folks have  
6 hit them, but I want to hit them again just a little bit. When  
7 we talk about accountability, and I have used the example  
8 before, the guy who leaves Dallas on a Friday afternoon or a  
9 Saturday morning or take your pick, San Antonio or even Houston,  
10 the cities north of here, and comes down to either his vessel or  
11 that charter boat and goes fishing and follows the rules and is  
12 completely legal and comes in and we happen to go over the quota  
13 that year, it had nothing to do with him and it's exactly the  
14 system, just as you said, Kelly.

15  
16 When we talk about the system working, what's working right now  
17 is a 20 percent buffer. Nothing we did and nothing we're doing  
18 with either one of these systems has changed anything. What has  
19 made it work was a 20 percent buffer.

20  
21 As far as business certainty, business certainty you did have --  
22 Unfortunately, we had the same business certainty. You were  
23 projected nine days two years ago and you could book your trips  
24 for nine days and you knew you couldn't book them outside of  
25 that. This year, you were given forty-four days and you  
26 couldn't book them out of that. What could change occasionally  
27 was when we found we didn't catch the quota and we would have a  
28 fall season open up.

29  
30 The last thing that really hasn't been talked about is really  
31 what's kind of behind this and this is the 41 and 42 that we  
32 heard a lot of testimony about. If it goes away, those  
33 documents have been talked about and I'm not certain they are  
34 going to go that way, but basically it would be setting up an  
35 IFQ type of system on those charter-for-hire vessels.

36  
37 Basically, privatization of a public resource in the  
38 neighborhood of 75 percent of the available resource. You know  
39 we can certainly talk about IFQs and further discussion about  
40 that, but at some point we're going to have to grapple with if  
41 we're ever going to consider these again or if we're going to  
42 consider them or if this council chooses to consider them and is  
43 that really the way we want to manage our public resources,  
44 because that's a bigger discussion.

45  
46 Larry Abele will be proud that I'm at least bringing it up here  
47 for a moment, because that was certainly one of this things he  
48 always liked to discuss, is how are we going to move forward.

1 Let's have a bigger discussion about that.  
2

3 **CHAIRMAN ANSON:** All right. Since I gave a warning, I will  
4 allow two more folks to talk. It was Myron and Ed. You raised  
5 your hands, but, Roy Williams, you are first.  
6

7 **MR. WILLIAMS:** I just want to say that the charter boats and  
8 private boats have different needs. Charter boats benefit --  
9 Charter boats and their customers, the people that they serve,  
10 benefit from having a fishery that slows down. When we manage  
11 red snapper the way we have to manage it on the private boats,  
12 it creates a derby and everybody runs out to catch as many fish  
13 as fast as they can and the charter boats are trapped into doing  
14 that. They have to participate in it just the same way that the  
15 -- When we used to manage the commercial fishery with trip  
16 limits, they were trapped too and they had to run out there and  
17 get their share while they could and that's the trap that we  
18 have created for charter boats if we go forward with Amendment  
19 Number 4.  
20

21 Skipper Thierry talked about yesterday how on his headboat -- He  
22 is part of the Headboat Cooperative and he has lowered the bag  
23 limit on his to one red snapper, in order to try to slow that  
24 fishery down and be able to carry more people out and make a  
25 longer season for himself, for himself and for his customers.  
26

27 I think we have to give these charter boats and for-hire fleet  
28 some incentives to slow down their fishery and try to manage  
29 their businesses optimally and I don't think we -- I know we  
30 cannot do that if we continue to manage them as part of a derby  
31 and anything but Alternative 2 is going to be a derby for them.  
32 That's it.  
33

34 **CHAIRMAN ANSON:** Myron and then Ed.  
35

36 **MR. FISCHER:** I just wanted to either bring some history back  
37 and maybe correct something. The permit moratorium, this was  
38 not a means that the charter industry took graciously and to  
39 become accountable. This was a bill of goods sold at that time  
40 -- Roy Williams is probably the only person on the council today  
41 that was there, but it was because it was a six-month season and  
42 said that if they go with a moratorium that it could go back to  
43 a twelve-month season and that was the bill of goods dangling to  
44 get the charter boat people across the coast to get together and  
45 say that yes, they wanted the moratorium.  
46

47 Yes, things went south since then. Also, I just wanted to touch  
48 -- We hear often the 365-day state season and there is only one

1 state with a 365-day season and I don't know all of what it does  
2 to its charter boats, but the historical catch -- Those charter  
3 boats from that state are about three-to-one over the private  
4 boats and so even with that, their charter boats are going to  
5 come out pretty good.

6  
7 **CHAIRMAN ANSON:** Mr. Swindell.

8  
9 **MR. SWINDELL:** Thank you, Mr. Chairman, for giving me a little  
10 chance. I sat here trying to listen to all of the discussion  
11 and the pluses and minuses of this whole thing and I am still in  
12 the conclusion that I think it's a cop-out on behalf of the  
13 council to go to regional management to start with, except that  
14 perhaps it is the way to identify regions that you have  
15 particular problems with in the catch allocations that's being  
16 done and in trying to control it.

17  
18 I am looking here right now in 2.1, the tables in 2.2, and  
19 saying to myself, what's the big deal? You know my real  
20 concern, as I have mentioned before, is the east of the  
21 Mississippi level of fish abundance doesn't seem to be matching  
22 up with what everyone wants, whereas the west seems to be  
23 recovered and still recovering well and needs to be fished more  
24 or has the ability to be more productive fish-wise.

25  
26 But as I look at these, as you've got it laid out here in this  
27 table, in 2.2.2, why doesn't the council just accept this and  
28 let's go? Why are you having to do this regional management-  
29 wise and put this on the back of the states to go out there and  
30 manage this for you? Why doesn't the council just do this?

31  
32 You know you've got it laid out here for you and perhaps this is  
33 the way to do it. I am not real pleased with the amount that  
34 Florida has in the total allocation, because I think you're  
35 going to continue to hurt the resource, but you're still going  
36 to do that under any of these proposals that you've got and so,  
37 Mr. Chairman, I don't know how to vote on this thing. I truly  
38 don't, but I will honestly tell you I am not real pleased with  
39 anything that I am seeing today. Thank you.

40  
41 **CHAIRMAN ANSON:** Thank you. I will add just a few comments  
42 before we go to vote and kind of highlight some of the things  
43 that have been discussed here and bring in some of the public  
44 testimony here recently, but you know this document was formed  
45 out of the notion of flexibility.

46  
47 It was brought to the council by Louisiana and they approached  
48 it on a state basis, at least, and then it was borne out of that

1 request and so, as with any of the amendments that we deal with  
2 here and trying to move forward with a plan of attack for a way  
3 to manage, is we're in a situation of compromise.

4  
5 You have one side of the spectrum that wants this and the other  
6 side of the spectrum wants this and so generally, when we come  
7 up with an amendment, we hit somewhere in between. If you are  
8 doing your job right, maybe you hit it right in the middle.

9  
10 So more access, more days, was mentioned and the Amendment 40  
11 brought more days and the charter boat guys like more days and  
12 certainly I can understand that. The table you just mentioned,  
13 Mr. Swindell, has an alternative in there that provides charter  
14 boat captains more days across the board. It provides them more  
15 days under one of the alternatives and you know that alternative  
16 offers lots of flexibility, potentially, to the private rec and  
17 the charter boats within each of the states.

18  
19 There is an opportunity, I think, there in the document that we  
20 might be able to find some compromise and be able to satisfy as  
21 many people as possible, with the notion that there is  
22 protection and there is federal control and there is federal  
23 oversight.

24  
25 I am concerned that there are some potential goals that one side  
26 of the spectrum might be placing and this is just part of the  
27 process and they are trying to get to that end goal, yet the  
28 rest of the folks within that side may not necessarily agree to  
29 that end game or goal. We are going to go ahead and vote on  
30 this. It is a substitute motion in Action --

31  
32 **MR. WALKER:** I would like a roll call vote.

33  
34 **CHAIRMAN ANSON:** A roll call vote has been requested. I will  
35 read it, just to make sure everyone is on the same page, but  
36 it's a substitute motion in Action 2, Regional Management and  
37 Sector Separation, to make Alternative 2 the preferred  
38 alternative. Alternative 2 is to extend the separate management  
39 of federal for-hire and private angling components of the  
40 recreational sector. This amendment would apply to the private  
41 angling component only. The private angling component would be  
42 managed by each region under regional ACLs, based on the  
43 allocation selected in Action 6.

44  
45 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.

46  
47 **MR. SANCHEZ:** Yes.

48

1 EXECUTIVE DIRECTOR GREGORY: Mr. Williams.  
2  
3 MR. WILLIAMS: Yes.  
4  
5 EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.  
6  
7 MR. FISCHER: No.  
8  
9 EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.  
10  
11 DR. LUCAS: No.  
12  
13 EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.  
14  
15 MS. BOSARGE: Yes.  
16  
17 EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.  
18  
19 MR. BOYD: No.  
20  
21 EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.  
22  
23 MR. DIAZ: No.  
24  
25 EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.  
26  
27 DR. CRABTREE: Yes.  
28  
29 EXECUTIVE DIRECTOR GREGORY: Mr. Matens.  
30  
31 MR. MATENS: No.  
32  
33 EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.  
34  
35 MR. SWINDELL: Yes.  
36  
37 EXECUTIVE DIRECTOR GREGORY: Mr. Greene.  
38  
39 MR. GREENE: Yes.  
40  
41 EXECUTIVE DIRECTOR GREGORY: Mr. Walker.  
42  
43 MR. WALKER: Yes.  
44  
45 EXECUTIVE DIRECTOR GREGORY: Ms. Bademan.  
46  
47 MS. BADEMAN: No.  
48

1 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.

2

3 **DR. STUNZ:** No.

4

5 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.

6

7 **MR. RIECHERS:** No.

8

9 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.

10

11 **DR. DANA:** Yes.

12

13 **EXECUTIVE DIRECTOR GREGORY:** Chairman Anson.

14

15 **CHAIRMAN ANSON:** No.

16

17 **EXECUTIVE DIRECTOR GREGORY:** The motion fails eight to nine.

18

19 **CHAIRMAN ANSON:** We are fifteen minutes past our scheduled  
20 break. The break was generous, giving us an hour-and-forty-five  
21 minutes. I think there is potentially some more discussion on  
22 this to come and so I think it might be a good time to take the  
23 lunch hour now and what do you all feel? Doug and I think that  
24 we can get through on time with the rest, but to guarantee that,  
25 if people have flights to make, do we want to shorten an hour-  
26 and-a-half to an hour-and-fifteen minutes? Do you want to shoot  
27 for that? All right. We will reconvene then at 1:15. Thank  
28 you.

29

30 (Whereupon, the meeting recessed at 12:15 p.m., October 8,  
31 2015.)

32

33

- - -

34

35

October 8, 2015

36

37

THURSDAY AFTERNOON SESSION

38

39

- - -

40

41 The Full Council of the Gulf of Mexico Fishery Management  
42 Council reconvened at the Hilton Galveston Island Resort,  
43 Galveston, Texas, Thursday afternoon, October 8, 2015, and was  
44 called to order at 1:15 p.m. by Chairman Kevin Anson.

45

46 **CHAIRMAN ANSON:** Welcome back, everyone. I may have made a boo-  
47 boo. We had a motion that was up for vote and we voted on the  
48 substitute motion, but there was a motion that came out of



1 committee and that is still up to be tended to. We had quite  
2 lengthy discussions, but if there is any further discussion or  
3 somebody wants to propose -- Dr. Lucas.

4  
5 **DR. LUCAS:** I don't know if I can even propose this, but I would  
6 like to make a substitute motion to make, in Action 2,  
7 Alternative 3 the preferred alternative. If I get a second, I  
8 will provide information.

9  
10 **CHAIRMAN ANSON:** All right. We have a second substitute motion.  
11 It's been seconded by Mr. Diaz. Staff is going to get that up  
12 on the board. In the meantime, Dr. Lucas, if you want to  
13 provide some rationale.

14  
15 **DR. LUCAS:** Well, Chairman Anson, before we took the vote, you  
16 provided a lot of useful things in trying to see if there wasn't  
17 a way for us to reach some kind of compromise and so I am  
18 throwing this out there as an opportunity to see if there is  
19 some way that the two different groups can meet somewhere in the  
20 middle and if this is an option.

21  
22 I don't want to have to rehash a lot of the things we just  
23 rehashed, but if somebody has additional information relating to  
24 this motion and to their ability to support this motion, I would  
25 like to hear it.

26  
27 **CHAIRMAN ANSON:** Mr. Sanchez.

28  
29 **MR. SANCHEZ:** Thank you, Mr. Chairman. I am thinking at this  
30 point we've kicked this can around so many times that not a  
31 whole lot is going to change probably in terms of nominally the  
32 composition of the votes. Why don't we just in Action 2 go  
33 forward without a preferred and take all of this to hearing. I  
34 think the hearings are coming up shortly and just get the  
35 benefit of hearing what the public wants?

36  
37 **CHAIRMAN ANSON:** Well, I would have to defer to the maker of the  
38 second substitute motion as to whether or not they would like to  
39 proceed with a vote or not. Would you like to still vote on it?  
40 Okay. We would still like to vote on that. Yes, Dr. Crabtree.

41  
42 **DR. CRABTREE:** Because even if Kelly withdrew this motion, we  
43 still would have a committee motion that we would have to vote  
44 down, unless someone made another substitute, I guess.

45  
46 **CHAIRMAN ANSON:** All right and so the maker of the motion would  
47 still like to have a vote on this. Any other folks want to add  
48 anything that may not have been brought up earlier? Mr.

1 Williams.

2  
3 **MR. WILLIAMS:** On this motion, we divide the recreational ACL  
4 into regional ACLs and then who partitions the regional, the  
5 state-by-state, ACLs into private and charter components? Do  
6 the states do that or is that done automatically?

7  
8 **CHAIRMAN ANSON:** As I understand it, and someone can correct me  
9 if I'm wrong, but as I understand it, that would be done -- The  
10 region would get its regional quota and then the formula that  
11 was applied or used in Amendment 40 to apply to the Gulf-wide  
12 split, that's the same formula that would be used for each  
13 individual state.

14  
15 As I recall, it was the long time series, 50 percent, and then  
16 the truncated time series, 50 percent, minus 2006 and 2010 or  
17 just 2010?

18  
19 **DR. AVA LASSETER:** The regional management is both years and the  
20 sector separation was only one of the years.

21  
22 **CHAIRMAN ANSON:** All right and so it would exclude 2006 and  
23 2010, which people thought were pretty volatile as far as the  
24 landings were concerned, and so that would be the split. The  
25 calculations and the days are provided in Table 2.2 for that  
26 alternative and that would give everybody a good idea as to  
27 where each sector, not only the sector, but the sector within  
28 each state, would kind of land in regards to private as well as  
29 for-hire days. Leann.

30  
31 **MS. BOSARGE:** I think Mara wants to say something.

32  
33 **CHAIRMAN ANSON:** Mara, did you have a comment?

34  
35 **MS. LEVY:** I think you mentioned it, but just that it's already  
36 in the document. Table 2.2.2 has what that split would be and  
37 the associated ACLs and ACTs that would go with each one of  
38 those.

39  
40 **CHAIRMAN ANSON:** Leann.

