

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

257TH MEETING

FULL COUNCIL SESSION

Perdido Beach Resort Orange Beach, Alabama

JANUARY 27-28, 2016

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
- Karen Hoak.....Administrative and Financial Assistant
- Ava Lasseter.....Anthropologist
- Mara Levy.....NOAA General Counsel
- Charlene Ponce.....Public Information Officer
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Carrie Simmons.....Deputy Director

OTHER PARTICIPANTS

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2 Bill Arant.....Birmingham, AL
3 Sam Ard.....
4 Tom Ard.....Orange Beach, AL
5 Randy Boggs.....Orange Beach, AL
6 Susan Boggs.....Orange Beach, AL
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16 Shane Cantrell.....Galveston, TX
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24 Michael Currey.....Shimano America
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31 Curt Erwin.....Destin, FL
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43 Chad Haggert.....Clearwater, FL
44 Brian Hartz.....St. Petersburg, FL
45 John Henderschedt.....NOAA
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47 Chris Horton.....Congressional Sportsmen's Foundation, AR
48 Bill Jeffries.....Orange Beach, AL

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11 Mike Miglini.....
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14 Bart Niquet.....Lynn Haven, FL
15 Chris Niquet.....Lynn Haven, FL
16 Fred Owen.....Birmingham, AL
17 Bonnie Ponwith.....NOAA
18 Kellie Ralston.....American Sportfishing Association, FL
19 Bryan Reeves.....AL
20 Tracy Redding.....Bon Secour, AL
21 Mike Rowell.....Orange Beach, AL
22 Clarence Seymour.....Biloxi, MS
23 Aaron Smith.....Fort Walton Beach, FL
24 Bill Staff.....
25 Tom Steber.....Orange Beach, AL
26 Jessica Stephen.....NOAA
27 Brian Swindle.....Dauphin Island, AL
28 Mike Thierry.....Dauphin Island, AL
29 Skipper Thierry.....Dauphin Island, AL
30 Jenny Thompson.....Oceana
31 Eric Thrasher.....Destin, FL
32 Steve Tomeny.....Port Fourchon, LA
33 Mark Tryon.....Gulf Breeze, FL
34 Bill Tucker.....Dunedin, FL
35 Russell Underwood.....Panama City, FL
36 Ted Venker.....CCA
37 Jason Vicars.....Summerdale, AL
38 Wayne Werner.....Alachua, FL
39 Troy Wetzal.....Venice, LA
40 Johnny Williams.....Galveston, TX
41 Dale Woodruff.....
42 Jim Zurbrick.....Steinhatchee, FL
43 Gary Zurn.....Big Rock Sports
44
45
46

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PAGE 121: Motion to disband the Ad Hoc Artificial Substrate AP.
The motion carried on page 121.

PAGE 122: Motion to make Alternative 2 the preferred alternative. Alternative 2 is to revise the ABC for Atlantic king mackerel for 2016/2017 through 2019/2020, based on the ABC levels recommended by the SSC for ABC under a high recruitment scenario. The motion carried on page 122.

PAGE 123: Motion in Action 2.2 to make Alternative 3 the Preferred Alternative. Alternative 3 is to establish the ACL equal to the optimum yield deterministic equilibrium yield at F 30 percent SPR equals 12.7 million pounds for fishing years 2016/2017 through 2019/2020. The motion carried on page 123.

PAGE 123: Motion in Action 2.2 to move Alternative 6 to the Considered but Rejected Appendix. The motion carried on page 123.

PAGE 123: Motion in Action 3 to make Alternative 3 the preferred alternative. Alternative 3 is to allow retention and sale of Atlantic king mackerel caught with gillnet as incidental catch in the gillnet portion of the commercial shark fishery for any vessel with a valid shark directed commercial permit and valid federal king mackerel commercial permit. The king mackerel must be sold to a dealer with the Southeast federal dealer permit. For shark gillnet trips in the southern zone, no more than two king mackerel per crew member can be onboard and no more than two king mackerel per crew member can be sold from the trip. For shark gillnet trips in the northern zone, no more than three king mackerel per crew member can be onboard and no more than three king mackerel per crew member can be sold from the trip. The motion carried on page 124.

PAGE 124: Motion in Action 4 to make Alternative 1 the Preferred Alternative. Alternative 1 is no action. The commercial fishing year for Atlantic king mackerel is March 1 through February 28. The southern zone quota is allocated for the entire fishing year. The motion carried on page 124.

PAGE 124: Motion to accept the modifications to the language in Action 5 as proposed by the South Atlantic Council and the IPT. The motion carried on page 125.

PAGE 125: Motion in Action 7 to make Alternative 4 the

1 preferred alternative. Alternative 4 is to revise the
2 commercial zone quotas for Gulf migratory group king mackerel as
3 follows: 40 percent for the western zone; 18 percent for the
4 northern zone; 21 percent for the southern zone hand line
5 component; and 21 percent for the southern zone gillnet
6 component. [The motion carried on page 125.](#)

7
8 [PAGE 126](#): Motion in Action 8, to make Alternative 1 the
9 preferred alternative. Alternative 1 is no action, maintain the
10 current recreational and commercial allocations for Gulf
11 migratory group king mackerel at 68 percent recreational and 32
12 percent commercial. [The motion carried on page 130.](#)

13
14 [PAGE 130](#): Motion in Action 9 to change the preferred
15 alternative to Alternative 2. Alternative 2 is to increase the
16 bag limit to three fish per person per day. [The motion carried
17 on page 130.](#)

18
19 [PAGE 131](#): Motion to recommend that the council remove the
20 prohibition on retaining the recreational king mackerel bag
21 limit on a vessel with a commercial king mackerel permit or a
22 dually-permitted charter vessel when the king mackerel
23 commercial season is closed, but while the king mackerel
24 recreational season is open. [The motion carried on page 134.](#)

25
26 [PAGE 135](#): Motion to request that SEFSC prepare an analysis in
27 the form of a flow chart for alternatives for reporting in the
28 for-hire sector for the council to review at its April 2016
29 meeting. [The motion carried on page 156.](#)

30
31 [PAGE 159](#): Motion in Action 2 to make Alternative 1 the
32 preferred alternative. Alternative 1 is no Action, continue to
33 require a royal red shrimp endorsement to the federal Gulf
34 shrimp vessel permit to harvest royal red shrimp from the Gulf
35 EEZ. Endorsements are open access for entities with a federal
36 Gulf shrimp vessel permit. [The motion carried on page 159.](#)

37
38 [PAGE 159](#): Motion to approve Shrimp Amendment 17A and that it be
39 forwarded to the Secretary of Commerce for review and
40 implementation, and deem the codified text as necessary and
41 appropriate, giving staff editorial license to make the
42 necessary changes in the document. The Council Chair is given
43 the authority to deem any changes to the codified text as
44 necessary and appropriate. [The motion carried on page 161.](#)

45
46 [PAGE 162](#): Motion in Amendment 43, Action 2, to select
47 Alternative 3 as the preferred alternative. [The motion carried
48 on page 163.](#)

1
2 [PAGE 163](#): Motion in Action 1 to make Alternative 2 the
3 preferred alternative. Alternative 2 is south of Cape Sable the
4 hogfish management unit in the Reef Fish FMP is defined as the
5 West Florida Shelf or Gulf of Mexico stock of hogfish. The
6 geographical range of this unit is all waters of the Gulf of
7 Mexico north of a line extending west from 25 degrees, 9 minutes
8 North latitude to the outer boundary of the EEZ and northward
9 and westward throughout the rest of the Gulf of Mexico. [The](#)
10 [motion carried on page 164](#).

11
12 [PAGE 165](#): Motion to add Action 2 to the document as recommended
13 by staff. In Action 2, Modify the Fishing Year for Gulf
14 Yellowtail Snapper, Alternative 1, no action, do not modify the
15 fishing year for yellowtail snapper. The fishing year,
16 commercial and recreational, is the calendar year, January 1
17 through December 31. Alternative 2 is modify the fishing year
18 for the commercial sector for yellowtail snapper: Option a: June
19 1 through May 30; Option b: July 1 through June 30; Option c:
20 August 1 through July 31. The South Atlantic Council adopted
21 that. Option d: September 1 to August 31. Alternative 3 is
22 modify fishing year for the recreational sector for yellowtail
23 snapper: Option a: June 1 through May 30; Option b: July 1
24 through June 30; Option c: August 1 through July 31, the South
25 Atlantic Council adopted; and Option d is September 1 to August
26 31. [The motion carried on page 165](#).

27
28 [PAGE 165](#): Motion in Action 2 to select Alternative 2, Option c
29 as the preferred. [The motion carried on page 166](#).

30
31 [PAGE 166](#): Motion in Action 2 to select Alternative 3, Option c
32 as an additional preferred. [The motion carried on page 166](#).

33
34 [PAGE 167](#): Motion to divide Amendment 36 into two parts,
35 Amendment 36A and Amendment 36B. [The motion carried on page](#)
36 [172](#).

37
38 [PAGE 172](#): Motion to postpone discussion of Amendment 39
39 indefinitely. [The motion carried on page 190](#).

40
41 [PAGE 191](#): Motion that under Action A-2, in addition to
42 Alternative 2 and 5 as preferreds, to make Alternatives 3, 4,
43 and 6 preferreds. [The motion carried on page 191](#).

44
45 [PAGE 191](#): Motion under Amendment 42 to remove the discussion of
46 cooperatives and that those not be considered an alternative.
47 [The motion carried on page 194](#).

48

1 [PAGE 197](#): Motion to direct staff to prepare an amendment to
2 extend or eliminate the sunset on sector separation created by
3 Amendment 40. [The motion carried on page 203.](#)

4

5 [PAGE 204](#): Motion to ask staff to begin work on a framework
6 action to adjust the red grouper ACL. [The motion carried on](#)
7 [page 204.](#)

8

9 [PAGE 205](#): Motion to start the development of an action to
10 develop a mechanism to allow the red snapper season to reopen in
11 the event that the ACL is not exceeded during the initial
12 season. [The motion carried on page 205.](#)

13

14

15

- - -

1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened at the Perdido Beach Resort, Orange Beach,
3 Alabama, Wednesday morning, January 27, 2016, and was called to
4 order at 10:54 a.m. by Chairman Kevin Anson.

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

8 **CHAIRMAN KEVIN ANSON:** Welcome to the 257th meeting of the Gulf
9 Council. My name is Kevin Anson, Chairman of the Council. The
10 Gulf Council is one of eight regional councils established in
11 1976 by the Fishery Conservation and Management Act, known today
12 as the Magnuson-Stevens Act.

13
14 The council's purpose is to serve as a deliberative body to
15 advise the Secretary of Commerce on fishery management measures
16 in the federal waters of the Gulf of Mexico. These measures
17 help ensure that fishery resources in the Gulf are sustained,
18 while providing the best overall benefit to the nation.

19
20 The council has seventeen voting members, eleven of whom are
21 appointed by the Secretary of Commerce and include individuals
22 from a range of geographical areas in the Gulf of Mexico and
23 with experience in various aspects of fisheries.

24
25 The membership also includes five state fishery managers from
26 each Gulf state and the Regional Administrator from NOAA's
27 Southeast Fisheries Service, as well as several non-voting
28 members.

29
30 Anyone wishing to speak during public comment should complete a
31 public comment registration card and or should actually fill in
32 their name at the new electronic device that's at the back of
33 the room. We do not have registration cards. One entry per
34 person is asked. A digital recording of the meeting is used for
35 the public record. Therefore, for the purpose of voice
36 identification, each member is requested to identify him or
37 herself, starting on my left.

38
39 **MS. LEANN BOSARGE:** Leann Bosarge, Mississippi.

40
41 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine
42 Fisheries Commission.

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

45
46 **MR. MYRON FISCHER:** Myron Fischer, Louisiana.

47
48 **MR. ED SWINDELL:** Ed Swindell, at-large, from Louisiana.

1
2 **MR. ROY WILLIAMS:** Roy Williams, Florida.
3
4 **MR. JOHN SANCHEZ:** John Sanchez, Florida.
5
6 **MS. MARTHA BADEMAN:** Martha Bademan, Florida.
7
8 **DR. PAMELA DANA:** Pam Dana, Florida.
9
10 **MR. MARK BROWN:** Mark Brown, South Atlantic, South Carolina.
11
12 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.
13
14 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.
15
16 **DR. STEVE BRANSTETTER:** Steve Branstetter, NOAA Fisheries.
17
18 **DR. BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.
19
20 **MR. ROBIN RIECHERS:** Robin Riechers, Texas.
21
22 **DR. GREG STUNZ:** Greg Stunz, Texas.
23
24 **MR. DOUG BOYD:** Doug Boyd, Texas.
25
26 **MR. DALE DIAZ:** Dale Diaz, Mississippi.
27
28 **DR. KELLY LUCAS:** Dr. Kelly Lucas, Mississippi.
29
30 **LCDR JASON BRAND:** Jason Brand, Coast Guard.
31
32 **EXECUTIVE DIRECTOR DOUG GREGORY:** Doug Gregory, Gulf Council
33 staff.
34
35 **MR. DAVID WALKER:** David Walker, Alabama.
36
37 **MR. CAMPO MATENS:** Camp Matens, Louisiana.

38
39 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

40
41 **CHAIRMAN ANSON:** Thank you. As I mentioned earlier, just to
42 remind everyone, we do have the new electronic check-in for
43 public testimony. Our next item on the agenda is Adoption of
44 the Agenda. Is there any changes to the agenda? Would anyone
45 like to make a motion to approve the agenda as written?
46

47 **DR. DANA:** Move to approve.
48

1 **MS. BOSARGE:** Second.

2
3 **CHAIRMAN ANSON:** It's been approved by Dr. Dana and seconded by
4 Ms. Bosarge. Any further discussion on approval of the agenda?
5 Seeing none, that takes us to our next item, which is Approval
6 of the Minutes. Are there any changes to the minutes? Any
7 opposition to accepting the minutes as written? Seeing none,
8 the minutes are approved.

9
10 The next item is Review of Exempted Fishing Permit Applications.
11 I have been told there aren't any. That will take us to
12 Presentations. The first on the list is the NMFS Southeast
13 Regional Office Landings Summaries and that, I believe, will be
14 provided by Dr. Steve Branstetter. Dr. Branstetter.

15
16 **PRESENTATIONS**
17 **NMFS-SERO- LANDINGS SUMMARIES**

18
19 **DR. BRANSTETTER:** Thank you, Mr. Chairman. That's Tab A, Number
20 7, our recent summaries of 2015 landings. I would note that
21 these have changed since I have submitted them to the council
22 staff and they will continue to change slightly, 1 or 2 percent
23 here or there, probably until the number are finalized in April.

24
25 I want to highlight just a certain few things here. All of this
26 information is also available on the Southeast Regional website.
27 The page 1 of this is for stocks that have both a recreational
28 ACL and a commercial ACL and then page 2 is those species that
29 just have a stock ACL, though we have tried to provide both
30 recreational and commercial landings, so that you can get a feel
31 for the distribution of those.

32
33 Obviously some of those are IFQ species and so there is a
34 commercial quota and, therefore, there is a de facto
35 recreational quota, in a way.

36
37 For the commercial species that do have separate ACLs, gray
38 triggerfish and greater amberjack, these are a couple that have
39 changed. Gray triggerfish has now gone up about 3 more percent
40 than what is shown here and it's about 77 percent of the ACT,
41 which represents the quota.

42
43 Greater amberjack has dropped off. These numbers had some
44 projections still in them and so the greater amberjack
45 commercial ACL and ACT -- The ACT has dropped about 3 or 4
46 percent and we would only kick in a payback for that if we went
47 over the ACL and right now, the ACL is running about 98 percent
48 and it has been there for quite some time. We closed this back

1 several months ago.
2
3 King mackerel, the only point I wanted to make with king
4 mackerel is electronic dealer reporting went into effect last
5 year, just about the time the western zone closed, and probably
6 really only caught a portion of the northern subzone landings
7 and we are still -- Some of the bugs are just now being shaken
8 out this year between electronic dealer reporting versus the old
9 port agent sampling and you can see the western zone and the
10 northern subzone did go over their quotas a little bit.
11 Obviously the fishery is just beginning to start in the southern
12 zone off of Monroe County, both hook and line and gillnet.

13
14 For recreational, one of note is how low the amount of quota has
15 been caught, ACL and ACT have been caught, for gag. Now, this
16 is through Wave 5 and this only includes data that we have
17 received through October. If you remember, we closed red
18 grouper in October and we fish to the ACT in that one and we hit
19 it pretty close.

20
21 The red snapper for-hire and recreational private, these are
22 slightly different than the numbers that you saw in Dr.
23 Patterson's presentation the other day that were generated by
24 Nick Farmer of our office. Nick's numbers included projections
25 for Wave 6 and these do not. Again, we are relatively close to
26 the ACT for both of these.

27
28 King mackerel, the season starts in January and runs through
29 December, though for the purposes of ACLs we track it with the
30 commercial season beginning on July 1 and so obviously not much
31 of the 2015/2016 recreational king mackerel catch has been
32 taken.

33
34 For the stock ACL groups, I just want to point out a few of the
35 highlights. If you look over in the far right-hand column, this
36 is the percent ACL taken, that is commercial landings through
37 the end of December and recreational landings through Wave 5.

38
39 Any of those that you see that may be at 75 to 80 percent with
40 recreational landings through Wave 5 may actually approach their
41 ACL and may go over their ACL. If they do, all of these stock
42 ACLs, the accountability measure is next year we would monitor
43 the fishery and if it approached the ACL again, then we would
44 take action to close that species in-season, species or species
45 complex in-season. For the species in the commercial IFQ
46 program, just the recreational sector would close if we approach
47 the stock ACL.

48

1 The one that I guess I should point out is hogfish is up at 90
2 percent. Again, that one may be one that approaches the ACL.
3 As you notice, we're already over the ACL for tilefishes. This
4 is a highly fluctuating recreational landing.

5
6 In fact, this is one of the highest catches in the last five
7 years, listed at 180,000 pounds. Catches for the years have
8 been as low as 20,000 and as high as 140,000, but we will
9 monitor that fishery for next year and if it appears it's going
10 to, as we have projected, it's going to meet its ACL again, then
11 we would close the recreational sector.

12
13 If you have any other questions on any of the rest of these, I
14 would be glad to answer them, but, as you can see, most of them
15 are relatively low compared to their ACLs.

16
17 **CHAIRMAN ANSON:** Thank you, Dr. Branstetter. Any questions for
18 Steve? All right. That will take us to the next presentation,
19 which will be Mr. John Henderschedt to report on Illegal,
20 Unreported, and Unregulated Fishing and Seafood Traceability,
21 Tab A, Number 8. I'm sorry. Dale.

22
23 **MR. DIAZ:** Steve, just a quick question. When will all the
24 numbers be final? You might have said that and if I missed it,
25 I apologize. For 2015.

26
27 **DR. BRANSTETTER:** We will have Wave 6 numbers for recreational
28 some time in February, but the final numbers will be more likely
29 available like in April.

30
31 I guess I might point out one thing I forgot to mention. Gray
32 triggerfish, obviously we had a very small recreational ACT this
33 year and we are projecting that overall there will be about
34 122,000 pounds caught, against an ACL of 50,000 pounds, and so
35 that 70,000-pound overage will have to come off the ACL and the
36 ACT for the next year, leaving us with an ACT quota of
37 approximately 125,000 pounds for this year, and so recreational
38 gray triggerfish will probably be closing rather early this
39 year.

40
41 **CHAIRMAN ANSON:** Do you have any idea as to how early that will
42 be, any projected date? I think last year it was February 7.

43
44 **DR. BRANSTETTER:** Last year, we had a very high spike in Wave 1
45 landings compared to the historical averages and so that kind of
46 throws a monkey wrench right now into making any kind of
47 projection.

48

1 **CHAIRMAN ANSON:** Ms. Bademan.

2
3 **MS. BADEMAN:** Steve, can you repeat those triggerfish numbers or
4 send them to me in an email, if that's easier? You can just
5 email them to me. Thanks.

6
7 **CHAIRMAN ANSON:** All right. Now I think, John, we're ready for
8 you.

9
10 **ILLEGAL, UNREPORTED, AND UNREGULATED FISHING AND SEAFOOD**
11 **TRACEABILITY**

12
13 **MR. JOHN HENDERSCHIEDT:** Good morning, Mr. Chairman and members
14 of the council. Thank you very much for the opportunity to
15 visit with you this morning. It's my understanding that the
16 council has some interest in the traceability program that the
17 agency has been charged with developing and, in particular, the
18 development of the list of species at particular risk of IUU
19 fishing and seafood fraud.

20
21 In the interest of time, I do need to give a little bit of
22 background on that and I will go through rather quickly. I
23 certainly welcome questions on anything, but we'll try to focus
24 on the development of the list of species at risk.

25
26 Mr. Chairman and Council members, as you may know, in 2004, the
27 President signed an Executive Order creating a task force to
28 address combating IUU fishing and seafood fraud and that task
29 force developed fifteen recommendations and then in March of
30 last year, it developed into an action plan that is currently
31 under implementation by a partnership of sixteen federal
32 agencies.

33
34 NOAA and the Department of State have leading roles in the
35 implementation of this and as the Director of the Office of
36 International Affairs and Seafood Inspection for NOAA Fisheries,
37 one of my primary responsibilities is the coordination of NOAA's
38 efforts in the implementation across all fifteen of these
39 recommendations.

40
41 The action plan really identifies four groupings of
42 interventions relative to combatting IUU fishing and seafood
43 fraud: international governance, which would have to do with
44 engagement at regional fishery management organizations; the
45 passage of the Port State Measures Agreement, which Congress did
46 for the U.S. just a few weeks ago; then enforcement efforts,
47 enhancing enforcement capabilities and the building of
48 enforcement partnerships, establishing other partnerships across

1 agencies and with non-federal entities to identify and eliminate
2 seafood fraud; and, finally, traceability, to create a risk-
3 based traceability program to track seafood from the harvest and
4 production point to entry into U.S. commerce.

5
6 That's a really important parameter of this program. The
7 Seafood Traceability Program is focused specifically on the
8 point of harvest or farming, for aquaculture, to the point at
9 which that product enters U.S. commerce and so it's, in many
10 ways, a rather limited scope across the entire supply chain.

11
12 The traceability components require a number of implementation
13 plans and development, but I am going to focus, again, on the
14 species at risk and on the traceability rulemaking.

15
16 We have prepared a proposed rule for the traceability program
17 that will be issued likely within the next week. It's drafted
18 and we're ready for final clearance and that rulemaking will
19 focus specifically on information provided on imports.

20
21 We have done an exhaustive review of our access to domestic
22 landings and harvest data and are satisfied that within the
23 scope of this traceability program that the information that we
24 need to collect or to have access to relative to harvest, to
25 point of entry into U.S. commerce, we already have and so we are
26 not preparing any rulemaking that would establish or require
27 additional reporting for domestic fisheries.

28
29 The development of this traceability program, again, was risk-
30 based and that started with identifying species that we consider
31 to be at particular risk of IUU fishing and seafood fraud and
32 that meant, first of all, developing a list of principles, which
33 was developed through public comment.

34
35 The final list includes enforcement capability; catch
36 documentation scheme; the complexity of the chain of custody;
37 species misrepresentation; mislabeling or other
38 misrepresentation, and that would be things like short weighting
39 or other misrepresentation about the product; history of fishery
40 violations; and human health risks. That is when fraudulent
41 representation could result in some sort of health risk.

42
43 A working group of experts across agencies looked at verifiable
44 government data, as well as RFMO data. We did not rely, for
45 instance, on third-party information, but databases that are
46 accessible by the U.S. government.

47
48 Looking at, first of all, all species that represent a domestic

1 and import value of greater than \$100 million in the U.S. and
2 then looking at species that have a very high product value and,
3 finally, based on expert opinion of this working group,
4 developed a draft list of at-risk species.

5
6 We took public comment on that over the summer and a few months
7 ago published a final list of at-risk species, which include
8 abalone, Atlantic cod, blue crab, dolphinfish or mahi-mahi,
9 grouper, king crab, Pacific cod, red snapper, sea cucumber,
10 sharks, shrimp, swordfish, and all tuna species except bluefin
11 tuna species.

12
13 The reason that bluefin is not included in that list is that the
14 working group felt that the existing catch documentation schemes
15 in place under ICCAT, those being developed for Pacific bluefin
16 tuna were adequate to mitigate existing risk and, for that
17 reason, it is not included in that list. Knowing that your
18 interest is in this identification of species, I will stop here
19 and see if there are any questions.

20
21 **CHAIRMAN ANSON:** Roy.

22
23 **MR. WILLIAMS:** How did blue crab end up on that list? I mean
24 that doesn't seem like a species at risk.

25
26 **MR. HENDERSCHIEDT:** Blue crab, it's important to keep in mind
27 that these principles span both IUU fishing, so illegal,
28 unreported, and unregulated fishing, and seafood fraud. There
29 is a high incidence of seafood fraud for blue crab in the U.S.
30 and it's also very important to keep in mind that, because of
31 the U.S. obligations under fair trade agreements, we cannot
32 identify specific fisheries.

33
34 For instance, we can't say that we consider the X species
35 fishery in Country Y to be at risk of IUU fishing. We have to
36 maintain it at a level where we can ensure that we are treating
37 our international trading partners in the same way that we are
38 regulating our own fisheries and, for that reason, we have to
39 approach this with these sort of broad-sweeping categories.

40
41 Obviously there are fisheries in the U.S. and elsewhere for
42 species that are on this list where we know that IUU fishing is
43 not a concern, but to the extent that that risk exists anywhere
44 -- Risk isn't something that we can really average across
45 scenarios. We really have to look at the worst-case scenario
46 and that was the basis of the working group that developed this
47 list.

1 Finally, I believe there were also some questions about public
2 input and, in particular, the council's opportunity to have
3 input into this process. As I mentioned, we have been through
4 the process of webinars for the species at risk principles, as
5 well as the species themselves, and we held a couple of webinars
6 specifically for our management partners and I believe that
7 staff from this council did participate in those discussions.

8
9 We also took comment on data standards, data and operational
10 standards, and so this was seeking comment from the public on
11 what sorts of data are important for a traceability system and
12 what considerations should be in place to ensure that the system
13 is interoperable with other traceability systems and other data
14 sources.

15
16 Then we took public comment on the draft principles and the
17 species at risk and, as I mentioned, we will very shortly be
18 publishing a proposed rule for the Seafood Traceability Program
19 import data requirements.

20
21 This is the public's and this council's next opportunity to
22 provide comment. Once that proposed rule is published, it will
23 be open for public comment for sixty days. We intend to have
24 several webinars as well, including one for our management
25 partners.

26
27 Finally, there is a mention in the action plan of developing a
28 trusted trader program. This would be a way of ensuring that
29 this system is as efficient as possible, by identifying
30 importers or supply chains that are clearly reliable, so that
31 the reporting and record-keeping burden was minimal both for the
32 trade as well as government. That program is still in
33 development.

34
35 Obviously we need to know what the program itself looks like
36 before we can start looking at measures to create efficiencies
37 within, but we will be taking comments for consideration in the
38 development of that trusted trader program.

39
40 Finally, and I am sure it comes as no surprise, the timeframe
41 for implementing this, or at least publishing the final rule, is
42 in 2016 and so we're on a very short timeframe to identify
43 species and develop a program and publish a final rule.

44
45 We will be seeking comment on the time needed for the trade to
46 be in compliance with that rule, but we anticipate publication
47 of a final rule sometime this fall. This slide says August and
48 given the fact that we have not yet published our proposed rule,

1 I think that would be a very ambitious timeframe and I think
2 it's likely to be a little bit later in the fall.

3
4 Also, and finally, the action plan calls for a report to be
5 published by the National Ocean Council Committee on IUU Fishing
6 and Seafood Fraud that looks at how this program would be
7 expanded to all species, which is the stated intent of the task
8 force.

9
10 This is considered to be just the first phase of implementation.
11 We will not have a lot of operational and implementation
12 experience to inform that report, but we have learned a lot
13 actually about what it takes in terms of regulation writing and
14 in terms of the data collection, as well as ensuring that our
15 domestic processes and data availability is in line with what
16 our international program would require. Again, that report is
17 scheduled to be released in December.

18
19 Just a couple of challenges that this program faces, as you
20 might imagine, are budget and human capital. This is a large
21 mandate that is not, at this point -- It does not come along
22 with any additional funding and so both at NOAA and at other
23 agencies this work has been above and beyond normal mission
24 objectives.

25
26 The scope of the traceability program, ensuring that we are in
27 line with trade agreements, the policy implications that come
28 along with developing this program and identifying species at
29 risk, for instance, the enforcement authorities that NOAA will
30 require to optimize the value of this traceability program to
31 ensure that we can enforce it thoroughly and then, finally,
32 really the program sustainability and how we ensure continuous
33 improvement.