41  
42 **MS. BOSARGE:** My question would be under this alternative, if a  
43 state submits a plan that doesn't meet inspection via NMFS, you  
44 know as far as its conservation equivalency, then what happens  
45 to the for-hire -- I know the for-hire sector obviously is going  
46 to have to operate under the -- It falls back into a federal  
47 season of some sort, but what about 30B? What happens then?

48

1 **MS. LEVY:** Well, if either the state doesn't submit a plan that  
2 meets the CEP or doesn't want to or doesn't even choose to  
3 manage the for-hire sector under this alternative, then the  
4 default regulations would apply and so there would be a federal  
5 season based on the allocation for that federal for-hire  
6 component, whatever it includes, whichever states go into it.

7  
8 If there's just no CEP plan at all, then there would be a  
9 private season and a for-hire season, just like there is under  
10 Amendment 40, but it would be tailored to whatever the  
11 allocation is here and whatever their ACT is, depending on which  
12 states are in and which states are out, but you look confused  
13 and so I probably didn't explain that well.

14  
15 **CHAIRMAN ANSON:** To that point, Dr. Crabtree? I have someone  
16 else who would like to --

17  
18 **DR. CRABTREE:** Yes and so this is my understanding of how this  
19 works. If a state decides not to participate, for whatever  
20 reason, the default regulations kick in and Amendment 30B  
21 applies.

22  
23 Now, as I understand it, if we went with Alternative 4 and that  
24 scenario occurred, sector separation is still gone and so we  
25 would put a season in place off of that state to constrain their  
26 catches and 30B would apply and the charter boats could only  
27 fish when the EEZ is open.

28  
29 If that state opened up their state waters in that scenario, the  
30 federal season could get extremely short and the charter boats  
31 would lose days. The private sector boats would continue to be  
32 allowed to fish in state waters.

33  
34 I think that's partly the protection that people were talking  
35 about earlier that comes from Amendment 40, where they have  
36 their own allocation. Now, as I understand it under Alternative  
37 3 though, sector separation, Amendment 40, still applies and so  
38 if a state decided not to participate, a portion of their quota  
39 that's allocated under Amendment 40 to the charter boats, they  
40 would get to fish that season off of that state, regardless of  
41 what went on in state waters.

42  
43 They would, in that sense, have what they refer to as the  
44 protection that Amendment 40 gives them. Now, the complication  
45 in all of this is if a state decides they're not going to  
46 participate and opens up their state waters and we determine  
47 they are going to catch in excess of their allocation, then it's  
48 going to come out of all the other states allocations too or we

1 potentially end up shutting down everybody in the EEZ because of  
2 407(d).

3  
4 It's really complicated, but that, in that sense, if you think  
5 about protection, Amendment 40 and the sector separation  
6 allocation does give the for-hire sector some degree of  
7 assurance that they're going to catch their allocated amount of  
8 fish even if the state opens up.

9  
10 Now, because of 407(d), it's not absolute, but that's the  
11 thought of it and, if you think about it, that's what led us to  
12 sector separation to begin with. The federal season was  
13 shrinking and the charter boats couldn't fish in state waters  
14 and so then they were having a diminishing share of the catch  
15 and so that's where the allocation came from. I think that's  
16 correct, right?

17  
18 **CHAIRMAN ANSON:** Johnny.

19  
20 **MR. GREENE:** I think Roy pretty much covered what I had to say.  
21 I just wanted to talk about the 30B type of a situation and we  
22 would be basically going back to where we were before we  
23 started, but I think he pretty much covered the majority of my  
24 point.

25  
26 **CHAIRMAN ANSON:** We would be going back, if I interpret it  
27 correctly, going back for those states that didn't comply and  
28 use the default, potentially. Is there anyone else? All right.  
29 Let's go ahead and vote on this. **All those in favor of the**  
30 **second substitute motion please indicate so by raising your**  
31 **hand.**

32  
33 **EXECUTIVE DIRECTOR GREGORY:** Four.

34  
35 **CHAIRMAN ANSON:** All those opposed like sign.

36  
37 **EXECUTIVE DIRECTOR GREGORY:** Twelve. It's four to twelve.

38  
39 **CHAIRMAN ANSON:** The motion failed four to twelve. That will  
40 take us to the committee motion and the committee motion is in  
41 Action 2 to make Alternative 4 the preferred alternative. Mr.  
42 Sanchez.

43  
44 **MR. SANCHEZ:** Would now be appropriate to offer a motion that we  
45 just proceed with no preferred for Action 2 and move forward?

46  
47 **DR. CRABTREE:** I think if that's what you want to do that you  
48 need to vote this down.

1  
2 **MR. SANCHEZ:** Okay.

3  
4 **CHAIRMAN ANSON:** All right. Again, we had lots of discussion on  
5 this and so let's go ahead and all of those in favor of the  
6 motion to make Alternative 4 the preferred alternative please  
7 indicate so by raising your hand.

8  
9 **EXECUTIVE DIRECTOR GREGORY:** Seven.

10  
11 **CHAIRMAN ANSON:** All those opposed like sign.

12  
13 **EXECUTIVE DIRECTOR GREGORY:** Ten. It's seven to ten.

14  
15 **CHAIRMAN ANSON:** All right. The motion fails seven to ten and  
16 so no preferred. You got your wish, John. Mr. Greene, are you  
17 ready to proceed?

18  
19 **MR. GREENE:** In Action 5, committee members discussed the pros  
20 and cons of allowing regions to close portions of federal waters  
21 adjacent to the regions. National Marine Fisheries Service  
22 staff explained the additional rulemaking that would be required  
23 to close areas of federal waters. Lieutenant Commander Brand  
24 raised the issue of the Coast Guard's role, as enforcement would  
25 primarily occur dockside.

26  
27 In Action 6, staff noted the addition of Table 2.6.8, which  
28 compares estimated season lengths for all alternatives. Dr.  
29 Crabtree stated that rationale was needed for why the current  
30 preferred alternatives were fair and equitable, given that quota  
31 would shift to the western Gulf compared with status quo.

32  
33 Committee members noted that the preferred alternatives  
34 incorporate both the longest time series of landings and more  
35 recent landings. The recent short seasons in federal waters for  
36 red snapper occur during times of low effort in the western Gulf  
37 and high effort in the eastern Gulf.

38  
39 By giving weight to the longest time series of historical  
40 landings, the council's preferred alternative accounts for the  
41 increased proportion of landings in the eastern Gulf in more  
42 recent years.

43  
44 **CHAIRMAN ANSON:** Mr. Greene, hold on one second. Martha.

45  
46 **MS. BADEMAN:** Thank you, Mr. Chairman. Before we leave Action  
47 6, I want to put a motion out there. That motion would be to I  
48 guess replace Preferred Alternative 5 with Alternative 8 and so

1 **make Alternative 8 the preferred.** That would apportion the  
2 recreational sector ACL or component ACLs among the regions  
3 selected in Action 3, such that each region's allocation  
4 provides an equivalent number of fishing days.  
5

6 **CHAIRMAN ANSON:** Martha read what her motion would do. It's in  
7 the document and staff is working on cutting it out of the  
8 document and pasting it in the motion. Do you have any further  
9 discussion on this, Martha?

10  
11 **MS. BADEMAN:** Did I get a second?

12  
13 **CHAIRMAN ANSON:** That's right. Is there a second?

14  
15 **DR. CRABTREE:** I will second for discussion.

16  
17 **CHAIRMAN ANSON:** It's seconded by Dr. Crabtree. Martha.

18  
19 **MS. BADEMAN:** Yes and so we've had a lot of discussion about why  
20 5 may or may not be fair and equitable. I think Alternative 8  
21 does provide an equitable option that we should be looking at.  
22 I know it's different from what we've traditionally used to set  
23 allocations and this is not a history-based way of looking at it  
24 and it's just kind of starting with a clean slate and everybody  
25 is starting on a level playing field and you can do the same  
26 thing that you would do with any of these other options. You  
27 take the allocation that you have and use it how you see fit to  
28 stretch out the days that you have in state waters or put them  
29 at an optimal time for your anglers.  
30

31 **CHAIRMAN ANSON:** Yes, Dr. Lucas.

32  
33 **DR. LUCAS:** This is just a question. If all states had  
34 consistent seasons, would this same number of fishing days  
35 apply?  
36

37 **CHAIRMAN ANSON:** I don't know. Dr. Crabtree, do you know or,  
38 Andy, do you know how the analysis was conducted?  
39

40 **DR. CRABTREE:** My understanding is that, based on past catch  
41 patterns, this is saying if all states opened up on June 1 with  
42 the existing bag limit that they calculate each state would get  
43 the same number of days.  
44

45 Now, that's data through 2013 and if you threw 2014 into it, I  
46 am sure it would change it a little bit, but that's my  
47 understanding of what this means and I think Ava is nodding.  
48

1 **DR. LASSETER:** Yes, I can speak to that. The landings only go  
2 through 2013, but it does include any landings that were caught  
3 through inconsistent seasons up to that time. I believe once we  
4 had 2014 that we had -- Then this year is the two years that  
5 we've had more state inconsistent seasons, but up until 2013,  
6 yes, it does include all landings by each state, whether they  
7 were in state waters seasons or the federal seasons.

8  
9 **CHAIRMAN ANSON:** Any other discussion? Robin.

10  
11 **MR. RIECHERS:** Martha, I don't think I'm capable of supporting  
12 the motion at this point, but I will say you've been looking for  
13 a way to talk about and you added this at the last meeting and  
14 it basically is a way to start everyone off with the same  
15 footing and kind of ignores whatever shifting dynamics have been  
16 going on behind in that time series and so I applaud the motion  
17 coming forward to add it. Again, I may not be ready to support  
18 it yet, but it is, from a fairness perspective, in some  
19 respects, a way to get everyone starting equally.

20  
21 **CHAIRMAN ANSON:** Dr. Crabtree.

22  
23 **DR. CRABTREE:** Well, surprisingly enough, following up with what  
24 Robin said, I have had concerns about how do we make an argument  
25 that the current preferred is fair and equitable, because it  
26 produces this large disparities in the seasons of it. I will  
27 say, despite the discussion yesterday, I haven't heard a very  
28 compelling argument for it.

29  
30 This one, whether you agree with it or not, and I agree there  
31 are historical patterns that this doesn't take into account, but  
32 on the surface of it, you could at least make a pretty simple  
33 argument that everybody gets the same number of days. That, on  
34 the face of it, seems kind of fair and equitable. This one, I  
35 think, is a lot easier to make the argument for how it makes  
36 sense than the current preferred.

37  
38 **CHAIRMAN ANSON:** All right. If no one else wishes to speak, we  
39 will go ahead and vote. All those in favor of the motion to  
40 replace Preferred Alternative 5 with Alternative 8 in Action 6.  
41 Alternative 8 would apportion the recreational sector ACL or  
42 component ACLs among the regions selected in Action 3, such that  
43 each region's allocation provides an equivalent number of  
44 fishing days. **All those in favor of the motion please signify  
45 your approval by raising your hand.**

46  
47 **EXECUTIVE DIRECTOR GREGORY:** I've got seven.

1 **CHAIRMAN ANSON:** All those opposed to the motion please raise  
2 your hand.

3  
4 **EXECUTIVE DIRECTOR GREGORY:** Eight. The motion fails seven to  
5 eight.

6  
7 **CHAIRMAN ANSON:** The motion fails. Is there anything else in  
8 Action 6? All right, Mr. Greene, if you want to continue.

9  
10 **MR. GREENE:** In Action 7, staff provided suggested revisions to  
11 the alternatives that simplify the language and are more  
12 consistent with other actions and alternatives in the document.

13  
14 **With no opposition, the committee recommends, and I so move,**  
15 **that in Action 7, remove Alternatives 3 and 4 and add Options a**  
16 **and b, as proposed by staff. Option a is if a region has both a**  
17 **private angling ACL and a federal for-hire ACL, the reduction**  
18 **will be applied to the component that exceeded the applicable**  
19 **ACL. Option b is if a region has both a private angling ACL and**  
20 **a federal for-hire ACL, the reduction will be applied equally to**  
21 **both components.**

22  
23 **CHAIRMAN ANSON:** We have a committee motion. The motion is on  
24 the board. Is there any discussion on the motion? **All those in**  
25 **favor of the motion please raise your hand.**

26  
27 **EXECUTIVE DIRECTOR GREGORY:** Fifteen.

28  
29 **CHAIRMAN ANSON:** Sorry. I got used to there being some  
30 contention and so -- Mr. Greene. Wait. Mr. Diaz.

31  
32 **MR. DIAZ:** I believe we're at the point where we're leaving  
33 Amendment 39 and I hope this is the right place to bring this  
34 up. I just wanted to have a short discussion about the news  
35 release that we have out right now and I am bringing this up and  
36 I really don't know -- There is no way to do what I want to do,  
37 but I think we can do something a little bit better.

38  
39 Our current news release is kind of broad and people reading  
40 this news release and hearing about these public hearings coming  
41 up for 39 and 41 and 42 -- If they're not familiar with the  
42 issue, they're not going to know exactly what is coming up at  
43 these public hearings.

44  
45 I guess what I would ask is if there is way to maybe include a  
46 paragraph maybe about each one that does the very best job that  
47 we can describing what we're trying to do at these public  
48 hearings and what these entail, because right now it's so short



1 and it's so broad that I don't think anybody is going to know.  
2

3 Like for 41 and 42, we say we're looking at flexible management  
4 alternatives. I mean I don't know that a member of the public  
5 would have any idea what that was or if they wanted to come out  
6 and comment one way or the other and Amendment 39 is kind of  
7 similar.  
8

9 I do understand that this is going to be problematic though,  
10 because, like in Mississippi, all the public hearings are taking  
11 place at one time at one place and so if you try to write a  
12 three or four-paragraph news release, I know that's going to be  
13 difficult to get people to pick that up and in some other states  
14 they're on different days and at different times and so it might  
15 be a little bit easier.  
16

17 Some of the states might want to consider doing their own news  
18 release about these public hearings and see if they can get them  
19 picked up or put them on their websites or anything we can do to  
20 get the word out and if anybody else has any comments or  
21 concerns or things that might improve this, this would be a good  
22 time to help. Thanks.  
23

24 **CHAIRMAN ANSON:** Martha.  
25

26 **MS. BADEMAN:** Dale, I think your comments are on point. In  
27 Florida, we are -- We did grab the main material out of here for  
28 the 39 hearings and we kind of jazzed up and explained kind of  
29 what this is a little bit more and this is a big deal and it  
30 could mean some major changes.  
31

32 I don't know that we're going to do it in the form of a press  
33 release, but we're going to put stuff on our website and blast  
34 some emails and try to reach out to our contacts and make sure  
35 that people are attending these meetings and are informed and  
36 they also know that our commission is going to be discussing  
37 this at their next meeting in November and so I definitely  
38 appreciate your comments.  
39

40 **CHAIRMAN ANSON:** Doug Gregory.  
41

42 **EXECUTIVE DIRECTOR GREGORY:** Typically a news release is like a  
43 one-page document and it goes to the newspapers, to get their  
44 attention. Our news release also goes to our own mailing list  
45 and in it we have a link encouraging people to come back to our  
46 website to get more detail, but we can do a couple of different  
47 things in addition to what we've already sent out. We could  
48 send another one out with the paragraphs and have a two-page

1 news release. That would be easy enough to do.