34
35 Mr. Chairman, that is the extent of my comments. I know you
36 wanted to make sure that I was brief, but I am also quite
37 willing to address questions, either on the species or any other
38 aspect of the program or the broader task force recommendations.
39 Thank you, Mr. Chairman.

40
41 **CHAIRMAN ANSON:** Thank you, John. Any questions? Yes, Mr.
42 Riechers.

43
44 **MR. RIECHERS:** John, thank you for being here and certainly
45 updating us on where you all stand on some of this. I may be
46 ahead of where you can really speak to at this point in time,
47 but give me an example of some of what you all are thinking in
48 terms of traceability from Country X to us and some of your

1 thoughts about how that enforcement may or may not occur. I am
2 just trying to look for a little more concrete example of what
3 you all are at least thinking of at this point.

4
5 **MR. HENDERSCHIEDT:** Sure. I would be happy to do that and I can
6 do that in fairly broad strokes and, for obvious reasons, not go
7 into the details, but really, it's probably useful to think in
8 terms of what do we need to know about harvest.

9
10 We need to know where, when, who, what, those questions about
11 the actual harvest of the species. The landing information and
12 how did it reach the supply chain and then, obviously, the steps
13 that it may go through to make it to a U.S. border, when we're
14 talking about imports. That might include transshipment and
15 processing and reprocessing and cold storage and comingling, all
16 those things that can introduce fraudulent behavior into the
17 supply chain or a substitution of illegal species.

18
19 With respect to domestic fisheries, we consider harvest to point
20 of entry into U.S. commerce to be where the fish is caught to
21 the point where it's landed, because once it's landed, it is in
22 commerce in the U.S. That's why we believe that we have the
23 information that we need on an ongoing basis to verify the
24 traceability of domestically-harvested seafood. Does that
25 answer your question?

26
27 **MR. RIECHERS:** I think so.

28
29 **CHAIRMAN ANSON:** Leann.

30
31 **MS. BOSARGE:** I was pretty excited about your presentation. You
32 know our U.S. fisheries have a very strong foundation in
33 conservation principles. Not only that, but our overall
34 government and the health of the seafood-eating consumer.

35
36 Sometimes other seafood from maybe outside our borders may not
37 always live up to those standards that we have here.
38 Unfortunately, the sheer volume of imports coming into this
39 country, you know you can't sample everything.

40
41 One thing I did see that will change as far as the enforcement
42 perspective is that the electronic data will change and things
43 will go through the ACE customs portal, which I think will make
44 things a lot more streamlined for the U.S. Customs Department to
45 have a better handle on inspecting some of this imported
46 product.

47
48 Specifically, to shrimp, we had a meeting in Louisiana here a

1 while back and we had a very large turnout from the shrimp
2 industry there and you know a lot of their concerns were with
3 some of the imported shrimp. Now, we live in a global economy
4 and that's just the nature of the beast and as a shrimp
5 industry, we are doing our best to find our place in that market
6 and survive that globalization.

7
8 If there is anything that we can do to aid you as far as data
9 collection on the domestic side, if you see that you need
10 further data from us, please don't hesitate to let us know. Me
11 personally, I would love to see the scope of this program go all
12 the way to the consumer, the seafood consumer, in the United
13 States and for them to be able to, at a glance, have some idea
14 of that full traceability of that product back to exactly where
15 it came from.

16
17 For example, I stopped at Fresh Market on the way over here and
18 I always go and look at the shrimp and that's my thing. They
19 had the country of origin labeled for the raw shrimp and I will
20 say there was some Alabama domestic wild-caught shrimp. I was
21 excited about that, but then right next to them they had some of
22 these same shrimp that they had boiled and those didn't have any
23 labels on them.

24
25 To me, there is not a difference in that. That's my prerogative
26 as a seafood consumer. Do I have time to boil it and peel it or
27 do I have two kids at home that I better buy it already boiled
28 if I'm going to eat it?

29
30 I hope that this will be expanded, to some degree. I think that
31 we have a very educated seafood consumer in this country and if
32 we can provide them with all the information that they need,
33 that will help them to make the decision as to what values and
34 what seafood they want to support. I hope you will expand it
35 further.

36
37 **MR. HENDERSCHIEDT:** Just a few brief points with respect to
38 shrimp. First of all, the issues of misrepresentation on
39 imports, there are already -- I mean that's already illegal.
40 The FDA has jurisdiction over a lot of that and I believe that
41 this program will essentially amplify the ability to identify
42 instances in which fraudulent representation of product is
43 occurring.

44
45 With respect to data, we are, as I said, I think looking pretty
46 good. The one area with shrimp where we are still grappling
47 with some challenges is with respect to aquacultured shrimp in
48 the U.S. It's a small industry relative to some other species,

1 but the fact that that exists means that we need to be able to
2 collect those data as well and so we're working with folks and
3 looking for abilities to do that.

4
5 Finally, with respect to the expansion of the program, the scope
6 that I described is something that NOAA can achieve through its
7 Magnuson authorities. Past the U.S. border, looking at
8 interstate commerce and fraud at the consumer level, I agree
9 with you that there's a lot that needs to be done there and that
10 is not only a multiagency task, but one that includes both
11 federal and state as well as local authorities to tackle. I
12 hope as well that we're headed there. That will require a lot
13 of coordination.

14
15 **MS. BOSARGE:** Just to follow up on that, as far as shrimp, we
16 have to have imported shrimp. We have a demand in this country
17 that far outstrips what we land domestically. That's just the
18 nature of the beast, but hopefully this program will help to
19 ensure that everything that does come in to meet that demand,
20 imported-wise, does meet our FDA standards and does meet all the
21 other health standards that we have. Hopefully this will help
22 the enforcement side on that. Thanks.

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

25
26 **CHAIRMAN ANSON:** Any other comments? John, I just have a quick
27 comment, I guess related to the trusted trader group that you
28 said has been involved and has an opportunity to comment
29 further.

30
31 Looking at expansion as your next phase, I am not familiar with
32 the processes that are currently in place, or the ones that
33 you've developed, as far as getting this program set up for
34 those species that you identified, but looking at the diversity,
35 I guess, in the seafood marketplace and those that produce the
36 seafood, is there opportunity -- Did you get involvement of the
37 little guys, so to speak, and girls, in this, inasmuch as the
38 paperwork and documentation that will be required of them? Did
39 you get enough of those folks at the table or get some comments,
40 you know looking at the big picture and beyond?

41
42 **MR. HENDERSCHIEDT:** I believe we did. It has been somewhat
43 challenging to -- I mean obviously when we're collecting public
44 comment at the outset of a process, we're not in a position to
45 say, well, we're planning to do exactly this or exactly that and
46 so this will be folks' opportunity to comment directly on how
47 the rule impacts individuals.

1 As I said, this program, at least with respect to this
2 rulemaking, is really a government-to-importer interaction. We,
3 along with the proposed rule, have a Regulatory Flexibility Act
4 analysis. We will look forward to comments on impacts. It's a
5 program for which it's very difficult to calculate impacts and
6 so we certainly welcome those comments in response to the rule.

7
8 **CHAIRMAN ANSON:** I don't see any other people that want to ask
9 any questions and so, John, thank you for the presentation and I
10 look forward to hearing some results later on this year or the
11 beginning of next. Thank you.

12
13 **MR. HENDERSCHIEDT:** Thank you, Mr. Chairman. My pleasure.

14
15 **CHAIRMAN ANSON:** That will take us to our next item under
16 Presentations and that would be NOAA Catch Share Review
17 Guidelines and I believe Dr. Jessica Stephen will be providing
18 that. Jessica, welcome.

19
20 **NOAA CATCH SHARE REVIEW GUIDELINES**

21
22 **DR. JESSICA STEPHEN:** Today, I am going to talk to you about the
23 review guidance for five and seven-year reviews for all catch
24 share programs. This is developed nationwide. You should have
25 received a document in September, I believe, to look over.

26
27 One thing to know about this is this document grabbed
28 information from a variety of different sources and one thing to
29 know is we did red snapper and there were two other programs
30 also analyzed for five-year review without any guidance
31 document, which struck us with the need for having guidance
32 documents for us to do these reviews in a consistent and
33 standardized method.

34
35 Of course, they have to abide by things that are in the
36 Magnuson-Stevens Act, the Catch Share Policy, and we also used
37 the design and use of limited access programs, which is a
38 technical memo from NOAA, as well as looking at the reviews that
39 have already been completed and any interim reports that were
40 done along the way.

41
42 The periodicity of reviews, every catch share program needs to
43 have a review after the first five years and thereafter that,
44 the reviews can be between five to seven years. Typically,
45 these reviews would coincide with secretarial reviews of FMPs.

46
47 They did consider and look at reviews done less than three years
48 and this was advised against, because within that three-year

1 time period, fishermen might not have adapted to a catch share
2 program for an initial stage and for further stages when your
3 program is going on, there might have been changes that were
4 made under another review that have yet to see what's occurring
5 in that amount of timeframe. There is also data lags in when
6 we're collecting data to analyze it or put surveys out to get
7 more information about the program.

8
9 The process for the reviews is fairly simple and straightforward
10 at the onset. What they suggest is that you create a review
11 plan and this review plan can go before the council or not.
12 That's up to local determination, but that plan would outline
13 the types of information that needs to be looked at and you want
14 to have this plan in advance of your five-year, so you can
15 actually start data analysis prior to that time period,
16 especially when it comes to designing surveys or hiring
17 contractors to do some more complicated analysis.

18
19 The review team was recommended that they consist of a variety
20 of different people with interest in that or experience with the
21 programs and so you will have people from the council staff,
22 Regional Offices, Science Centers, as well as the Office of Law
23 Enforcement.

24
25 **EXECUTIVE DIRECTOR GREGORY:** Excuse me, Jessica. If you could
26 say "next" when you change slides, because we're changing them
27 up here and we're getting out of sync. Sorry. You can
28 continue, but are we on the right slide now?

29
30 **DR. STEPHEN:** Give me one second. There you go. We should be
31 on the process now. The other thing to consider is that there
32 are interim reports that are recommended to be done between
33 these five-year reviews. These can be annual reports or bi-
34 annual reports and they are used to help identify data gaps that
35 may occur before you get to the five-year review process. For
36 this region, the Regional Office does annual reports for both
37 red snapper and grouper/tilefish.

38
39 The review team would be responsible for compiling the data and
40 conducting all the analysis and writing the report. The draft
41 should then be made available to the council as well as the
42 advisory panels and this is in order to set up a feedback loop
43 as you're going along in the process. SSCs are another one that
44 you would want to get feedback through.

45
46 This feedback can then be incorporated into the report. It can
47 be incorporated in the bulk of it or in recommendations at the
48 end of the report, where you discuss what changes might be

1 needed for the program.
2
3 The final review should be looked over by both council staff,
4 the Regional Office, the Science Center, law enforcement, and
5 General Counsel before it's checked off. They have left the
6 decision of who has the actual final review up to local
7 determination and by saying you agree to the final review, it
8 does not mean that every group is agreeing to all the statements
9 in it, but that it has been consistent with what the legal
10 requirements are for looking over the program and gathering the
11 correct amount of analysis.
12
13 The general approach and scope to this, the way the document is
14 laid out, you need to have a purpose and the purpose should be
15 to describe what has taken effect since either the baseline, if
16 we're at a first five-year review, or since the last review.
17 You don't always have to go back to the baseline for doing a
18 review.
19
20 They have recommended that you incorporate as many references
21 and summarize data done by other groups throughout that time
22 period and so there's no need to duplicate the amount of work
23 that's being done already, but instead reference it and use it
24 in your conclusions.
25
26 They have also recommended the use of standardization
27 indicators, when possible. Some of these would be information
28 from stock assessments that we get for the scientific aspect and
29 for social and economic, they have created indicators for these
30 groups.
31
32 They are continuously being updated and looked at and so the
33 review group would need to see what the latest ones are and
34 figure out which metrics truly apply to that catch share program
35 when they're looking at it.
36
37 In general, we're trying to keep this approach consistent with
38 other approaches we've seen and so consistent with how
39 amendments or NEPA documents are done in the organizational
40 structure. It's meant to be a holistic approach and this is one
41 that's kind of relevant to this council, is that if you have two
42 or more programs that have significant interdependencies, and
43 red snapper and grouper/tilefish obviously do, that maybe joint
44 review should be considered after each one's first five-year
45 review.
46
47 I am just going to briefly go over the structure. There needs
48 to be a purpose and need and we need to outline the goals and

1 objectives of the program, as well as anything from the Fishery
2 Management Policy, Magnuson, or Catch Share Policy. The history
3 of management should be included. In subsequent reviews, this
4 can be referenced back to the initial review, so you don't have
5 to duplicate too much work.

6
7 Description of biological, economic, ecological, social, and
8 administrative effects of the program, as well as evaluation of
9 how those effects have gone towards the goals and objectives of
10 the program, and finalize it with a summary of conclusions of
11 recommendations.

12
13 This structure that they're talking about is fairly close to
14 what we did for red snapper and so it was a good template for
15 how these reviews should go forward.

16
17 I am going to dig into a little bit of what types of analysis
18 this document is suggesting that everyone go to and this is
19 where they're asking for feedback from the council on what you
20 think should be included in a final guidance review document and
21 so when it comes to the goals and objectives, what degree were
22 these met? Are they still the same after your five years or do
23 you need to change them? Are they something that is measurable?

24
25 One of the things that comes to mind, thinking of red snapper,
26 is we had a goal of reducing overcapacity, but to what
27 measureable extent? Yes, overcapacity was reduced, but where do
28 you hit a guideline of that and so that's information to clear
29 up some of the goals, so that the next review has some
30 consistent information to look for in analysis or to structure
31 it in a way that answers those questions.

32
33 Another big one that comes into play is examining existing
34 allocation and that's not just allocation within the program
35 between the entities in it, but also between the sectors. The
36 Catch Share Policy states that you need to look at it between
37 the commercial and recreational sector as well.

38
39 That said, we understand that that is going to be a huge
40 component of a five-year review and in the policy, they have
41 stated that if it is already being done under an amendment that
42 you do not have to look at it, or if it is considered complex
43 and would take a significant amount of time, that something
44 separate is started around the same time that can be referenced
45 back to it, so that it doesn't hold up the process of the five-
46 year review.

47
48 Other information to look at is the eligibility requirements and

1 who can hold shares and who can hold allocation. When you look
2 at the evaluation of the program and the goals and objectives,
3 do your original eligibility requirements still apply, or, if
4 you've changed your goals and objectives, should you change
5 those eligibility requirements?
6

7 You also have to keep in mind, when changing those, does it
8 necessarily inhibit or preclude some achievement of your other
9 goals? You have to weigh all of your goals with looking at
10 this.

11
12 Transferability, this is transferability of both shares as well
13 as allocation. Are the transferability requirements put into
14 place something that is helpful to the program? Are they
15 meeting your goals and objectives? If you decide to change
16 them, what are the potential tradeoffs in changing those? Those
17 are the kinds of analysis that need to be done and I think this
18 is relevant to some of our discussion with Amendment 36, is
19 looking at what tradeoffs might be necessary.
20

21 The other one is looking at how the quota performance is of the
22 program. Have they kept within their landing limits? Have
23 there been changes in the stock status or participation or
24 behavior of the fishermen that would change how the landings
25 have occurred? Has there been a change from the IFQ program
26 that affects bycatch? The last one is whether that quota is
27 being fully utilized and, if it's not, how do you address
28 problems with that?
29

30 The next set of analysis are the accumulation of limits or caps.
31 This is making the analysis look towards what was the existing
32 caps and in red snapper and grouper/tilefish, we have both share
33 and allocation caps. Have they created a technical inefficiency
34 or will changes to them create that?
35

36 Looking at analysis of market power, this is another complicated
37 analysis that could be done independent of the program and
38 typically would require some contracting out, if there is not
39 the expertise within the regional area to do that type of
40 analysis.
41

42 The other thing is to look at are there any gaps in the data
43 that are being collected by the program that inhibit analysis
44 through these and, if so, what can we do to change them and
45 what's the cost benefit? How much more will it cost
46 administratively and on the burden of the participants to gather
47 this additional information?
48

1 Cost recovery should be looked at, to see whether the current
2 cost recovery is meeting the needs of the program or if it needs
3 to be increased or decreased, and you are limited by a 3 percent
4 cost recovery for the program, and to look at how the
5 enforcement of cost recovery is affecting the program.

6
7 The other thing is whether it covers incremental costs. I am
8 just going to spend a little bit of time on incremental costs,
9 to make sure everyone is clear on what that is. That is the
10 difference of the cost of what NOAA would have done to run a
11 non-catch share program to running a catch share program and so
12 it's not necessarily the full cost of the program, as staff
13 might have been still needed to run a non-cost share program.

14
15 Within data collection, it needs to describe how the data is
16 collected and, again, identify any of those gaps that are in
17 there in figuring out what types of changes could be done to the
18 program to reduce those gaps.

19
20 An example of this was with red snapper. When we did our
21 program, we noticed that we had some lack of information about
22 why people are transferring shares or allocation. From that, we
23 built into the system a method to give them a choice of seven
24 different descriptors to explain what the transaction was for,
25 for example, a sale to another shareholder, a gift, a barter,
26 part of a package deal.

27
28 With monitoring and enforcement, do the current actions actually
29 have a high rate of compliance? Is there some way where we need
30 to increase enforcement in order to better understand or monitor
31 the program and what are these types of non-compliance?

32
33 The duration of catch share programs are set for ten years and
34 then if they are not -- After ten years, they are automatically
35 renewed unless the council has made a decision to revoke, limit,
36 or modify that.

37
38 Looking at the program at a five-year review mark will ask you
39 to look at the duration of it and decide if there needs to be
40 some kind of change or modification to it and whether your
41 current duration is still appropriate with the given goals that
42 the program has.

43
44 The last one is new entrants and this is a question that comes
45 up a lot with our programs and with other programs and one of
46 the things is to weigh the abilities of new entrants with some
47 of the goals of things, such as reducing overcapacity. At the
48 surface, they look to be in counter-production to each other,

1 but if you think of the fact that as fishermen stop fishing or
2 age out of the system, you want to allow the ability to have new
3 entrants in.

4
5 With that, you want to look at how your goals and objectives and
6 your restrictions in your program affect those new entrants
7 coming into it. Some of the things that can be affecting them
8 would be transferability, the availability or the price of
9 shares and allocation, and how they get to it. Another thing
10 would be to look at loan programs that might help these new
11 entrants when they're coming in.

12
13 Other things to consider are auctions and royalties and so
14 programs created after January 12, 2007 were required to look at
15 auctions when the program was implemented, but those prior to
16 that were not and so this is a time to look at the idea of
17 auctions again and visit whether it's something that might be
18 applicable to your program.

19
20 Royalties are a little bit different. Royalties can be
21 considered something like resource rent, which would be the
22 difference between the price of the -- Let me look at my notes
23 to make sure I get this right. Resource rent is the difference
24 between the price at which the fish are sold and the respective
25 production cost and so this not cost recovery and that's a key
26 point to put out.

27
28 Cost recovery in ours is to the ex-vessel value of the fishermen
29 and resource rent may be something different and that could be
30 applied to the shareholders or some other aspect of the program,
31 but not as a cost recovery method and how those monies would
32 then come back to the public to be used to help monitor the
33 program or do other things with respect to the program.

34
35 The final one is an optional analysis put into there and it's
36 looking at different fisheries, different species, or different
37 gears and how those might interact within your catch share
38 program.

39
40 Within ours, we do have a variety of different gears working,
41 but we have not set up any kind of different allocation based on
42 gears. When you're looking at fisheries and different species,
43 one thing to keep in mind is that while both of our IFQ species
44 are reef fish, there are a lot of reef fish species that are not
45 IFQ and how do those weigh in on each other? You need to
46 consider that impact of reef fish as a whole in your analysis of
47 the program.

1 It also allows you to consider whether you want to merge
2 programs together. This would be an opportunity to think about
3 merging red snapper and grouper/tilefish, if you could legally
4 do that, as well as reallocating things among different species
5 or gears.

6
7 The last one is another optional portion put into it and it's to
8 analyze different types of catch share programs. This would be
9 if the review determined that the current program had such
10 numerous and serious problems that you should consider a
11 different type of program to go under and this would have to be
12 a high level of problems within it, that it in effect wasn't
13 accomplishing its goals and objectives. Then they can
14 investigate other methods to look into things.

15
16 I am going to conclude here that feedback is required by the end
17 of January and I know we are right there at the end. We've had
18 feedback from the North Pacific Fishery Management Council, the
19 Mid-Atlantic, and the Pacific Fishery Council. We have not had
20 feedback yet from the New England sector, the South Atlantic,
21 Caribbean, or Western Pacific. The Caribbean and Western
22 Pacific don't have catch share programs currently in them and so
23 I wouldn't expect a large amount of feedback from them.

24
25 The other thing to keep in mind is that this document as a whole
26 might be helpful in the creation of any new catch share
27 programs, that you look at the types of things that need to be
28 analyzed and get a baseline of information prior to implementing
29 that program. I will take any questions.

30
31 **CHAIRMAN ANSON:** Thank you. Roy.

32
33 **MR. WILLIAMS:** Thank you. A couple of slides back, you had a
34 bullet on loan programs established for new entrants. Are there
35 loan programs sponsored by NMFS for new entrants?

36
37 **DR. STEPHEN:** We do have a loan program that has kind of stalled
38 out in its implementation at this point in time and so it has, I
39 believe, gone up to Silver Springs and came back with some need
40 for more information in filling it out and so that is where
41 we're at at that point in it.

42
43 **MR. WILLIAMS:** But in the future, there may be a program where
44 somebody that wants to get into the red snapper fishery might be
45 able to borrow money from the Service?

46
47 **DR. STEPHEN:** That's the intent of that loan program, is to help
48 new entrants into the program, which is separate -- There is a

1 different loan program for VMS, which is separate from catch
2 shares.

3
4 **CHAIRMAN ANSON:** Any other questions? All right. Thank you for
5 the presentation. Hold on one second. Mr. Boyd.

6
7 **MR. BOYD:** Thank you for being here. I have a question. What
8 office within NOAA is the review process housed or lodged?

9
10 **DR. STEPHEN:** The review as a whole is with the Catch Share
11 Policy Sustainable Fisheries Division and so they're the ones
12 who created this document. The actual reviews themselves though
13 occur within the Regions. Does that answer your question?

14
15 **MR. BOYD:** Well, I guess what I'm asking is who has the ultimate
16 responsibility for the review process?

17
18 **DR. STEPHEN:** That's a local determination and so that's where
19 the recommendation was you have the Regional Office, the
20 councils, Science Center, and law enforcement together. Each
21 different region kind of has a different group that takes the
22 lead in it. The way we've done it here for red snapper and
23 we're currently doing for grouper/tilefish is it's jointly
24 between council staff and Regional Office staff, with input from
25 law enforcement as well as the Science Center.

26
27 **MR. BOYD:** Okay and a follow-up question. How are people
28 selected and put onto this review process panel?

29
30 **DR. STEPHEN:** I don't know if there's an actual official
31 selection. What we've done is taken the people who have the
32 most experience and knowledge of the program or, when it comes
33 to the Science Center, those who have the knowledge of maybe the
34 information coming from the Science Center that's going to be
35 reviewed from it. From law enforcement, we like to pick
36 information from agents who are working with the program and so
37 the idea is to get people who are actually working with the
38 program involved in the review of it, since they have the best
39 understanding of how it works.

40
41 Now, that said, we took information from advisory panels, the
42 SSC, and the council when working through that and so that's
43 that kind of feedback loop I was talking about within the
44 process, is that you get information from outside sources as
45 well about their opinions or thoughts and that might guide you
46 down a certain analysis.

47
48 **MR. BOYD:** Is there an outside facilitator that helps to manage

1 the meetings and help come to outcomes?

2
3 **DR. STEPHEN:** Not that I am aware of at this point in time. If
4 that's a recommendation this council wants to put forward, it's
5 just that they do it in the review of this document.

6
7 **MR. BOYD:** Thank you.

8
9 **CHAIRMAN ANSON:** Mr. Riechers.

10
11 **MR. RIECHERS:** A little bit following up on that same line of
12 questioning, obviously you've got the feedback loops here in the
13 region, but what kind of feedback loops are there across the
14 regions, and, for instance, a good one is royalties or rents.
15 How are we communicating across the regions? Are there going to
16 be any standards or examples set or goals set that would deal
17 with those issues that really cross programs, from Alaska to the
18 Gulf Coast?

19
20 **DR. STEPHEN:** That's actually one of the reasons this kind of
21 standardized review guidance was developed, is that we would
22 have standard metrics that could be used. You could go look in
23 another program's review document and see how they've looked at
24 and handled things.

25
26 On the Catch Share Policy level, we meet together as a group
27 every month across the different regions and discuss different
28 topics and issues, so that we're kind of aware of what's going
29 on in the other programs and how we can either use that or how
30 it might impact us in our programs.

31
32 **CHAIRMAN ANSON:** Anyone else? Doug, do you have any comments?

33
34 **EXECUTIVE DIRECTOR GREGORY:** Thank you, Jessica. That was very
35 good. This was another circumstance where National Marine
36 Fisheries Service sent out some draft guidelines and wanted
37 input before we even had a council meeting. The original
38 deadline I think was in November and we asked them to extend it
39 to give us and other councils a chance to review it.

40
41 In your interactive agenda, you've got the letters from the
42 other councils and some of them are letters drafted by staff
43 before the council had reviewed them, because of this deadline.
44 The guidelines, the actual guidelines, are in there for you to
45 review.

46
47 What we didn't do is actually put this on the agenda to review a
48 draft letter or to get comments on this directly and so any

1 comments you have now, staff would appreciate, that we could
2 incorporate in the letter to National Marine Fisheries Service.

3
4 We will get to have more discussion with the other councils at
5 our Council Coordinating Committee meeting next month and it
6 would probably be nice for me to get some guidance from the
7 council as to how to handle these things in the future.

8
9 We could have brought a draft letter to you under the
10 Administrative Committee, but then we wouldn't have -- We could
11 have had this presentation then and we're running into -- We had
12 the same problem with some of the Magnuson reauthorizations the
13 last couple of years.

14
15 Do you want us to bring draft letters to you in advance to
16 review with staff comments and even opinions and go forward from
17 there or the situation we have now is we're looking for input
18 from you to put into a draft letter and we'll certainly see
19 what's in the other letters from the other councils that are
20 pertinent to us also.

21
22 It's kind of the horse-and-the-cart situation, but we find
23 ourselves in this quite frequently, because we're given short
24 time periods to make comments on it. You might recall the
25 ecosystem-based management thing, the climate strategy, and this
26 seems to be happening more and more.

27
28 **CHAIRMAN ANSON:** Any thoughts? Leann.

29
30 **MS. BOSARGE:** It seems like we're under a time crunch and I
31 don't know, off-the-cuff, how much feedback I would have right
32 now and around this table, but in the future, for things like
33 this that come up, I wouldn't mind having a supplement to a
34 presentation like this that also maybe had just a little
35 bulleted list of some feedback from staff that they saw.

36
37 I mean I don't see -- More information is always better and we
38 can take those and throw some out and weed through it or add to
39 it or whatever, but I don't see where that would be a problem if
40 you had something like that to present to us to supplement
41 something like this.

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

44
45 **MR. WILLIAMS:** I don't know. It seems to me like we have an
46 Executive Director and a Chairman that ought to be handling this
47 kind of thing and maybe a week before you send it out you send
48 us all a copy and give us a chance to look at it and add our

1 comments.

2
3 I mean if somebody is vehemently opposed to what you guys are
4 saying, we can make an issue of it at a council meeting, but my
5 guess is the council would rather you guys deal with it than us.
6 That's my opinion. I would rather that you deal with it than
7 me.

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

10
11 **MS. LEVY:** If the council wants to give the Chairman and the
12 Executive Director that authority, I don't see a problem with
13 it. I am a little bit wary of the idea of sending a draft to
14 everybody and having them comment and somehow having a
15 discussion outside the public meeting about what the council's
16 position is on things.

17
18 I think if you want to have that discussion, the staff could
19 bring you a draft and then you could discuss it and make
20 changes, but I think that discussion should happen during the
21 meeting.

22
23 **CHAIRMAN ANSON:** All right. I don't see any other people making
24 any comments, but I guess, unless I hear differently, I guess we
25 will attempt to get something out then, Roy, a letter. Doug,
26 you and staff can come up with one and I will sign off on it.

27
28 **EXECUTIVE DIRECTOR GREGORY:** Right. We can do that. Now, just
29 as an aside, the deadline we were given is this Friday, but this
30 is a draft and it's not a hard and fast deadline and it's not
31 like a final regulation and so what National Marine Fisheries
32 Service wanted was to try to compile comments from the councils
33 to consolidate and revise the guidelines for the CCC meeting,
34 but we will do this and we'll get it to the council say by the
35 end of next week and then we will transmit it to National Marine
36 Fisheries Service a week late and that's not a big deal and,
37 given the circumstances, it will be fine, but to give you all a
38 head's up.