2  
3 **MR. DIAZ:** Thank you, Mr. Gregory, and this is no way reflecting  
4 bad on our folks. I think they do a great job and I just think  
5 this is such a complex issue. I mean we've been talking about  
6 this 39 for going on four years now and so I mean it's just such  
7 a complex issue and just to try to capture it is going to be a  
8 challenge in itself, but I think that would be great, Mr.  
9 Gregory, and thank you.

10  
11 **EXECUTIVE DIRECTOR GREGORY:** The other thing we'll consider is  
12 doing a separate news release for 39 and a separate one for 41  
13 and 42 also, in addition to what we've already sent out. We're  
14 going to look at both of those two options.

15  
16 **CHAIRMAN ANSON:** Dr. Crabtree.

17  
18 **DR. CRABTREE:** I have another issue related to 39 before we  
19 leave it, if you're ready.

20  
21 **CHAIRMAN ANSON:** Yes, go ahead.

22  
23 **DR. CRABTREE:** All right and so I know we have a number of pilot  
24 studies that states are exploring to find alternative ways to  
25 estimate the red snapper catch and I think we need to more  
26 specifically address how we're going to deal with those through  
27 the conservation equivalency portion of this.

28  
29 What I suggest that we add into the discussion of that process  
30 is that, one, before a state adopts a new catch accounting  
31 program in their conservation equivalency program that it has to  
32 be certified by MRIP.

33  
34 Second, there has to be some sort of calibration factor figured  
35 to recalibrate the historical time series for that state and  
36 then when they submit that proposal to us and we have the  
37 calibrated time series, if we approve their proposal, we would  
38 then go back through and automatically adjust the state-by-state  
39 allocations based on the calibrated time series and when we  
40 publish the notice in the Federal Register saying, okay, these  
41 are the conservation equivalency programs and what has happened,  
42 we would also say and, based on this catch accounting and these  
43 calibrations and the new adjusted recreational time series, here  
44 is the revised state-by-state allocations.

45  
46 I think this is the only way this is workable in the time scheme  
47 we have. Otherwise, before a state can adopt a new catch  
48 accounting system, it's going to have to come back to the

1 council and the council is going to have to review the  
2 recalibrated time series and the council is going to have to go  
3 back in and do a plan amendment to adjust the state-by-state  
4 allocations. That will take Lord knows how long in the way  
5 things are.

6  
7 It seems, to me, if the states want to be able to adopt new  
8 catch accounting that we're going to have to put something like  
9 this in there. Otherwise, I suspect it will be a very long  
10 process before you're going to be able to use the new catch  
11 accounting system in your thing.

12  
13 The reason I think we have to do this is because if a state --  
14 We have some of the catch accounting systems right now that show  
15 some pretty large differences, Alabama private being the most  
16 notable one, where the state catches are much lower than the  
17 MRIP catches are.

18  
19 If we don't make the adjustments to the state-by-state  
20 allocations based on that, we could have allocations that are  
21 way out of whack with the revised historical time series and so  
22 I think we need to talk about this, because if we don't get some  
23 explicit language in here of how we're going to deal with this,  
24 I think it could literally take years before we could approve a  
25 conservation program using a new catch accounting program for a  
26 state, even after it becomes certified by MRIP.

27  
28 **CHAIRMAN ANSON:** My comment to that would be that certainly I  
29 could see the utility in having a program certified and approved  
30 for use for science and management, but I am a little concerned  
31 that going back and hindcasting, I guess, the individual state's  
32 landings and then recalculating, because the states are going to  
33 come on at their own independent timelines.

34  
35 Let's just assume this gets passed and it gets implemented for  
36 2017. You know the MRIP process, as I understand it, needs a  
37 couple of years, at minimum, of side-by-side testing, or at  
38 least of use of that program to look at what the numbers do and  
39 to then be able to compare within the time series for that  
40 particular program and look at differences and everything.

41  
42 If states are on their individual timelines for doing their  
43 projects, I mean we could be doing that every year and one state  
44 brings their program online and you readjust and the next state  
45 brings their and the next year brings their and it just seems  
46 very cumbersome.

47  
48 **DR. CRABTREE:** All right. If I could though, but the problem if

1 we don't do it this way -- If a state comes up with a catch  
2 system that says their catches are much lower than previously  
3 thought and that state is going to double the length of their  
4 season -- If we don't factor that into the allocations, one,  
5 it's going to have impacts and upset the equity of all of this  
6 and, two, we're going to have to go back in and rerun the  
7 assessment with all of these numbers and re-estimate the TAC,  
8 but if the states all come in with much lower catch estimates  
9 and we just adopt it on face value without adjusting things, I  
10 think it could lead to overfishing, because we haven't factored  
11 it all in.

12  
13 I don't see how we can just adopt a state's catch accounting  
14 system without factoring in how the implications to that on the  
15 state-by-state allocations -- Actually, I think we're going to  
16 end up having to rerun the assessment to adjust the TAC for that  
17 and then we're going to have to come in and adjust the overall  
18 commercial/recreational allocation, because if, as some of these  
19 pilot studies, particularly Alabama, suggests that catches are  
20 actually lower, we would come back in and do the reverse of what  
21 28 did, looking at how much of the shift is due to the  
22 recalibration and make a change there, but I don't see how we  
23 can do this without going through those steps and unless it's  
24 laid out in this amendment, a process to do it that doesn't  
25 involve coming back to the council and amending the plan, we're  
26 going to be talking a multiyear process on top of all the length  
27 of MRIP and everything else.

28  
29 Now, you're right that it might be most desirable to have years  
30 of surveys run together, but most of these pilot studies are  
31 being run alongside of MRIP now and before they are certified,  
32 we're going to have some side-by-side and so I think we would be  
33 able to develop the calibration factors, but I don't see that,  
34 as complicated as it may seem, I don't see how we have a choice,  
35 other than to factor all of this in.

36  
37 **CHAIRMAN ANSON:** All right. I have Robin and then Dr. Lucas.

38  
39 **MR. RIECHERS:** Well, first, I will say this seems a little bit  
40 almost last minute here, as we've been discussing this for two  
41 years and certainly each of us have had different landings  
42 programs that we have been working through for two years, every  
43 state having a secondary landings program they've been trying to  
44 work with for two years.

45  
46 The one thing I will say is I certainly understand the notion of  
47 having to probably go through some period of certification. I  
48 think what we would want to do, even more so than have it in the

1 document though, is have some real schedule as to which you  
2 could get a template as to what would create certification,  
3 because I know we've even been having trouble getting answers  
4 about validation and percentage of validation and those kinds of  
5 things that might be needed in such a system.  
6

7 I guess I will go back to Kevin's point on my last point, which  
8 is even though I believe there probably should be something in  
9 there from a calibration perspective and some way to have that  
10 accepted, I would think, if we start at a point in time and then  
11 your landings either were higher or lower going into the future,  
12 when you put them side-by-side, then that means you have to  
13 adjust your state plan to account for that.  
14

15 I agree with Kevin that I don't know that you have to go  
16 backwards and readjust. Once we make the commitment to go in at  
17 this level, that's where we are and then you could adjust.  
18

19 Now, I see we can have an option that could do either, but it  
20 would be, in my mind then, that we go into that at that level  
21 and if our landings end up being higher, then we've got to  
22 reduce our days. If our landings end up being lower, then we  
23 could lengthen our seasons, in those respects.  
24

25 **DR. CRABTREE:** To that point?  
26

27 **CHAIRMAN ANSON:** To that point.  
28

29 **DR. CRABTREE:** Well, the problem with that though is we have an  
30 FMP that sets up the allocation based on the landings to a  
31 certain set of years and if we change the basis of those  
32 landings and we change the historical landings of that based on  
33 the years, if we don't go in and readjust the allocations, then  
34 we are inconsistent with the FMP and that's a real problem.  
35

36 As for this being last minute, I will remind you that I brought  
37 this up at the last council meeting and I believe I brought it  
38 up at the council meeting before that and so -- But I don't see  
39 how we're going to have the Science Center -- If we adopt a new  
40 catch accounting, then we're going to have to do calibrations  
41 and it's going to go through the stock assessment process.  
42 That's how we are doing things now and we can't have a situation  
43 where our allocations state-by-state is based on landings during  
44 these years, only they don't match up to the best available  
45 landings.  
46

47 **CHAIRMAN ANSON:** To that point, Robin?  
48

1 **MR. RIECHERS:** Well, Roy, you said it's going to be out of  
 2 kilter with the FMP. What if the FMP states then from this  
 3 point on that if a certification occurs that the state would  
 4 then just take that certification of their landings and then  
 5 adjust their days accordingly? I mean it doesn't have to be out  
 6 of whack with the FMP. We just have to explain how we're going  
 7 to move from this point forward.

8  
 9 **DR. CRABTREE:** On the face of that, that seems too vague,  
 10 because I don't know what "adjust accordingly" means. For  
 11 example, if Texas finds out that the private sector landings in  
 12 Texas are actually higher than previously thought, and we've  
 13 heard testimony to that effect and I don't know if it's the case  
 14 or not, what does that mean? Texas is then going to sort of do  
 15 their own on-the-face-of-it calibration and then make the  
 16 adjustment themselves?

17  
 18 **CHAIRMAN ANSON:** Robin.

19  
 20 **MR. RIECHERS:** Well, it wasn't vague. You just missed maybe the  
 21 comment I made before. Yes, we would come forward with the next  
 22 year's conservation equivalency and adjust our days downward if  
 23 that were the case. You're starting at a point and then from  
 24 that point on, you have to make your adjustments.

25  
 26 **DR. CRABTREE:** Well, that may be a way of getting to the same  
 27 place, but it still leaves you then out of kilter with the  
 28 allocation that we've set. If we can come up with a way to  
 29 write that down and explain it, but it seems to me it's  
 30 essentially getting you to the same point.

31  
 32 I am not dismissing what you're suggesting, but I am saying we  
 33 need to write down some process of how we're going to do this  
 34 and the most straightforward way to do it and the way we're  
 35 doing it now is to calibrate and then refigure things.

36  
 37 **CHAIRMAN ANSON:** Dr. Lucas.

38  
 39 **DR. LUCAS:** I think I am just seeking clarification on something  
 40 you said, Roy. So I guess I am going to use Louisiana, because  
 41 theirs is probably the closest to being certified, from what I  
 42 gather from the conversation, that their program is about to be  
 43 certified.

44  
 45 Are you saying that Myron comes in and it's not certified yet  
 46 and the plan is it's about to be certified, but you're not going  
 47 to use LA Creel, because of the certification was -- You now  
 48 have to do more or something? Is that what you're saying?

1  
2 **DR. CRABTREE:** Well, if it is certified and if the catches are  
3 substantially different -- Now, in the case of LA Creel, their  
4 catch estimates are about the same as MRIP and so there isn't  
5 much difference, but in some case where the catches are very  
6 different, it's going to have a big impact on the number of days  
7 that that state may be able to fish.

8  
9 So if you don't come in and make adjustments accordingly to the  
10 allocations and all, we're going to get -- It seems to me that  
11 we're going to distort the allocation pattern that was set up in  
12 the amendment and if it carried to an extreme, it could lead to  
13 overfishing and some other things.

14  
15 **CHAIRMAN ANSON:** To that point?

16  
17 **DR. LUCAS:** Yes and to that point with a question. So if some  
18 state chose not to carry forward with a new certification plan,  
19 you would just move forward with MRIP and so it would seem to me  
20 that every state's plan would need to be certified before you  
21 could then go through and redo all the allocations.

22  
23 **DR. CRABTREE:** Well, I don't think it would all have to be done  
24 at once. I think you could, as a new program is certified and  
25 then you apply that calibration factor, you could do it. It  
26 would probably be easier and more convenient if they all got  
27 certified at once and we could do it all in one big effort, but  
28 I suspect it's not going to, just timing-wise, work out that  
29 conveniently for us.

30  
31 **CHAIRMAN ANSON:** Martha.

32  
33 **MS. BADEMAN:** Okay. I am going to make sure I have this  
34 straight. So let's say we start regional management in 2017 and  
35 nobody is MRIP certified or nobody's programs. More or less,  
36 each state would be basing their season projections and closing  
37 their fishery based on MRIP numbers, like basically the federal  
38 process we have now, for the first couple of years, until people  
39 start getting set up and certified.

40  
41 The second question is what exactly do we need to do here with  
42 this document? Do we need to add an action or are we just  
43 adding discussion to this? How does that impact our timeline  
44 here, because I think this was to be final in January.

45  
46 **DR. CRABTREE:** I don't think it affects the timeline and I am  
47 suggesting this be added as discussion in the section of the  
48 document that goes through the process of getting through the

1 conservation equivalency.

2

3 For us to be able to accept a new program and approve a state's  
4 plan that uses it in the timeline that's laid out in here, we're  
5 going to have to have the rules of the road as to how we're  
6 going to use a new state program and what standards it has to  
7 meet laid out.

8

9 Otherwise, we're going to have this big open question and it's  
10 going to throw us way off on the timeline and I'm afraid that I  
11 will end up coming back to the council and saying you're going  
12 to have to do a plan amendment before we can use this and you  
13 know how long that takes.

14

15 **CHAIRMAN ANSON:** So going back to your question, Martha, I  
16 suspect this will add more time to getting the document to a  
17 point where it's ready for final vote and so it may not be  
18 available or ready in January for a final vote.

19

20 Not to say that this would be the reason why, but it does  
21 require a more complete document that NOAA legal counsel would  
22 be more happy with and that seems to be a big point and whether  
23 or not that gets input in time, I don't know. Dr. Crabtree.

24

25 **DR. CRABTREE:** I mean another example of how this is going to  
26 get complicated and so we know that all of the states have  
27 different mixes between for-hire catches and private catches.  
28 Texas is predominantly for-hire and other states -- Louisiana is  
29 predominantly private.

30

31 We know that we have the new effort estimation methodology that  
32 MRIP is piloting now and you've all been briefed on that and  
33 there is a transition plan with calibration. The pilot studies  
34 of that effort survey indicate it produces much higher effort  
35 estimates and so it's likely to produce much higher catch  
36 estimates.

37

38 It only affects the private sector and if that's adopted, it's  
39 going to have very different impacts, depending on what state  
40 you're in, because it's only going to change the private sector  
41 catches and it's going to shift them up.

42

43 If you don't then go in and make these adjustments to the  
44 Amendment 40 allocation, you're going to end up really hitting  
45 the recreational private sector very hard, in ways that I don't  
46 think are fair and equitable, and it's going to affect all the  
47 states differently.

48



1 There is a lot of these things besides these pilot programs.  
2 There is the whole overall scheme of this that is likely to come  
3 in and affect all of these allocations and, effectively, that's  
4 what we ended up doing in Amendment 28 and we also know how  
5 difficult that was and how contentious it was and how long it  
6 takes and if we don't get this spelled out in here as to how  
7 we're going to handle all of these things, I suspect we're going  
8 to go through these prolonged, agonizing arguments about all of  
9 it and get hung up on it and so there's a whole lot of things  
10 going in here and we're happy to work with Ava to come up with  
11 some discussion language on it and I'm confident we can come up  
12 with some language in time for the next meeting and I do think  
13 it can just be done as discussion.

14

15 **CHAIRMAN ANSON:** Dr. Lucas.

16

17 **DR. LUCAS:** I think, as some of the discussion in Amendment 28  
18 went, when it came down to the last two alternatives, it got  
19 down to the fact that it wasn't an allocation and it was an  
20 adjustment, that better data had become available and we needed  
21 to act on that data.

22

23 Why couldn't we just readjust, by some mechanism, once the data  
24 is available, and just call it a readjustment and then reset it  
25 and it sets it in all of these amendments, whether it's  
26 Amendment 40 or whether it's Amendment 39 or whatever, whatever  
27 is there. Whatever has been based off that, it then gets  
28 readjusted.

29

30 **DR. CRABTREE:** I think that's effectively what I'm suggesting we  
31 do here, but we need to write it in the document and write down  
32 how we're going to adjust it. Now, in this case, it's only  
33 talking about red snapper, because that's what this amendment  
34 is, but I do think there would be some utility in us at some  
35 point coming to an overall agreement of how we're going to make  
36 all of these calibration adjustments and doing a plan amendment  
37 that lays that in place that saves us going through all of those  
38 arguments at a time, but that's probably a broader scope and  
39 would take more time than we want to take with just this  
40 amendment.

41

42 **CHAIRMAN ANSON:** All right. Ava, thank you and thank you, Roy,  
43 for your staff and trying to get some of that language in the  
44 next version that we see in January. Mr. Greene, can you  
45 continue, please?

46

47 **MR. GREENE:** Options Paper, South Florida Management Issues, Tab  
48 B, Number 8(a), staff briefly reviewed the updated actions in

1 the Draft Options Paper on South Florida Management Issues,  
2 stating that there were some South Atlantic Council motions  
3 regarding yellowtail snapper.

4  
5 Dr. Larkin was asked to provide an update on yellowtail snapper  
6 landings in 2014 for both the Gulf and South Atlantic Councils,  
7 since they had now been finalized. At the September South  
8 Atlantic Council meeting, the final 2014 commercial landings  
9 were lower than previously estimated. In 2014, the commercial  
10 sector in the South Atlantic jurisdiction landed 1.2 million  
11 pounds, approximately 76 percent of their ACL, and the Gulf  
12 jurisdiction landed 760,395 pounds, or 84 percent of the stock  
13 ACL.

14  
15 The South Atlantic Council was informed by National Marine  
16 Fisheries Service that the commercial yellowtail snapper  
17 landings are projected to reach their ACL before the end of  
18 2015.

19  
20 The South Atlantic Council is therefore requesting that the Gulf  
21 Council consider establishing sector ACLs and managing the  
22 yellowtail snapper sector ACLs and accountability measures  
23 jointly.

24  
25 **Without opposition, the committee recommends, and I so move, to**  
26 **begin a separate amendment with the South Atlantic that would**  
27 **address management issues with the yellowtail snapper. The**  
28 **amendment would address consolidating the ABC/ACL and yellowtail**  
29 **snapper AMs and remove these from the South Florida amendment,**  
30 **as well as the commercial fishing year start date and**  
31 **recreational/commercial allocations in both Gulf and South**  
32 **Atlantic jurisdictions.**

33  
34 **CHAIRMAN ANSON:** We have a committee motion. The motion is on  
35 the board. Martha.

36  
37 **MS. BADEMAN:** Just to clarify that this was my motion and I  
38 think what we had discussed, and it's not reflected very well in  
39 the wording here, was this being a Gulf amendment, but the South  
40 Atlantic is working on a parallel amendment and so I just wanted  
41 to clarify that. It's not a joint amendment.

42  
43 **CHAIRMAN ANSON:** So I guess just remove "with the South  
44 Atlantic", potentially?

45  
46 **MS. BADEMAN:** Yes, I think that's okay.

47  
48 **CHAIRMAN ANSON:** All right and so we have the motion on the

1 board with the striking of "with the South Atlantic", to make  
2 sure that it is known that it's just a Gulf amendment that we're  
3 proceeding with. Any discussion on the motion? **Any opposition**  
4 **to the motion? Seeing none, the motion carries.** Martha.

5  
6 **MS. BADEMAN:** Just real quick, another yellowtail thing, more  
7 just housekeeping, but a question I guess to Ryan. The  
8 yellowtail circle hook amendment, you know we had talked about  
9 changing the line in hogfish and do you need a motion to add  
10 that different line for the yellowtail circle hook?

11  
12 **MR. RINDONE:** (The comment is not audible on the recording.)

13  
14 **MS. BADEMAN:** Okay. Let me write one and then I will -- Well, I  
15 will send one to staff. I think that will be easier than me  
16 trying to adlib it.

17  
18 **CHAIRMAN ANSON:** Thank you. Mr. Greene.

19  
20 **MR. GREENE:** Remaining Gulf committee motions regarding the  
21 South Florida Document are from the June 2015 Committee Report.  
22 Staff reminded the committee that were outstanding motions on  
23 the South Florida Options Paper that the council did not have  
24 time to address during the joint June 2015 council meeting with  
25 the South Atlantic Council.

26  
27 **Action 7, Partial Delegation of Recreational Management of Black**  
28 **Grouper to the State of Florida in Federal Waters Adjacent to**  
29 **the State of Florida, the Gulf Reef Fish Committee recommends,**  
30 **and I so move, to have Action 7 apply to the waters adjacent to**  
31 **the State of Florida.**

32  
33 **CHAIRMAN ANSON:** We have a committee motion. It's up on the  
34 board. Is there any discussion on the motion? **Any opposition**  
35 **to the motion? Seeing none, the motion carries.**

36  
37 **MR. GREENE:** The Gulf Reef Fish Committee recommends, and I so  
38 move, in Action 7 that Alternative 2d be moved to considered but  
39 rejected. Option 2d is minor modifications to existing  
40 allowable gear.

41  
42 **CHAIRMAN ANSON:** It's a committee motion and it's on the board.  
43 Any discussion on the motion? **Any opposition to the motion?**  
44 **Seeing none, the motion carries.**

45  
46 **MR. GREENE:** The Gulf Reef Fish Committee recommends, and I so  
47 move, to remove Actions 10 and 11 in the options paper and  
48 replace them with Actions 6, 7 and 8 in the restructured

1 document.

2  
3 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
4 discussion on the motion? **Is there opposition to the motion?**  
5 **Seeing none, the motion carries.**  
6

7 **MR. GREENE:** The following actions would be removed under the  
8 above motion and they are listed in our committee report as  
9 Actions 10 and 11 and there are some additional actions that  
10 will be added and, Mr. Chairman, I am just going to read the  
11 actions, as opposed to the individual alternatives, for the sake  
12 of time, if that's okay with you.  
13

14 **CHAIRMAN ANSON:** If it's okay with Mara, it's okay with me.  
15

16 **MS. LEVY:** That's fine. You actually already voted on the  
17 motion that was going to put these in there and so really I  
18 guess it's in there for your information as to what you were  
19 removing and what you were adding when you approved that last  
20 motion.  
21

22 **CHAIRMAN ANSON:** All right and so we can -- Do we not even need  
23 to read them at all?  
24

25 **MS. LEVY:** I think you can just say that they are reflected in  
26 the committee report.  
27

28 **MR. GREENE:** Okay. Thank you. They are reflected -- Both  
29 actions and alternatives are reflected in the committee report.  
30 That will move us to Options Paper on --  
31

32 **CHAIRMAN ANSON:** One second, Johnny. Martha.  
33

34 **MS. BADEMAN:** Just really quick, before we leave this, I think  
35 there's a couple of actions in this document still that need to  
36 be cleaned up, based on what we did with gag and black grouper  
37 this morning. Is it possible we can give direction to staff to  
38 do that or do you need direction or do you want a motion or how  
39 do you want to handle that, Carrie? Is just direction  
40 sufficient?  
41

42 **DR. SIMMONS:** Yes, I think that's fine. Thank you.  
43

44 **CHAIRMAN ANSON:** Mr. Greene.  
45

46 **MR. GREENE:** Okay. Options Paper for Framework Action to Set  
47 Mutton Snapper ACL, Tab B, Number 9, staff reviewed draft  
48 actions and alternatives for the Gulf Council proportion of the

1 mutton snapper ABCs and establishing new ACLs and recreational  
2 and commercial management measures.

3  
4 Ms. Bademan stated that Florida FWC will also be conducting  
5 their own series of workshops and meetings regarding mutton  
6 snapper. Mr. Williams requested that staff work closely with  
7 the South Atlantic Council staff regarding this document, to  
8 make sure we are not getting ahead of their efforts on mutton  
9 snapper, since they manage 82 percent of the stock. Staff  
10 stated they would coordinate closely with the South Atlantic  
11 staff regarding work on mutton snapper moving forward.

12  
13 Options Paper to Adjust Minimum Stock Size Threshold, Tab B,  
14 Number 10, staff presented a PowerPoint presentation that  
15 discussed MSST with respect to overfished definitions and MSY  
16 biomass levels and then reviewed the actions and alternatives in  
17 the options paper.

18  
19 Committee members felt that the options paper was more  
20 understandable than an earlier version presented earlier in the  
21 year and that the range of actions and alternatives was  
22 appropriate.

23  
24 Dr. Crabtree noted that our perception on natural mortality  
25 rates has change over time and other councils have moved away  
26 from using the one minus M times BMSY definition of MSST. Staff  
27 will develop the options paper into a draft amendment for a  
28 future council meeting.

29  
30 Reef Fish AP Summary Additional Items, staff reviewed AP  
31 recommendations for issues other than those covered in the Reef  
32 Fish Committee agenda. This included coral habitat areas of  
33 particular concern, lionfish issues, and requests for reruns of  
34 red snapper projections.

35  
36 Other Business, Mara Levy informed the committee that the  
37 litigation on Amendment 40 was moving forward and that oral  
38 arguments would be heard in U.S. District Court in New Orleans  
39 on October 28. Discussion of Ad Hoc Private Recreational AP,  
40 due to time constraints, this agenda item was deferred to full  
41 council.

42  
43 **CHAIRMAN ANSON:** Leann.

44  
45 **MS. BOSARGE:** Maybe I missed it, because it's a long report, but  
46 did we go over the motion where we were adjusting those buffers?  
47 That was a full council motion?

48

1 **CHAIRMAN ANSON:** It was at full council.

2  
3 **MR. DIAZ:** We did Other Business yesterday.

4  
5 **CHAIRMAN ANSON:** Thank you.

6  
7 **MR. WALKER:** We never discussed the ad hoc.

8  
9 **CHAIRMAN ANSON:** Well, we have it in here to defer to full  
10 council and so if anyone wants to lead some discussion on that,  
11 we can talk about it for a little bit. Mr. Williams.

12  
13 **MR. WILLIAMS:** Well, I don't know that I am going to lead the  
14 discussion, but I would note, for the record, that I, and I am  
15 guessing everybody in here, has begun to receive a lot of  
16 letters with people suggesting that we proceed with that.

17  
18 I know there are people around the table, and I have talked to  
19 them, that don't want it, but I am sure I have received at least  
20 a dozen letters of people from Texas to Florida suggesting that  
21 we do it and that we even received a petition from someone with  
22 fifteen or twenty names on it and so I am more favorably  
23 inclined now towards doing this than I have been at previous  
24 meetings.

25  
26 **CHAIRMAN ANSON:** Dr. Dana.

27  
28 **DR. DANA:** Thank you, Chairman Anson. This is just a comment.  
29 If we have -- You sparked me thinking this way yesterday,  
30 something you said, Dr. Crabtree, but if we have APs for every  
31 other sector to look at different fishery issues, but we do not  
32 have one for one of our most important sectors, an AP to look at  
33 just issues affecting them in whatever, data collection, are we  
34 being remiss as a council by not having an AP to represent that  
35 industry? I mean couldn't -- We have all these court challenges  
36 and could this not be another, that we sit idly while we don't  
37 even have something to address such a major sector?

38  
39 **CHAIRMAN ANSON:** Dr. Lucas.

40  
41 **DR. LUCAS:** I was just going to ask -- Do we have a commercial  
42 fishing AP? I think several people spoke that we have done  
43 recreational APs in the past, or at least Emily presented a lot  
44 of information from recreational panels.

45  
46 **CHAIRMAN ANSON:** Dr. Crabtree.

47  
48 **DR. CRABTREE:** Well, we don't have a specific commercial fishing

1 AP, but we've had IFQ APs and ad hoc APs that focused on  
2 commercial issues. I think they have always had some mix of  
3 people on them. I guess I would want to hear from the  
4 recreational folks on the council, Camp and Doug and maybe Greg,  
5 as to what they think about it.

6  
7 I am supportive of it and I am getting the emails, as you are,  
8 but you know you can lead a horse to water, but you can't make  
9 him drink and so until the recreational leaders on the council  
10 feel like they can support doing this, I am not sure that it's a  
11 productive endeavor.

12  
13 **CHAIRMAN ANSON:** Mr. Boyd.

14  
15 **MR. BOYD:** When this first was motioned, when Harlon did it at  
16 the meeting before last, my comment was it's premature and I  
17 still believe that. I think that the recreational group, the  
18 recreational fishermen, have not come together and tried to talk  
19 collectively about how they would like to be managed.

20  
21 The charter-for-hire guys have done that and it's taken them an  
22 awfully long time to come together on what they wanted and they  
23 finally solidified it, with a lot of support from a lot of  
24 different organizations, on how they would like to be managed.

25  
26 The commercial fishermen did the same thing and it's taken them  
27 a long time and I think we're trying to push through some sort  
28 of a management agenda or a scheme or a thought process,  
29 whatever you want to call it, on the recreational fishermen and  
30 we need to give them time to come together and understand what  
31 they want to do.

32  
33 I would note that there was a -- The Congressional Sportsmen's  
34 Foundation held a meeting several meetings ago and I was  
35 invited, but I was unable to attend. I believe all of the state  
36 directors were invited and a diverse group of recreational  
37 fishermen and recreational fishing interests were invited.

38  
39 I did not go and I don't know the total outcome, but I  
40 understand that it was very productive after everybody shook  
41 hands the first day and that that is going to be scheduled again  
42 with the -- The Congressional Sportsmen's Foundation is kind of  
43 the lead participant there and that meeting took place, I think,  
44 in Mississippi, at Kelly's offices.

45  
46 Kelly, I think, was there and I don't know who the other state  
47 representatives were that were there, but I think I would like  
48 to see us give that group time to talk about their issues and to

1 talk about what they would like to see and then bring that back.  
2 I am not totally opposed to a Gulf Council AP. I just think  
3 it's premature. Thank you.

4  
5 **CHAIRMAN ANSON:** All right. I have David, Dr. Stunz, Camp, and  
6 John Sanchez.

7  
8 **MR. WALKER:** I disagree. I don't think it's premature. I think  
9 we hear a lot of congressional congressmen and senators  
10 commenting about the council or NOAA and it's not doing anything  
11 for the private angler and I think this is just slowing it and  
12 kicking the can down and I think the private anglers, we've seen  
13 from emails -- I have had a lot of discussion with private  
14 anglers, whether they were members of the CCA or not a member of  
15 the CCA, and they want something different.

16  
17 They don't want to continue with what they have. It's not  
18 working and to just keep continuing delaying it is not going to  
19 help. I have had discussions with my own commissioner in  
20 Alabama, Chris Blankenship, and our commissioner told the  
21 industry leaders that he would like to see Chris Blankenship  
22 take a leadership role in this and he didn't have an issue with  
23 forming this AP.