39
40 **CHAIRMAN ANSON:** Thank you. That takes us through our
41 Presentations portion of the meeting and that brings us to our
42 recess and so we will come back after lunch at our scheduled
43 time of 1:30 and begin Public Comment. Thank you.

44
45 (Whereupon, the meeting recessed at 11:57 a.m., January 27,
46 2016.)

47
48 - - -

1
2 January 27, 2016
3

4 WEDNESDAY AFTERNOON SESSION
5

6 - - -
7

8 The Full Council of the Gulf of Mexico Fishery Management
9 Council reconvened at the Perdido Beach Resort, Orange Beach,
10 Alabama, Wednesday afternoon, January 27, 2016, and was called
11 to order at 1:30 p.m. by Chairman Kevin Anson.
12

13 **CHAIRMAN ANSON:** Could people start making their way to their
14 seats? We are going to get started. If you need to carry on a
15 conversation, please do so outside. Good afternoon, everyone.
16 Public input is a vital part of the council's deliberative
17 process and comments, both oral and written, are accepted and
18 considered by the council throughout the process.
19

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

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

34 Knowingly and willfully submitting false information to the
35 council is a violation of federal law. If you plan to speak and
36 haven't already done so, please sign in at the iPad registration
37 station located at the entrance to the meeting room, opposite of
38 where I am sitting. We accept only one registration per person.
39 Each speaker is allowed three minutes for their testimony.
40

41 Please note the timer lights on the podium, as they will be
42 green for the first two minutes and yellow for the final minute
43 of testimony. At three minutes, the red light will blink and a
44 buzzer may be enacted, if needed. Time allowed to dignitaries
45 providing testimony is extended at the discretion of the Chair.
46

47 You all can see on the screens is a list of the people who have
48 signed up who will be first to be called and so the first name

1 on the list and the first person to be called is Mr. Bart
2 Niquet. He will be followed by Tom Steber and so if you see
3 yourself or see that person up there, please get ready to speak.
4 Mr. Niquet, welcome.

5
6 **PUBLIC COMMENT**

7
8 **MR. BART NIQUET:** Bart Niquet, Panama City, Florida, commercial
9 fisherman and I've done a little bit of all kinds. I have
10 seventy-five years of experience. Concerning the leasing of
11 fish allocations or shares, if you will remember, that was a
12 major point of the council's promotion to get the ITQ program
13 approved by the shareholders.

14
15 The theory was the commercial boys would need money in a few
16 years and when the program, after five years, was reopened to
17 the general public, the fat cats in the recreational fishery
18 would buy up all the available poundage and turn them over to
19 the recreational. That didn't happen.

20
21 That being said, the leasing is legal and has resulted in the
22 numerous small operators able to build up their businesses.
23 Also, the discard rate has been greatly reduced and the stock
24 has grown, helped by both commercial and recreational fishermen.

25
26 This leasing has effectively created new entrants to the snapper
27 fishery without requiring new reef fish permits. We don't need
28 reallocation. We need new data released on many species in a
29 timely manner, for instance the gag grouper. Somebody is
30 holding that up.

31
32 Several times in the last few years, I have said red snapper
33 stocks run in cycles. The next side is about 2019 to 2022 and
34 it will mostly affect the east Gulf and about 45 percent of all
35 recreational anglers are in the east Gulf. You can check your
36 own fishery experts on that and I think they will agree with me.

37
38 I am not speaking from books or statistics, but I am just
39 talking about my own personal experiences there and I need to
40 make an apology to the man that wrote that article in the paper.
41 The first page he had wrong, but the rest of it was real
42 accurate and a very good program. Thank you.

43
44 **CHAIRMAN ANSON:** Thank you, Mr. Niquet.

45
46 **MR. B. NIQUET:** Any questions?

47
48 **CHAIRMAN ANSON:** There doesn't appear to be. Thank you. Next,

1 we have Tom Steber, followed by Bill Kelly.

2
3 **MR. TOM STEBER:** Tom Steber, President of the Alabama Charter
4 Fishing Association and GM for Zeke's and Fort Morgan Marinas
5 here on this island. I want to thank all of you, especially
6 staff, for coming Monday night. We enjoyed having you and I
7 think we had a good time.

8
9 As a board member and participant of the Headboat Collaborative
10 and managing a headboat that was in the Collaborative, our
11 partyboat, Zeke's Lady, which, by the way, had the best two
12 years of profit in the twenty years I've been involved with it,
13 the pilot program was perfect. We need to use it as a model and
14 don't try to fix it. As an AP member in that panel, I ask you
15 to vote yes on Amendment 42.

16
17 The second thing, also as an AP member for the charter for-hire
18 program, we had one gentleman on the AP that was against our
19 plan that the whole group that was there and he had nothing to
20 do with charter for-hire and so he was against just about
21 everything we did.

22
23 The plan we put together that you have somewhere is not perfect
24 and it may not be perfect to start with, but it's, I think, a
25 great start. It has industry buy-in. It has 100 percent of the
26 charter for-hire boats in the State of Alabama signed up for it
27 that also signed up for the electronic logbooks and VMS program.

28
29 We have 129 federally-permitted boats, but eighty-eight of them
30 fish for a living and the other ones are not fare-carrying
31 boats. Please move forward with Amendment 41 and give the
32 industry a plan.

33
34 Now I am going to put on my other hat, recreational fisherman.
35 I've been fishing in the Gulf of Mexico for well over fifty
36 years. I used to fish for snapper at least twice a month, just
37 about year-round. Now I have fished twice in two years.

38
39 I would ask you to put that AP panel together and quit kicking
40 it down the road and get a group together, a group of
41 recreational anglers that want a plan to work. The issue still
42 is best available data. Until we get good data, nobody is going
43 to be happy.

44
45 I ask you to vote yes on Amendment 39 for recreational anglers
46 only and not for charter for-hire. Let the recreational anglers
47 be managed nine to twelve miles and let the permitted vessels be
48 managed outside of nine to twelve miles. Thank you.

1
2 **CHAIRMAN ANSON:** Thank you, Tom. Next, we have Bill Kelly,
3 followed by Jason Delacruz.
4

5 **MR. BILL KELLY:** Bill Kelly, here representing the Florida Keys
6 Commercial Fishermen's Association. I would like to talk to you
7 about the yellowtail snapper framework action and also Amendment
8 26 on kingfish.
9

10 Regarding yellowtail snapper and the use of circle hooks, we
11 never envisioned that such a simple request would become so
12 complex. The biggest concern for us right now is the concern
13 that law enforcement has, and some members of the council,
14 regarding having j-hooks onboard to harvest yellowtail snapper
15 and at the same time being in possession of other federally-
16 managed species, such as grouper, amberjack, and mutton snapper.
17

18 I think that's a no-brainer in this regard. We are targeting
19 yellowtail snapper with straight twelve-pound test line to a 1/0
20 hook. It's inconceivable that anyone in their right mind that's
21 fishing for black grouper, cobia, amberjack, et cetera, would
22 use those kinds of tools to capture those kinds of fish.
23

24 It would be very problematic for us, especially in the Lower
25 Keys, where probably at least one-third of the yellowtail
26 snapper fishery fleet fishes west in the Tortugas and the
27 Marquesas, and those are multiday trips. To prohibit them from
28 having other species in the snapper grouper complex onboard
29 would be severely detrimental to the cause.
30

31 With regard to kingfish and reallocation, we are going to have
32 close to three-million pounds of fish that are underutilized
33 here in the Gulf of Mexico and, at the same time, we have the
34 Scientific and Statistical Committee telling us there is not
35 enough recruitment and too many old fish out there. There is
36 only one way to get rid of those old fish and that's go catch
37 them.
38

39 The reallocation procedure that was put on the table by
40 Councilwoman Bosarge is nothing short of brilliant in its
41 simplicity and its manageability with the caps in place. This
42 could be a real trendsetter in giving the councils more
43 flexibility for fisheries management, something that we are
44 really trying to target and earmark in Magnuson-Stevens reform.
45

46 Also, it could be a leadership example for issues that are going
47 on in the South Atlantic with regard to dolphinfish, with more
48 than seven-million pounds left on the table in a closed fishery,

1 at the very start of the season. A closed yellowtail snapper
2 fishery with the recreational side leaving a million pounds,
3 close to a million pounds, on the table, at the same time the
4 commercial fishery is shut down, at the height of the tourist
5 season and the highest prices.

6
7 I certainly hope that you would take that in mind. Again, the
8 simplicity of it and the manageability of it and standard
9 operating procedure is you can examine it each and every year
10 and take swift action to correct any problems or imbalances that
11 may occur. Thank you.

12
13 **CHAIRMAN ANSON:** Thank you, Bill. Next, we have Jason Delacruz,
14 followed by Eric Mahoney.

15
16 **MR. JASON DELACRUZ:** Hello and thank you for the chance to
17 speak. I am speaking on behalf of two of my companies, Wild
18 Seafood and Don's Dock, and then also as the Vice President of
19 the Reef Fish Shareholder's Alliance.

20
21 I guess we'll just start first and kind of work our way through
22 this. 36 is obviously one of my big topics and although I think
23 that there probably is some things that we can do to better the
24 IFQ fishery, I think we have to be very careful as we move
25 through this document and really thoroughly try to understand
26 the unintended consequences of some of the things we're going to
27 do.

28
29 This is a very complicated thing that moves and is market-driven
30 and it moves ten times faster than this council ever could think
31 about moving and so I think that's very important and you guys
32 need to really reflect that.

33
34 A couple other things. 39, I know the guys that fish at my
35 dock, the charter boat captains, they don't want to be part of
36 39 at all and so if you could just leave them out. If the
37 recreational anglers want it and the groups that advocate for
38 them do, then that's fine. We don't have a big problem with
39 that.

40
41 As far as Amendment 33, we think at least the council should
42 give an opportunity for the AP to sit down and talk about this
43 again. That's the reason it's coming up. For me, it's an
44 amberjack thing. My guys that are amberjack fishermen, it's a
45 joke. We open up and we fish two months and we close and we
46 open back up and we fish another month and then we're done.

47
48 Even with some of my longline boats, we're having to discard

1 those fish during certain times a year, because they're just not
2 open and we're catching them. We could bring them in and sell
3 them and it just doesn't make any sense. Let's move that into a
4 more manageable fishery and give the AP a chance to work through
5 the process.

6
7 I think when we first started talking about 33 that we didn't
8 quite understand the world as well as we do now, from a
9 standpoint of working in these fisheries, and so the chance to
10 talk about this may make it a much more streamlined, easy to
11 work with document.

12
13 The last thing I want to talk about is my favorite fish,
14 hogfish, and I had a couple of quick points on that. I was
15 actually here when we outlawed the powerheading of hogfish and
16 that not that anybody wants to powerhead hogfish, but it was
17 because we were trying to outlaw powerheading of other fish.

18
19 Then when the guys came up that professionally spearfish and
20 came to the podium and said this is why we do it and you're
21 going to endanger us and it's a worse-quality product if you
22 don't let us powerhead them and all that. At the end, they
23 said, okay, what about hogfish and everybody goes, well, nobody
24 powerheads hogfish and they go, okay, no powerheading of
25 hogfish. That's ludicrous.

26
27 The whole point of the rule is to make a rule that does
28 something and you don't have an enforceable point with that.
29 There is no way to find out for sure if somebody is powerheading
30 anything. You can't test for gunshot residue. It doesn't work
31 that way and so it's kind of ridiculous.

32
33 As far as the size limit on hogfish, I would have to actually
34 defer to a conversation I had with Martha, which is whatever
35 comes out of the South Atlantic, I think we need to match that
36 size limit, for continuity between both, because there is so
37 much intermingling, so many people in the State of Florida,
38 because it is really a Florida fish. If they come back and the
39 South Atlantic says fifteen inches, let's stick with fifteen
40 inches. That's pretty much it. Thank you.

41
42 **CHAIRMAN ANSON:** Thank you, Jason. We have Eric Mahoney,
43 followed by Clarence Seymour.

44
45 **MR. ERIC MAHONEY:** Thank you, Chairman, council members, and
46 staff. I appreciate it. My name is Eric Mahoney and I'm a
47 charter fisherman from Clearwater Beach, Florida. I would like
48 to see the council continue to move forward with Amendment 41

1 and 42.

2
3 These amendments are the most important things to come in front
4 of this council for the for-hire and headboat industries. Our
5 industry is fully engaged in the process and this council needs
6 to take advantage of that and work to get these amendments
7 through in a timely manner.

8
9 While working on Amendment 41, I think we need the sunset
10 removed from Amendment 40. The council process is slow and
11 while putting a timeline on Amendment 40 you would think would
12 help speed up the process, history shows it's just the opposite.

13
14 I can see the state representatives on this council trying to
15 slow the process way down, to get us to the sunset and moving us
16 backwards, instead of forward towards a new fishery management
17 plan.

18
19 Amendment 39 is really hard for me to understand. I don't
20 believe the council should ever try to pass the buck on red
21 snapper management to the states. I get the political nature of
22 it and it was worth trying out, but destined to fail from the
23 start. Let's learn from Amendment 39 and keep snapper and all
24 other federally-managed fish under the authority of National
25 Marine Fisheries and this council.

26
27 The for-hire industry have spoken from the beginning of
28 Amendment 39 and we don't want any part of it. Every state rep
29 on this council has completely ignored us for years and please
30 take the path of less resistance. Don't drag our industry,
31 kicking and screaming, into a management plan we don't want. I
32 think Amendment 39 should be completely tabled, but if you need
33 to keep it around, just take the for-hire fleet out of it.

34
35 On triggerfish, I would like to see a new rebuilding plan for
36 them, maybe go to one per person, a fourteen or sixteen-inch
37 size limit, with a March 1 opening. I don't catch a whole lot
38 of triggers, but from talking to the guys that do, they think it
39 would help give them the longest season possible.

40
41 We need to continue to work on data collection for the for-hire
42 fleet. I think we need to continue to work with our industry
43 pilots and work with the Science Center to come up with best
44 solutions that can fit the industry and Science Center needs.

45
46 I would also like to see something in place for new entrants in
47 the commercial fishery. I know many young captains and
48 deckhands that are interested in being part of the commercial

1 industry. Many are leasing shares in small amounts and that's
2 one way to start, but anything could help, like a loan program
3 or something similar. It could make a huge difference. They're
4 the future of that industry and anything that could be done
5 should be done. Thank you.

6
7 **CHAIRMAN ANSON:** Thank you, Eric. We have Clarence Seymour,
8 followed by Gary Bryant.

9
10 **MR. CLARENCE SEYMOUR:** How are you all doing? I am Clarence
11 Seymour from Biloxi, Mississippi, charter boat. I am here to
12 make sure that we're still on track and Action 2, Alternative 2
13 is the best option in Amendment 39 for all these guys, the
14 region, and everybody else.

15
16 I am here to ask again that the council may consider a red drum
17 EFP for Mississippi. Just give it another look and let us have
18 another shot at it and maybe we could get with these
19 environmental guys and write up a better program and I think red
20 drum really needs a good look at, especially in our area. It's
21 a very heavy resource to us and it's very important, as long as
22 the red snapper and king mackerel -- The guys asked me at home
23 if I would tell you all that.

24
25 The triggerfish, for the -- That's very important for the guys
26 over here to east. Our part of the Gulf, it's not quite as --
27 During the derby, maybe I caught five total and released them
28 all, of course, but the trigger is kind of going to be a sure
29 good thing for anybody else in the region and my other option
30 was sunset -- If we can't get 39 going, let's go ahead and make
31 a decision for that and I guess that's about all I've got.
32 Thank you, guys.

33
34 **CHAIRMAN ANSON:** Thank you, Clarence. Gary Bryant, followed by
35 Wayne Werner.

36
37 **MR. GARY BRYANT:** Gary Bryant, Red Eye Charters, Fort Morgan,
38 Alabama. I appreciate you all coming to Alabama and hope you're
39 enjoying your stay. The first comment, on 39, as with the other
40 charter boats, we ask to be left out of 39. I would encourage
41 the council to do something for the recreational fishermen. If
42 they want to be state-managed, we're all for it and we will
43 support it.

44
45 I would also like to encourage the council to continue your
46 education programs, your Marine Resource Education Program. I
47 went to that and it is very enlightening and I think some of the
48 leaders in the recreational community need to go. I think a lot

1 of the problems we're having and the anger and frustration have
2 to do with understanding the system. You may not like the
3 system, but to work in it, you need to understand it. I think
4 we need to build that understanding in the recreational
5 community.

6
7 You have seen me here before and you've seen a lot of us charter
8 boats here. We come and we're trying to work with the system to
9 make an improvement and we would like to bring the other sectors
10 in and not just stand outside and throw rocks and say it doesn't
11 work to be here. We want to bring everybody to the table and
12 work together in trying to get something and so I would
13 encourage you all to continue to give options to the
14 recreational sector and create more opportunities for their
15 education, to learn what we're doing.

16
17 On Amendment 41 and 42, I just want to remind -- We want to move
18 forward on and that remember they are two entirely separate
19 entities. The headboats have catch histories and so they're
20 going to go one path and the for-hire sector, we don't have
21 history and so we're going to go another path.

22
23 I was on the ad hoc committee for the for-hire and I think we
24 did a real good job. I think we tried to address every sticking
25 point and point of controversy that we saw moving forward with
26 this and tried to eliminate it and so I think we have made your
27 job easier in trying to address things. I know some of the PFQ
28 and some terms that we asked for may not apply to the other
29 side, but I really hope you all will look at our recommendations
30 and help speed that up. I appreciate it.

31
32 **CHAIRMAN ANSON:** Thank you, Gary. Wayne Werner, followed by Tom
33 Ard.

34
35 **MR. WAYNE WERNER:** Hello. I'm Wayne Werner from Alachua,
36 Florida, owner and operator of the Vessel Sea Quest. I would
37 like to talk about the leasing. Number one, I think it's very
38 derogatory for people around this table to use "sea lords" and
39 that terminology, especially when it's not even identified in
40 Magnuson-Stevens.

41
42 You know, people on other side out here, they might be leasing a
43 lot of fish. It kind of helps my business. We catch 95 percent
44 of the snappers on my boat and lease just a few to friends of
45 mine, to allow them to address bycatch, but if these guys aren't
46 leasing these fish, it's going to cut into my business. It's
47 not going to hurt me. I will still make the money, because I
48 will have to lease more fish. Otherwise, we all lose fish.

1
2 When I say that, you know, I can put that money in my pocket and
3 lease another 10 percent of my fish, but it's not going to
4 change anything that goes on, except you're going to have an
5 effect on the people who aren't leasing fish today.

6
7 The demand for these fish is probably double what's being leased
8 today. I mean every guy that leases fish here will tell you
9 that we get calls all the time and we get letters all the time
10 and we get just bombarded with people wanting fish and needing
11 fish to address bycatch or for whatever reason, to make money.
12 It doesn't matter what reason, but they just continue to do it.

13
14 This is a market-based fishery and leasing is very important
15 part of it. The only thing you're going to hurt in its entirety
16 here by stopping it is the entire fishery. All we're going to
17 do is increase the bycatch. If that's what you all want to do,
18 that's fine. Thank you.

19
20 **CHAIRMAN ANSON:** We have Tom Ard, followed by Steve Tomeny.

21
22 **MR. TOM ARD:** Hi, guys. I'm Tom Ard, charter fisherman, right
23 down the road here in Orange Beach, Alabama. Thank you, guys,
24 for coming to hear us today. One of the things that's really
25 important to me right now in my business is triggerfish.

26
27 It's not my first time up here talking about triggerfish. I
28 would like to see a new rebuilding program on it. I would like
29 to see one per person, about sixteen inches total length or
30 maybe fifteen, whatever works best in the program. Have that
31 season start in March and run it through May and if there's any
32 leftover fish, let them go in the fall.

33
34 I would like to be left out of Amendment 39. The charter for-
35 hire here don't want no part of it. I would like to see
36 Amendment 41 move forward. I like the idea of a permit fishing
37 quota with an opt-in or opt-out on red snapper. I would like to
38 see that further addressed. I really don't like the traditional
39 IFQ system that the commercial guys have. I don't think that
40 would really work in the charter for-hire, but the PFQ will. It
41 will work great.

42
43 I would like to see you guys develop a working group with the
44 Science Center and work on this electronic monitoring and stuff
45 like that, because I see there's a lot of people for VMS and
46 against VMS and iSnapper will work and this work and get these
47 people together and let's try to find something that everyone
48 can agree on that the Science Center will accept. Thank you

1 very much.

2

3 **CHAIRMAN ANSON:** We have Steve Tomeny, followed by Bobby Kelly.

4

5 **MR. STEVE TOMENY:** Good afternoon. I'm Steve Tomeny and I
6 operate a couple of charter headboats in Port Fourchon,
7 Louisiana. I've been doing it since the early 1980s and mostly,
8 like a broken record, we want to see Amendment 41 and 42
9 progress and move on and let's get it done and get rid of the
10 sunset in Amendment 40.

11

12 I reiterate that most of the charter for-hire guys that I know
13 around my dock do not want to be part of state management and so
14 we don't need to be in Amendment 39.

15

16 I would say a little something about leasing the fish, leasing
17 the allocation. I am a dual-permitted vessel and right now I
18 have a young man that has worked for me for eight years, right
19 out of high school. He actually left me for a while and had to
20 go out in the oil field when the charter business slowed down,
21 when we had such serious cuts, I guess after 2007, when the
22 quotas were so low.

23

24 He has moved back into the charter business with me. I have a
25 contractual arrangement where he is leasing my boat. He's got
26 the headaches and the phone calls and this is just things you do
27 as an older guy. You get where you just don't need so much
28 aggravation in your life, but the only way I can make this deal
29 where he will end up owning this sixty-five-foot headboat,
30 forty-four passenger boat -- You know they're expensive and the
31 banks won't loan them money. I have been hearing about
32 government programs, but we don't have one we can use now.

33

34 You end up with a guy that the only way he and I can sit down and
35 figure out how we can get enough money to work this deal is he
36 fishes my allocation and right now, everything is in my name and
37 contractually it will move into his pretty soon and so it
38 doesn't particular show as a lease-type arrangement, but he is
39 paying me the going rate and is happy to have it and is going to
40 have a big boat for a guy that's thirty-four or thirty-five
41 years old. He will be way ahead of a lot of his contemporaries.

42

43 This is just the way of life in our coastal communities and it's
44 important and the commercial fishing just happens to be the way
45 we have figured out how to make the things work and we want to
46 see it continue and we don't need to change too much when it
47 comes to Amendment 36. I think there's more bad than good in
48 there and I would like to see some more thought and fisherman

1 input into some of those do's and don'ts in Amendment 36. Thank
2 you.

3

4 **CHAIRMAN ANSON:** Bobby Kelly, followed by Eric Brazer.

5

6 **MR. BOBBY KELLY:** Good afternoon. My name is Bobby Kelly and I
7 own and operate the Vessel Miss Brianna out of beautiful Orange
8 Beach, Alabama. There are quite a few issues that I urge the
9 council to take on.

10

11 The first and foremost that comes to mind is triggerfish. I
12 know the council is more used to hearing the old prevalent
13 saying that there's more red snapper out in the Gulf now than
14 there ever has been. Well, I think I'm going to be the first
15 guy to ever say I think there's more triggerfish in the Gulf now
16 than I have ever seen. Those little guys are piranhas and they
17 are vicious out there and the council needs to adjust the model
18 for these triggerfish and to figure out something.

19

20 I beg you all to reduce the bag limit to one fish, to give us
21 more access to these fish. If you all can increase the size
22 limit, that's up to you all, but something needs to be done.
23 These fish, east of the river, are very -- They are very
24 aggressive and they're here and there's a lot of them and it's a
25 very robust fishery. I believe you all can -- With a little
26 help, we can do something.

27

28 I ask that Amendment 39, Action, Alternative 2 be carried
29 through. We fully support what the council does for the private
30 recreational FMP, but we ask that you leave the federal vessels
31 under federal management.

32

33 I believe also that the sunset clause for Amendment 40 needs to
34 be removed and I would like to congratulate the council on -- I
35 am hearing that some of you all are starting to move that
36 forward as well. The council voted on Amendment 40 and a
37 federal judge vetted your decision and so I would like to see
38 forward progress continue with this.

39

40 Also, I would like to see the council move forward on Amendment
41 41 and 42. You have the tools and we just ask that you use them
42 to give us more flexibility in the management of our fishery.

43

44 Also, as a new entrant into the commercial fishing industry, I
45 am very pleased to have access to all of my IFQ fish. As a
46 recent article defined me, I am a sharecropper, but I am very
47 happy to be a sharecropper. I would ask that the council would
48 take a look at the IFQ loan program that was implemented and

1 mirrored in Alaska, to do something for the Gulf. There is no
2 way I could possibly purchase IFQ on my own, but it seems like
3 it was a very huge success in helping young fishermen in Alaska
4 start to get their start in it and so that's what I hope. Thank
5 you.

6
7 **CHAIRMAN ANSON:** We have Eric Brazer, followed by Russell
8 Underwood.

9
10 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman and council
11 members. My name is Eric Brazer and I'm the Deputy Director of
12 the Gulf of Mexico Reef Fish Shareholder's Alliance. Thank you
13 for the chance to speak.

14
15 I am going to focus today on Amendments 36, 33, and 39. You can
16 refer to our letter and previous comments on some of our other
17 positions, but will start with the simple ones first.

18
19 Amendment 39, our position has not changed. Action 2,
20 Alternative 2, please, and please do what you can to eliminate
21 the sunset provision and keep sector separation, the successful
22 sector separation, program moving forward.

23
24 In Amendment 33, very simple. All we're asking for is the
25 chance for staff to update this document. It's four years old.
26 Let's get it updated and let's get it in front of the advisory
27 panel and have a legitimate public discussion about it and see
28 where it goes. It may go nowhere or it may go somewhere, but
29 let's give the AP the chance to make that decision.

30
31 In terms of Amendment 36, we believe that you guys are
32 initiating a very destructive document. If you look at the
33 document and you look at the presentation, you see words like
34 "restrict", "redistribute", "reduce". It's pretty clear, just
35 from looking at those three words alone, that this is going to
36 impose harm on existing businesses that have built themselves up
37 on a stable IFQ system.

38
39 You are going to hear -- You've heard a little bit already, but
40 you're going to hear more later on that some of what's proposed
41 in this document is actually going to do the exact opposite of
42 what some of you think it will do. Many of these things go
43 against the conclusions of the five-year review and it will
44 actually make things worse for existing fishermen and for some
45 of these new guys, like Mr. Bobby Kelly.

46
47 Leasing is a critical aspect of this program. You have built
48 this program to include leasing and it's a boogeyman in the

1 room. You're going to hear from guys about how leasing actually
2 works and you're going to hear about some of the intended or
3 unintended consequences of restricting leasing.

4
5 We urge you to streamline this document to reduce workload on
6 staff, if that's what you're really concerned about, and to
7 really understand the full implications of the decisions you're
8 making.

9
10 Finally, we urge you to do anything you can to kick start this
11 federal loan program. There are banks in Alaska and in the
12 Northeast that will back quota programs, but they will not back
13 quota programs in the Gulf, as long as you continue to introduce
14 risk into this system. Thank you.

15
16 **CHAIRMAN ANSON:** Eric, we have a question for you from Mr.
17 Williams.

18
19 **MR. WILLIAMS:** Eric, you and I have talked a number of times
20 about the effects of Amendment 36 and since I am the one in the
21 past that has pushed some of it, it's correct, I guess, that I
22 should address it.

23
24 You have convinced me, to at least some degree, that some of it
25 is going to work the opposite of how I think it's going to. I
26 am continued to be concerned though about new entrants into this
27 fishery. It's so expensive to get into the red snapper fishery.
28 What are you guys doing to try to facilitate new people who want
29 to get in this industry?

30
31 **MR. BRAZER:** Thank you for the chance to answer that. It must
32 have been six or eight months ago or twelve months ago that I
33 came in front of you guys and told you about a program that
34 we've developed with the Shareholder's Alliance called a quota
35 bank.

36
37 Some other regions refer to them as risk pools or fisheries
38 trusts. Basically, what it is, it's a community of fishermen
39 that have gotten together and pooled allocation that they have
40 accessed, they have either leased or bought or had donated, and
41 we are distributing this allocation with specific goals in mind.

42
43 Our primary goal is to reduce red snapper discards in the
44 eastern Gulf of Mexico and our secondary goal is to facilitate
45 and assist the next generation of fishermen into this fishery.
46 This is a fishermen-based program. It's a bottom-up, grassroots
47 program.

48

1 It has shown a lot of success in other regions and we're testing
2 it out in the Gulf and it looks very, very promising. We're
3 working with small-boat fishermen and we're working with the new
4 entrants to try and get them into the fishery and we're doing
5 this in a way that doesn't harm the existing businesses.