24  
25 You know just a lot of people and I don't know how many people I  
26 hear -- I guess we have to have a roll call to see really where  
27 they stand, but I don't want to continue kicking the can down  
28 the road. I am ready for the private angler to have something.

29  
30 You know they get angry at the commercial industry and they get  
31 angry at the charter industry and they get angry at the council,  
32 but if we don't give them an AP to let them sit down and hash  
33 out their own solutions, we are never going to get them where  
34 they want to be and kicking the can is not going to do that and  
35 it's causing issues.

36  
37 **CHAIRMAN ANSON:** Dr. Stunz.

38  
39 **DR. STUNZ:** A little bit to David's point, I mean part of one of  
40 the letters that Roy I guess was talking about was from this  
41 group. If you guys read it, they have actually had quite a bit  
42 of activity and you know it wasn't just -- It was recreational  
43 guys and charter guys and just regular private recreational  
44 anglers and the state folks that I think they still have a lot  
45 of confidence in.

46  
47 Quite frankly, I think that those groups have a lot of distrust  
48 and frustration with the council process and I don't blame them



1 and the last couple of meetings, I have been talking about we  
 2 can force this from the top down or we can let it sort of grow  
 3 organically from this bottom-up approach, where these guys are  
 4 getting together and they are doing that.

5  
 6 They've got plans for other meetings and you know NOAA has  
 7 formed the Office for Recreational Fisheries that they're  
 8 working with and there is several vision documents that have  
 9 come out that are sort of structuring their talks and framework.

10  
 11 I think we need to give that just a little bit more time to  
 12 develop, because if we force this down and sort of derail the  
 13 process that they've got going and are comfortable with, I think  
 14 we are not doing ourselves a service here.

15  
 16 I am the first one to say I would love to have an ad hoc private  
 17 panel that we can go to, just like our others, and give us  
 18 advice, but I think it's just a little bit premature and I  
 19 think, to be quite frank, I think the groups feel that it might  
 20 get stacked a little bit from our council and they may not get  
 21 to fully explore some of the opportunities that they see might  
 22 fit and they are trying to gather that information right now.

23  
 24 So, given that, I don't support forming it at this time, but I  
 25 will be the first one to be for this once they sort of get a  
 26 little bit more organized.

27  
 28 **CHAIRMAN ANSON:** Camp.

29  
 30 **MR. MATENS:** Thank you, Mr. Chairman. I was a part of that  
 31 meeting and I thought it was quite productive and one of the  
 32 things that I took away from it was that, by and large, the  
 33 private recreational community understands that there is some  
 34 value in what the commercial community has done.

35  
 36 The charter-for-hire, maybe there is some people that think one  
 37 way or the other, but the private community, and we've heard  
 38 that time and time again here in this meeting this week, wants  
 39 to be under the supervision of their state managers.

40  
 41 Accordingly, and Chris Blankenship was there, but, accordingly,  
 42 is this a time that we can make a motion? I see a bunch of  
 43 blank stares and there is no reason not to, right?

44  
 45 **CHAIRMAN ANSON:** Any time is --

46  
 47 **MR. MATENS:** Accordingly, and forgive me, ladies, for not having  
 48 this and so I will speak slowly and try to not have my Louisiana

1 accent. A motion would be that the council direct the five  
2 fisheries managers on the council to convene and obtain a  
3 consensus as to how the private recreational community wishes to  
4 be managed. If there is a second, I will talk a little bit  
5 about it.  
6

7 **CHAIRMAN ANSON:** We have a motion and is there a second to the  
8 motion? Dr. Stunz seconds the motion. Doug, do you have a  
9 question?

10  
11 **EXECUTIVE DIRECTOR GREGORY:** Yes and we provide advice to the  
12 council. We can write a letter requesting the state directors  
13 to do something, but we can't direct them.  
14

15 **MR. MATENS:** Word it however you will.

16  
17 **CHAIRMAN ANSON:** Dr. Crabtree.  
18

19 **DR. CRABTREE:** Let's direct them to solve hunger and world peace  
20 while we're at it. I mean come on. Is this really realistic?  
21

22 **MR. MATENS:** It would probably be easier, Roy. Well, I think  
23 that each of the five states -- Really, I think that they're a  
24 little bit diverse in what their recreational community wants.  
25 The person that knows the best as to what they want, in my mind,  
26 are the fisheries managers and I would like to see Dr. Lucas and  
27 Myron is going to delegate this to Randy, but get together and  
28 talk and see if there is some thing that somehow can be brought  
29 to this council that they feel like meets the needs of the  
30 recreational community and remembering all the time that the  
31 recreational community is pretty clear that we want to be  
32 managed by our state managers.  
33

34 **CHAIRMAN ANSON:** Dr. Crabtree.  
35

36 **DR. CRABTREE:** Maybe so, Camp, but the United States Congress  
37 has decided that federal waters are managed by the council and I  
38 would remind all of you that the council is made up basically of  
39 the states. Everybody except me on this council is a state  
40 representative and so they are managed by the states, in that  
41 sense.  
42

43 Now, one thing that seems a little schizophrenic to me with this  
44 is all five state directors and, Camp, you as well have taken  
45 the position that the federally-permitted charter boats have to  
46 be managed under the same management scheme as the private  
47 recreational sector and so this doesn't seem quite right to me,  
48 because I think the view of the states right now is they ought

1 to be managed together and so it's not just the private  
2 recreational sector and it's all the for-hire vessels as well.

3  
4 Otherwise, if you come up with a plan that's just right for the  
5 private recreational guys, are you then just going to force the  
6 for-hire operators to live with it too or how do they get  
7 involved here?

8  
9 **CHAIRMAN ANSON:** Mara.

10  
11 **MS. LEVY:** I don't know how this is envisioned working, but it  
12 raises some concerns that we're asking for a private committee  
13 meeting of the state representatives on the council to then make  
14 decisions and come back with recommendations to the council and  
15 if that's what is envisioned, then I don't think that's  
16 appropriate under the way that this council operates.

17  
18 The state directors or representatives are here and if you want  
19 to have a committee made up of state directors and they want to  
20 have a committee meeting and provide advice, that's fine, but it  
21 needs to be open to the public notice and everything else and so  
22 I just am a little concerned that the way this is worded is to  
23 have some sort of private committee meeting, which would not be  
24 consistent with the Magnuson Act requirements.

25  
26 **CHAIRMAN ANSON:** Certainly.

27  
28 **MR. MATENS:** To those points, Roy, I certainly don't envision  
29 that this effort would involve whatever the charter-for-hire  
30 does or does not do. We wanted to convene an AP for the private  
31 recreational community and this is an alternative to that. It  
32 had nothing to do with the charter-for-hire guys and, Mara, to  
33 your point, I am not certain that it's inappropriate for the  
34 fisheries directors to meet on their own. Are you saying that  
35 it is?

36  
37 **MS. LEVY:** I am not saying it's inappropriate for them to meet  
38 on their own, but if the council is going to direct them to meet  
39 as a body to provide advice back to the council, that's a  
40 committee and that needs to be done throughout the council  
41 process. If the state directors want to meet on their own and  
42 discuss things, that's fine, but this is being proposed as a  
43 council action to direct some other action to provide advice.

44  
45 **MR. MATENS:** Again, Mara, to that point, so do I infer, from  
46 your discussion, that if the five state directors met on their  
47 own and through the council process came to the process with a  
48 recommendation, came to this council with a recommendation, that

1 would be appropriate?  
2

3 **MS. LEVY:** Anybody on this council can come to the council with  
4 a motion or recommendation.  
5

6 **MR. MATENS:** Then I think that, to some degree, makes my point.  
7 If I can go out and convince the five state directors that they  
8 should talk about this and see if they can come to some  
9 consensus and present that at a later date to this council, that  
10 would be appropriate or not?  
11

12 **MS. LEVY:** I am not going to advocate for any council  
13 recommendation that recommends that people meet in private  
14 outside of the Magnuson Act process to give advice to this  
15 council. What the state directors decide to do on their own is  
16 their own decision.  
17

18 **CHAIRMAN ANSON:** Dr. Crabtree.  
19

20 **DR. CRABTREE:** I guess, from my point, Camp, I mean the state  
21 directors are all sitting here and if they want to go out and  
22 try to work with their private recreational anglers and get a  
23 vision of how to manage and all that, that's great and we  
24 certainly welcome the state directors to come in with their  
25 vision of how we ought to manage this fishery, but I don't know  
26 that we need to pass a motion asking them to do that. I think  
27 they all understand the problems very well.  
28

29 **CHAIRMAN ANSON:** I am glad we've got your support on that, Roy,  
30 because they attempted to do something previously and got kind  
31 of chastised for it. Yes, you have heard some of the -- Would  
32 you still like to vote on this, have a vote, or do you want to  
33 withdraw or --  
34

35 **DR. CRABTREE:** To that point too, I am not encouraging you guys  
36 to go out and draft legislation. Let me be clear about that.  
37

38 **MR. MATENS:** Although, Roy, sometimes it's tempting, isn't it?  
39

40 **CHAIRMAN ANSON:** David.  
41

42 **MR. WALKER:** There was an article that it read where the five  
43 state directors came together and locked the doors behind them  
44 and I don't know if there was any public input or anything with  
45 it or if there needs to be some communication. This council,  
46 we've got the state directors here and this is going on and  
47 people are going to Congress and complaining that it's not  
48 working and this is not working and this is your opportunity.

1 Make something work.

2

3 Develop an AP and let these guys work together. You know the  
4 commercial fishermen developed their plan and the charter boat  
5 fishermen developed their plan and the private angler can  
6 develop his plan. What's wrong with that? I just don't get it.

7

8 You know let them -- Let them come back to this council and then  
9 we can decide, but let them work on their plan. Guys, let's  
10 just don't keep kicking this can. You know it affects the  
11 commercial industry and we've got a problem and let's take some  
12 fish away from the commercial industry. Well, that doesn't  
13 solve your problem and it's not going to solve your problem.

14

15 You know I mentioned, if we get back to that, Alabama was  
16 claiming that they were catching less fish. I had this  
17 discussion with my commissioner and then the MRIP numbers were  
18 showing that they were higher and Alabama is claiming that they  
19 were lower, but it was based on MRIP.

20

21 You know let the fishermen get together and let the private  
22 anglers get together. They come to me and they talk to me and  
23 they get frustrated when nothing gets done. Meeting to meeting,  
24 it continues on down the road and I think we've got an  
25 opportunity to do something and don't move this off and quit  
26 stalling and let's do something. Let's do something for the  
27 recreational industry, the private angler. They need something.

28

29 **CHAIRMAN ANSON:** Dr. Stunz.

30

31 **DR. STUNZ:** Well, I would point out that I don't think it's  
32 stalling at all right now. In fact, it's happening in this  
33 informal group that we've been talking about and I guess my  
34 question to Camp is that group that's meeting, what's different  
35 about this motion than what's happening in that group? The  
36 state directors are involved with that, on an informal basis,  
37 and is it doing the same thing?

38

39 I guess my point is I would like to see us delay this discussion  
40 some, until our next meeting, or preferably even the next one,  
41 to let this other group develop, which is going along pretty  
42 strongly without our heavy hand.

43

44 **CHAIRMAN ANSON:** I have Roy Williams.

45

46 **MR. WILLIAMS:** I just want to say the proximal cause of this  
47 discussion is the very short seasons in red snapper and from my  
48 first meeting back on the council, I have maintained that the

1 recreational fishery is overcapitalized. Now, Russell Nelson  
2 denied that and Ken Haddad denied and Dr. Brad Gentner denied  
3 that there any such thing as overcapitalization in the  
4 recreational fishery and they may well be right when it comes to  
5 red drum or when it comes to snook or when it comes to tarpon  
6 and maybe when it comes to black bass, largemouth bass, and  
7 crappie. Those are all very releasable species and so you can  
8 keep stacking people in and crowding them up and everybody can  
9 have a little bit of fish.

10  
11 In the case of gag grouper, they are not so releasable and in  
12 the case of red snapper they are not particularly releasable.  
13 The deeper we get out here, the less releasable these fish  
14 become and when I first came, it seemed like my impression was  
15 that a lot of people felt that they could simply reallocate  
16 their way out of this fishery, that they could reallocate their  
17 way out of this problem, that they could simply take some from  
18 the charter boat fishery and take a lot from the commercial  
19 fishery and that there would then be enough for the recreational  
20 fishery of red snapper fishermen, but it became apparent that if  
21 we gave them everything, if we gave them all the red snapper,  
22 hell, their season is still only going to be a month long.

23  
24 Face-to-face with the problem, you've got these glossy fishing  
25 magazines telling everybody how great it is and you've got the  
26 people who sell outboard motors advertising in them and telling  
27 them how great it's going to be. You've got all this promotion  
28 of recreational fishing and the fact is we don't have a lot more  
29 to give them. That's just the reality of it.

30  
31 We can continue to increase the yields on red snapper a little  
32 bit, but there is not a lot more red snapper to give out there.  
33 There's not a lot more gag grouper to give out there and so I  
34 think the recreational fishery has to get together and begin to  
35 figure out how they're going to divvy this up.

36  
37 The fishery simply cannot stand more and more and more pressure.  
38 It cannot. I believe that on the whole it's already fully  
39 capitalized and doesn't need any more and I don't think we can  
40 reallocate ourselves out of any of these problems, despite some  
41 people's belief that we can.

42  
43 I think at some point we have to tell the fishery to come up  
44 with some fair and effective ways to solve the derby problem in  
45 red snapper and perhaps gag grouper and triggerfish and come up  
46 with ways. How do they want to limit themselves, because there  
47 is only so many fish to go around out there and they've got to  
48 be partitioned among all these people that want them and we

1 simply don't have enough for them.  
2

3 **CHAIRMAN ANSON:** I've got Kelly and Mr. Swindell and Mr. Sanchez  
4 and we are an hour-and-a-half yet to our scheduled time of  
5 departure, just letting people know. Kelly.  
6

7 **DR. LUCAS:** I think mine is more of a question. Here is the  
8 deal. This says Ad Hoc Private Recreational AP and when we  
9 named this original AP, I distinctly remember it being Ad Hoc  
10 Recreational AP, because you asked us as state directors to go  
11 out and talk to people about whether they would be willing to  
12 sit on a recreational AP.  
13

14 Then there was a whole lot of discussion of what recreation  
15 imparts and that there was only one species of which there was  
16 sector separation that occurred in and we were really trying to  
17 encompass a larger thing, like all the species, and yet I still  
18 hear people -- Like Dr. Crabtree, he says "this fishery" and  
19 somebody says red snapper, red snapper.  
20

21 I mean if that's what you're changing it to, then it needs to be  
22 changed, because when you asked me in the beginning to go  
23 discuss this, we discussed it from recreational AP. That's what  
24 the original title was.  
25

26 So when I went out and talked to people, and to Roy Williams's  
27 point, some of the new people I talked to that have never been  
28 involved in the council process were kind of excited to  
29 contribute. Some of the people who have contributed to the  
30 council process said why? I've given you a thousand suggestions  
31 and I've sat on all these panels and I've told you different  
32 ways of doing it and you have never once taken the suggestion.  
33

34 Some of them even sent me a list of all the suggestions they had  
35 previously provided, but if we don't even know what it is, what  
36 the panel is, I don't really see how we can move forward and  
37 maybe this group that is sitting out there discussing  
38 recreational problems might provide some insight on how to move  
39 forward.  
40

41 **CHAIRMAN ANSON:** Mr. Swindell.  
42

43 **MR. SWINDELL:** Camp, one of the things I don't like about your  
44 motion is the word "manage". You know we're not trying to  
45 manage the recreational fishermen. We are trying to manage the  
46 fishery and they have to some way or another work within that,  
47 but to have some group get together and come back to tell us how  
48 they want to be managed is not what I think we should be doing.

1  
2 The advisory panels don't give us that information and, Mr.  
3 Boyd, I just don't -- I don't want the -- The committee, the  
4 group of people that you're talking about that Camp was also  
5 with, are they -- Are you expecting them to come back to us with  
6 a full list of people to be on an advisory panel? I don't want  
7 that either.

8  
9 I want these council members to sit around and discuss who  
10 should be on this advisory panel. I don't want it just to be  
11 coming from a group to tell us who should be on it. That's not  
12 what I'm after. I am after a full varied experience of a group  
13 of people that we have the opportunity to decide, name-by-name,  
14 what the experience of this person is and whether they should be  
15 on the advisory panel, as we normally do. I assume the council  
16 still picks the advisory panel members and they approve who is  
17 on there. Thank you, Mr. Chairman.

18  
19 **CHAIRMAN ANSON:** To that point, Mr. Boyd.

20  
21 **MR. BOYD:** Ed, I don't think I ever said that that group would  
22 come back and tell us how to populate a panel. What I said was  
23 that they would -- My understanding and, again, I wasn't there,  
24 but my understanding is, and I've read the letter that came from  
25 the Congressional Sportsmen's Foundation, that they wanted that  
26 group to come together and see what the common interests are and  
27 how they would like to be managed.

28  
29 I would respectfully say to you that the charter-for-hire  
30 industry has sat here month after month, year after year, and  
31 told us, quote, unquote, how we want to be managed and so that's  
32 not a new concept.

33  
34 **CHAIRMAN ANSON:** All right. Mr. Sanchez.

35  
36 **MR. SANCHEZ:** Thank you. As we all know, this is a very  
37 painfully slow process and so coming up and the idea of having  
38 an AP -- Call it what you want and compose it of whomever you  
39 want, but the idea is to get some meaningful input to help steer  
40 us along in doing something.

41  
42 The fact remains if you took the entire commercial IFQ allotment  
43 and all of the recently allotted charter boat ability to catch  
44 and gave it to the recreational sector entirely, you end up with  
45 a few more days and that's obviously not proper fisheries  
46 management.

47  
48 Getting to what Roy was saying, it's overcapitalized and we need



1 to address this and find that middle group or some meaningful  
2 solution and to just keep kicking and no, we don't want to talk  
3 about an AP, yet people are asking for it, I mean what are we  
4 waiting for? Are we waiting for Amendment 40 to sunset and then  
5 it will be a good time to have an AP? What are we doing here?  
6

7 It's very almost transparent. Let's do something and this is  
8 just to put together a group. We can help comprise it or not,  
9 but to get some meaningful input to find some real solutions to  
10 these real problems.  
11

12 At the end of the day, the group, they can tell us to pound dirt  
13 and they can tell us anything they want. It's up to them, but  
14 let's give them a forum, like we do in every other fishery, to  
15 be able to give us input. Then if they choose to or not to, in  
16 my mind, at least you gave them the same opportunities that  
17 we've given every other fishery that we encounter.  
18

19 **CHAIRMAN ANSON:** Leann.  
20

21 **MS. BOSARGE:** You know, from some of the comments, it sounds  
22 like maybe certain members of the public and the private angler  
23 sector -- Maybe they have become jaded with the council process  
24 and they have given up on us, but we should never use that as an  
25 excuse to give up on them.  
26

27 I have heard people say that they're distrustful of the federal  
28 system and that's exactly why we should form this Ad Hoc Private  
29 Recreational AP. That's exactly why we have to reach out and  
30 keep the lines of communication open.  
31

32 If we do nothing and we stand back and we sit on our hands and  
33 we don't reach out to them and say we want your input and we  
34 still want your input and we're still trying, then the only  
35 thing that they have before them as a plan is one that doesn't  
36 seem to involve the federal council process at all and it's what  
37 is going through Congress that we refuse to talk about around  
38 this table, but this still is our management system at the  
39 federal level right now and I believe we even had somebody in  
40 public testimony say don't let somebody else tell you how to run  
41 your federal system. You still are the federal managers.  
42

43 We still have to reach out to these people and engage them.  
44 That is our responsibility. If we need to make sure that we get  
45 this Congressional Sportsmen's Association on that Ad Hoc  
46 Private Recreational AP so that we do not miss their obviously  
47 significant input, I mean we can definitely do that. I don't  
48 think that's a problem, but I don't think saying that we have a

1 group over here to the side that's trying to work this out on  
2 the side -- That doesn't mean we can't work in tandem and we  
3 can't do anything here at the federal level because there is  
4 something going on over here in the private sector.

5  
6 No, we can't sit on our hands and wait. We can engage that  
7 particular group from the private sector, but we have to push  
8 forward with this. We cannot sit here and not reach out to  
9 these people. They deserve the right to come and communicate  
10 with us directly and not through five state directors, but this  
11 federal council that manages their federal fish, and tell us  
12 what they want.

13  
14 **CHAIRMAN ANSON:** All right. I have Pam, David, and Myron.

15  
16 **DR. DANA:** Thank you, Chairman Anson. I have no problem with  
17 creating a recreational AP, in the very least to have a sounding  
18 board for when we as a council need to vet issues impacting the  
19 recreational sector, just like we do when we bring to our  
20 Mackerel AP and let them weigh in on issues that we're  
21 forwarding as a council.

22  
23 I also appreciate the recreational representatives' viewpoint on  
24 this and them articulating some of the fears, perhaps, of the  
25 recreational sector of setting this up at this time.

26  
27 I don't know that it's a good use of our time to continue to  
28 spin around on this, given that we are going to lose several of  
29 our council members and we have two more committees that have a  
30 lot to cover. I would have no problem, even though I am,  
31 frankly, supportive of an AP to be created, whether it's now or  
32 later, but I would have no problem shifting this until January,  
33 to bring it up again.

34  
35 **CHAIRMAN ANSON:** David.

36  
37 **MR. WALKER:** Just there was some concern about the name of the  
38 Private Recreational AP and I was just going to mention that we  
39 did -- Did we not consolidate the Reef Fish and the Red Snapper  
40 APs? Just the name of it is fine and I just would like to see  
41 us move forward.

42  
43 **CHAIRMAN ANSON:** Myron.

44  
45 **MR. FISCHER:** Thank you, Mr. Chair. I think this is a subject  
46 we could discuss for eternity. I think the motion doesn't  
47 necessarily reflect that this is the Private Recreational AP. I  
48 think the state directors should meet on a very regular basis,

1 and they do, to discuss a whole array of items, from shrimp and  
2 crabs to their fishery.

3  
4 It's not new and so to ask them while they're meeting to discuss  
5 the private recreational fishery is definitely within the scope  
6 of what they, more than likely, talk about on a normal basis. I  
7 am in favor of this, but I would like to move on, because we're  
8 not creating a recreational AP today and I think we have two  
9 other important items on the agenda, as Pam mentioned, and so I  
10 call the question.

11  
12 **CHAIRMAN ANSON:** All right. We have called the question or the  
13 question has been called and we have been requested for a roll  
14 call. Mr. Gregory.

15  
16 **MR. RIECHERS:** I am trying to figure out where we are in this  
17 motion as opposed to the last motion that was passed a couple of  
18 meetings ago and I am a little bit like Pam here and maybe wish  
19 she would have made hers as a motion, because I think we could  
20 move on, but I mean if we pass this, does that motion go away,  
21 because it's not a substitute. I thought there was a motion --

22  
23 **CHAIRMAN ANSON:** I don't see the other motion having any impact  
24 on this motion. This motion is a new path, I guess, and so the  
25 other motion is still in play, as far as I recollect.

26  
27 **MR. BOYD:** If you would recognize me, I would just suggest  
28 something. I think we had a request to call the question and we  
29 have not voted on that yet. I would make a motion or Dr. Stunz  
30 would like to make a motion if the call for the vote does not  
31 pass.

32  
33 **CHAIRMAN ANSON:** Okay. We have a call the question and so do  
34 you want this as a roll call vote, to call the question? No.  
35 So we are going to vote to -- I am trying to get this straight.

36  
37 **MR. FISCHER:** I will withdraw it if we have no more discussion.

38  
39 **DR. STUNZ:** Just a motion is all I've got, a substitute motion.

40  
41 **CHAIRMAN ANSON:** Yes, a substitute motion.

42  
43 **DR. STUNZ:** Are you withdrawing it, Myron?

44  
45 **MR. FISCHER:** Yes.

46  
47 **DR. STUNZ:** Okay. I would like to make a substitute motion  
48 then, Mr. Chair, to postpone the discussion on the formation of

1 an Ad Hoc Private Recreational AP until the January council  
2 meeting.

3  
4 **CHAIRMAN ANSON:** It's a substitute motion and is there a second  
5 to the substitute motion?

6  
7 **DR. DANA:** Second.

8  
9 **CHAIRMAN ANSON:** It's seconded by Dr. Dana. Dr. Crabtree.

10  
11 **DR. CRABTREE:** If we just -- I mean do we really need motions to  
12 stop discussing and move on to the next thing? This is getting  
13 to the point of absurdity and then we have to have roll call  
14 votes on motions to do --

15  
16 **DR. STUNZ:** At this point, I would like to retain the motion.

17  
18 **EXECUTIVE DIRECTOR GREGORY:** What did you just say, Greg?

19  
20 **DR. STUNZ:** I was responding to Roy. I would like to continue  
21 with the substitute motion.

22  
23 **CHAIRMAN ANSON:** All right. We have a substitute motion and  
24 we've had lots of discussion and we do need to move on. **All**  
25 **those in favor of the substitute motion please signify your**  
26 **approval by saying yes; all those opposed say no.**

27  
28 **UNIDENTIFIED MALE:** Was there a second, Mr. Chair?

29  
30 **CHAIRMAN ANSON:** It was seconded by Pam. **The substitute motion**  
31 **carried.** Thank you. We still need one other item before we go  
32 on to the other committee reports, really quickly. We did not  
33 address it in the Mackerel Committee Report, but that is  
34 locations for the public hearing for the mackerel public hearing  
35 documents. They should be up on the board. Ryan.

36  
37 **MR. RINDONE:** Thank you, Mr. Chairman. It would just be  
38 document and it's just Amendment 26.

39  
40 **CHAIRMAN ANSON:** All right. Amendment 26. We have some meeting  
41 locations that staff have suggested and they're up on the board  
42 and so if each of the state directors can take look at their  
43 respective states. Myron.

44  
45 **MR. FISCHER:** I think I would like to give license to Ryan to  
46 say the Houma region. There is no pure mackerel fishermen in  
47 the town of Houma and we'll just find a location suitable, but  
48 all we need is one hearing in Louisiana.

1  
2 **CHAIRMAN ANSON:** Kelly.

3  
4 **DR. LUCAS:** I think most of our fishermen reside in the  
5 Pascagoula area for mackerel and so if we could put that in  
6 Pascagoula, that would be great.

7  
8 **CHAIRMAN ANSON:** Robin.

9  
10 **MR. RIECHERS:** Yes and staff has been -- We've done this several  
11 times now. We're trying to bring people up out of the island  
12 here and go to the other side, the south side of Houston  
13 somewhere, the Texas City and that part of the world.

14  
15 **CHAIRMAN ANSON:** All right, Martha, do you have any input on the  
16 locations?

17  
18 **MS. BADEMAN:** I think what I saw on the list looked okay. I  
19 think it was Destin, Sarasota, and Key West.

20  
21 **CHAIRMAN ANSON:** Orange Beach is fine for Alabama. Myron.

22  
23 **MR. FISCHER:** Discussing with staff, we feel Kenner would be the  
24 appropriate location for Louisiana.

25  
26 **CHAIRMAN ANSON:** All right and so are the state directors okay  
27 with these? We're good? Robin.

28  
29 **MR. RIECHERS:** Just a clarification. Corpus stayed on and that  
30 was just replacing Galveston.

31  
32 **CHAIRMAN ANSON:** Can you repeat that, please?

33  
34 **MR. RIECHERS:** The Corpus area is still in the mix. This is not  
35 a replacement for both meetings, but this was just a replacement  
36 for the Galveston meeting or to move it up off the island.

37  
38 **CHAIRMAN ANSON:** Okay and so you still have two locations though  
39 and that's fine? Okay. All right. If we're good with that,  
40 staff will make arrangements to have the public hearings in  
41 those respective cities in those respective states. Now, that  
42 concludes -- Mr. Greene, it doesn't conclude?

43  
44 **MR. GREENE:** We have about three more pages. I am just kidding.  
45 Martha has a motion.

46  
47 **MS. BADEMAN:** I just need to sneak in that motion that I was  
48 going to bring up on yellowtail that staff should be able to

1 queue up now, when they're ready.

2

3 **CHAIRMAN ANSON:** Okay.

4

5 **MS. BADEMAN:** My motion would be to add a new Alternative 5 to  
6 Action 1 of the yellowtail snapper framework action and that  
7 would read something of the likes of remove the requirement to  
8 use circle hooks when commercial fishing with natural bait for  
9 yellowtail snapper south of 23 degrees, 9 minutes North latitude  
10 on the west coast of Monroe County, Florida, and south to the  
11 Gulf Council jurisdictional boundary.

12

13 **CHAIRMAN ANSON:** We have got the motion on the board and it's to  
14 add a new Alternative 5 to Action 1 of the yellowtail snapper  
15 framework action. It's been seconded by Mr. Sanchez. Is there  
16 any other discussion you need to make, Martha?

17

18 **MS. BADEMAN:** Yes, just in case you're lost and not following  
19 along, which you probably are not, this is the line that we were  
20 talking about I think when we were discussing hogfish. This is  
21 an alternative to the Shark Point jurisdictional boundary line.  
22 I see Ryan has his hand up.

23

24 **CHAIRMAN ANSON:** Ryan.

25

26 **MR. RINDONE:** Thank you, Mr. Chair, and just a little background  
27 from the AP. When the Reef Fish AP talked about this, they had  
28 said generally that they thought that this action was best  
29 constrained to the South Florida/Florida Keys area, since that's  
30 where the epicenter of the commercial yellowtail fishery in the  
31 Gulf is, and so we had talked to them about the possibility of  
32 this alternative being added at this council meeting and they  
33 said that they would support this as well.

34

35 **CHAIRMAN ANSON:** Any other discussion or questions? Dave.

36

37 **MR. DONALDSON:** Martha, did you say 23 degrees or 25, because I  
38 thought you said 23 and it says 25 in the --

39

40 **MS. BADEMAN:** I think it's 25. I probably just misspoke.  
41 Sorry. It's late in the day.

42

43 **MR. DONALDSON:** I just wanted to make sure we got the right  
44 location.