6
7 It doesn't hurt existing fishermen to try and help new fishermen
8 and so we support moving programs like this forward, from the
9 ground up, that can really start to address some of these issues
10 and I am happy to talk with anybody more about it at any time.
11 It's a really great program. Thank you.

12
13 **CHAIRMAN ANSON:** Thank you, Eric. I have Russell Underwood,
14 followed by Randy Boggs.

15
16 **MR. RUSSELL UNDERWOOD:** Thank you, Mr. Chairman. I am Russell
17 Underwood from Panama City, Florida. I fish off of Louisiana
18 and I've got a small fleet of boats. I've been doing this for
19 about forty-five years and so I've got a little bit of
20 experience. I've been at the council for about thirty-five
21 years.

22
23 The first thing I would like to thank you for is the IFQ system.
24 I think it's working very well, both the snapper and the grouper
25 IFQ. You know we've worked hard as fishermen to make this plan
26 work and I still strongly support it. I think it's good for the
27 industry and I think it's good for the resource and that's my
28 most important factor, is the resource.

29
30 I commend you all on Amendment 40 and 41. I think it's the
31 right thing to do to finally get these charter boats a plan to
32 where they can live and raise their families and have a good
33 livelihood.

34
35 I would like to talk about the leasing. Because I've got quite
36 a few boats that I own and try to just spread them out a little
37 bit and make my men happy, I lease very little fish. I do lease
38 some grouper. I had very little grouper and what grouper that I
39 own, I had to buy. Most of it I had to buy from the eastern
40 Gulf and so that was a part there, but leasing, I have leased a
41 few fish, but it's to help other small boats.

42
43 A lot of people are a lot less fortunate as I was in the IFQ and
44 I fished all my life and I had six boats and so I had a -- I was
45 pretty well the high-liner of the Gulf at that time and so I
46 still own a small percentage -- Excuse me. A good percentage of
47 the fish, but I have never grown any at all and that's the good
48 point about being the high-liner. You couldn't grow none.

1
2 Other people can grow, but I couldn't, because I stayed within
3 the law and tried to do right, but by the leasing, I have helped
4 boats that got offshore and for some reason got in a situation
5 and they might have caught too many and I might lease 5,000 or
6 10,000 pounds a year to help my fellow fishermen, to help these
7 guys in the eastern Gulf.

8
9 I don't want these boats out there in the eastern Gulf or
10 anywhere else throwing fish and watching them float off. I
11 think we've got more educated and smarter than catching fish and
12 floating them behind the boat and so I encourage new people
13 coming into this industry.

14
15 Another thing, on a personal note, this new article that just
16 came out the other day, I didn't read it. Just a lot of people
17 were talking and telling me what was in this article and what I
18 know of this fellow that wrote this article, his career is going
19 to be very short. Megyn Kelly would have a field day with him
20 about these articles and you know I go to Washington and I just
21 met the Louisiana Governor. He's a great guy and he is willing
22 to work with us and talk with us. You know the reason why I go
23 back to places like that and --

24
25 **CHAIRMAN ANSON:** Mr. Underwood, if you could wrap it up, please.

26
27 **MR. UNDERWOOD:** And I have opened doors is because I speak the
28 truth and it's about integrity. You cannot put a bunch of lies
29 out there and make other people soak it up. A lot of these
30 people in the public are misinformed about the whole entire
31 fishery and so good luck with Megyn Kelly. I appreciate that
32 and thank you.

33
34 **CHAIRMAN ANSON:** Thank you, Mr. Underwood. Randy Boggs,
35 followed by Ricky McDuffie.

36
37 **MR. RANDY BOGGS:** Randy Boggs, Reel Surprise Charters. I was
38 the Gulf Headboat Collaborative Manager and I encourage you guys
39 to move 41 and 42 forward. When we did the pilot program, 42,
40 when we did the pilot program for the headboats, we used the
41 Cooperative Management Program and I was the Cooperative
42 Manager, along with my wife.

43
44 The cooperative management part worked really, really well in
45 the pilot program. It proves to be legally a very sticky place
46 to be, because of legalities and privacy acts and everything
47 else and so I would -- Co-ops are also illegal in Texas and it
48 can be a collaborative in Texas, but not a cooperative.

1
2 I spoke with the boats in Texas that came out and spoke against
3 42 and there was some misinformation. Two out of the three
4 boats there have recanted and came back and said that they would
5 support this. Again, the devil is in the details and they would
6 like to see a few more details in 42.

7
8 I would encourage, if we do move forward with 42, since we do
9 have landings on the five major species that we catch, maybe to
10 include these other species in there. That way, everybody is
11 talking about moving the triggerfish and stuff and that would
12 help us be able to do that and just use a multispecies approach
13 to it and thank you, guys, with moving forward with everything
14 that you have and thank you for your time.

15
16 **CHAIRMAN ANSON:** I have Ricky McDuffie, followed by Jim Green.

17
18 **MR. RICKY MCDUFFIE:** I am Ricky McDuffie, Sea Hunter Charters,
19 Orange Beach. I have a multi-passenger and a headboat and as
20 far as the triggerfish, I would like to see us do a season more
21 like they were talking about, start it in March and one per
22 person and whatever will help get it back on track, because the
23 way it is now, it's useless and all we're doing is throwing lots
24 of them away.

25
26 Basically everything all the other charter boats have said.
27 Let's try to repeal the sunset and move forward with 41 and 42
28 and another thing to think about when you're making these
29 decisions is we've kind of been pitted in against like the
30 recreational and us, about trying to separate. It's brought
31 some tension.

32
33 The recreational guys, they have their own livelihoods and their
34 own jobs. They're doctors and lawyers and car dealers and
35 whatever. They make their living and they work hard for it and
36 their fishing is like their pastime or their fun time, but we're
37 making our living doing this and so that should kind of help
38 sway people.

39
40 We're not over at their board meetings and their jobs and trying
41 to detract and take away from their livelihoods and what they do
42 to make a living and so we've got to make it all work where
43 everybody is happy. Thank you.

44
45 **CHAIRMAN ANSON:** Jim Green, followed by Mike Miglini.

46
47 **MR. JIM GREEN:** Hello. I am Captain Jim Greene, Vice President
48 of the Destin Charter Boat Association. The DCBA desires to be

1 removed from Amendment 39, Action 2, Alternative 2. We feel our
2 industry has shown its willingness to work together and find
3 common ground. We have a window of opportunity and we plan to
4 make it work.

5
6 As for Amendment 41 and 42, we need this process to be expedited
7 at every possible chance. We request removal of the sunset
8 provision from Amendment 40 and that 41 and 42's purpose be
9 approved to move forward. Our industry, represented through
10 advisory panels, have passed almost every motion by a
11 supermajority and these recommendations lay out a path and it's
12 the direction we want to move in.

13
14 The DCBA would like to request the Gulf Council take a look at
15 ways of improving angling opportunity for gray triggerfish. Our
16 association requests a March 1 opening, a one-fish bag limit,
17 and a fourteen to sixteen-inch size limit.

18
19 With angling opportunity in mind, our association would prefer a
20 later opening than previously used and hopefully a split season,
21 but leaving the set closure for protecting the spawning should
22 stay in place.

23
24 On data collection, as an association, we have wanted this for
25 quite some time. The DCBA supports the use of electronic data
26 and timely reporting. When it comes to VMS, our association has
27 spent many hours weighing the pros and cons of real-time
28 reporting of vessel location for effort validation.

29
30 We feel that if VMS is a hurdle that keeps this program from
31 getting off the ground, then let's take it out for the time
32 being. Let's not let this slow us down, when at present time we
33 are not operating in a fishery that requires this level of
34 validation.

35
36 On collection of harvest data, as an association, we didn't
37 spend much time discussing prior to landing and noon by the next
38 day, but after speaking with a couple of our members, a better
39 alternative would be something like two hours after landing or
40 by midnight report times. Prior to landing seems to go along
41 with allocation-based fisheries and sometime shortly after you
42 land should be sufficient for a derby-style management.

43
44 I personally, when using my headboat reporting app, come down
45 and check my fish hang and verify what I am submitting to the
46 agency is accurate. I ask the council to maybe look at an
47 alternative to fit a same-day reporting requirement, but allow
48 for a higher probability of accuracy on that report.

1
2 Also, I feel that the idea of a federally-backed loan for new
3 entrants into any fishery is really a great idea and so thank
4 you all very much for your time.

5
6 **CHAIRMAN ANSON:** Thank you. I have Mike Miglini, followed by
7 Chris Niquet.

8
9 **MR. MIKE MIGLINI:** I am Michael Miglini. On Amendment 39, I
10 support Action 2, Alternative 2. The charter for-hire sector
11 has been working on solutions and moving forward with better
12 management for recreational anglers who access the fishery on
13 federally-permitted charter boats for quite some time.

14
15 The majority of the charter for-hire industry that's actively
16 involved in the management debate and other groups have
17 generally come to the consensus that it's best to let the
18 charter for-hire move forward managing their allocation to
19 improve public access from charter boats, while letting private
20 boat owners do the same for themselves.

21
22 To that end, the sunset for Amendment 40 needs to go away. Good
23 management should not have a sunset and an industry that has
24 worked so hard deserves more than to be on death-row, which is
25 exactly what the sunset is.

26
27 Nothing about doing away with the sunset prevents the private
28 boat angling recreational sector from moving forward with
29 solutions and if at some time in the future the private boat
30 angling sector comes forward with some really great solutions
31 and really great management plans, this council will hear from
32 the charter for-hire sector that we would like to have that plan
33 instead, because it's better, but until that happens, or should
34 that not happen, I think it's good to let the charter for-hire
35 sector move forward with developing management plans for the
36 allocation in Amendment 40 and to know that that work won't be
37 for nothing in a couple of years.

38
39 Consistent with that, making progress, I think that we need to
40 move forward with development of the purpose and need for
41 Amendments 41 and 42 and development of a fair and equitable
42 allocation system between all the different boats.

43
44 Also, the topic of new entrants into the commercial fishery has
45 come up and that's an important topic. I support developing
46 federal loan programs, quota banks, or other ways to provide new
47 entrants, but it is also important to realize that without and
48 before any of these tools that people like myself have become

1 new entrants.

2
3 I sold my commercial snapper permit during the derby, on word of
4 the impending doom that IFQs would bring. When I realized how
5 well the system worked, I spent the last many years getting back
6 in, but when the red snapper IFQ came around, I was awarded zero
7 pounds, no shares. Not one pound, yet I have reentered. It was
8 not easy, but it's still possible, but still I think it needs to
9 be developing better pathways and making that easier for other
10 people and that's something that we should move forward on.
11 Thank you.

12
13 **CHAIRMAN ANSON:** Mike, we have a question from Mr. Williams.

14
15 **MR. WILLIAMS:** You said you are getting back as a commercial red
16 snapper fisherman and so are you renting allocation or are you
17 purchasing allocation or how are you doing that? It's hard. I
18 know that, but --

19
20 **MR. MIGLINI:** Yes, I've got a good little chunk now, over the
21 last several years, and it's just been -- You know I can't
22 remember the first one. It was like a couple hundred pounds or
23 something like that. It might have been under a couple hundred
24 pounds, but I looked at it and I said, you know, it's better. I
25 watched from the bridge of a charter boat and the season is
26 getting shorter and I can make more monies running charters and
27 then I kind of saw the same thing happening with the charter
28 boat industry as what happened to the commercial.

29
30 When shares became available, I saved money and I put expenses
31 on a credit card so I could save up the cash and I borrowed
32 money from friends and I borrowed money from family. I did that
33 and just did a chunk at a time and occasionally I would save up
34 money and get a bigger chunk. You know just a little bit at a
35 time. It's kind of like you grow a business.

36
37 You know I started on a charter boat and I ran an eighteen-foot
38 boat and then I got a thirty-six-foot boat and I gutted it and
39 built it all back out and a lot of sweat equity and everything.
40 I mean I don't -- Sometimes I think people -- Nobody came up and
41 give me like a fifty-five-foot sport fishing boat all polished
42 and waxed and full of fuel with a nice set of fancy rods and
43 reels on the back of it.

44
45 I don't think anybody is really expecting that everybody should
46 get that, but it would be nice that if somebody wants to work
47 hard in the industry and wants to have access to a loan bank, a
48 federally-backed loan bank, because right now, it's really

1 difficult -- It's tough to go to a bank to borrow money if you
2 want to buy IFQs, because they don't really recognize IFQ shares
3 as collateral and so people do what I do and borrow money on
4 credit cards and take out home equity loans and sell things and
5 get down to where you can save up money and buy in, but having a
6 loan program where new entrants could get a meaningful number of
7 shares or allocations would make that a lot easier for people.

8
9 **MR. WILLIAMS:** Thank you for that, because I mean I have had
10 people call me that say it's just impossible to get in now and
11 so I guess you would disagree with that. They just say it's so
12 expensive they can't get in, but there are ways. If you really
13 want in bad enough, you can, I guess.

14
15 **MR. MIGLINI:** If I really wanted a ranch right now, it would be
16 very expensive, but I would probably find a way to do it. I
17 heard you say earlier that kind of like maybe if you lease some
18 that you would get a percentage of it, but you know if I went
19 and leased a ranch or something, I -- There is arguments for
20 both sides of it and it is very difficult. It is very difficult
21 to get in, because it's expensive, because what's happening is
22 the value of the industry has gone up substantially. That
23 Class 2 snapper permit I bought during the derby, that wasn't
24 cheap either. Anything else?

25
26 **CHAIRMAN ANSON:** Thank you, Mike.

27
28 **MR. MIGLINI:** Thank you very much.

29
30 **CHAIRMAN ANSON:** We have Chris Niquet, followed by Donnie
31 Dineen.

32
33 **MR. CHRIS NIQUET:** Chris Niquet, Panama City, Florida. I am
34 here to talk about some leasing and some other things. I lease
35 my allocation, everywhere from Galveston, Texas all over the
36 Gulf Coast, all the way down to below Naples, Florida. It's on
37 over twenty boats and there are twenty boats that are now
38 keeping red snapper instead of throwing them away as dead
39 discards. This is in line with what Magnuson-Stevens wants.
40 Otherwise, they are dead discards that float away.

41
42 Now they come to the hill. The fisherman sells them to the fish
43 house and he makes a profit and the fish house sells them and he
44 makes a profit. All these things are taxed and it goes right up
45 the line with the trucker who transports them and the insurance
46 company who insures the trucker and the man who sells him tires
47 and ultimately to the restaurant who serves them. They all pay
48 taxes. They are contributing, indirectly, or most of the time

1 directly, to the government that is employing all of you.
2
3 Now, you may not like the IFQ program and you may not like
4 leasing, but it's a necessary part. If I fished all my
5 allocation myself, there would be twenty boats out there trying
6 to make a living, catching amberjack and B-liners and scamp and
7 grouper and whatever else, catching red snapper and it's not
8 because they are trying to avoid them. It's because the IFQ
9 program is so successful that now they're catching snapper where
10 they never were caught before, way down in the Keys.

11
12 To give you a for instance, the Lynn brothers in St. Marks, they
13 have a stone crab fishery they're fishing. They just got 10,000
14 pounds and do you know why? They are catching them in their
15 stone crab traps. They can throw them away or they can take
16 them in and sell them.

17
18 The IFQ program works great. The leasing program works great.
19 If you leave it alone, it will continue to work great and I am
20 all for new entries. If they want to get into it, fine. I
21 suggest, with the council's approval, that you figure out some
22 way for the banks or the government to set up a loan system to
23 loan them money so they can purchase these IFQ shares. Thank
24 you very much.

25
26 **CHAIRMAN ANSON:** Thank you. Donnie Dineen, followed by J.P.
27 Brooker.

28
29 **MR. DONNIE DINEEN:** Thank you, council. Just to make it real
30 quick for you, I would like for you all to please press forward
31 with Amendment 41 and 42. Almost every recommendation has
32 passed by the AP with almost a supermajority and please remove
33 the for-hire fleet from Amendment 39 and triggerfish, my boat
34 hasn't kept a triggerfish in two years and I don't know if I'm
35 not fishing for them at the right time or I miss the season
36 because I'm fishing for something else and so I prefer a March 1
37 opening, a one-fish bag limit, say fifteen inches, and please,
38 please, please push forward with an electronic reporting system
39 of some kind.

40
41 My boat caught 512 snappers last year in forty-five days and all
42 I had to do was write it down. I can mail it to you or I can do
43 it however you want, but please let us report our catches to you
44 some way or the other. Thank you all for doing a thankless job.

45
46 **CHAIRMAN ANSON:** Thank you. We have J.P. Brooker, followed by
47 Jim Zurbrick.

48

1 **MR. J.P. BROOKER:** Thank you, Chairman Anson, and thank you to
2 the council for the opportunity to give comment. I'm J.P.
3 Brooker and I'm policy analyst and attorney with the Ocean
4 Conservancy, based in St. Petersburg, Florida.

5
6 On behalf of our over 120,000 members, comprised of
7 conservationists, sportsmen, and members of the general public,
8 I would like to reiterate our support for Amendment 39 with
9 Action 2, Alternative 2 selected as preferred.

10
11 Allowing the states to develop individual conservation
12 equivalent plans that are customized to the unique fishing
13 traits of private fishermen in their waters could ultimately
14 result in the tailored access for anglers, greater
15 accountability for the private recreational component, and
16 decreased likelihood that the recreational component will exceed
17 its share of the overall red snapper quota.

18
19 Fewer quota overruns and greater stability in the fishery means
20 rebuilding stays on track and catch limits can increase as the
21 stock rebounds. Furthermore, Action 2, Alternative 2 preserves
22 sector separation, by removing the sunset provision in Amendment
23 40, which is essential for conservation and the future expansion
24 of recreational fishing access.

25
26 On January 4, 2016, U.S. District Judge Milazzo sided with NMFS
27 in a lawsuit challenging the legal validity of Amendment 40,
28 ruling that the agency was within its discretion to divide the
29 recreational quota between the two components of the fishery.
30 Judge Milazzo shut down claims that the move unfairly hurts
31 private recreational fishermen, where she said, quote, it is
32 apparent from the record that the detriment suffered by private
33 anglers, the reduction of their federal season, is offset by the
34 fact that they may pursue fishing opportunities in state waters,
35 while federally-permitted for-hire fishermen are prohibited from
36 taking advantage of these opportunities.

37
38 Milazzo continued that the council also found that sector
39 separation allows for better management of the fishery by
40 stabilizing the federal for-hire component's participation in
41 the sector, increasing access of anglers who do not own vessels,
42 creating a base for further management focused on maximizing
43 opportunities for each component and reducing discard mortality
44 and reducing the likelihood of quota overages in the
45 recreational sector.

46
47 Ocean Conservancy urges the council to allow sector separation
48 to succeed, either by eliminating the sunset, by voting up

1 Action 2, Alternative 2, or by developing and approving a stand-
2 alone amendment. Thanks for the opportunity to give comment.

3

4 **CHAIRMAN ANSON:** Jim Zurbrick, followed by Chris Horton.

5

6 **MR. JIM ZURBRICK:** Thank you, council, for allowing me to speak.
7 Jim Zurbrick from Steinhatchee, Florida. By the way, I don't
8 have to worry about the fish that have been reserved for the
9 American consumer. There is not a derby.

10

11 I am hurt. I can't fish until March and I am still going to
12 have an income waiting for me. I am still going to have fish
13 reserved so that I can go catch them and feed my family and feed
14 the American public and so I want to thank -- When the council
15 passed the IFQ or voted for it, it gave all of us who get hurt
16 or have injuries a chance to continue fishing.

17

18 I've got some points. 39, you know as I get older, things get
19 comical. The right thing to do, if you're going to move on 39,
20 is to take the private pure recreational and let them create and
21 have a control over their own destiny, but we all know --
22 Everyone knows that the reason that certain groups want to bring
23 the charter fleet into that regional management, into the state
24 control, is to syphon off that recreational 43 percent quota.
25 It's a fact.

26

27 Guys, the truth is, as you get older especially, it's important,
28 but also, 33. You know if all the fish were under an IFQ, think
29 about that 3 percent cost recovery. All the fish would have a
30 cost recovery associated with it and so if there is any program
31 efficiencies, that's one way to take care of it and also to make
32 sure that we've got 100 percent accountability for all the
33 catches.

34

35 We wouldn't be going over on amberjack and we wouldn't be going
36 over on triggerfish and whatnot. Speaking of triggerfish, the
37 commercial sector hasn't caught its triggerfish quota in two
38 years. You know what happened two years ago? We went to a
39 twelve-fish bag limit. Twelve fish, we can't catch it with the
40 effort.

41

42 If they look at effort and they look at the number of trigger,
43 the landings, we can't catch it and so we would like an
44 increase. We would like to have more triggerfish per trip and
45 they're not targeted fish. We don't go out there and say, man,
46 I can't wait to get to my favorite trigger spot, but we're
47 catching them incidentally and it is our quota, but one has to
48 wonder if the recreational interests on this council wouldn't

1 vote against giving me a trip limit increase so that the
2 overages somehow could be used by the recreational sector.

3
4 That's disturbing, when I have to think about things like that,
5 that there's an alternative motive, but I will applaud the
6 council. Yesterday, fifteen people voted to try to get as much
7 extra days of recreational fishing for the recreational
8 fishermen, where they didn't get into their buffer and there was
9 still some of their buffer left. That's fifteen people that
10 voted and came together and there was no partisan line. It was
11 the right thing to do and that's what I wish would happen.

12
13 One final thing is you're going to get automatic vote counter
14 and it's really easy for us out here. All we do is look to see
15 how one guy votes and we know the other guy is going to vote
16 opposite and so it's really not -- The counting part of it isn't
17 hard. We all know prior to where everybody stands and I thank
18 you very much.

19
20 **CHAIRMAN ANSON:** Thank you, Jim. We have Chris Horton, followed
21 by Mike Eller.

22
23 **MR. CHRIS HORTON:** Thank you, Mr. Chairman and members of the
24 council. My name is Chris Horton and I'm the Fisheries Program
25 Director for the Congressional Sportsmen's Foundation and I have
26 a masters in fisheries, in fisheries management, and I have
27 managed the natural fisheries resource for a state agency in a
28 previous portion of my career and, just as importantly though, I
29 come to the Gulf Coast and fish recreational with family and
30 friends, as many times as I can get a chance to in a year.

31
32 I understand there was some good conversation yesterday
33 concerning the Gulf Angler Focus Group and committee and we
34 certainly appreciate the council's willingness to allow this
35 process to work.

36
37 It is now a professionally-facilitated group of recreational
38 anglers and angling organizations, charter boat operators,
39 tackle distributors, wholesalers, marina owners, and we'll
40 continue to grow the breadth and scope of this group and look
41 for the most efficient avenues to reach out to the private
42 recreational community over the next few months.

43
44 Developing a range of options that can truly be supported by the
45 recreational community, when you have such diverse perspectives
46 of recreational anglers, from Brownsville, Texas, to Key West,
47 Florida, is a challenge and that's why we figured that a
48 recreational advisory panel would not be able to accomplish

1 incorporating all those various perspectives at this point.

2
3 Some of the key areas the Gulf Angler Focus Group will work on
4 is to enhance and improve recreational fisheries. We will look
5 at recreational harvest data collection, ways to improve that,
6 and biological data collection, stock assessments, recreational
7 management options, regional management, season lengths,
8 allocation, and sector separation.

9
10 In the process of evaluating these focus areas, we will use the
11 National Saltwater Recreational Fisheries Policy guiding
12 principles that NOAA just released as a way to serve as our
13 guide. Again, we hope that you allow this process to continue
14 as we try to gather consensus management recommendations from a
15 full spectrum of anglers out there across the Gulf.

16
17 As for Amendment 39, I thought the original concept was to
18 provide the states with the quota and allow them the flexibility
19 to manage that quota to best meet the needs of their anglers,
20 for-hire businesses, and local communities, which was a great
21 idea and great concept.

22
23 Unfortunately, that vision, as amended, seems even less flexible
24 and potentially more onerous for the states than status quo and
25 does not accomplish its original intent of allowing the states
26 the flexibility to truly manage the recreational component in
27 the red snapper fishery.

28
29 I can't support Amendment 39 as currently drafted and I ask that
30 the council not bring it to a final vote until the states feel
31 comfortable that they have the necessary provisions to allow the
32 flexibility in managing their fisheries. Thank you for your
33 time.

34
35 **CHAIRMAN ANSON:** Chris, we have a question from Roy.

36
37 **MR. WILLIAMS:** Thank you for coming, Mr. Horton. I hadn't heard
38 of your group until yesterday. I somehow was left off the
39 original memo that went out, but I did get a copy of it. Who
40 was the person or the organization that assembled this group?
41 Was that you?

42
43 **MR. HORTON:** I have helped kind of facilitate getting the actual
44 meetings together, but this is discussions that have been going
45 on since last spring with ASA and us and CCA and some tackle
46 distributors.

47
48 **MR. WILLIAMS:** In looking at the people that were on the list,

1 the names that I saw in the letter that was sent, it really
2 seemed like birds of a feather to me, in that there didn't seem
3 to be a lot of difference among them, but you've got a
4 facilitator to try to eliminate differences and I am just
5 wondering if you really needed that. Do you have anybody on
6 that group from say the Destin Charter Boat Association? Were
7 they invited in this?

8
9 **MR. HORTON:** Like I said, no, sir. This is just beginning to be
10 formed and we're trying to, basically from a true private
11 recreational perspective, kind of get our ducks in order. What
12 is it that we're actually wanting out there, what kind of
13 possible ideas or solutions?

14
15 Then at some point, that is the logical next step and that's one
16 reason we have a facilitator, to help us along with this process
17 and identify which groups we need to work with in order to be
18 able to finally get to solutions that kind of work for everyone.

19
20 **MR. WILLIAMS:** I saw a couple of names on there that are from
21 the for-hire industry.

22
23 **MR. HORTON:** Right.

24
25 **MR. WILLIAMS:** But both of them are on the -- The two names that
26 I saw would be against sector separation and they would be for
27 reallocation and I am just wondering if you're getting the
28 diversity of opinion. I didn't see anybody from the Destin
29 Charter Boat Association and I didn't see a name from the
30 charter for-hire association and I didn't see the Clearwater.
31 Are you deliberately leaving them out or will they will be
32 brought in?

33
34 **MR. HORTON:** No, sir. Like I said, at this point, we're not
35 ready to have that conversation with them. They obviously have
36 kind of a plan in place for what they want to do, but we, as the
37 recreational community that doesn't either support that plan or
38 doesn't -- The average recreational angler from Tampa or
39 anywhere else that has a day job doesn't really pay attention
40 and just knows that something has got to change here and being
41 able to get their voice and get them together, so that we can
42 all begin working together to find those solutions.

43
44 **MR. WILLIAMS:** I appreciate that. You were not here and Ken
45 Haddad and I had some discussion of this yesterday and a concern
46 that I have is that any of these groups, they want to do
47 reallocation and they think they can reallocate their way out of
48 all of the problems, but the problem in this industry is the

1 same as it was when I came here three years ago. There are way
2 more fishermen than there are fish and that's not going to get
3 any better. It's going to get worse, as every year goes past.

4
5 I just hope you will try to address some real solutions. I mean
6 I applaud you guys for doing this, but try to find some real
7 solutions that will figure out how to partition a fixed number
8 of red snapper among a seemingly ever-growing number anglers and
9 that's going to be a real problem.

10
11 I mean it's going to be very difficult and I applaud you for
12 doing it. I genuinely do, but I just hope we don't -- You can't
13 reallocate your way out of it. We cannot reallocate our way out
14 of this problem. We just can't. I know a lot of people think
15 they can, but they can't. It's impossible. I applaud you for
16 doing what you're doing and I really do hope it's a success.

17
18 **MR. HORTON:** Right. Like I said, there is a lot of those key
19 areas there that will focus on everything, looking at allocation
20 and looking at the various management options and ways to reduce
21 mortality. I mean looking at everything and what can we do
22 within the confines of this council to potentially have a better
23 management plan in place for recreational anglers.

24
25 **CHAIRMAN ANSON:** We've got one more question from Johnny.

26
27 **MR. GREENE:** Hi, Chris. Glad you're here and welcome back. I
28 can't, for the life of me, begin to even fathom what you're
29 attempting to do and my hat is off to you. I have struggled
30 with this for a long time and I am supportive of you.

31
32 Obviously I am a little apprehensive, as I think everybody from
33 the outside looking in is, and, like I said earlier, I can't
34 imagine to have to sit in your shoes and try to facilitate this
35 and do that and I applaud the steps that you've taken.

36
37 One of the questions I was going to ask yesterday, and I never
38 got around to it, was are you going to try to have meetings
39 monthly or is this going to be something you're going to try to
40 do two or three times a year? I know you're still trying to get
41 your head around the dynamics and everything and I understand
42 you've got a lot of players in the game and you're really not
43 sure about the universe and all, but, ideally speaking, in a
44 couple of months, you should have an idea and is this going to
45 be something that you guys are going to meet quickly or is it
46 going to be once a year? I mean can you give me a little more
47 comfort somewhere there?