45

46 **CHAIRMAN ANSON:** Any other discussion? **Any opposition to the**  
47 **motion? Seeing no opposition to the motion, the motion carries.**  
48 Mr. Greene, we're done with your report, the Reef Fish Report,

1 now? We have Dr. Branstetter raising his hand.

2  
3 **DR. BRANSTETTER:** I don't know when you would like to do this,  
4 Mr. Chairman, but you and I discussed that we wanted to update  
5 the council on the issue of decals for the charter vessels. Is  
6 this the appropriate time?

7  
8 **CHAIRMAN ANSON:** Let's see if we can wait until Other Business.

9  
10 **DR. BRANSTETTER:** This will take like thirty seconds. I've got  
11 two sentences.

12  
13 **CHAIRMAN ANSON:** Go ahead.

14  
15 **DR. BRANSTETTER:** Okay. If you remember approximately a year  
16 ago, there was discussions of whether or not to keep the decals  
17 on the charter boat associated with the charter boat permits.  
18 The decision was made to keep it and so this is just to let you  
19 know what our Permits Office has done.

20  
21 They are going to start issuing individual permits, one for reef  
22 fish and one for mackerel. Currently, they are combined and  
23 sometimes that causes confusion. They are also going to be  
24 increasing the size of the decals, at the request of the  
25 industry. Unfortunately for that, that will require a cost  
26 recovery fee of ten-dollars per decal and so that's where  
27 they're at and they are working to get their new equipment and  
28 the new decals and then we will start issuing those, I guess.

29  
30 **CHAIRMAN ANSON:** All right. Thank you for the update. All  
31 right, Mr. Greene, are you ready for Data Collection?

32  
33 **DATA COLLECTION COMMITTEE REPORT**

34  
35 **MR. GREENE:** The Data Collection Committee, Draft Public  
36 Hearing, Joint Electronic Charter Vessel Reporting Amendment,  
37 the committee reviewed the draft Joint Electronic Charter Vessel  
38 Reporting Amendment.

39  
40 Dr. Froeschke noted that the South Atlantic Council and the Reef  
41 Fish AP passed motions to separate the Gulf and South Atlantic  
42 reporting requirements into separate documents. **The committee**  
43 **recommends, and I so move, to agree with the South Atlantic**  
44 **Council and split the Joint Modifications to Charter Vessel and**  
45 **Headboat Reporting Requirements Amendment into two separate**  
46 **amendments.**

47  
48 **CHAIRMAN ANSON:** We have a committee motion. Is there any

1 discussion on the motion? **Is there any opposition to the**  
2 **motion? Seeing none, the motion carries.**

3  
4 **MR. GREENE:** The Committee also discussed the membership of the  
5 technical subcommittee that has previously provided guidance  
6 about the structure and function of the proposed electronic  
7 reporting program. **The committee recommends, and I so move, to**  
8 **remove the South Atlantic members from the technical**  
9 **subcommittee membership list. 3.1 Membership is Mike Cahall,**  
10 **Mike Errigo, Eric Hiltz, and Doug Mumford.**

11  
12 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
13 discussion on the motion? **Is there any opposition to the**  
14 **motion? Seeing none, the motion carries.** Myron.

15  
16 **MR. FISCHER:** Thank you, Mr. Chairman. Are we going to create a  
17 mechanism to maybe repopulate this? I think the discussion  
18 included adding some Gulf scientists and, if so, would that be a  
19 council action or straight through -- I don't recall how they  
20 were originally populated.

21  
22 **CHAIRMAN ANSON:** Dr. Froeschke.

23  
24 **DR. JOHN FROESCHKE:** The way it was done originally, I think we  
25 developed a list of appropriate entities and a request was sent  
26 to the entity requesting that they appoint someone and so, for  
27 example, the state.

28  
29 **MR. FISCHER:** So whether we need a motion, I would request each  
30 of the five Gulf states come up with a name, a fishery  
31 biologist, or if they choose not to submit a name, that's fine.  
32 I don't know if we need that as a motion then, but just looking  
33 for submittal of qualified individuals.

34  
35 **EXECUTIVE DIRECTOR GREGORY:** It would be nice to have a  
36 timeframe for that.

37  
38 **MR. FISCHER:** It wasn't a motion, but I guess by timeframe, as  
39 soon as possible. They are not going to hire anyone in the  
40 meantime and so it would be someone on staff and so within  
41 weeks. I would just let your office coordinate it with the five  
42 states and universities and whoever they think.

43  
44 **DR. FROESCHKE:** I think that's what we did the last time and so  
45 I guess we could just resend that out, but some states, like  
46 Florida, I think they did appoint someone and so I'm assuming we  
47 would just keep the membership the same for that.

48



1 **CHAIRMAN ANSON:** Leann.

2  
3 **MS. BOSARGE:** I just want to make sure we don't slow this down  
4 by doing this. If this is going to prevent these people from  
5 meeting again, then I mean -- If we did send it out and it  
6 wasn't a priority at that point, I guess maybe something has  
7 changed for the people that we sent it to that didn't appoint  
8 anybody, that didn't want to be on it, but I don't want to slow  
9 this down. Will this slow it down? Because if it will, then I  
10 might have an issue with it. I mean a long time ago when we  
11 asked for names.

12  
13 **CHAIRMAN ANSON:** Mr. Gregory is telling me that they will put a  
14 date on when the states need to provide their names.

15  
16 **EXECUTIVE DIRECTOR GREGORY:** We will give them a deadline.

17  
18 **CHAIRMAN ANSON:** Yes, give them a deadline. All right, Mr.  
19 Greene.

20  
21 **MR. GREENE:** Dr. Ponwith noted that implementation of electronic  
22 reporting in the for-hire fleet requires coordination of three  
23 components: 1)a regulatory component; 2)technical aspects; and  
24 3)funding requirements. The Electronic For-Hire Amendment  
25 addresses the regulatory component.

26  
27 The committee also discussed other components of the proposed  
28 program, including administrative responsibility, funding  
29 requirements, and transition planning from the current sampling  
30 programs. The committee noted that these elements will require  
31 additional consideration before implementation of the program.  
32 Mr. Chairman, this concludes my report.

33  
34 **CHAIRMAN ANSON:** Thank you, Mr. Greene. That will take us to  
35 Shrimp. Dr. Froeschke.

36  
37 **DR. FROESCHKE:** Sorry. During committee, we talked about a  
38 number of different scenarios and things and I think since that  
39 time we've thought about it some more and one thing I wanted to  
40 throw by you is aside from the technical aspects, of which there  
41 are many, just the regulatory components, which we seem to be  
42 focused on here, that part of the document I guess is basically  
43 done.

44  
45 So if those other technical details are going to be worked out  
46 later, I think it's possible that we could bring you back a  
47 document that you could consider for final action and then this  
48 technical committee and things could make recommendations

1 subsequent to that about how to develop and implement the final  
2 details, if you wanted to do that.

3  
4 **CHAIRMAN ANSON:** Anybody have any heartburn with that? Martha.

5  
6 **MS. BADEMAN:** Well, I have a question. Have we had public  
7 hearing on this?

8  
9 **DR. FROESCHKE:** We have not and what we have talked about, and  
10 would certainly solicit your input, is developing an electronic  
11 public hearing direct mailing and an informational booklet that  
12 we could distribute to the federally-permitted guys and do a  
13 direct outreach, instead of doing public hearings.

14  
15 **CHAIRMAN ANSON:** Dr. Stunz.

16  
17 **DR. STUNZ:** Dr. Froeschke, that plan seems fine with me and I  
18 just want to make sure that you and your group have what you  
19 need to proceed further, but I wasn't quite clear on the  
20 technical aspects that you were talking about. Do you have that  
21 information as well? I know there is the white paper that was  
22 done a couple of years ago which pretty much lays things out,  
23 but is that good enough at this point or do you need something  
24 from us as a council to proceed on some of the technical aspects  
25 as well?

26  
27 **DR. FROESCHKE:** At this point in the document, the actions that  
28 we have in there really I guess are just focused on the  
29 regulatory aspects of it and with the acknowledgement that those  
30 details will have to be worked out before the program could be  
31 implemented at some point, but as far as completing the  
32 document, I do think, based on the discussions we've had at this  
33 meeting, we have enough information to complete the document.

34  
35 **DR. STUNZ:** That's good.

36  
37 **CHAIRMAN ANSON:** Leann.

38  
39 **MS. BOSARGE:** I was just going to say that sounds great. That  
40 sounds like it will streamline the process and we can pick a  
41 little here and little there off the tree and finally finish  
42 this out. If that's the low-hanging fruit and if you can bring  
43 us that back, we can move forward with that and let the public  
44 see it and get some feedback and then we can work out the rest  
45 of it as we go as well.

46  
47 **CHAIRMAN ANSON:** All right. Thank you. I think now we're ready  
48 to move into Shrimp Committee and Ms. Bosarge.

1  
2                   **SHRIMP MANAGEMENT COMMITTEE REPORT**  
3

4 **MS. BOSARGE:** Okay. Shrimp Committee Report. After adding a  
5 presentation on shrimp effort, the committee moved to adopt the  
6 agenda. The committee then approved the minutes of the August  
7 2015 meeting as written.  
8

9 Dr. Rick Hart presented shrimp effort from ten to thirty-fathoms  
10 in Statistical Zones 10 to 21. He indicated that effort  
11 increased in 2014. Dr. Crabtree noted that 2014 effort levels  
12 were very close to the threshold that would trigger shrimp  
13 closures in portions of the Gulf and noted the number of active  
14 vessels associated with this effort level.  
15

16 Shrimp Amendment 17A, Shrimp Permit Moratorium, staff reviewed  
17 the amendment, Tab D, Number 4, and noted that the council's  
18 current preferred alternative would extend the moratorium on  
19 shrimp permits for ten years.  
20

21 Committee members discussed the benefits associated with  
22 maintaining the royal red endorsement to the federal shrimp  
23 vessel permit as well as the possible savings associated with  
24 eliminating the royal red endorsement, but did not select a  
25 preferred alternative for Action 2 at that time. Committee  
26 members noted that landings requirements for the renewal of  
27 royal red endorsements were previously discussed and moved to  
28 the considered and rejected section.  
29

30 The committee discussed the timeline for the amendment,  
31 indicating that public hearings were scheduled in early 2016 and  
32 that the council could take final action during the January 2016  
33 meeting.  
34

35 Amendment 17B, Yield, Threshold Number of Permits, and Transit  
36 Provisions, staff discussed the purpose and need for action in  
37 reviewing the amendment, Tab D, Number 5. The committee  
38 discussed the importance of bycatch in the shrimp fishery.  
39

40 In Actions 1 and 2, the committee discussed the need for a  
41 working group to determine aggregate MSY and OY and approved the  
42 following motion. **By a unanimous vote, the committee**  
43 **recommends, and I so move, that the council convene a working**  
44 **group to evaluate aggregate MSY and OY for all shrimp species.**  
45

46 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on  
47 the motion? **Is there any opposition to the motion? Seeing**  
48 **none, the motion carries.**

1  
2 **MS. BOSARGE:** In Action 3, the committee discussed the minimum  
3 threshold number of Gulf shrimp permits. A motion to move  
4 Alternative 7 to the considered but rejected section failed.

5  
6 In Action 5, the committee members discussed the eligibility  
7 requirements for the issuance of reserved permits. Mara Levy  
8 noted that sufficient rationale would be needed to support the  
9 eligibility requirements. The committee discussed getting  
10 further feedback from the Shrimp AP during their upcoming  
11 meeting, now that additional information on this action item was  
12 available.

13  
14 Finally, the committee discussed transit provisions and the  
15 relationship between the strictness of these provisions and the  
16 enforceability of those provisions.

17  
18 In Other Business, finally, Chairwoman Bosarge remarked that she  
19 would like to review TED enforcement boarding form in the near  
20 future. Mr. Chair, this concludes my report.

21  
22 **CHAIRMAN ANSON:** Thank you, Ms. Bosarge. All right. That  
23 concludes our committee reports and we have on the agenda the  
24 Vote on Exempted Fishing Permit Applications, if any, and we  
25 don't have any and so that takes us to our Other Business and  
26 scheduled under Other Business on the agenda is the NOAA RESTORE  
27 Act Science Program Funding and Dr. Ponwith.

28  
29 **OTHER BUSINESS (CONTINUED)**  
30 **NOAA RESTORE ACT SCIENCE PROGRAM FUNDING**

31  
32 **DR. PONWITH:** Thank you, Mr. Chair. This is just an  
33 informational piece and if you take a look in your briefing  
34 books, I see it's up. The RESTORE Act Science Program, as you  
35 recall, released a request for proposals and awards have been  
36 funded in the first round of this call for proposals.

37  
38 If you see in this document there were several awards made and  
39 included and in the interest of time, I won't go through and  
40 read each of these, but I do urge you to take a look at this.  
41 These are projects that I think are going to make a significant  
42 contribution to the work that we're trying to accomplish here  
43 with the council and certainly to do a better job of integrating  
44 across the Gulf of Mexico the work that we're doing.

45  
46 It includes monitoring programs and it includes some large-scale  
47 modeling efforts and looking at ways to monitor progress and  
48 improving ecosystem health in the system and including looking

1 at environmental indicators as a tool for measuring that  
2 progress.

3  
4 Again, I would urge you to take a look at each of these awards  
5 and we will be, in the program, working toward developing the  
6 next request for proposals for this and, of course, depending  
7 upon the outcomes of this and certainly getting additional  
8 information about the potential funding landscape, that will  
9 also inform this next call for proposals for more in-depth work  
10 that we're working on.

11  
12 The first call for proposals really focused on some of the  
13 short-term priorities that we developed. You can refer back to  
14 the plan for the RESTORE Act Science Program and see the types  
15 of work, after this is accomplished, that we will be focusing  
16 on, more of the long-term programs. I guess what I would do is  
17 turn this over to see if there are any questions.

18  
19 **CHAIRMAN ANSON:** Any questions for Dr. Ponwith? Thank you,  
20 Bonnie. I'm sure some of us will go back and try to review  
21 those and kind of keep up-to-date with those. Thank you. That  
22 takes us to the Other Business item that was added at the  
23 Approval of the Agenda and that would be -- We finished the  
24 discussion on preliminary red snapper landings and ACL and ACT  
25 and so that takes us to discussion of spiny lobster and I think  
26 that was Martha.

#### 27 28 **DISCUSSION OF SPINY LOBSTER**

29  
30 **MS. BADEMAN:** I think I brought it up, but we got a letter from  
31 Roy's office stating that we went over the ACT again this year  
32 and that we need to convene that review panel. I think Doug  
33 sent an email about it. Do you want to speak to that, Doug?

34  
35 **EXECUTIVE DIRECTOR GREGORY:** Right. I spoke with Kari  
36 MacLauchlin at the South Atlantic Council and we both would like  
37 to start this next review process with a joint AP meeting and  
38 then take their recommendations to the SSCs separately and then  
39 to the two councils and see what we can work out.

40  
41 **CHAIRMAN ANSON:** Mr. Sanchez.

42  
43 **MR. SANCHEZ:** I would be in full support of that. I think that  
44 would be a good way, an appropriate way, to start this.

45  
46 **CHAIRMAN ANSON:** Dr. Crabtree.