48

1 **MR. HORTON:** Sure. I mean obviously with the facilitators we
2 have contracted a set number of in-person meetings and I believe
3 that's six or seven over the course of this next year, with
4 opportunities for conference calls and other ways, but it's not
5 just our group that meets.

6
7 We want to be able to make sure that we reach out, so that the
8 broadest spectrum of the recreational community is comfortable
9 with whatever we're discussing, whatever ultimately gets brought
10 to the council, and sometimes the avenue is using the states and
11 their contacts with every license-buying angler in the state.

12
13 That may be one way and so as far as how fast we're going to be
14 able to do this, I don't know, because you're absolutely right.
15 That was the one thing that worried me about even just starting
16 with an AP, is you know fifteen or twenty members, how do you
17 really -- Who is the recreational community out there? How do
18 we really capture those?

19
20 That's really the most important part of getting this thing
21 started off right, is building that framework that we can have
22 that conversation and bring everybody together and start working
23 in that direction.

24
25 **CHAIRMAN ANSON:** Thank you, Chris.

26
27 **MR. HORTON:** Thank you.

28
29 **CHAIRMAN ANSON:** We have Mike Eller, followed by Ken Haddad.

30
31 **MR. MIKE ELLER:** Council members, thank you very much for
32 allowing me to speak. I'm Captain Mike Eller, the Charter Boat
33 Lady M, Destin, Florida. I am dual-permitted. This is my
34 thirty-fourth consecutive year of fishing in the Gulf.

35
36 Regional management is bad for the State of Florida. I think we
37 have convinced the State of Florida -- I don't think we had to
38 convince them. I think they saw it for themselves. It's going
39 to be bad for Florida anglers. We don't want any part of it.

40
41 We would like to see Amendment 41 and 42 move forward. We would
42 like to see electronic logbooks. I have been coming to these
43 meetings for a very, very long time and for a very long time, we
44 have asked for electronic logbooks or some type of new data
45 collection.

46
47 It seems like the root of all of our problems always goes back
48 to data and so now you have a -- You have a group of fishermen

1 who represent 50 percent of the recreational anglers. 50
2 percent fish on charter boats and partyboats. The 50 percent
3 that fish on the charter boats and partyboats, they want their
4 fish counted. They want to be accountable.

5
6 I took 1,200 people fishing last year on my boat and every one
7 of them wants me to come to this meeting and every one of them
8 wants me to buy a piece of equipment to put on my boat and every
9 one of them wants me to report their fish accurately every time.

10
11 We have all wanted this for a long time. It's time to get out
12 of the way of the process and let's move forward. It seems like
13 it's glacially slow, but we're slowly getting there and so we
14 will buy the equipment and we will pay the lease fees. Whatever
15 it takes, let's just move the ball forward.

16
17 I have said it many times and I will say it again, but we
18 parachuted an electric car onto the surface of Mars and there is
19 no reason that we cannot count fish.

20
21 Triggerfish, we are in favor of a March 1 opening, one fish per
22 person, fourteen or sixteen inches, something like that. I am
23 an IFQ holder. I am going to switch hats for a second. I
24 bought my IFQ. I have invested close to \$400,000 in IFQ, buying
25 little-bitty pieces at a time. Then as the quota has gone up,
26 I've obviously been given some.

27
28 There are tweaks that need to be made to the IFQ system and if
29 the IFQ holders are smart, they will embrace tweaking the system
30 for new entrants and loan programs and something to help the
31 fishermen that are getting in that don't have a lot of fish or
32 only have a little bit of fish.

33
34 I gave testimony at scoping that I think there are some tweaks
35 to be made, but the system works very good. I have leased my
36 fish now for three years in a row. I dock at a fish house and
37 those guys that are at that fish house are all small boats and
38 they do not have the money to buy fish and if I didn't lease my
39 fish to them, there is about three or four of them that would
40 not have fish or it would be very hard to find fish.

41
42 There are fish on the market. You can buy fish. You have to
43 work at it a little bit and so not being able to find them,
44 that's not true. You can find fish. I sold 1,000 pounds of
45 fish this fall when I started to do a big repower project.

46
47 We want electronic logbooks. I can't emphasize it enough. You
48 will never hear -- Very rarely will you hear me quote the Bible,

1 but John 8:32, it says, know the truth and it will make you
2 free. We want to know to know the truth. We want to know what
3 the recreational anglers are catching on the charter boats and
4 partyboats. Good, bad, or indifferent, we want the number to
5 come out. Thank you.

6
7 **CHAIRMAN ANSON:** Thank you. Ken Haddad, followed by Mike Colby.

8
9 **MR. KEN HADDAD:** Thank you, Mr. Chairman and council members.
10 Since you spot-checked me yesterday, I am not going to get into
11 this deeply, but I do want to respond to -- I know it's a
12 concern and, Roy, not the issue of there is too many fishermen,
13 but the issue of who is on that initial list of attendees and
14 participants.

15
16 We are in a very divided process and, believe me, the group that
17 is supposedly like-minded sitting together is not like-minded.
18 I mean we've got to get our own private recreational thoughts
19 together before we can really start bringing in the bigger
20 diversity of the world. We are not going to attempt to cure
21 cancer on this forum. It's not going to happen, but we do have
22 every intention of being inclusive, but we're still doing this
23 as a private -- It's not a council activity.

24
25 I want to make sure the council isn't trying to interpret what
26 we're doing as a council activity. That eventually will be an
27 AP, which we absolutely agree has to be done. I just wanted to
28 make it clear that we're doing this progressively in steps and I
29 think Chris has alluded to that, but I think just the natural
30 tendency for suspicion and distrust creates an atmosphere that
31 makes it difficult for everybody to move forward.

32
33 On Amendment 39, ASA recognizes that the amendment has become
34 complicated. It's confusing and I read it and I feel like my
35 old days of a computer program and trying to if-then, then-if,
36 and you can get lost in it.

37
38 We know the states have some significant issues, just as
39 everybody else on the council. We ask that you give the states
40 deference in trying to solve this through the council process
41 and not necessarily abandon Amendment 39, but there is going to
42 need to be some rethinking on this, because it has gotten --
43 It's falling apart under its own weight and some core issues
44 need to be thought about and we encourage that through the
45 council. That's all, Mr. Chairman, and thank you.

46
47 **CHAIRMAN ANSON:** Thank you. Next, we have Mike Colby, followed
48 by Brad Gorst

1
2 **MR. MIKE COLBY:** Thank you, Mr. Chairman and council. Mike
3 Colby, headboat and charter operator from Clearwater, Florida,
4 the Clearwater Marine Association. My wife asked me last night
5 -- She said, where are you? I said, well, I'm in Perdido Key.
6 Really? I said, yes, it's the home of the Perdido Key beach
7 mouse and she laughed and said I'm going to have to look that
8 one up, but thank you for letting me comment and my comments are
9 going to be on the reporting requirement changes,
10 charter/headboat, that framework action.

11
12 As most of you know, or have been aware of and know of, there
13 will be an ELB project, voluntary project, starting in the Gulf
14 very shortly. That project is a cooperative effort between the
15 National Fish and Wildlife Foundation, the Gulf Seafood
16 Institute, and CLS America.

17
18 At this point, we have approximately, excluding fishermen in
19 Texas and Louisiana, we have about 227 boats, federally-
20 permitted charter operators, signed up for this ELB. This is
21 kind of an update for you folks that heard about it, but don't
22 know the status of that project.

23
24 Right now, we expect that the equipment installation will be
25 completed some time in February and captains' meetings are set
26 up for the month of March and we expect by the third or fourth
27 week of March to have the project kicked off.

28
29 What we have done, we had technical meetings with FWC and with
30 MRIP and some fishermen, CLS folks, and Texas Parks and Wildlife
31 people back in October, hammering out a template for how we were
32 going to report. We have made that template mirror MRIP,
33 because what we want is a reporting log that will give us the
34 maximum amount of information that we're using now and then
35 some.

36
37 We have designed the template so there's very little fishermen
38 input on it. You want your finger to touch that logbook as
39 little as possible. It's real-time reporting and I think in
40 terms of this framework action, and also understanding that
41 there will probably be another conceptual ELB project that may
42 start very soon as well, that gives you folks on the council
43 something to evaluate, because if you pass Action 3, Alternative
44 2, you are saying approved ELB with approved, accepted
45 electronic monitoring. Now you're going to have some things to
46 evaluate and I am kind of excited about that.

47
48 Our idea is to get fishermen to use it. Will they like it?

1 Will they not like it? Will they incorporate it in their daily
2 regime? Good, bad, or ugly, I think by the October council
3 meeting that I will have some interesting information for the
4 council on some of the preliminary data and how fishermen are
5 warming up to that. Thank you.

6
7 **CHAIRMAN ANSON:** Mike, hold on. We have a question from Ms.
8 Bosarge.

9
10 **MS. BOSARGE:** This is going to be an electronic reporting
11 system, to a degree, that maybe in some ways is very similar to
12 VMS. In other words, it's another option besides VMS, because
13 you know we have our data collection amendment that we're
14 looking at right now, and it's actually slated for final action
15 for this meeting, and we've heard some concerns from some
16 fishermen about VMS and we don't want to put the VMS on our boat
17 and we're worried about the maintenance in the open environment
18 on these types of boats.

19
20 Right now, our data collection amendment is fairly open-ended as
21 far as the actual device that we choose. We don't necessarily
22 have to choose a VMS, even if we send this to final action. It
23 will be kind of decided, a couple of platforms, by this
24 technical committee. So this is another option that could
25 possibly be viable besides VMS? Is that what I'm hearing?

26
27 **MR. COLBY:** Yes and our ELB, starting in March, will include a
28 VMS. There is another conceptual plan out there that I am aware
29 of that we had some of the council members attended this Monday
30 meeting, where some folks in Texas, the Texas charter boat guys,
31 have got together and are looking at starting an ELB project
32 using a different platform.

33
34 Now, one is real-time reporting and one will not be real-time
35 reporting, but that -- I say that guardedly, not that it's
36 wrong, but it's just that when you folks begin to evaluate what
37 platform you want, it's my belief that you look at what the
38 fishery needs and then also pay close attention to what fishery
39 managers, decision makers, the Science Center, what do they
40 need, depending upon what kind of management the fishermen want,
41 even past red snapper.

42
43 Now, our project will be multispecies. Everything goes in
44 there, kingfish, Spanish mackerel, hogfish, groupers, snappers,
45 everything. It's going to be an easy template, but you're right
46 that the other program, while it's not near ready for startup,
47 could very well be one of the things you consider.

48

1 It's my impression you can pass or you can decide on this
2 framework action tomorrow and pick Alternative 2, the preferred
3 alternative, in Action 3. Now, you won't know what you're
4 voting on. You're not going to have anything yet, but there is
5 your breathing room you want. If you want ELBs with monitoring,
6 then vote the preferred alternative, but then who knows what
7 approved electronic platform will be there by the time we get
8 everything rolling.

9
10 I am hopeful that, again, by October, after six months of our
11 startup in this project, that we'll have some very, very
12 interesting results, not just in the data stream, not just in
13 the fact that this VMS will provide the same calibrated data
14 that it's getting now, but also the fishermen's perspective of
15 using equipment like this.

16
17 There is a lot of angst out there about VMS right now. It's the
18 boogeyman. I mean it's a tough one, but I want to know, will
19 fishermen like it a little? Will they like it a lot? Will they
20 hate it a little? Will they hate it a lot? Will they
21 incorporate it in their everyday activities? Will they find it
22 something that they can use if they know that that's going to
23 produce better fishery management plans in the future? Thank
24 you.

25
26 **CHAIRMAN ANSON:** Thank you, Mike. Mike, I think we have one
27 more question.

28
29 **MR. WILLIAMS:** Mike, where are the -- These 227 boats, where
30 does the information go? They send it out in real time? On a
31 daily basis it's sent out?

32
33 **MR. COLBY:** Yes, when the fisherman hits "send", it's going to
34 go to an IPC center, an information processing center. At that
35 point, it will then go to MRIP. I mean those FWC folks that are
36 using MRIP dollars now to clean -- I am using the word "clean"
37 data or validate data. Somebody is going to have to look at
38 that data to make sure a fisherman didn't put down a fish that
39 was caught in the Mediterranean or some other data entry
40 problem.

41
42 Once that data is cleaned, then it has a pathway to
43 certification, because it will use the same -- I am going to say
44 this guardedly. It should use the same calibration techniques
45 that we're using in MRIP right now.

46
47 **CHAIRMAN ANSON:** All right. We have Brad Gorst, followed by
48 Bill Arant.

1
2 **MR. BRAD GORST:** Hello. My name is Brad Gorst and I'm from the
3 Clearwater area in Florida. I would like to thank the council
4 for hearing me today. I operate a dual-permitted, inspected
5 vessel and manage three vessels, another inspected vessel that's
6 dually-permitted and a six-pack passenger vessel.

7
8 With the VMS, I do have a VMS as it is. I am also enrolled with
9 the new program. The VMS has been on my boat since the
10 beginning and it's never been a problem. Sometimes it's a
11 little slow when it gets hot from the sun or whatever, but,
12 other than that, there has nobody that's ever been pinging me,
13 that I know of, and I'm not worried about spots. I don't see
14 that as being an issue.

15
16 As far as, to move on, Amendment 39, Action 2, Alternative 2.
17 If they want private state or regional management for the
18 private recreational angler, that's their game. I don't want no
19 part of it. Leave the for-hire out of it.

20
21 I would like to see the sunset provision removed for the for-
22 hire and allow the FMP to grow and keep working forward on
23 Amendments 41 and 42, being that they're separate, because the
24 headboats have a catch history, and so we need to stay within
25 the charter boat side of this. Make their pilot program
26 permanent for the headboats.

27
28 Triggerfish, I am going to mirror with the triggerfish, March 1,
29 fourteen to sixteen-inch size limit. Amendment 36, the purpose
30 and need for 36 is described in the pamphlet back there and it's
31 to evaluate performance, prevent overfishing, achieve optimum
32 yield, and to rebuild the stock.

33
34 I think that's done. The IFQ program was built on stone. It
35 was built on rock. It wasn't built on sand to be washed away
36 and so if it ain't broke, don't fix it. That's my opinion on
37 that.

38
39 Keep the ELBs working and plugging along and I challenge all the
40 five state directors that keep voting against everything to
41 question their marching orders in favor of the majority of the
42 fishermen that are here at these hearings and all the many
43 majority of people that have spoken for doing the right thing in
44 all the last council meetings I've been to. It's always the
45 same people that vote no and the same people that vote yes. All
46 we need is one person to say, hey, maybe there is some validity
47 in what all these people are saying all these times that we all
48 meet. Thank you.

1
2 **CHAIRMAN ANSON:** All right. Bill Arant, followed by Pam
3 Anderson.

4
5 **MR. BILL ARANT:** My name is Bill Arant and I'm from Birmingham,
6 Alabama, but I have been an avid fisherman and I want to thank
7 the committee for letting me speak today and Chairman Anson. I
8 guess my fishing career started back in the early 1950s, when my
9 father first took me deep-sea fishing. I've been at it ever
10 since.

11
12 I feel like Amendment 39 was well-conceived initially, but it's
13 the situation where I gather basically no one is happy with it,
14 or very few are, and it certainly, we feel like, needs to be
15 revisited.

16
17 My personal preference is I would like to see, at least for
18 Alabama fishermen, our control and our rules and all really laid
19 out by our local executives, Chris Blankenship and Kevin Anson,
20 and their staffs, because, from my perspective in all these long
21 years of fishing, these guys are who really know what goes on
22 here in Alabama, in our very limited coastline, and though a lot
23 of these other comments are well-intentioned and some are very
24 self-serving, I think that Amendment 39 needs to be revisited
25 and reconsidered, but with an emphasis or a goal of state
26 control. Thank you.

27
28 **CHAIRMAN ANSON:** Thank you. Pam Anderson, followed by Mike
29 Rowell.

30
31 **MS. PAM ANDERSON:** Dr. Crabtree, Chairman Anson, council
32 members, I am Pam Anderson with Captain Anderson's Marina in
33 Panama City and with the PCBA there and Fishery Rep on the Bay
34 County Chamber of Commerce.

35
36 Thank you for acknowledging the Gulf Angler Focus Group for what
37 it is, an honest attempt to work through issues that affect the
38 recreational fishery in a systematic, businesslike manner,
39 considering all points of view.

40
41 I believe the result will assist the council in making better
42 decisions affecting recreational anglers. For that reason, I
43 support delaying the implementation of a private recreational
44 angler AP at this time.

45
46 The original Amendment 39 was very different than what we have
47 now. It was truly allowing the states to have more flexibility
48 and control over their fishery and their anglers. It is not so

1 now.

2
3 I believe the council needs to consider stepping back and
4 readdressing the original intent of this amendment before going
5 forward. I have been a proponent of regional management all
6 along and I still am, for the entire recreational sector, but
7 Amendment 39, in its present state, is not what was intended.

8
9 In the commercial IFQ program, you have developed regulations to
10 designate winners and losers, thus regulating approximately 50
11 percent of the permit holders out of business. You have called
12 that reducing overcapacity and I call it eliminating jobs.

13
14 Some of those left in think it's great and the others not so
15 much. They still harvest the ACL, but with fewer jobs and a
16 handful who have become quite wealthy, with many of them
17 hurting. Is this really what was intended to be best for the
18 nation?

19
20 A similar design is being proposed in Amendments 41 and 42,
21 putting the interests of the few over that of the many and
22 lining their pockets in the process. Is this your intent? This
23 seems to be where it's headed. Was this the intent of Magnuson?
24 Please consider this as you go forward.

25
26 In Amendments 41 and 42, a referendum needs to be required. It
27 has been said that most, if not all, permit holders agree with
28 these concepts. It's not true, but, if so, there should be no
29 objection to having a referendum so all permit holders can weigh
30 in on these important issues that affect their businesses.

31
32 We need an opt-in and opt-out measure in both of these
33 amendments. We need to be sure that any plan for data
34 collection will be used as intended. Weekly reporting is what
35 the Science Center can handle financially and do not require
36 daily reporting if they're not going to use it.

37
38 It was said in committee yesterday that we will never have
39 enough fish to support the growing angler population. I think
40 instead of seeing the stock as a limited amount that fishery
41 management should be looking more seriously at growing the
42 fishery in ways other than limitations.

43
44 We have a very large Gulf with a lot of sand bottom that is
45 underutilized. If all of our scientists could help design reefs
46 that would grow the fishery to meet the demands of the public,
47 we wouldn't be having trouble splitting up this resource and all
48 would be winners. It may sound silly, but maybe we need to

1 think outside the box a bit more. Red snapper is not a depleted
2 fishery. It's a growing fishery that could be off the charts
3 with some scientific ingenuity. Thank you.

4
5 **CHAIRMAN ANSON:** Thank you. We have Mike Rowell, followed by
6 Matt Grant.

7
8 **MR. MIKE ROWELL:** For the record, I am Mike Rowell, Charter Boat
9 Annie Girl, from Orange Beach. Many times in the past when I've
10 been here, I was here to complain and fuss and whatnot, but I am
11 here today to say that I think we're making a lot of headway and
12 I am very proud of that.

13
14 I was trying to think of an analogy. It's been like trying to
15 get an airplane off the ground and I feel like we've been
16 climbing and now we're at a cruising altitude. We've still got
17 a lot of work to do to keep the plane flying, but with the
18 efforts that we're going through like with our sector separation
19 and we had some more days last year, I am a little bit more
20 positive.

21
22 I spent a lot of money on my boat last year, with this positive
23 attitude, and I have also spent a lot of money fixing it up this
24 year, looking forward to things getting better in our fishery.

25
26 I think that we are on the right track and I would like to
27 continue on with the sector separation and I would like to see
28 us look at this sunset provision. I think that needs to be
29 taken away. Like somebody said a while ago, it's like a death
30 penalty. If it works, let's keep it.

31
32 Anyway, I am looking forward to working with everybody in the
33 future and I am hoping everything is going to get better.
34 That's better than my attitude from before and so thank you very
35 much.

36
37 **CHAIRMAN ANSON:** Thank you, Mike. Matt Grant, followed by David
38 Krebs.

39
40 **MR. MATT GRANT:** Good afternoon. My name is Matt Grant and I'm
41 born and raised here in Orange Beach, Alabama. I'm an avid
42 recreational angler since before I could even walk. I have come
43 here basically to just voice my opinion here as the physical
44 majority of the stakeholders of the Gulf fisheries, but
45 definitely the voting minority, when it comes to talks and
46 meetings like this, and so I thought I would take time out of my
47 life and my business to come up here and talk to you guys about
48 how I feel about the management of the fishery of the past few

1 years.

2
3 I can remember growing up that snapper fishing was one of the
4 big deals. It was an all-day event and usually you had to hire
5 a charter boat captain to go catch them, because they knew how
6 to do it.

7
8 With the reef program that the state has done the past ten or
9 fifteen years, the abundance of snapper has become something
10 that's just simply amazing to me and, although I love to fish,
11 I'm a pretty terrible fisherman, but if I can go out and catch
12 my limit of snapper in literally minutes, I would have to say
13 that people that claim that the snapper fishery is overfished
14 are definitely wrong in that aspect.

15
16 I try to keep up with as much news as I can when it comes to
17 different amendments and things like that. I am a big believer
18 in the fact that states could manage their specific fisheries
19 better than the region as a whole. People like Chris
20 Blankenship in Alabama have the expertise to do things like that
21 and, from what I understand, the original Amendment 39, as
22 submitted, has been watered down and changed and just basically
23 not what it originally was intended to do.

24
25 I think that if you were going to do anything that it would be
26 basically to go revisit that and try to do something closer to
27 what it was originally. Other than that, I thank you for your
28 time this afternoon and I appreciate you giving me the
29 opportunity to speak. I'm a very vocal minority of the voice.
30 Thank you.

31
32 **CHAIRMAN ANSON:** We have David Krebs, followed by John Anderson.

33
34 **MR. DAVID KREBS:** Good afternoon, council. My name is David
35 Krebs and I own Ariel Seafoods in Destin, Florida, wholesaler
36 and also an IFQ shareholder and I own five commercial boats.

37
38 I guess we'll start today with a little history lesson. It
39 seems that we need to be reminded of where we were to get to
40 where we are. In 1990, we had a real problem, a problem to an
41 extent in the red snapper fishery that the federal government
42 felt the need to shut the fishery completely down.

43
44 We moved into that for the next three years into a derby system,
45 that we fished as few as forty-five days or something like that
46 in one of the years. Then we went to the class license system.
47 A Class 1 license would allow you to catch 2,000 pounds a day
48 for the length of the season open, for the first fourteen days

1 initially and then it went on to ten days, until the commercial
2 quota was caught.

3
4 Over time, this evolved with size limits and it started changing
5 the nature of the fishery, but, during this time, there was only
6 138 Class 1 licenses. That was the size of your commercial
7 fleet that was substantially vested and fished.

8
9 It was a tough business back then, even though it only took a
10 5,000-pound qualifier to qualify for one of those Class 1
11 licenses between 1990 and 1993. That's what the fishery looked
12 like.

13
14 Fishing started getting better with initial management and more
15 people wanted to snapper fish and they were leasing the licenses
16 to people that weren't wanting to fish anymore. There was all
17 this leasing of the licenses going back and forth and then we
18 started working on this notion of, wait a minute, we're always
19 fishing for nothing, because we're killing the market and we had
20 massive discards after the size limits came into place in the
21 late 1990s, even though we stood at the podium and said a dead
22 fish is a dead fish and why do we have size limits.

23
24 We were told it would benefit the recreational season length,
25 because they were only being taxed with what was being landed
26 and not with what was being discarded.

27
28 There has been a lot of frustration and I'm going to run out of
29 time before I can get to the end of all of this, but the intent
30 on the commercial industry was to reduce our footprint, reduce
31 our capacity, and rebuild the fishery and we did it and now
32 every day we're vilified, just like in the Florida net ban was
33 showing Pacific driftnets, like that was going off the coast of
34 Tampa. We're vilified as sea lords, sharecroppers, these crazy
35 words, because our house is in order.

36
37 I don't see people coming up here -- We have no discard rules in
38 place for the Gulf of Mexico and you can go out there and catch
39 and discard red snapper all day long and nobody forces a single
40 fisherman to lease a fish. If you don't want to keep that \$2.00
41 or \$1.75 or \$3.00 or whatever you're getting paid for it after
42 your lease, don't catch it. Don't lease the fish.

43
44 Our house is in order and you've got to get this recreational AP
45 through and why? Because every time there's a problem in the
46 recreational community, we're attacked and that is wrong. Thank
47 you.

48

1 **CHAIRMAN ANSON:** Thank you, Mr. Krebs. We have a question for
2 you from Mr. Walker.

3
4 **MR. WALKER:** David, I've got an allocation question for you.
5 There's a lot of times it's been allocated to criticizing the
6 successful FMP and what are your thoughts on maybe the
7 allocation of time being spent on a failed FMP?

8
9 **MR. KREBS:** Thank you for the question. That is my frustration
10 and the point that I was trying to get to. This is 2016. We
11 have been talking about this problem since 2006, that I know of
12 that it was at the forefront, ten years, and we haven't moved
13 the ball. You can't even get a recreational panel to meet to
14 come up with ideas.

15
16 Thank you, Councilman Roy Williams, for acknowledging that that
17 is the root of the issue. More people want to catch a fish
18 that's easy to catch every year and if you don't have some kind
19 of effort restriction, you will never achieve it. You can have
20 private angler groups get together all day long and that doesn't
21 mean you're ever going to solve something.

22
23 This notion of let's wait until 40 sunsets and throw the charter
24 boats back into this quandary of competing against the private
25 angler, especially now -- I haven't heard discussion about the
26 omnibus in Alabama and Louisiana going out to nine miles and the
27 effects on the for-hire fleet. Are they going to be allowed in
28 the state waters that they were historically in or does that
29 move that fleet out?

30
31 Then, also, that increases those anglers' access to bigger and
32 more fish, all of these unintended consequences that we as a
33 council sit around and we listen to people come up to this
34 microphone and then we don't act and then it comes back on,
35 well, it's that commercial industry and, look, they're making a
36 profit. The last time I checked, that's what the commercial
37 industry was supposed to do, was make a profit. Thank you.

38
39 **CHAIRMAN ANSON:** We have John Anderson, followed by Kellie
40 Ralston.

41
42 **MR. JOHN ANDERSON:** Good afternoon and thank you for giving me a
43 chance to speak. A lot of what I was going to talk about has
44 already been said, but let me say my name is John Anderson and I
45 was a commercial fisherman for thirty-eight years in the Gulf of
46 Mexico. I started in 1976 and now I do not own any boats and I
47 have no permits. That puts me in the recreational sector, so to
48 speak.

1
2 Anyway, I want you to listen to these charter boat people and
3 these commercial guys. They've got them a good thing going and
4 don't mess with the IFQ for the commercial sector. It's working
5 and it meets all the requirements. Leasing is a good thing.
6 You have heard it time and time again and I want to say I did my
7 share of leasing and it does work. It helps discards and on and
8 on. It's a good thing.

9
10 I would like to see you keep the charter boats in their program
11 and get rid of that sunset. It took a long time to get these
12 charter boats where they are now. All they want to do is a
13 chance to work and get their system in order. Now, I don't
14 think two more years is enough time. If you don't sunset it or
15 get rid of it, at least give them another three years. Give
16 them some time.

17
18 Like you all said yesterday, as slow as we work in here, it
19 takes time to do these things. Listen to the fishermen, the
20 people that live it and do it. As far as recreational, I would
21 like to see some kind of a tag system. There is more and more
22 people moving to the Gulf Coast every year and they're buying
23 boats and they want to go out there and fish in the Gulf.
24 You've got to do something.

25
26 Get on with 40 and 41 and let these charter boats get their plan
27 in place and get a recreational AP going and let them get
28 something started too and let's get moving. Let's do something
29 good for everybody. Thank you.

30
31 **CHAIRMAN ANSON:** We have Kellie Ralston, followed by Jenny
32 Thompson.

33
34 **MS. KELLIE RALSTON:** Thank you, Mr. Chairman and council
35 members. I am Kellie Ralston with the American Sportfishing
36 Association's Keep Florida Fishing Initiative and, given the
37 number of speakers today, I am just going to have a couple of
38 brief comments that I wanted to make.

39
40 First, I wanted to express our appreciation to the council for
41 deferring action on the formation of a private recreational AP
42 and for giving our Gulf Angler Focus Group a chance to really
43 kind of get off the ground and get started. I have attended
44 both of the first meetings that we've had and have really been
45 impressed by the positive and productive nature of our
46 discussions and I'm really looking forward to see how it goes
47 forward.

48

1 With the professional facilitator, we have structure and we have
2 a real opportunity with this group to really address some major
3 issues facing the recreational community and so thank you for
4 that.

5
6 The other issue I wanted to address is Amendment 39. We fully
7 support the original concept of regional management and do
8 believe that the states are best equipped to address the
9 specific needs of their recreational stakeholders. However, in
10 its current form, Amendment 39 has strayed far from its stated
11 purpose of providing the states flexibility in managing the
12 recreational red snapper sector.

13
14 As you move forward, we ask that the council return to this
15 original intent of regional management, to allow the states the
16 greatest latitude to tailor their management to best fit the
17 needs of their individual stakeholders. Thank you for your
18 time.

19
20 **CHAIRMAN ANSON:** We have Jenny Thompson, followed by Mike Tryon.

21
22 **MS. JENNY THOMPSON:** Hi. My name is Jenny Thompson and I am
23 with Oceana. Thanks for the opportunity to talk with you today.
24 IUU fishing and seafood fraud are serious threats to honest
25 working U.S. fishermen. Work by Oceana, the government, and
26 others have demonstrated that fraud is common across the
27 country, with one-third of the fish and shrimp that we have
28 tested being mislabeled and up to one-third of imported seafood
29 coming from illegal fishing, worth \$2 billion.

30
31 We are grateful for the work of the Presidential Task Force and
32 NOAA to identify solutions to these problems and according to
33 the action plan, the proposed rule will be for the first phase
34 of traceability program for seafood at-risk of seafood fraud and
35 IUU fishing.

36
37 Because we expect the proposed rule to be out soon, the council
38 should take the opportunity to submit detailed comments in
39 support of the rule for the following reasons. The initial
40 phase will include thirteen species and species groups, of which
41 eight of these are caught in the Gulf of Mexico, far more than
42 any other region.

43
44 In the past year alone, there have been busts in the U.S. of
45 companies selling imported seafood as species of domestic
46 seafood. A Virginia company was repackaging imported crab and
47 selling it as domestic blue crab. A North Carolina company was
48 selling imported shrimp as wild-caught shrimp, Gulf shrimp, and

1 distributing that shrimp in the Gulf of Mexico and a Texas
2 company was selling Mexican-caught red snapper as U.S.-caught
3 fish.

4
5 This council and its members have expertise unlike other
6 councils or regions. We urge the council to use its advisory
7 panels, committees, technical staff, and full council to develop
8 comments to the task force during the upcoming comment period.

9
10 The Gulf of Mexico is also home to two of the most successful
11 traceability programs in the world, Gulf Wild for tracing reef
12 fish and the recently ended Gulf Seafood Trace, that at its end
13 had eighty-two enrollees and traced seventy-two-million pounds
14 of fish from boat to plate.

15
16 Gulf Wild has deep ties to the council, through council members,
17 advisors, and technical staff that function in various roles
18 with Gulf Wild. This expertise and the experience of the
19 council community with Gulf Wild should be part of the council
20 comments.

21
22 Similarly, Gulf Seafood Trace is a success story in seafood
23 traceability that built on existing trip ticket data collection
24 to power a robust traceability program throughout the supply
25 chain. The experience of GST participants and advisors should
26 also be included in the council's comments on the upcoming
27 traceability program.

28
29 Finally, the council should support the process of the task
30 force, but urge the administration to expand traceability to all
31 seafood in the extent of the entire supply chain, to ensure all
32 seafood is safe, legally-caught, and honestly-labeled. Stopping
33 traceability requirements at the first entry into U.S. commerce
34 will not stop seafood fraud further down the supply chain, which
35 is a common occurrence.

36
37 We would also like to note that traceability for a limited set
38 of species will only shift mislabeling to other species. Thank
39 you for considering these comments and Oceana would be happy to
40 provide more information to the council or staff about these
41 issues.

42
43 **CHAIRMAN ANSON:** Thank you. Mark Tryon, followed by Michael
44 Currey.

45
46 **MR. MARK TRYON:** My name is Mark Tryon and I'm a commercial
47 fisherman from Gulf Breeze, Florida. It's only about thirty-
48 five miles from here. It seems like every time I come here, to

1 these meetings, I end up talking about red snapper and I
2 promised myself that I wasn't going to do it today, but I
3 probably will if I have time left.

4
5 First, I want to talk about the triggerfish. On the commercial
6 side, I think as Captain Zurbrick mentioned before, you
7 basically made it mathematically impossible for us to catch the
8 quota with twelve fish. If you just do the math on the number
9 of trips being run and twelve fish, not to mention that we're
10 shut down for two months for the spawning, that's the reason we
11 didn't catch the quota.

12
13 I have been getting my twelve fish every time out, very easily,
14 within an hour or two, not culling any fish. I just try and
15 count them and put them in the box and be done with it and so I
16 think that needs to be loosened up a little bit, where you give
17 us a chance and raise it to twenty fish, maybe, and if we catch
18 the quota, then shut it down, but there are plenty of fish out
19 there, to the extent that it becomes a detriment to your snapper
20 fishing when there is hoards of triggerfish just tearing your
21 baits apart.

22
23 The second fish I wanted to talk about, that I really haven't
24 heard too much about today, is the king mackerel. Now, it's a
25 bycatch for me and I am in the Panhandle. I guess it's called
26 the north subzone or whatever you call it, you know over by
27 Pensacola here, and you folks moved our season back to October 1
28 and I will tell you it didn't work out too good for me, because
29 July 1, when the western Gulf was open, I couldn't fish where I
30 fish.

31
32 I fish off of Florida, for the most part, and then when it
33 finally opened up on October 1, the western Gulf fishermen's
34 season was still open and so these guys are fishing from July 1
35 all the way through when they finally caught their fish, which I
36 believe was in October some time. Then some of them undoubtedly
37 moved into our area and then caught the fish in our area and so
38 I got to catch very few king mackerel and I was very
39 disappointed in the way that turned out. I don't think that's
40 what was intended, okay.

41
42 Finally, on leasing, it seems that everybody is always
43 concentrating on the negative aspects of leasing rather than the
44 positive aspects and I lease some of my red snapper and some of
45 the grouper I have and red snapper, for the most part, goes to
46 fishermen in the eastern Gulf and then, for instance, sometimes,
47 at the end of the year, when I have a small balance left over
48 and I feel I can't catch it, then I will lease it to Mr. Krebs

1 over here at Ariel Seafood and he helped me out this year, the
2 last week of the season, and so you know I think you've got to
3 start recognizing some of the benefits and the positive aspects
4 and not just dwell on what people say who don't even understand
5 the fishery or problems. Thank you very much.

6
7 **CHAIRMAN ANSON:** Thank you. Michael Currey, followed by Bill
8 Staff.

9
10 **MR. MICHAEL CURREY:** Good afternoon, council. My name is
11 Michael Currey and I'm with Shimano American. I want to first
12 start off and thank the council for the opportunity for the Gulf
13 Focus Group. I think there's going to be a lot of good that
14 comes out of that, a lot of good minds put together and come up
15 with some solutions to provide the council, so it can stop
16 kicking the can down the road and get some stuff done.

17
18 Amendment 39, just like our government is set up, you've got a
19 federal government and a state government. I think that
20 provision needs to be relooked at and needs to have a little of
21 both mixed into it and I don't think we're quite where it needs
22 to be.

23
24 I had a bunch of notes written down, but I kind of want to
25 change directions a little bit. I keep hearing thing about
26 access, access to recreational anglers, and that scares me a
27 little bit. What is swimming out there behind us is a public
28 resource. It's for everyone in this room to share. It's not
29 for one person greater than the other. It is to be shared and
30 we are not sharing nicely in the sandbox, it seems, and public
31 access, again, scares me. It is for everyone to use.

32
33 The data that is collected and we use to gauge public access
34 isn't quite fair. We have unknown, which is a saltwater fishing
35 license, but just because someone has a saltwater fishing
36 license, we really don't know what he or she does with it.

37
38 We don't know if they offshore fish or we don't know if they
39 catch redfish or maybe they fish off their dock and they are
40 just trying to be legal, because in the State of Florida, to be
41 legal, you have to have a saltwater fishing license to fish off
42 of your own property, and so we really don't know what people do
43 with their licenses.

44
45 Another thing you can't assume is that a guy that just bought a
46 boat and just bought a house here and is going offshore to fish
47 actually knows what he's doing and is actually successful at
48 harvesting anything. He's just out there, possibly, taking his

1 family out and showing them, or trying to, and so it's not
2 really fair to take away more from someone that may not be
3 getting the full potential of what is assumed without proper
4 data.

5
6 Lastly, I know the charter boat guys have talked about
7 triggerfish. I love to bottom fish and I love to reef fish. I
8 am from Pensacola and I like to catch a few too myself and so
9 anything that the council can do for recreational anglers or for
10 charter boat guys, to give them the opportunity to extend any
11 seasons to be able to fish and provide for their families and
12 for the recreational angler to have opportunities to come down
13 from Atlanta in March or from Birmingham in February to take
14 advantage of something -- Any of those opportunities would be
15 greatly appreciated and it would help every single facet of the
16 marine industry, from boat manufacturing to tackle manufacturing
17 to tackle retailers to outfitters to dry storage to marinas to
18 fuel docks to everything. It all has an economic impact and
19 that's all I have. Thank you for your time.

20

21 **CHAIRMAN ANSON:** Thank you. Bill Staff, followed by Troy Frady.

22

23 **MR. BILL STAFF:** Bill Staff, Charter Boat Sea Spray. Guys,
24 after the Galveston council meeting, I looked at myself in the
25 mirror and I said, why do I keep coming to these meetings? We
26 overwhelmingly asked you all to keep us out of Amendment 39 and
27 either you all didn't hear us or you completely ignored us.

28

29 It's very expensive to come to these meetings, guys. It's time-
30 consuming and it's a lot of -- I need to be down there at my
31 boat right now, trying to get it ready to go to Louisiana, but
32 if I didn't come, I wouldn't get to see all of these smiling
33 faces and so here I am.

34

35 Please listen to us. We know what's best for us. We built
36 these businesses and we don't want any ownership of this
37 resource. We just want to be able to make a living, a viable
38 living. Forty-four days, sector separation, Amendment 40, was a
39 good place to start.

40

41 I support Action 2, Alternative 2. I think 39 would be great
42 for the purely recs, but not for us at this time. I have gone
43 another step. I have installed a VMS on my boat, trying to get
44 accountable. I will do whatever it takes to get this fishery
45 rolling, but I am not opposed to any other accountable data
46 program.

47

48 Do away with the sunset on 40 and move ahead with 41 and 42. I

1 think the headboat program, again, again, again, was a great
2 deal and we ought to have a model basically copied after that.
3 Please do whatever is necessary to make gray triggerfish have a
4 longer season and if it's a size limit increase or a bag limit
5 decrease. Thanks for my opportunity to speak.

6

7 **CHAIRMAN ANSON:** Troy Frady, followed by Ted Venker.

8

9 **MR. TROY FRADY:** Good afternoon. My name is Troy Frady and I'm
10 a charter boat captain here in Orange Beach, Alabama. I just
11 celebrated my thirteenth year in business and because of this
12 council, I have a new faith in where I'm going.

13

14 Just like anybody who goes into business for themselves, there
15 is a dream, an initial investment, there's a loan, and there's a
16 payback period. During that time, there is a period where you
17 have to identify who you are, who your customers are, and
18 hopefully to try and grow a customer base to where you can
19 eventually make a profit in the business.

20

21 Well, when this council asked us to come up with a plan a few
22 years ago, we started working on sector separation and I
23 honestly admit there was a time there a few years ago that I was
24 ready to try to sell my boat and get out of the business and go
25 back to the corporate world and be miserable again.

26

27 When sector separation passed, it gave me a renewed faith in
28 this process. As frustrating as it is and as controversial and
29 politicized, the system works, but what I am asking you to do is
30 to give people that are coming along behind me something to sink
31 their teeth into, something to really hang on to, in case they
32 ever want to leave the corporate world or enter into this
33 business of charter fishing.

34

35 You know I've seen a lot of animosity and I've seen a lot of
36 people go through different things and you know I just -- My
37 question to this council is we were given -- Our industry, the
38 charter fishing industry, was given a bunch of crap for even
39 thinking about sector separation and my question to this council
40 is are you going to give the same amount of crap to the private
41 recreational in Amendment 39?

42

43 We didn't deserve all the talk that you put out there attacking
44 us and attacking different ideas and I understand some of the
45 ideas that came about with the IFQs under sector separation were
46 controversial. I was never one that supported that stuff, but I
47 just wanted an opportunity to fish when I had an opportunity to
48 fish or when I had customers available.

1
2 All I'm asking you is if you treated us a certain way, I expect
3 the private recs to be treated with the same respect or, if you
4 choose to disrespect them, you treat them the same way you
5 treated us trying to get Amendment 40 through.

6
7 I am kind of upset about the triggerfish. You know with a
8 payback on triggerfish, you know and last year the MRIP numbers
9 came back in the first wave and showed we caught a lot more
10 fish, I think we can do better with triggerfish.

11
12 I don't like starting a season and wondering if we're going to
13 have triggerfish or not and so, please, a one-fish bag limit or
14 whatever it may be. Mr. Chairman, I will be through in just a
15 second.

16
17 Amendment 39, please keep it moving forward, but please leave
18 the charter for-hire industry out of that equation. Amendment
19 40 for us has been great so far and please continue working on
20 41 and 42 and I thank you so much for the opportunity to speak
21 to you.

22
23 **CHAIRMAN ANSON:** We have Ted Venker, followed by Blakeley Ellis.

24
25 **MR. TED VENKER:** Thank you, Chairman Anson and members of the
26 council. My name is Ted Venker and I'm with the Coastal
27 Conservation Association, which has about 80,000 members along
28 the Gulf Coast.

29
30 I am here today simply to echo the course of action that was
31 laid out earlier by Chris Horton and the Congressional
32 Sportsmen's Foundation regarding the Gulf Angler Focus Group.
33 We ask that the council defer action on the formation of the
34 recreational angling advisory panel until that focus group has
35 had an opportunity to sift through the options that are
36 available to us in this venue.

37
38 We understand there was some discussion yesterday that indicates
39 that the council might be willing to do that, to give the focus
40 group some time to act, and we appreciate that.

41
42 Also, on Amendment 39, CCA fully supported the original intent
43 behind that amendment, which was to give the states greater
44 responsibility and flexibility to manage the red snapper fishery
45 for the stakeholders in that state. The current version of
46 Amendment 39, I think everybody would agree it's been through
47 significant changes and modifications and it may have been
48 buried under the details that have emerged.

1
2 The council itself is obviously deeply divided over which way it
3 wants to go and we would urge the council to either return to
4 the original intent of Amendment 39 and, if that proves
5 impossible, then maybe it should just be shelved until we have a
6 clearer vision for it. Mr. Chairman, that's all I had to
7 comment on today. Thank you.

8
9 **CHAIRMAN ANSON:** Thank you. Blakeley Ellis, followed by Dale
10 Woodruff.

11
12 **MR. BLAKELEY ELLIS:** Once again, my name is Blakeley Ellis and I
13 am a recreational fisherman and I access the resource through
14 another individual's boat. They are friends of mine and they
15 are people that I sold boats to when I was selling boats. I
16 sold them a twenty-foot boat and they moved up to a twenty-
17 three-foot boat and so on and so on, up until they finally
18 landed on a thirty-three-foot boat and they spent a pretty good
19 bit of money to purchase that, but that boat is now on the
20 market and they are cashing out. They are getting out of it and
21 they enjoyed snapper fishing and I enjoyed snapper fishing with
22 them and so we're going to have to figure something else out.

23
24 It's not -- It doesn't seem like things are working out in our
25 favor or fairly. I do appreciate you all allowing this
26 recreational advisory group to work through and come up with
27 some ideas and come back to the council with some ideas that we
28 could potentially work with and so I appreciate you all's
29 consideration on that.

30
31 On Amendment 39, echoing what some of the others have said, I
32 don't think any of the options really were what it was
33 originally intended to do and either to table that or go back
34 and look at what its original intent was. With that Amendment
35 39, I don't feel like, with any of those options, we get the
36 chance to give more control and allow those local state
37 officials, like in Alabama, Kevin Anson and Chris Blankenship,
38 and our Department of Conservation, to manage those fish that
39 live on those reefs that we call had a hand in putting out
40 there, the state, the charter guys, the private recreational
41 guys, and the commercial guys.

42
43 We put a lot of money and a lot of reefs out there and I feel
44 like we've got a pretty good pulse of it and so I think that's
45 all I've got. Thank you for your time.

46
47 **CHAIRMAN ANSON:** We have Dale Woodruff, followed by Mike
48 Thierry. A council member had asked if we were going to be

1 taking a break and we have about thirty-five more folks that
2 want to speak and so we're going to just keep going. Mr.
3 Woodruff.

4
5 **MR. DALE WOODRUFF:** My name is Dale Woodruff and I have two
6 charter boats, Baby Blue and the Class Act. One is federally-
7 permitted and one is dual-permitted, charter and commercial.
8 Again, you all know where I stand on the state management. I
9 don't like sitting here looking at empty seats when I only get
10 three minutes to speak, but I know where he stands and he's good
11 and he can go.

12
13 We want to stay under federal management. The charter for-hire
14 industry has come here time and time and time and time and time
15 again and I mean I understand if these guys, the state guys or
16 recreational, private recreational, want regional management,
17 give it to them. You've got nine miles now and it's out there
18 for the taking. I mean it's there.

19
20 Texas, you're already in the game. You're ahead of the program.
21 Mississippi, you can follow, but I would like to say for the
22 Amendment 40 that it was awesome this year. Last year, I got
23 forty-four days to fish and it was great. It was a good
24 business booster.

25
26 To the great State of Mississippi, and that's why I wish Roy
27 Williams was here, and I don't see him, but I am using some of
28 your mechanics and people over there to put new motors in my
29 boat, for that forty-four days. I am spending over \$40,000 in
30 the State of Mississippi because I had a robust season and I got
31 to add profit. Profit, in turn, generates business too and not
32 just -- You know, I can say it also helps me because I am just
33 now putting my first son through college and, luckily, I haven't
34 had to put him through the wall, but at least I got to put him
35 into college and I've got six more to follow. It would be great
36 if I had a bigger season. I could put them all through college
37 and they would not have to be a fisherman.

38
39 If you want to limit access to the business, I've got seven
40 children. I mean, you know, do the math. I love kids and
41 that's why I have them. I know what causes that. It's my love
42 for children.

43
44 You know, to Amendment 41 and 42, let's move on with this, guys.
45 Again, you know we've been here time and time again and working
46 hard to try to get this going. I would like to eventually see
47 the -- You know, we get another year under our belt with
48 Amendment 40, if 41 isn't moved forward and we know 39 is in a

1 downward spiral on who is going to agree on what and I don't
2 have very much longer, but maybe even seeing a customized buffer
3 for the charter for-hire, since we were 3 percent under on the
4 preliminary landings.

5
6 VMS on the boats, a lot of people say they're against it and,
7 hey, you had better not put your cell phone on a boat anymore,
8 because that's a VMS and radars, they can get your spots too and
9 you had better not leave the dock.

10
11 Trigger, one per person and keep the same size and, to the great
12 Americans behind me, final action is tomorrow and you all need
13 to be here to stare these people in the eyes when they vote on
14 39 and so thank you all and God bless.

15
16 **CHAIRMAN ANSON:** Mike Thierry, followed by Mike Graef.

17
18 **MR. MIKE THIERRY:** Thank you, all. Mike Thierry from Dauphin
19 Island, Alabama. I've been fishing in the Gulf for over fifty
20 years now. It became very clear to me yesterday, after the vote
21 to remove the sunset clause from Amendment 40, that this council
22 needs to pull together.

23
24 They need to stop the politics. They need to put them aside and
25 they need to listen to the user groups, the people that are
26 using this, so we will, down the road, have a charter/headboat
27 industry and the people that are depending on that industry will
28 still be able to be here and make a living.

29
30 The headboat pilot program was a huge success and we need to
31 work on that and continue on with that. We need to move a
32 similar program like that into the charter industry. It worked.
33 I don't know of anything negative that came out about it.
34 Accountability was there within several fish and it was just
35 really good.

36
37 On state management, I am against the charter/headboats being
38 included. If the recreational sector thinks this is best for
39 them, then I will support that. I will help them with it.

40
41 We need a March 1 opening on triggerfish. A one-fish bag limit
42 is fine. You know, as soon as possible. We have talked about
43 this before and we have not acted on it and it's really time to
44 act, guys. We need something we can catch.

45
46 On Amendment 41, we need a system, again, like the headboat
47 system. We need some flexibility and we need to be able to
48 catch these fish when we need to catch them, when the weather

1 lets us and when this is what our customers want, to help spread
2 the season out and better access for our customers.

3
4 We need and support electronic data collection in the charter
5 and headboat industry. We would like to see that move forward
6 as fast as possible and thank you all very much.

7
8 **CHAIRMAN ANSON:** Mike Graef, followed by Jillian Williams.

9
10 **MR. MIKE GRAEF:** Good afternoon, everybody, and thank you for
11 hearing me. My name is Mike Graef and I own the Charter Boat
12 Huntress in Destin, Florida. I think Bill Staff summed it up
13 pretty well as far as my feelings on everything.

14
15 On triggerfish, a March 1 opening. The only thing I disagree
16 with, Bill, is the sixteen-inch raise in size. Every time you
17 increase the size on any species, you're going to have a larger
18 bycatch mortality rate and you're going to take those fish off
19 the top next year and they're going to float away and we're not
20 going to get credit for them and so I would like that to stay at
21 fourteen inches.

22
23 I oppose Amendment 39 all the way across the board. I have no
24 idea why the charter industry was tried to be pulled into this
25 amendment, other than they want our fish.

26
27 Please remove the sunset provision from Amendment 40. Push
28 forward electronic logbooks, paper logbooks, tablets, anything,
29 with or without VMS. I mean if you've got to use a carrier
30 pigeon to get this data, please do it.

31
32 Amendments 41 and 42, I am asking you to move forward on both.
33 I think the charter for-hire industry will benefit greatly.
34 Thank you very much.

35
36 **CHAIRMAN ANSON:** Jillian Williams, followed by Cody Carter.

37
38 **MS. JILLIAN WILLIAMS:** Hello, everyone. I am Jillian Williams,
39 a fourth-generation captain for Williams Partyboats from
40 Galveston, Texas. I am here and I am in support of Action 2,
41 Alternative 2 on Amendment 39 and please do not include us in
42 Amendment 39. Most of us do not wish to be in there and so
43 please take that into consideration.

44
45 Please move forward with Amendment 41 and 42. The pilot program
46 that we had for us the last two years unfortunately came to an
47 end, but it really did work very well for us and it gave us a
48 lot more flexibility in our business and how we could run things

1 and I would really love to see us have something like that for
2 everyone in the future.

3
4 The pilot program was good, because we were able to provide you
5 all with good data and you knew exactly what we were catching
6 and we didn't overfish. We actually, unfortunately, didn't get
7 to use all of our fish, because Texas weather wasn't so great
8 this fall when we got some of it given to us at the end there,
9 but it really has made a big difference in how we can run our
10 business.

11
12 You know my father never wanted me to become a captain. He
13 discouraged me in every way possible from getting into this
14 industry, because he was so scared of what the future was going
15 to have for us, because we don't know right now. We don't have
16 enough stability in our futures and he doesn't want me to have
17 to struggle through this like he has for so many years.

18
19 I am stubborn and I didn't listen and I'm doing it anyway, but
20 my son, he wants to be a captain now also and that child loves
21 fishing more than anyone I have ever met on this planet and I
22 understand why my dad was so worried right now, because I am
23 worried about him wanting to do this in the future also and so I
24 would just ask for you to please give us some kind of stability
25 and options for us to run our business and keep my family going.
26 Thank you.

27
28 **CHAIRMAN ANSON:** Cody Carter, followed by Mike Jennings.

29
30 **MR. CODY CARTER:** I am Cody Carter and I'm a headboat captain
31 out of Galveston. I do support 41 and 42. 39 is fine, but I
32 don't want to be involved in it with my headboat. I also would
33 like to see federal loans for commercial, because I have moved
34 from a small town in Texas and had never been offshore in my
35 life and now I'm looking to get into commercial fishing full-
36 time. Thank you, all.

37
38 **CHAIRMAN ANSON:** Mike Jennings, followed by Buddy Guindon.

39
40 **MR. MIKE JENNINGS:** My name is Mike Jennings and I am the
41 President of the Charter Fishermen's Association and I also own
42 and operate two federally-permitted charter boats out of
43 Freeport, Texas.

44
45 I will make this real quick. We keep coming up here each
46 meeting and we ask that you all leave the charter boats out of
47 Amendment 39, if the council so chooses, and if that's something
48 the private recreational anglers would like to explore, I think

1 it's something that we should step out of the way of and just
2 leave us out of it. We don't want no part of it and it goes
3 back to Corky Perret's trust and faith issue that always comes
4 to mind when we start talking about Amendment 39.

5
6 Please move forward with Amendment 41 and 42 and we would like
7 to see you all go ahead and remove that sunset provision. It
8 was odd sitting back here yesterday listening to the council
9 talk about the motion that was made to remove the sunset
10 provision.

11
12 I often wonder, for myself, what it's like sitting at that table
13 and wondering if the people in the audience really understand
14 what you're seeing from your perspective and your position
15 versus the way we see it from the outside looking in, but there
16 were some comments made yesterday that make me wonder if me or
17 you see it, in any shape, fashion, or form, anywhere near the
18 same.

19
20 You know one of my captains that works for me right now was
21 twelve years old when I first started at this podium about
22 sector separation, yet I heard a council member say yesterday
23 that we're going to rush through it. Really? We are going to
24 rush through it? I find that as disingenuous as I can.

25
26 Then there were some comments that said that that provision was
27 put in there to hurry the council along on the process of 41 and
28 42. The perception is that it was put in there kind of
29 disingenuinely, as the ability to get some compromises made, so
30 that you could just dig your heels in and do nothing and watch
31 it die a slow death.

32
33 We haven't rushed through anything when it comes to that, ladies
34 and gentlemen. These people have been walking up here asking
35 you to let them do their jobs for years, which is shameful, to
36 have to come up here and do that over and over and over again
37 for years and we would like to see you make some movement on it
38 and we're asking you to just move forward with it.

39
40 The charter boats have an idea of what they want to do and I
41 think they're better at coming up with that than someone who
42 doesn't understand their businesses and that is no disrespect
43 meant to this council whatsoever and so I appreciate your time
44 and thank you, all.

45
46 **CHAIRMAN ANSON:** Buddy Guindon, followed by Skipper Thierry.

47
48 **MR. BUDDY GUINDON:** Hello. My name is Buddy Guindon, Executive

1 Director of the Reef Fish Shareholder's Alliance, commercial
2 fisherman, fish house owner, and fisheries advocate. I'm
3 somebody who cares a lot about the red snapper fishery. It's
4 made me a good living and it's provided me the ability to have
5 my family around me all the time and in my business.

6
7 When I look at some of the things that are proposed in the
8 amendments that will change the red snapper IFQ, it worries me,
9 because I remember back during the Gulf oil spill when a lot of
10 my friends over in the eastern Gulf didn't have an opportunity
11 to harvest their fish and they were stressed over it and they
12 had bills to pay and they called me on the phone and said,
13 you're over there and can you do something?

14
15 I did a lot of things. I brought boats over there from the
16 eastern Gulf and I took quota and had boats harvest it and made
17 sure these people made a living, a decent living, a living that
18 they could raise their families on.

19
20 I have also taken people that were sick and injured and didn't
21 have the ability or their boat is broken down and I've taken
22 their fish and made sure they got harvested, whether it had been
23 in the eastern Gulf, where there's a need that I continually
24 take care of. If I get a call on the phone that somebody needs
25 quota, I do my best to address that and I've done it many, many
26 times and I'm sure it's on the record with National Marine
27 Fisheries, all the trades that I've made.

28
29 I hope that you, in your wisdom, will take the advice of someone
30 in my position who has worked very hard to make this system
31 work, with the Shareholder's Alliance and building a quota bank,
32 to try to reach out to new people and get them involved in
33 leasing and trading, trying to eliminate the discard problem.

34
35 My push to get to a zero-discard fishery is really important to
36 me and it won't work without a fully tradable exchange in these
37 quota shares and if you try to limit a system that's driven by
38 economics and you put restrictions on it, you cause
39 inefficiencies and those inefficiencies cost people money and
40 time and energy and take the profit out of the business.

41
42 As you move forward with these suggestions, please talk to the
43 people that are participating at a large scale, because they
44 probably have the most knowledge. They are the ones that deal
45 with a lot of the small-scale fishermen. I have five new
46 entrants at my fish house that pool their money every month and
47 maybe only we can buy a hundred pounds a year of red snapper
48 quota, but they get to split that amongst them and become

1 entrants in the fishery. I always tell them that you can spend
2 forty-bucks in the bar or you can invest forty-bucks into the
3 future of your business and your family and it's worked very
4 well. Is there any questions?

5
6 **CHAIRMAN ANSON:** Roy.