47  
48 **DR. CRABTREE:** Martha, I can't remember, but does the FWC have

1 like a spiny lobster advisory group or anything like that?

2  
3 **MS. BADEMAN:** Not now. It's been a long time since we've  
4 convened one.

5  
6 **CHAIRMAN ANSON:** All right and so it sounds like everyone is  
7 comfortable with that. That was the last item I had under Other  
8 Business at the time of the agenda and there was one thing that  
9 came up that I wasn't aware of that I thought should be brought  
10 to the group's attention and that's related to the calendar for  
11 meetings in 2017 and if everyone could oblige a few minutes, I  
12 would like for Doug to go over that. Doug.

13  
14 **DISCUSSION OF FUTURE MEETING DATES**

15  
16 **EXECUTIVE DIRECTOR GREGORY:** Hopefully not that long, but the  
17 calendar is on the website. You can click up and see the whole  
18 thing and what we have here is November. For 2017, we had this  
19 idea of having a July council meeting instead of a June council  
20 meeting. It seemed preferable to have a meeting after council  
21 appointments, so that we actually know who is appointed or who  
22 is going off the council. In a July meeting, we would know  
23 that. All the appointments are done before July, whereas in a  
24 June meeting we really don't know.

25  
26 We started with July and worked forward and backward and we  
27 ended up in November for our last meeting of the year. Now,  
28 Florida doesn't have a commission meeting those two days,  
29 because they haven't scheduled that far ahead. Mississippi does  
30 and we can't always avoid overlap with some states and so it's  
31 inevitable during the year we would get some overlap.

32  
33 I just wanted to bring it to your attention, since we've never  
34 gone into November before, that these days, this week before  
35 Thanksgiving, is not tremendously burdensome to the group.

36  
37 **CHAIRMAN ANSON:** Martha.

38  
39 **MS. BADEMAN:** I will say that it is probably going to be an  
40 issue for me. Our commission meets in November and I think it's  
41 typically that week, just because we're trying to avoid Election  
42 Day and Thanksgiving and all that.

43  
44 I am in a situation where I have to present to them and  
45 rulemaking and everybody on my team is at that meeting and  
46 presenting and so that would be problematic for me and so I am  
47 just going to put that out there. I know that's not the case  
48 maybe with all the other state directors. I don't think

1 everyone attends their meetings or presents at them, but it's an  
2 issue for me, more than likely.

3  
4 **EXECUTIVE DIRECTOR GREGORY:** Okay. Could you also put up the  
5 December calendar? If we go forward, the next available week is  
6 December the 11<sup>th</sup> and that's two weeks before Christmas.

7  
8 **MR. BOYD:** So basically the council schedule of meetings for  
9 next year is changing June and October and --

10  
11 **EXECUTIVE DIRECTOR GREGORY:** Next year is like we've been doing,  
12 June and October. This is for 2017, a proposal. I am trying to  
13 get ahead of the curve.

14  
15 **MR. DIAZ:** Doug, I am just trying to figure out -- Your original  
16 rationale was so we would know who the new council members were,  
17 but what real bearing does that have, if we know or we don't  
18 know, in that meeting? Because they won't start in July. They  
19 will start in --

20  
21 **EXECUTIVE DIRECTOR GREGORY:** We will know who is going off the  
22 council.

23  
24 **MR. DIAZ:** But does that really have a bearing on anything  
25 though?

26  
27 **EXECUTIVE DIRECTOR GREGORY:** I know it's a rule of thumb that if  
28 somebody is up for reappointment that they get reappointed, but  
29 it kind of concerned me that this year -- What if somebody was  
30 up for reappointment and they did not get reappointed and we  
31 didn't have the appropriate protocol for sending them off into  
32 the wild blue yonder and as far as council business goes, that's  
33 not high priority, but I thought it was a good gesture. You all  
34 are such a tight group of people and that's the only rationale  
35 to move to July, so we know who might be going off the council  
36 and we can give them a good sendoff all together, all at once.

37  
38 **CHAIRMAN ANSON:** Just to add to that, June for sure is a pretty  
39 busy month for council members and a lot of folks that like to  
40 come to the meetings and July might not be as busy. Granted,  
41 it's still pretty busy, but it's a little bit less busy. Dr.  
42 Crabtree.

43  
44 **DR. CRABTREE:** This creates a lot of problems, because I can  
45 tell you that the next week in December is traditionally the  
46 Caribbean Council meets that week. Every year we meet and we  
47 have the Caribbean and South Atlantic in December and so -- Let  
48 me tell you they are not as much fun as you may think, their

1 council meetings.

2  
3 **EXECUTIVE DIRECTOR GREGORY:** We have already moved one of our  
4 meetings to accommodate you.

5  
6 **DR. CRABTREE:** That's because you scheduled it on top of the  
7 South Atlantic, which you shouldn't have done, but, from my  
8 perspective, I don't think moving the council meeting in July  
9 because of council sendoffs is enough reason to upset the apple  
10 cart and so I think we ought to continue to meet in June.

11  
12 **CHAIRMAN ANSON:** Myron.

13  
14 **MR. FISCHER:** If that were the case, we have a Governor's  
15 election at the end of this month and this might have been my  
16 sendoff.

17  
18 **CHAIRMAN ANSON:** All right and so it sounds like Doug and staff  
19 will go back and reevaluate and probably end up with a June  
20 meeting schedule and in October, more than likely.

21  
22 **EXECUTIVE DIRECTOR GREGORY:** Please put up the June calendar.  
23 Then we've got the week of June 5<sup>th</sup> to work with, basically.  
24 Then we will work back and forth from there and I will email  
25 something out to everybody next week or to the Chair first and  
26 then, once the Chair approves it, to everybody.

27  
28 **CHAIRMAN ANSON:** Martha.

29  
30 **MS. BADEMAN:** I was just going to note those are not necessarily  
31 the days that our meeting would be. We can work around you in  
32 June. My concern with November was there was nowhere for us to  
33 move our meeting and we were going to be on top and that's just  
34 going to be inevitable. In June, if you guys are late in the  
35 month and we'll be early in the month or we can work around  
36 that.

37  
38 **EXECUTIVE DIRECTOR GREGORY:** I thought you told me these dates  
39 were already fixed.

40  
41 **MS. BADEMAN:** No, not in 2017, no, but for November, which we  
42 talked about, because of the holidays in there, we would end up  
43 on the same week and I can see that conflict coming, but for  
44 June, we typically work around you guys. If you guys are set  
45 before us, then we're willing to do that.

46  
47 **CHAIRMAN ANSON:** Okay. That wraps up that last agenda item, the  
48 Other Business item that came up. Is there anyone else that



1 needs anything else or wants to discuss anything under Other  
2 Business? With that being said, the meeting is adjourned.  
3 Thank you.

4  
5 (Whereupon, the meeting adjourned at 11:30 a.m., October 7,  
6 2015.)

7  
8 - - -  
9

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4 PAGE 10: Motion to accept the committee assignments as shown in  
5 Tab A-6, with the naming changes between Administrative Policy  
6 and Budget/Personnel, as described, and with the additions to  
7 committees that have been discussed. The motion carried on page  
8 11.  
9
- 10 PAGE 26: Motion that the council move the appointment of the  
11 Spiny Lobster and Coral APs to 2016. The motion carried on page  
12 26.  
13
- 14 PAGE 29: Motion to direct staff to begin a framework action for  
15 the recreational red snapper fishery to reduce the buffer  
16 between the ACT and the ACL. The motion carried on page 35.  
17
- 18 PAGE 110: Motion in Action 1, Adjust the Management Boundary  
19 for Gulf of Mexico and Atlantic Migratory Groups of King  
20 Mackerel, to make Alternative 3 the preferred alternative.  
21 Alternative 3 is to establish a single year-round boundary for  
22 separating the Gulf and Atlantic migratory groups of king  
23 mackerel at the Miami-Dade/Monroe county line. The Gulf Council  
24 would be responsible for management measures in the mixing zone.  
25 The motion carried on page 110.  
26
- 27 PAGE 110: Motion in Actions 4 and 5 of CMP 26 to accept the  
28 South Atlantic Council's modified language. The motion carried  
29 on page 110.  
30
- 31 PAGE 111: Motion to amend Alternatives 3 and 4 in Action 4 of  
32 Coastal Migratory Pelagic Amendment 26 such that the end of  
33 season one is October 31 instead of October 1. The motion  
34 carried on page 111.  
35
- 36 PAGE 111: Motion in Action 6, Modify the ACL for Gulf Migratory  
37 Group King Mackerel, to make Alternative 2 the Preferred  
38 Alternative. Alternative 2 is set the Gulf migratory group king  
39 mackerel ACL equal to the ABC recommended by the Gulf Scientific  
40 and Statistical Committee for 2015 through 2019. ABC values are  
41 in millions of pounds, whole weight. The motion carried on page  
42 112.  
43
- 44 PAGE 117: Motion to accept the IPT's recommendations to give  
45 staff editorial license to update Action 8, Revise the  
46 Recreational and Commercial Allocations for the Gulf Migratory  
47 Group King Mackerel, to reflect the council's intent. The  
48 motion carried on page 118.

1  
2 PAGE 118: Motion in Action 8, Alternative 4 to add an option to  
3 transfer 15 percent of the stock ACL to the commercial sector.  
4 The motion carried on page 119.

5  
6 PAGE 120: Motion in Action 9, Modify the Recreational Bag Limit  
7 for Gulf Migratory Group King Mackerel, to select Alternative 3  
8 as the preferred alternative. Alternative 3 is to increase the  
9 bag limit to four fish per person per day. The motion carried  
10 on page 125.

11  
12 PAGE 126: Motion to discontinue work on Coastal Migratory  
13 Pelagics Amendment 28. The motion carried on page 126.

14  
15 PAGE 128: Motion to have the council explore working with a  
16 consortium of scientists to begin working with stock  
17 assessments. The motion carried on page 131.

18  
19 PAGE 131: Motion to ask for an analysis of a one-fish bag limit  
20 for gray triggerfish. The motion carried on page 133.

21  
22 PAGE 133: Motion that at the next council meeting to review the  
23 status of Amendment 33 and Amendment 36, the contents of these  
24 amendments, workload implications, and to have a discussion on  
25 how to proceed. The motion carried on page 139.

26  
27 PAGE 139: Motion to ask for an analysis of both the effect of a  
28 fifteen-inch and a sixteen-inch minimum size limit on  
29 triggerfish. The motion carried on page 140.

30  
31 PAGE 151: Motion in Action 3 to add a new preferred alternative  
32 that would remove the June 1 through 30 portion of the fixed  
33 closed season and begin the season on June 1 and close when the  
34 recreational ACL is projected to be met. The motion carried on  
35 page 153.

36  
37 PAGE 155: Motion that the council approve the Final Framework  
38 Action for Gag and Black Grouper and that it be forwarded to the  
39 Secretary of Commerce for review and implementation and deem the  
40 codified text as necessary and appropriate, giving staff  
41 editorial license to make the necessary changes in the document.  
42 The Council Chair is given the authority to deem any changes to  
43 the codified text as necessary and appropriate. The motion  
44 carried on page 157.

45  
46 PAGE 158: Motion to add an action to look at increases to the  
47 minimum size limit for hogfish. The motion carried on page 158.

48

1 PAGE 159: Motion to direct staff to begin a framework amendment  
 2 that would increase the minimum size limit for commercial  
 3 harvest of gag grouper to twenty-four inches total length. The  
 4 motion carried on page 159.

5  
 6 PAGE 160: Motion in Action 1 to add Alternative 5, Option b as  
 7 a preferred alternative. Alternative 5 is to establish a  
 8 provision to sunset regional management after Option b, five  
 9 calendar years of the program. The motion carried on page 160.

10  
 11 PAGE 160: Motion in in Action 2 to make Alternative 4 the  
 12 preferred alternative. Alternative 4 is end the separate  
 13 management of the federal for-hire and private angling  
 14 components upon implementation of this amendment and have this  
 15 amendment apply to the entire recreational sector. The private  
 16 angling and the federal for-hire components would be managed as  
 17 a single unit by each region under regional ACLs, based on the  
 18 allocation selected in Action 6. The motion failed on page 189.

19  
 20 PAGE 189: Motion to replace Preferred Alternative 5 with  
 21 Alternative 8 in Action 6. Alternative 8 would apportion the  
 22 recreational sector ACL or component ACLs among the regions  
 23 selected in Action 3, such that each region's allocation  
 24 provides an equivalent number of fishing days. The motion  
 25 failed on page 192.

26  
 27 PAGE 192: Motion in Action 7 to remove Alternatives 3 and 4 and  
 28 add Options a and b, as proposed by staff. Option a is if a  
 29 region has both a private angling ACL and a federal for-hire  
 30 ACL, the reduction will be applied to the component that  
 31 exceeded the applicable ACL. Option b is if a region has both a  
 32 private angling ACL and a federal for-hire ACL, the reduction  
 33 will be applied equally to both components. The motion carried  
 34 on page 192.

35  
 36 PAGE 202: Motion to begin a separate amendment that would  
 37 address management issues with the yellowtail snapper. The  
 38 amendment would address consolidating the ABC/ACL and yellowtail  
 39 snapper AMs and remove these from the South Florida amendment,  
 40 as well as the commercial fishing year start date and  
 41 recreational/commercial allocations in both Gulf and South  
 42 Atlantic jurisdictions. The motion carried on page 203.

43  
 44 PAGE 203: Motion in Action 7, Partial Delegation of  
 45 Recreational Management of Black Grouper to the State of Florida  
 46 in Federal Waters Adjacent to the State of Florida, to have  
 47 Action 7 apply to the waters adjacent to the State of Florida.  
 48 The motion carried on page 203.

1  
2 PAGE 203: Motion in Action 7 that Alternative 2d be moved to  
3 considered but rejected. Option 2d is minor modifications to  
4 existing allowable gear. The motion carried on page 203.

5  
6 PAGE 203: Motion to remove Actions 10 and 11 in the options  
7 paper and replace them with Actions 6, 7 and 8 in the  
8 restructured document. The motion carried on page 204.

9  
10 PAGE 210: Motion to postpone the discussion on the formation of  
11 an Ad Hoc Private Recreational AP until the January council  
12 meeting. The motion carried on page 220.

13  
14 PAGE 222: Motion to add a new Alternative 5 to Action 1 of the  
15 yellowtail snapper framework action and that would read  
16 something of the likes of remove the requirement to use circle  
17 hooks when commercial fishing with natural bait for yellowtail  
18 snapper south of 25 degrees, 9 minutes North latitude on the  
19 west coast of Monroe County, Florida, and south to the Gulf  
20 Council jurisdictional boundary. The motion carried on page  
21 222.

22  
23 PAGE 223: Motion to agree with the South Atlantic Council and  
24 split the Joint Modifications to Charter Vessel and Headboat  
25 Reporting Requirements Amendment into two separate amendments.  
26 The motion carried on page 224.

27  
28 PAGE 224: Motion to remove the South Atlantic members from the  
29 technical subcommittee membership list. 3.1 Membership is Mike  
30 Cahall, Mike Errigo, Eric Hiltz, and Doug Mumford. The motion  
31 carried on page 224.

32  
33 PAGE 227: Motion that the council convene a working group to  
34 evaluate aggregate MSY and OY for all shrimp species. The  
35 motion carried on page 227.

36  
37 - - -