7
8 **MR. WILLIAMS:** Not a question, but when you said all those kinds
9 of things you were at the start, you left out reality TV star.

10
11 **MR. GUINDON:** I'm not on TV yet. I will be though. You're
12 right, Roy. February 3 on National Geographic at 8:00, central
13 time. Some of you will be on there with me.

14
15 **CHAIRMAN ANSON:** David.

16
17 **MR. WALKER:** Buddy, there's a lot going on. There's 36 and so
18 many, but I have a question. What if there was a rule requiring
19 a shareholder to harvest say 30 percent of the shares or require
20 a boat and a permit to have those shares? What are your
21 thoughts on some of these things? I'm sure you've been reading
22 the document.

23
24 **MR. GUINDON:** Yes, I feel very strongly on that one especially,
25 because one of the reasons we implemented the individual fishing
26 quota system was to reduce capacity and I will tell you that if
27 it was me and you told me that I had to harvest 30 percent of my
28 fish, the cost and the expense of having a boat and keeping a
29 boat and maintaining a boat and maintaining a crew and the
30 liability involved, I would just go ahead and fish all of my
31 fish and I think that's what will happen, is you'll put more
32 fishing boats in the fishery again.

33
34 You're going to put more fishermen on the water and you're going
35 to eliminate the guys that I have helped get into this business.
36 They are small participants. They're young people. They're the
37 future of our business. They're the new entrants that everybody
38 keeps looking for, only they get the chance, like I did, to earn
39 a living in the fishery and build a business.

40
41 It was ramped up pretty highly when we got the individual
42 fishing quota system, but, still, I spent twenty-five years in
43 the business before that, building a business. I already had
44 Katie's and four permits and four boats working and so while the
45 individual fishing quota system boosted that up quite a bit, it
46 was still something you had to work your way into.

47
48 I feel like anything you do with trying to direct how quota

1 shares are managed and shared and owned is going to change the
2 direction of the individual fishing quota system. It's going to
3 build inefficiencies into the system. Thanks for your question.

4
5 **MR. WALKER:** I have another question, Buddy. Let's say you just
6 have the one boat or whatever and you got injured. I mean what
7 would you do? Would you lease out your shares?

8
9 **MR. GUINDON:** Yes, I think that would be -- You know, I guess I
10 could hire someone to run a boat or you could lease out your
11 shares, but I think that's the thing we've got to consider here,
12 is that we're going to put in a restriction that's going to
13 cause hardship in the future and if you were -- If you got in a
14 car wreck and you were paralyzed or brain dead and your family
15 is sitting there with you on a machine and now they have to go
16 figure out how to fish 30 percent of your quota?

17
18 I think that the way things are set up is working for the people
19 that are actually involved in the fishery and there's people,
20 like that was in that article, that had 12,000 pounds of fish
21 and had he held on to that it would worth -- He had to have four
22 times as much fish as he had then and they would be worth four
23 times as much.

24
25 Where we missed the boat was in the beginning in not saying that
26 people should have to hang on to their shares for a couple of
27 years to see how this was going to work out and then there
28 wouldn't be these people that are upset with themselves, but
29 complaining to the public to say this is a bad system because I
30 sold my fish. Thank you.

31
32 **CHAIRMAN ANSON:** All right. Thank you, Buddy. Skipper Thierry,
33 followed by Susan Boggs.

34
35 **MR. SKIPPER THIERRY:** Good afternoon. I am Skipper Thierry and
36 I have a headboat out of Dauphin Island. Please move forward
37 with Amendments 41 and 42. Obviously you have to have a stable
38 program to plan anything for your business.

39
40 It's been said again and again and I think you have an awesome
41 blueprint for the Amendment 42 and the Headboat Collaborative.
42 Don't complicate it. I doubt it's perfect and nothing is. You
43 know you may need to add a little or take a little out, but the
44 nuts and bolts are there. Take a close look at the
45 recommendations of the Headboat AP. We were almost unanimous in
46 all of our ideas. We have spoken very clearly.

47
48 Obviously Amendment 41 is a little further out, but it could

1 follow somewhat along those lines. Co-ops, it seems to me that
2 co-ops seem like an unnecessary complication, in both 41 and 42.

3
4 Like everybody else has said, please move Amendment 39 forward
5 for the private angler only and leave the charter boats out.
6 Let's look at what a one-fish bag limit would do for
7 triggerfish, for sure, and a March opening would be great, as I
8 haven't caught one in two years. It's been closed before I got
9 started fishing.

10
11 Kind of to echo what Dale said, Amendment 40 gave me just that
12 little bit of confidence to repower my boat last year and I just
13 really hope it wasn't false confidence, because it's going to
14 take a while to recoup that, certainly longer than the sunset on
15 Amendment 40 and so please remove the sunset and let us get our
16 house in order. Thank you.

17
18 **CHAIRMAN ANSON:** Susan Boggs, followed by Cliff Cox.

19
20 **MS. SUSAN BOGGS:** Good afternoon. My name is Susan Boggs and my
21 husband, Randy, and I own a charter boat, two headboats, charter
22 office, dock store, and now we can add marina owner to our list.

23
24 I want to thank Roy Williams for asking the people with the Gulf
25 Angler Focus Group about including the charter for-hire and the
26 headboats in this. Those people that fish on the charter boats
27 and the headboats are a recreational angler. They just don't
28 have access, because they don't own their own vessel, and I
29 think sometimes people lose sight of that.

30
31 As far as Amendment 39, I just wish it would go away, but,
32 otherwise, I support Action 2, Alternative 2. Amendment 41, I
33 think it's a step in the right direction for the charter for-
34 hire vessels. I think with this pilot test they're doing with
35 the electronic logbooks and reporting is excellent and as far as
36 Amendment 42, we need to fast-track it.

37
38 You've got two years of history with the Gulf Headboat
39 Collaborative and there has not been one negative that I have
40 seen from it and there should be no reason that we don't push
41 forward with that.

42
43 I wish you would include all five species in the Amendment 42.
44 We're sitting here talking about triggerfish and this would be a
45 way to solve our issues with triggerfish and all these other
46 species that we've been discussing and I appreciate your time
47 today and thank you.

48

1 **CHAIRMAN ANSON:** Cliff Cox, followed by George Brown.

2
3 **MR. CLIFF COX:** I would like to thank the council for the
4 opportunity to speak today and also for your efforts back in
5 2012 with the exempted fishing permit and allowing us to get
6 this pilot program done for the headboats.

7
8 The pilot program itself was very successful. It allowed a lot
9 of our customers that have been shut out of the snapper fishery
10 and gag grouper fishery for a long time to once again
11 participate in it and we just had thousands of positive comments
12 from our customers, in the form of surveys stating that.

13
14 I definitely, after two years of participating in that program,
15 I firmly believe that quota-style management is the way of the
16 future and when they give you a quota and you catch them and
17 you're done, you're not going to overfish and that's been the
18 crux of the problem, is overfishing and so anything we can do to
19 further that along is great.

20
21 I was on that AP panel for the headboats and most of the things
22 we decided on were unanimous and I would like to see that
23 Amendment 42 pushed forward. I am sure there's probably going
24 to be a few tweaks we need to make along the way, but I think --
25 You know we had a pilot program for two years and it was very
26 successful and the commercial fishermen have been fishing in an
27 IFQ system for seven or eight years now and it's been very
28 successful.

29
30 As many things that are wrong with this fishery, I don't think
31 we need to mess with things that are working. You know we've
32 got some things that are working and let's don't mess with them.
33 Let's just keep pushing forward and trying to better the things
34 that aren't working.

35
36 I don't think we need co-ops in this Amendment 42 or 41. We
37 have a clear path and an example is done and I don't think the -
38 - I think the co-ops are going to murky the water and I don't
39 even think they're legal in all the states and so I don't think
40 we need to go there.

41
42 I do think we need to keep quota transfers available in this
43 thing as we move forward. I think we can see what's happening
44 in the collaborative and what is happening in the commercial
45 IFQs. I think it's vital that those stay in there. I think the
46 five species, major species, need to be included in this thing.
47 I support Amendment 41 and 42.

48

1 I don't think that -- If Amendment 39, if it doesn't get tabled
2 or shelved or thrown out completely, the charter for-hire does
3 not need to be included in it. I don't believe state management
4 is going to work and it would be very detrimental for a lot of
5 the states. I think that's all I have. Thank you for the
6 opportunity.

7
8 **CHAIRMAN ANSON:** Thank you. George Brown, followed by Dennis
9 McKay.

10
11 **MR. GEORGE BROWN:** Hi, I'm George Brown and I'm actually an
12 Episcopal clergyman out of Texas and I do some conservation work
13 in Texas and in Africa as well, wildlife management and so
14 forth, but I am here as a recreational private fisherman and I'm
15 asking that you all move the advisory panel forward. It sounds
16 like your charter for-hire guys mostly don't want to be a part
17 of it and that's cool with me, but I would like a venue, a
18 context, within which voices like mine could be heard and that's
19 all I've got.

20
21 **CHAIRMAN ANSON:** Mr. Brown, we have a question.

22
23 **MR. WILLIAMS:** Mr. Brown, perhaps you, like me, had not heard of
24 this new focus group that has formed. I mean I don't know what
25 the council is going to do with this advisory panel that you
26 were speaking in favor of. I mean if we don't do it, maybe
27 there is a chance for you to become part of this focus group and
28 I don't know. I don't know what your interest is, but --

29
30 **MR. G. BROWN:** Sure. I am happy to talk about it and happy to
31 help however I can.

32
33 **MR. WILLIAMS:** Mr. Haddad and Mr. Horton are here and perhaps
34 you could contribute to that in some way.

35
36 **MR. G. BROWN:** Sure. I would be happy to talk to anybody.
37 Thanks.

38
39 **CHAIRMAN ANSON:** We have Dennis McKay, followed by Brian Hartz.

40
41 **MR. DENNIS MCKAY:** I promise to be brief, but it's good to see
42 you all again. My name is Dennis McKay and I'm a private
43 recreational angler from Alabama. I grew up in Alabama. Also,
44 I own two boats and I also lived in Pensacola for five years and
45 these are my home waters.

46
47 I am calling on the council to convene a private recreational AP
48 regarding the management of red snapper, because I want my voice

1 heard as well as the voices of other recreational fishermen like
2 me regarding our shared resources. Thank you for your time.

3

4 **CHAIRMAN ANSON:** Brian Hartz, followed by Chad Haggert.

5

6 **MR. BRIAN HARTZ:** Good afternoon. I am Brian Hartz and I'm from
7 St. Petersburg, Florida. I came here to ask the council to
8 convene a private recreational advisory panel regarding the red
9 snapper fishery management and sustainably manage that fishery.

10

11 I am a freelance journalist and I've written on some
12 conservation and environmental issues regarding the Gulf of
13 Mexico and this issue came to my attention and just as a
14 concerned citizen and journalist and recreational boater and
15 fisherman, I just think everyone's voice should be heard and
16 that's why I am asking the council to convene the private
17 recreational advisory panel. Thanks.

18

19 **CHAIRMAN ANSON:** Mr. Hartz, we have a question for you.

20

21 **MS. BOSARGE:** We had a conversation about it yesterday, about
22 this panel, and I don't think we've come to a decision on if
23 we're going to convene that panel or not, but even if we don't
24 convene that specific AP, I hope that you will get involved in
25 this council process and make sure that voices like yours are
26 heard. It's not only important for us to hear your voice, but
27 as a journalist, you also reach a lot of people and so we're
28 glad you're here.

29

30 **MR. HARTZ:** I would be happy to, yes. I have written about some
31 topics like ocean acidification and the Gulf restoration process
32 from the oil spill and yes, this is an issue that has definitely
33 kind of peaked my interest and so I appreciate you guys opening
34 up this forum to everyone and so thanks.

35

36 **CHAIRMAN ANSON:** Chad Haggert, followed by Jim Clements.

37

38 **MR. CHAD HAGGERT:** Good afternoon, council. My name is Chad
39 Haggert and I am a third-generation fisherman out of Clearwater,
40 Florida. I am also owner and captain of the Double Eagle
41 Fishing Fleet, two partyboats, out of Clearwater Beach.

42

43 It's been a while since I've been here and there are a lot of
44 new faces on the council. Not that I didn't want to be
45 attending these meetings, but I have been fairly busy with my
46 business, thanks to a program I think maybe some of you have
47 heard of, the exempted fishing permit for the Headboat
48 Collaborative.

1
2 It has helped my business tremendously with no drawbacks, other
3 than the fact that it has ended now. I am here to ask the
4 council to move forward with Amendment 42, keeping it based
5 primarily on what the exempted fishing permit was. The
6 individual quota has worked well and being able to trade those
7 fish worked well.

8
9 I also think, as was reported in the headboat advisory, that we
10 should expand it and be able to include the five managed
11 species.

12
13 I am against Amendment 39 as it is right now. I know that there
14 are some that think it will be a successful way to manage it and
15 if it does move forward, I would ask that the charter for-hire
16 fleet be removed from it.

17
18 I also think that Amendment 41 for the charter boats, as well as
19 this two-year program has worked for the headboats, it will be
20 best for them to be able to move forward with a plan that will
21 be very similar and help them have the flexibility to run their
22 businesses as they think they need to. Thank you.

23
24 **CHAIRMAN ANSON:** Jim Clements, followed by Joe Nash.

25
26 **MR. JIM CLEMENTS:** My name is Jim Clements and I'm a commercial
27 fisherman from Carrabelle, Florida. I would like to talk about
28 Amendment 36. The IFQ program directly affects my livelihood
29 and my family's livelihood. I applied and was appointed to the
30 Grouper/Tilefish IFQ AP, which was comprised of mostly
31 commercial fishermen.

32
33 The AP considered most of the options that are in Amendment 36.
34 We discussed them and made motions to the council. After many
35 public hearings and thorough analysis were performed by that
36 council, some motions were rejected and others were selected.
37 We didn't like the red tape and the things required for law
38 enforcement to begin with, but now, I don't know of any
39 substantial IFQ participant who would even think of going back
40 to the broken system we had before the IFQ.

41
42 We as commercial fishermen are improving the program ourselves.
43 I am a board member of the Shareholder's Alliance and last year,
44 we created a red snapper quota bank to provide allocation, which
45 was leased only to participants in the eastern Gulf to reduce
46 dead discards.

47
48 All the board members and other concerned commercial fishermen

1 freely donated a portion of our own allocation. The proceeds
2 are reinvested so that the amount of allocation to be leased
3 will grow each year. We are promoting conservation and the
4 reduction of dead discards means the quota for all sectors will
5 increase.

6
7 The present IFQ program meets all the goals and the purpose and
8 need of the amendment that created it. It is a total success.
9 All Amendment 36 does is throw a monkey wrench into the program.
10 I believe that Amendment 36 should be considered, but rejected.

11
12 At the very least, it should be tabled until the council
13 appoints a new Red Snapper IFQ AP made up of commercial red
14 snapper stakeholders, both large and small, who thoroughly
15 understand the program. Many of the members of the present Red
16 Snapper AP are not participants in the program and have stated
17 that they are vehemently opposed to any form of IFQs. Do you
18 really think they are going to improve the program, which is the
19 purpose of this amendment?

20
21 The original red snapper IFQ AP members, who are still in the
22 fishery and designed the program to begin with, should be on the
23 panel and make any recommendations needed to improve the
24 program. They are the ones who live the program 24/7 and their
25 livelihoods and families depend on it. Thank you.

26
27 **CHAIRMAN ANSON:** Thank you, Mr. Clements. Joe Nash, followed by
28 Kyle Lowe.

29
30 **MR. JOE NASH:** Hello. My name is Joe Nash from Cool Change
31 Charters right out of here in Orange Beach, Alabama. I would
32 like to see you go forward with Amendment 41 and 42 and keep
33 working on it.

34
35 It has been basically unanimous, in case you haven't heard, that
36 nobody really wants charter boats in Amendment 39 and so could
37 you think about that when you're voting tomorrow, that the
38 people have spoke that we don't want to be involved? Charter
39 boats do not want to be in Amendment Number 39.

40
41 We would like to remove the sunset clause. That would be nice
42 for our sector separation. It's good for bringing stability to
43 the business. We went ahead this year and rebuilt our motors as
44 well, because we are in business and we like to keep our
45 machinery up-to-date. A lot of people have been doing that and
46 that's because it seems like we're going to have some kind of
47 stability. We have finally made one giant step to at least get
48 that on the board.

1
2 Recreational anglers, you know I mean we're starting to hear a
3 little bit more from the recreational anglers, which is a good
4 thing. They should have been involved in this the whole time.
5 We are not hiding anything from them. We just are a business
6 and we're a bunch of people that have an interest in the Gulf of
7 Mexico. We work in it every day.

8
9 We take recreational anglers fishing. A recreational angler
10 that goes fishing with us is usually just a one-time thing and
11 so we take a lot of people out fishing that experience the
12 fishery and I mean I know people buy boats and want to go out
13 fishing and catch all the red snapper in the world they want,
14 but I mean just how much fish do you really need in your
15 freezer? It's kind of like deer hunting. How much deer do you
16 really need to kill?

17
18 The people we take, they are not looking to fill their freezer.
19 They just want a couple of fish to take home and go eat and have
20 a good time, but I just want to kind of see our stability to
21 stay in this business and keep sector separation and take the
22 sunset clause out.

23
24 Like I said earlier, with the state regional management, we do
25 not want to be a part of regional management and I think that
26 has been redundant and so please keep that when you go to vote.
27 Thank you.

28
29 **CHAIRMAN ANSON:** Thank you. We have Kyle Lowe, followed by
30 Bubba Cochrane.

31
32 **MR. KYLE LOWE:** I am just going to reiterate what has been
33 repeated many times today. I am Captain Kyle Lowe, Charter Boat
34 Special K, Destin, Florida. I would like to see the for-hire
35 sector excluded from Amendment 39. With Amendment 41 and 42,
36 we're working towards management solutions. I want no part of
37 regional or state management.

38
39 I would like the charter for-hire sector to continue to move
40 forward in developing a fisheries-management plan and I would
41 also like to see us push forward with some type of electronic
42 reporting system to allow more accurate data and accountability.
43 Furthermore, I would like to see a March opening for the gray
44 triggerfish that would allow us to actually participate in the
45 fishery. Thank you.

46
47 **CHAIRMAN ANSON:** Bubba Cochrane, followed by Jason Vicars.
48

1 **MR. BUBBA COCHRANE:** Bubba Cochran, commercial fisherman from
2 Galveston, Texas, and also President of the Reef Fish
3 Shareholder's Alliance. I am here today to comment on Amendment
4 36, Modifications to the Red Snapper IFQ Program.

5
6 I feel that the red snapper IFQ program has been an incredible
7 success and is currently working to achieve its original goals.
8 The proposed changes in Amendment 36 do not all seem to help
9 improve the red snapper IFQ. In fact, some seem likely they may
10 even hurt the program.

11
12 The idea that some shareholders have an unfair advantage because
13 they have made the choice to lease out their allocation to other
14 fishermen is ridiculous. Most of these shareholders have fished
15 their whole lives and have earned the right to manage their
16 allocation however works best for them. Taking away the choice
17 eliminated the flexibility that was the intent when the IFQ was
18 first created.

19
20 Obviously there is a need for these leasing transactions. No
21 one is forcing fishermen to lease red snapper. The idea that
22 poor, hard-working commercial fishermen are getting the short
23 end of the stick because they are forced to lease allocation is
24 just not true.

25
26 Commercial red snapper fishing during the derby was a tough way
27 to make a living, but I think now we can all agree that it is
28 pretty easy under the current IFQ system. The captains I talk
29 to in Galveston are more than happy to lease red snapper
30 allocation from anyone willing to do so.

31
32 Taking shares away from individuals because they lease out their
33 allocation to fishermen that want it is wrong. In many cases,
34 these fish are being leased to reduce discards as well. I think
35 if this council somehow eliminates shareholders' ability to sell
36 or lease allocation to other fishermen that it will create a
37 whole other host of problems that may actually damage the
38 progress that IFQ has made in achieving its goals. Thank you.

39
40 **CHAIRMAN ANSON:** Bubba, we have a question from David.

41
42 **MR. WALKER:** Bubba, I was going to ask you a question about the
43 inactive accounts. There are some fish in accounts that has
44 never been activated and would you support redistributing those
45 into the quota bank that you speak about with the shareholders,
46 so those could be used in the quota bank?

47
48 **MR. COCHRANE:** Yes, I think there are some good options in 36

1 and they're not all bad and that would be one of them, taking
2 these inactive accounts and these quota shares that aren't being
3 used. I think it would serve a better purpose somewhere else
4 and it would be nice to put them in the quota bank. That would
5 be an option that I would be happy to support.

6
7 **CHAIRMAN ANSON:** Thank you. Jason Vicars, followed by Sam Ard.

8
9 **MR. JASON VICARS:** Hi, everyone. I am Jason Vicars and I've got
10 the Charter Boat Legacy out of Orange Beach. First of all,
11 thank you all for giving us an opportunity to speak today.
12 First of my list is seeing some changes done for the
13 triggerfish. A spring season would be great in our area. It
14 would help our early guests and give them a little something
15 more to take home with them.

16
17 I would also like to see the charter for-hire removed from
18 Amendment 39. Please try to remove the sunset clause from
19 Amendment 40. I appreciate the stability that the fixed season
20 has given us last year. It allows me to make business decisions
21 of possibly purchasing a new boat or at least, at the minimum,
22 making improvements to my existing vessel.

23
24 I just hope this fixed season isn't temporary. I mean if
25 there's any way to get it passed and keep going with it and
26 continue with 41 and 42. Thank you all again.

27
28 **CHAIRMAN ANSON:** Sam Ard, followed by Johnny Williams.

29
30 **UNIDENTIFIED:** He's not here.

31
32 **CHAIRMAN ANSON:** Mr. Williams, followed by Scott Hickman.

33
34 **MR. JOHNNY WILLIAMS:** Good afternoon, ladies and gentlemen.
35 Johnny Williams from Williams Partyboats Incorporated,
36 Galveston, Texas. I am here to speak for Option 2 in Amendment
37 39. I think we need to be eliminated or extracted from the
38 amendment in the partyboat and charter boat industry. We don't
39 want any part of it.

40
41 I was in the pilot program this year and it was extremely -- Or
42 last year. It was extremely successful, as it was the year
43 before. I can run my business better than the federal
44 government can. It gave me an opportunity and I would like to
45 ask you council members a question.

46
47 Who here thinks that they can run my business better than I can?
48 Who thinks the federal government can run their business better

1 than I can? I don't see any hands. Who thinks Robin can run my
2 business better than I can? I don't see any hands and so why
3 not let us have the opportunity to run our businesses the way we
4 think best?

5
6 I mean we've got this opportunity and if you go look at the
7 Magnuson Act and you look at all the standards in the Magnuson
8 Act, this pilot program we're in better serves the Magnuson Act
9 than the status quo does.

10
11 It was a win/win/win situation. It was a win for us and it was
12 a win for our customers and it made it more convenient for them
13 and it was a win for the fish and so why are we fooling around
14 and just going meeting to meeting and having all these folks
15 come here and tell you all the same thing over and over again,
16 like it's going over your heads?

17
18 We are here and we don't want to be in 39. We want to continue
19 with 41 and we want to fast track 42. We thank you for 40. It
20 gave us an opportunity to maintain our businesses and hopefully
21 you all allow us to continue to do so. Like I say, it's been a
22 win/win situation for everyone and it better serves the Magnuson
23 Act.

24
25 These people spend a lot of time and money, as I do, to come
26 here and stay in hotels and sometimes we fly and sometimes we
27 drive and we keep going over the same thing over and over again.
28 Let's vote it up or down.

29
30 You know you're talking about a referendum, or Pam was. Have a
31 referendum on 39 and see how many of the party boats and charter
32 boats wants to be in 39 and how many of them want to be out of
33 it. You will find that probably almost every one wants to be
34 out of 39 and why are you forcing us in this?

35
36 If the purely recreational fishermen want to be in 39, let them
37 be in 39. I don't want to tell them how to run their
38 operations, but doggone, give us an opportunity to manage our
39 businesses the way we think best. This pilot program we were in
40 gave us the opportunity to do that and I thank you for that and
41 I hope you make the right decision. Thank you very much.

42
43 **CHAIRMAN ANSON:** We have a question from Mr. Boyd.

44
45 **MR. BOYD:** Johnny, thank you. Just a quick question. You
46 alluded to the fact that Robin might run your business and do
47 you think under Amendment 40, 41, and 42 that there is not going
48 to be a controlling agency somewhere?

1
2 **MR. J. WILLIAMS:** Certainly there will be and there was with our
3 pilot program as well. We had to answer to the -- Probably the
4 first fifteen trips we made, probably fourteen of them the Texas
5 Parks and Wildlife was down there to make sure that we were
6 complying with all the rules and regulations.

7
8 We had a limited number of fish that we were able to harvest and
9 we stayed within that the first year. I gave away a few fish at
10 the end, because I didn't have enough to make a trip. The
11 second year, I left quite a few fish on the table, because they
12 were having a hold back and by the time they released them, it
13 was near the end of the year and the weather was bad on weekends
14 and we didn't go out to harvest all of our fish.

15
16 We have to answer to the federal program and that's what we're
17 doing, but they allowed us the opportunity to run our businesses
18 the way we thought best. We could go out fishing on the days we
19 wanted to.

20
21 Some of these boats are going out there fishing days they
22 probably don't need to be out in the Gulf in a derby. If they
23 have the opportunity to fish when they wanted to, rather than
24 when they were told they had to, then they could go fish and if
25 you don't go fishing one day when the weather is bad, you can go
26 the next day when it's not bad, because you have that
27 flexibility.

28
29 In the derby, you don't have that flexibility and so there's the
30 safety at sea, one of the National Standards. The fish are
31 better served, because we're not out there -- When we're fishing
32 out there other times of the year besides June and July, the
33 water is cooler and the release mortality is not nearly as high
34 in cold water as it is in warm water. I don't know if a lot of
35 people know that, but that's the truth.

36
37 We have other issues. I mean when you have concentrated all
38 these people fishing at one time, it puts kind of a strain on
39 the stock out there in certain spots. When it's spread over the
40 course of the year, you don't have as much release mortality and
41 it's better for the fish. Like I say, it's better for the
42 community, because we have people that came into town that spent
43 money at hotels and restaurants and stuff like that, in times of
44 the year when they wouldn't have those people.

45
46 In the summertime, everybody comes to Galveston because it's a
47 tourist destination and those places are full anyway in the
48 summer, but we brought people the other times of the year and so

1 that's another one of the National Standards, conserve the
2 fishing community.

3
4 Yes, we are restrained by federal regulations. I don't have an
5 issue with that, but they allowed us to operate our businesses,
6 within those constraints, the way we thought best and we can do
7 it better than the federal government can do it and we can do it
8 better than the state can do it and so let us out of it. Thank
9 you so much and I appreciate your time.

10
11 **CHAIRMAN ANSON:** Scott Hickman, followed by Blake Michaleski.

12
13 **MR. SCOTT HICKMAN:** Good evening, Mr. Chairman and ladies and
14 gentlemen of the Gulf Council. Captain Scott Hickman from
15 Galveston, Texas. It's great to see everybody here in Alabama.
16 I think we've got a pretty good idea what the charter boats want
17 at this point, having to sit through all this testimony.

18
19 I'm actually going to talk a little bit about duck hunting and
20 how I had an experience about a week ago, last week, in a duck
21 season. I had a gentleman that's a local guy in Galveston, a
22 pillar in the community, a big business guy, very well
23 respected. He's a recreational fisherman and has a large yacht.

24
25 I had him and his twelve-year-old son in the duck blind with me
26 and we're shooting ducks and the dogs are picking the ducks up
27 and he said, you know, Scott, you work on some of this fisheries
28 policy stuff and you go to these meetings and I said, yes, sir.

29
30 We talked about the nine-mile stuff and I said, well, it looks
31 like the nine-mile stuff works for you pretty good and I see you
32 out fishing thirty or forty miles offshore and you always have
33 snapper back at the dock and he laughed and I said, but wouldn't
34 you like to find some solutions, to where you're not always
35 having to look over your shoulder?

36
37 I said the Coast Guard coming up behind you or the game wardens,
38 you're looking for those folks and his twelve-year-old son
39 interrupted us and said, Daddy, don't you remember last summer
40 when Mr. Tom had to go hide the snapper underneath the toilet
41 because the Coast Guard had come up behind us? That's a twelve-
42 year-old.

43
44 Here's a good friend of mine, a great guy, putting his son in a
45 position where he's having to learn to cheat and at first, I
46 thought this is a terrible thing and I started thinking about it
47 and it's really not so much -- It's wrong that he was doing
48 that, but it's wrong that this body can't find some solutions

1 for those folks, to where they can access this fishery and not
2 go do that.

3
4 When we're increasing these nine-mile seasons every time we go
5 around, more and more, nine-mile management plan, that's
6 ridiculous. Amendment 39, I always supported Amendment 39 for
7 the recreational guys. I want the charter boats out of it.

8
9 Before, Amendment 39 was cool. I would come to the microphone
10 and say I think regional management is a good idea if it's done
11 right. You all have got to come up together and find a way for
12 Amendment 39 to work for these folks. You've got to figure
13 something out. There is a lot of angry recreational fishermen
14 that need something.

15
16 If you all give the states their little pieces and they manage
17 it correctly, they can shrink the buffers and that will give you
18 extra fish. Work together on the allocations, but to spend
19 three years and all these documents and all this time at the
20 council to throw this thing away and say we've got a nine-mile
21 fishery, look over your shoulder and don't get caught by the
22 Coast Guard. It's ridiculous.

23
24 You all rehash Amendment 39 and what you can actually do with it
25 and get state directors to sit down, before tomorrow's vote, and
26 say how can we make this work for these folks? Solutions, it's
27 not that hard to do. I appreciate you all's time and I
28 appreciate what you did with the charter boats on Amendment 40
29 and move 41 and 42 forward and everybody have a great day.

30
31 **CHAIRMAN ANSON:** Blake Michaleski, followed by Bill Tucker. Is
32 Blake in the audience? Apparently not. Bill Tucker, followed
33 by Rich Castellano.

34
35 **MR. BILL TUCKER:** Bill Tucker and I'm a commercial fisherman out
36 of Dunedin, Florida. I guess I'm all over the board here today.
37 One thing I'm thinking about on the -- I understand that the
38 idea is to try to extend the recreational season. I don't
39 understand why you're not considering a one-fish bag limit and
40 you could practically double the season.

41
42 The average fish is seven pounds and you fillet that fish, at a
43 50 percent yield, and you get three-and-a-half pounds of meat
44 and at an eight-ounce portion, that's seven portions. You are
45 feeding seven dinners out of that one fish. Some people might
46 not like it, but there's a lot of people out there that would go
47 out to bring a seven-pounder back at a one-fish bag limit.

48

1 It's not like that's all you're going to catch. You're probably
2 catching fifteen or twenty or thirty of those things, but you
3 can keep one and bring it back and it's a heck of an experience
4 and I think it's a leadership issue of trying to promote how
5 good it is, instead of always saying how doggone bad it is.
6 Look at the upside.

7
8 I think this state management thing is -- Keep the charter boats
9 out of it. If you can come up with something here for the
10 private rec guys, good. I think the idea of a sunset provision
11 -- Imagine if you had that in your marriage. What kind of a
12 marriage are you going to build with a sunset provision in
13 there?

14
15 Amendment 33, the rest of the reef fish in the IFQ, let's look
16 at it. I am not pushing for IFQs in the rest of this stuff, but
17 let's look at this and let's bring this stuff out in the open.

18
19 I am so tired of hearing about these secret meetings that are
20 going on and all the state directors are going to these secret
21 meetings and there is no invitation to anybody else and you guys
22 are coming up with plans and one of them is that we end up with
23 something like this Graves Amendment, because the state
24 directors -- You know we agree on certain stuff and all of a
25 sudden, it's the basis for a congressional legislation. It's
26 ridiculous. With no public input. It's shameful is what it is.

27
28 Amendment 36 is really one of the things I really want to talk
29 about. I think there's a couple of good things in there. I
30 think if we maybe close down some of these accounts that haven't
31 been opened and let's make this stuff available. I think that
32 furthers the purpose and need to achieve optimum yield. I think
33 it helps there.

34
35 The purpose of Amendment 36 is to improve the program
36 performance and the need is to achieve optimum yield and to
37 rebuild the stock. You've got this thing littered with poisoned
38 pills. Restricting leasing, the leasing is the provision in
39 there that creates the flexibility for the commercial fishermen
40 to deal with bycatch. That's what it is. It's central.

41
42 Well, what are the complaints? We never expected the leasing to
43 the extent that it's going and yes, we never expected the stock
44 to recover so quickly and so the need for reducing discards is
45 greater than we had previously thought. We never expected that
46 we would have this huge success.

47
48 You know I commend the cuts and all that we went through to get

1 to this point. Leasing is a central provision and we should not
2 be limiting that and badmouthing it. It's critical.

3
4 **CHAIRMAN ANSON:** Mr. Tucker, if you could wrap up your comments.
5 You're over your time.

6
7 **MR. TUCKER:** By thirty seconds. Okay. Well, we can get to this
8 in the future.

9
10 **CHAIRMAN ANSON:** We have a couple of questions. Mr. Williams.

11
12 **MR. WILLIAMS:** Bill, you mentioned releasing the red snapper
13 that are still held in those accounts that were never opened and
14 David offered the idea of maybe releasing them somehow for a
15 bycatch fishery and would you be all right with that? How do
16 you think it should be done? Do you have any ideas on it?

17
18 **MR. TUCKER:** I think there's a lot of ideas. I think we can
19 really -- I think if we get into this and we start exploring the
20 ideas and we start brainstorming it and we say what are the
21 needs and what's the best use of that and you've got everything
22 -- You know we can really put a lot of ideas on it.

23
24 One, we can use it for bycatch, and there's a lot of ideas on
25 that. We could distribute it -- One, we could do it
26 proportionally among those who -- Based on their IFQ shares. If
27 you want to use it for bycatch, you could do it proportionally
28 based upon what a commercial fisherman's grouper holdings are.

29
30 It could be a function of your grouper quota share and so you
31 would allot so much per pound of grouper. Every hundred pounds
32 of grouper quota that somebody holds, maybe they get one pound
33 of that red snapper. It's only about 29,000 pounds and it's not
34 going to go very far, but that's a good way.

35
36 By making this -- You know that's one idea and I'm sure there
37 are lots of others and I think that -- Anyway, I think there's a
38 lot of options there, but that's one of the few things in this
39 Amendment 36 that I think we ought to be doing. A lot of the
40 other stuff is disruptive and it's divisive and it's set up on
41 perception and not reality and I think that -- I mean I am
42 shocked at the people who support these ideas of restricting
43 allocation, because you all should know better, when you look at
44 the big picture.

45
46 Everybody in here, all you fisheries managers, are intelligent
47 enough to really know what's going on and I think there's a lot
48 of -- "Disingenuous" is a term that I think applies way too

1 often.

2

3 **CHAIRMAN ANSON:** Mr. Walker.

4

5 **MR. WALKER:** Bill, I was going to ask you the question -- We
6 hear sometimes people say about talking about owning a public
7 resource and I would like to hear what your thoughts are about
8 owning the public resource.

9

10 **MR. TUCKER:** Yes, I hear this stuff, owning the public resource.
11 Look. Magnuson says that we do not own the public resource.
12 Quota share is not ownership of a public resource. What IFQ
13 quota share is, is it's a permit. That's all it is.

14

15 We used to have a Class 1 and Class 2 permit and a Class 1
16 permit, the only limit was 2,000 pounds a trip. Other than
17 that, you could have all the trips you could possibly squeeze
18 in. It was basically an unlimited permit.

19

20 We went to an IFQ program and it's a limited permit. The permit
21 is limited by the amount of quota share that you hold and it's
22 divisible and so you can knock it down by pound. That's a
23 beautiful thing and that's what gives us the flexibility of
24 being able to deal with bycatch, but there's no ownership in
25 there. Everybody in here knows that if you read Magnuson that
26 it specifically says that it's not ownership.

27

28 Nobody owns the public resource. It's misleading and it's
29 disingenuous and it's not true and you hear it all the time and
30 we hear it amongst people on this council who should know better
31 and so I am disturbed when I hear that. You all should be
32 standing up and clarifying that like I am doing here. Am I
33 wrong? I am going to ask the legal counsel. I mean is quota
34 share -- Do we own the public resource or do we own a graduated
35 permit?

36

37 **EXECUTIVE DIRECTOR GREGORY:** Bill, don't try to engage council
38 members directly, please.

39

40 **MR. TUCKER:** Okay.

41

42 **CHAIRMAN ANSON:** David, do you have one more question?

43

44 **MR. WALKER:** Yes, I have one more question, back to 36. Do you
45 support the vessel even if you do not have any IFQ shares
46 onboard, that they should still be able to hail in? You know I
47 support it for enforcement and I would just like to know your --

48

1 **MR. TUCKER:** I am sorry, but I didn't understand the question.
2
3 **MR. WALKER:** Here, when it talks about require vessels with
4 commercial reef fish permits to hail in prior to landing, even
5 if they are not in possession of IFQ species, you do support
6 that?
7
8 **MR. TUCKER:** I am fine with that.
9
10 **CHAIRMAN ANSON:** Thank you, Bill.
11
12 **MR. TUCKER:** Thank you.
13
14 **CHAIRMAN ANSON:** We have Rich Castellano, followed by April
15 Depaola.
16
17 **MR. RICH CASTELLANO:** Good afternoon. Rich Castellano, the
18 Headboat Gulf Star in Tarpon Springs, Florida. I was a member
19 of the headboat pilot program. I don't think anybody here can
20 deny what a successful management tool it turned out to be and
21 so I can simply say that I would like to fast-track 42, with a
22 multispecies option IFQ and leave us headboats and charter boats
23 out of 39. Thank you.
24
25 **CHAIRMAN ANSON:** Thank you. April Depaola, followed by Shane
26 Cantrell.
27
28 **MS. APRIL DEPAOLA:** Hello. I am April Depaola. I live here in
29 Orange Beach, Alabama and I am a recreational fisherwoman, along
30 with my family. The recreational fishing side feels like
31 they're constantly getting the raw end of the deal with fewer
32 and fewer days and number of fish they're allotted to catch, in
33 my simplistic mind of just going out and wanting to catch a
34 couple of fish during the summertime. You can see where we're
35 coming from, of a nine-day season here in Alabama and catching
36 two fish per person.
37
38 With that being said, I think the recreational angler is not
39 comfortable with this recreational advisory panel being formed.
40 There is just considerable mistrust within the council right now
41 on actually having a voice for the recreational angler. Most of
42 them aren't able to be here today, because they've got nine-to-
43 five jobs and they're not all doctors and lawyers and rich
44 business owners and they're not able to take that time off, like
45 I was fortunate enough to be able to do to be here today.
46
47 I am so excited to hear about the formation of the Gulf Angler
48 Focus Group and I would really like to see where they're taking

1 it. From what I understand, it is a group of recreational-
2 minded people and so I think that it sounds like you guys are
3 giving consideration and maybe looking at holding off on the
4 recreational AP panel and so I'm all for that and looking at
5 this Gulf Angler Focus Group and what they can provide for
6 answers for the recreational voices.

7
8 As far as Amendment 39, here in Alabama, and that's all I know,
9 Alabama has done an incredible job on creating a healthy and
10 abundant resource with such a small coastline. I know Chris
11 Blankenship has worked really hard on that and we have some of
12 the healthiest snapper population along the Gulf Coast.

13
14 That's why I was originally for Amendment 39. From what I
15 understand, it has completely deviated from its original intent
16 and I haven't heard one single person here today be for it and,
17 with these changes, I don't support it either. With that being
18 said, I thank you guys for all being here and I hope you enjoy
19 your visit in Orange Beach.

20
21 **CHAIRMAN ANSON:** Thank you. Shane Cantrell, followed by Billy
22 Neff.

23
24 **MR. SHANE CANTRELL:** Hello. I'm Shane Cantrell and I'm the
25 Executive Director of the Charter Fishermen's Association.
26 Again, Amendment 39, Action 2, Alternative 2. I believe that's
27 the first time you've heard that today and it's just I can't
28 remember how many times I've come up here and said that, asked
29 to be left out of regional management.

30
31 I remember a time when it was a full delegation and it was a
32 supermajority and it's still including the charter boats. It
33 didn't have the voted there and we go to conservation
34 equivalency.

35
36 We've changed this so many times from the original form and the
37 charter boats have wanted out of it almost the entire time.
38 We've been asking for sector separation, Amendment 40, and it
39 took seven years. Roy mentioned it the other day and it was a
40 big step forward. It took a lot of hard work. I remember there
41 was a time when I couldn't reach out to these guys in Alabama
42 and the Orange Beach Fishing Association at that time because
43 they did not like what sector separation was, what they thought
44 it was.

45
46 Through education and time, you've seen them come around and
47 there's not many Orange Beach captains that aren't here today.
48 It's very important to them. You look at Destin and the same

1 thing. There was times when some of the Destin fleet wouldn't
2 talk to Gary Jarvis and they've come around. Education. Mike
3 Eller gets up here and he speaks very, very strongly in favor of
4 some of this stuff, when it took education and people
5 understanding.

6
7 I see this Gulf Angler Focus Group and I've been attacked way
8 too many times by some of these organizations. My organization
9 has been attacked and we've been called a puppet-show
10 organization in front of Congress. That's not the people I want
11 to support and believe that they're going to do the right thing.

12
13 Privatizing of natural resources to benefit the private business
14 owners and I'm supposed to come in here and believe that that
15 same group, after the option of just moving the charter boats in
16 there, is going to come up with a really good solution? I want
17 to believe it and I want to see more information.

18
19 The group that is put together, I don't think they're reaching
20 out to private anglers. We've got Mike Nugent is a charter boat
21 guy and Bob Zales is a charter boat guy and Pam Anderson runs a
22 charter boat marina. I believe they have really good outreach
23 into the recreational community, but I want to see recreational
24 anglers coming together in this. I see a lot of good that can
25 come out of it, but I've got to approach it with a lot of
26 skepticism and that's about what I've got.

27
28 Amendment 41, move it forward. The purpose and need statement
29 looks good and let's go on. Amendment 42, let's keep it rolling
30 down the tracks. I am looking to be a new entrant in the IFQ
31 program and I would love to see that loan program up and going.
32 Thank you, all.

33
34 **CHAIRMAN ANSON:** Shane, we have a question from Dr. Crabtree.

35
36 **DR. CRABTREE:** Shane, you brought up the focus group and did any
37 of them reach out to you or any of the CFA guys to participate
38 in this?

39
40 **MR. CANTRELL:** To my knowledge, there was zero contact of the
41 Charter Fishermen's Association and its membership to be
42 involved in that group from the beginning. I understand that --
43 I had a good conversation with Ken earlier today and they're not
44 to that point yet.

45
46 You've got a lot of ideas to be thrown around in that industry
47 before it even comes time to bring in the charter boat guys,
48 but, with that being said, the people I know that have been

1 involved are not necessarily private anglers. They have a lot
2 of good ideas and they've got a lot of knowledge, but using the
3 same tools we've been using for the last six or eight years -- I
4 would love to say that there's going to be a different result,
5 but I just don't see it right now.

6

7 **CHAIRMAN ANSON:** Billy Neff, followed by Chris Callaway.

8

9 **MR. BILLY NEFF:** How are you doing? Billy Neff with Class Act
10 Charters, here in Orange Beach, Alabama. I will make this real
11 short. I am asking that you please move forward with Amendment
12 41 and 42 and I would also ask that you leave the federally-
13 permitted charter boats for-hire out of Amendment 39.

14

15 I think we need to end the sunset on Amendment 40 and as to
16 triggerfish, I think it should go to a one-person bag limit,
17 opening March 1, and the size limit should remain the same.
18 Thank you.

19

20 **CHAIRMAN ANSON:** Chris Callaway, followed by Don McPherson.
21 Chris Callaway? Don McPherson, followed by Troy Wetzels.

22

23 **MR. DON MCPHERSON:** I am Don McPherson with Getaway Charters,
24 here in Orange Beach. I have a couple of six-passenger vessels
25 and I will be very brief here, but I just want to hit on two or
26 three items.

27

28 No state management for charter boats and yes as far as going
29 forward with Amendment 41 and 42 and I would also like to thank
30 you, and all involved, for sector separation. I know this has
31 been mentioned earlier, but this has given me a more positive
32 future.

33

34 We can do what's right and manage our charter fishery and you
35 know one day I do hope to retire and I hope to sell my business.
36 This may give me something to sell. I've been in business for
37 twenty-plus years and it would be nice to retire with something
38 one day.

39

40 We would also like to end or move the sunset on Amendment 40 and
41 last, but not least, I would certainly like to see something
42 done with the triggerfish. I think one triggerfish, I think a
43 lot of people could live with. I know some has mentioned a
44 March 1 beginning of the season and that would certainly work,
45 but that's it. Thank you.

46

47 **CHAIRMAN ANSON:** Troy Wetzels, followed by Brian Reeves.

48

1 **MR. TROY WETZEL:** How are you all doing? I am Captain Troy
2 Wetzel and I oppose the VMS and the reason being you didn't hear
3 from too many charter boat captains from Venice, Louisiana.
4 It's not a tourist town. When you go into Venice, Louisiana,
5 you're going to find us on a computer and you're going to buy a
6 plane ticket and you're going to fly to New Orleans and you're
7 going to rent a car and you're going to drive two hours from the
8 city and then you're going to rent a hotel room and so the VMS
9 on our charter boats, we don't have big cabins on them.

10
11 We're a speed hull. We're going to run down the river twenty-
12 five miles and we're going to hit the Gulf and we're going to go
13 searching for these tuna and on the way back, we're going to
14 catch our two red snapper.

15
16 We're all six-pack guys. We can count twelve red snappers with
17 no problem. We definitely do want to hear our opinion and we
18 want you all to take notice of how many snapper we catch. We
19 all have our cell phones with us, but to put a new piece of
20 equipment on our boat and make us pay for it and also, if we
21 cannot leave that dock, which it's a very remote area -- If we
22 cannot leave that dock without this piece of equipment working,
23 am I going to look you in the eye and say we can't go fishing?

24
25 How am I going to give you your money back for your plane ticket
26 and for your hotel and for all your time? It's not going to
27 work on the boats in Venice, Louisiana and we're a big part of
28 fishing down there.

29
30 How can the charter boats keep this going and going and going?
31 When I first started, and I am the oldest one down there, we
32 would fish from May 1 to October 31 with seven to five to two
33 red snapper. Now our main target is yellowfin tuna. We want
34 our snapper, because when you cannot catch yellowfin tuna,
35 you've got to give the person a red snapper and we have an
36 abundance of red snapper. We've got the oil rigs and that's
37 where these fish are hatching and that's where they live.

38
39 We definitely want everyone to know how many snapper we're
40 catching. They've been calling me for years now and I tell them
41 on the phone, maybe once a week or twice a week, but everyday,
42 it can't happen. I leave the dock at five o'clock in the
43 morning and sometimes I don't get home until seven or eight at
44 night and I'm cleaning the fish and trying to get my customers
45 out of there.

46
47 I cannot operate the VMS in the fog when my second captain or my
48 deckhand is on a mic talking to people and I am watching the

1 radar, because you're running twenty-five miles down the river
2 in fog and sometimes we're fishing in the fog and so this extra
3 piece of equipment, we don't need it, but we do have logbooks
4 and we do have telephones and we do want to report our catch of
5 snapper, because it will benefit everybody.

6
7 We want everybody to know what we're catching and we want
8 everybody to come fish with us, because our second fish, after
9 the yellowfin tuna, is our red snapper and so that's about all I
10 am here for.

11
12 **CHAIRMAN ANSON:** All right. Troy, we have a question from Dr.
13 Dana.

14
15 **DR. DANA:** Thank you, Troy, for coming here and please bring
16 back to your fleet or those in the Venice area from the charter
17 for-hire industry that I, for one, appreciated the fact that you
18 guys came together and discussed in detail, obviously, this
19 particular issue and then individually contacted the council
20 members to let us know that this was a real issue for you, the
21 VMS, and also the reporting timeframe.

22
23 You know it's good and we haven't heard much from the Venice
24 fleet and it was nice to see you guys coming together and
25 individually addressing this.

26
27 **MR. WETZEL:** Thank you and we definitely want our opinion to be
28 heard, because, like I said, when I first started, we had
29 snapper and we had the time to catch our snapper and now it's
30 down to almost nothing. All of us can count twelve fish and
31 that's when our boat is full of customers, but we do not care to
32 have a device put on our boat and let's just say we can't leave
33 the dock unless we report what we're catching and how can I look
34 you in the eye and say I'm going to give you your money back for
35 your plane ticket and your hotel reservation and car rental and
36 where am I going to get this equipment fixed, because I could be
37 fishing twelve days in a row.

38
39 **DR. DANA:** It's encouraging to know, as a fleet or as an area,
40 that you guys are just as much in support of reporting, inasmuch
41 real time as possible, on what you're catching. That's been our
42 message from the Gulf charter industry, that we want to report
43 the catch so that we have better -- The data is better.

44
45 **MR. WETZEL:** We're all for that. Thank you.

46
47 **CHAIRMAN ANSON:** We have a couple more questions, Troy. Johnny.

48

1 **MR. GREENE:** Thank you for finding your way over from Venice to
2 Orange Beach and I hope you take that fast boat and keep it in
3 Venice and don't bring it over here and scare our customers with
4 them. Anyway, just one question. Are you federally-permitted?
5

6 **MR. WETZEL:** Yes, I am.
7

8 **MR. GREENE:** Thank you.
9

10 **MR. WETZEL:** I've got every single license. The first day I
11 started doing this, I got all my licenses going back, but, like
12 I said, we don't -- Our season has been cut down so much. I got
13 a permit to go fish for my snapper and everything, but I am not
14 going to lease quota from someone to go fish for snapper and the
15 people that are coming to fish with us, they're looking for the
16 yellowfin tuna and their snapper second, because they are
17 traveling a far distance.
18

19 **CHAIRMAN ANSON:** Myron, do you have a question?
20

21 **MR. FISCHER:** Sure. I wanted to thank Troy for coming and I
22 hope he brings the message back to Venice that the impact that
23 public comment does have. We appreciate you coming and we
24 appreciate all the emails from everyone from there and Cocodrie
25 sent in and we look forward to working with you all on finding
26 solutions for this, but I just wanted to thank you. I didn't
27 have a question.
28

29 **MR. WETZEL:** Thank you.
30

31 **CHAIRMAN ANSON:** Leann.
32

33 **MS. BOSARGE:** I wanted to thank you for coming, but more so to
34 thank everybody down there in Venice for sending us the emails.
35 They were very informed and they were very cordial and it told
36 us what your issues were and just to let you know that we do
37 take it seriously.
38

39 My background is in the commercial industry and, because of what
40 you all said about the VMS and your concerns, I did actually
41 make some phone calls to some commercial guys that I know have
42 to have those VMS that also have say twenty-eight-foot center-
43 console Contenders. That's what they run day after day after
44 day with that VMS system and to find out what kind of
45 maintenance issues they have and so thank you. It does matter.
46

47 **MR. WETZEL:** Thank you.
48

1 **CHAIRMAN ANSON:** Thank you, Troy. Next up is Brian Reeves,
2 followed by Gary Goodwin.

3
4 **MR. BRYAN REEVES:** My name is Bryan Reeves and I am owner and
5 operator of Wild Orange Charters. I am new to the business and
6 I am here to say that I am thankful for Amendment 40 and it is
7 actually amazing, after this has been in effect, the difference
8 that it's made in my business.

9
10 The last year, I was struggling running trips, due to the short
11 season. This past year, it was a major increase in my business,
12 being able to fish longer. It also helps me with future
13 planning for years to come. I can plan ahead with customers and
14 people calling me and so it's been a major help.

15
16 I just had the VMS installed into my boat and I am all for that
17 and I hope that you guys can use this data that we're going to
18 be able to provide for you guys to help with future stock
19 assessments and the actual real-time data that's we're actually
20 catching. I think it's going to be a good thing for us and I
21 hope you guys work all the bugs out and are able to use this
22 data, but that's pretty much it.

23
24 Again, I am very elated and I can't stress enough how much
25 Amendment 40 has helped my business. Last year, the 2014
26 season, at the end of the year, I was kind of concerned about
27 how I was going to be able to make it and when Amendment 40
28 passed, the difference between two years is absolutely amazing
29 and I hope we can continue to enjoy the effects that it has and
30 that it is producing for us and that's pretty much all I have to
31 say. I appreciate you guys and everything you guys have done
32 for us.

33
34 **CHAIRMAN ANSON:** Bryan, we have a question from Mr. Swindell.

35
36 **MR. SWINDELL:** Thanks for coming, Bryan. What size boat and
37 what type of boat do you have that you're using VMS on?

38
39 **MR. REEVES:** It's a thirty-eight-foot Buskins and I can carry up
40 to six passengers. I have an enclosed cabin with a tower. I
41 don't have a bridge or anything else.

42
43 **MR. SWINDELL:** How long have you had it?

44
45 **MR. REEVES:** How long have I had the business?

46
47 **MR. SWINDELL:** No, how long have you had the VMS?

48

1 **MR. REEVES:** I just had it installed this winter and so I
2 haven't been able to use it, because last year we were reporting
3 through the Alabama state per trips, but I just had the VMS
4 installed I think in November. I haven't been able to use the
5 system yet, because we haven't been fishing much, but come
6 March, which usually our business kicks off, and so I'm curious
7 to see how it works and I hope it does what it's supposed to.

8
9 **CHAIRMAN ANSON:** Thank you, Bryan. Gary Goodwin, followed by
10 Angelo Depaola. Gary is not here and so Angelo, followed by
11 Alec Breaud.

12
13 **MR. ANGELO DEPAOLA:** How's it going, guys? I am Angelo Depaola
14 and I'm a resident here in Orange Beach and I would like to say
15 this, that I am definitely not against the charter boat guys. I
16 gave two charter boat recommendations to friends of mine this
17 week and I really want to see you all succeed in this, but what
18 I came here to talk to you about is the recreational sector.

19
20 I am not sure -- You know everybody here wants good science and
21 wants the fish to thrive and that's one thing I think we can
22 find in common, amongst all the user groups that are in this
23 room today, but I want some flexibility. I didn't -- I fished
24 one day during the eleven-day season last year. My work
25 schedule just kind of got to where I couldn't go.

26
27 I've got \$30,000 invested in snapper reefs out and I put \$25,000
28 worth of electronics on my boat this past spring and it isn't
29 necessarily that I want to go out and fill my freezer with
30 snapper, but I would like to become able to come in from an
31 offshore trip and stop by and catch me two fish for the fish fry
32 on the way home.

33
34 That's all I want and I think we can look at things, whether
35 it's -- One fish per person on the recreational side, I would be
36 open to. I would be open to can we fish on weekends and can we
37 fish when you have a day off?

38
39 I mean it's a very hard question with the rec guy, because with
40 the way this system is set up, it's really set up for charter
41 boats and commercial guys. You guys do a great job, it sounds
42 like, of catching your fish and the rec guys are trying to herd
43 a bunch of cats and we're trying to fit a square peg in a round
44 hole.

45
46 It really -- I don't know and maybe this new advisory panel we
47 can come with some ideas and maybe you guys can come up with
48 some ideas that give us some flexibility in this fishery, where

1 everybody rushes down for one week and they're all gone and they
2 can't even fish my damned tournament because they're all tired
3 because they fished for five days straight, sometimes two times
4 a day, breaking the law, and going beyond the nine miles.

5
6 I could care less about fishing in nine miles. You know how
7 hard a snapper is going to be to find within nine miles within
8 about two weeks of the season? It's going to be tough and it
9 doesn't appeal to me.

10
11 I've got one spot inside of nine miles and the second I go over
12 there, some bozo with a radar is going to start pinging on me
13 and he's going to find it and he don't care, because he's going
14 to go give it to two or three of his buddies that get off on a
15 Tuesday when I can't go fishing and the next week, my damned
16 spot is going to be wiped out.

17
18 I mean I want a little bit of commonsense and I think that
19 there's some people out here that have some sensibility and want
20 to work with you guys and you know I wish I knew what that
21 looked like and that's all I've got. Thank you all for
22 listening.

23
24 **CHAIRMAN ANSON:** Thank you. Alec Breaud, followed by Tracy
25 Redding.

26
27 **MR. ALEC BREAUD:** Good afternoon, members of the council. My
28 name is Alex Breaud and last year, I started my own boat
29 brokerage, after working for another group here in Orange Beach
30 for a long time. I also serve on the IGFA's Representative
31 Committee.

32
33 I am going to kind of echo a little bit of what Angelo said,
34 because I think that there is a way to kind of meet in the
35 middle here. You know the doctor and lawyer argument that was
36 brought up is not a good one, because these guys are the ones
37 who are working every day and they can only get off on weekends.

38
39 You know doctors and lawyers don't own the big boats. They are
40 the guys that use snapper as the gateway drug into fishing.
41 They see snapper and they come out and they can go on the
42 weekend and they can learn it and they can kind of get their
43 feet wet catching fish and if they can't do it on the weekend,
44 it negatively affects them and it affects my business and it's
45 just -- For the working man, I believe that it could really be
46 separated into different sectors, just, again, to echo what
47 Angelo said. That's my opinion on it.

48

1 I will say that doctors and lawyers are usually the worst
2 fishermen and so it takes them a little bit longer to get into
3 it, too. I can say that because my dad is a doctor and my uncle
4 is a lawyer and so I'm part of it. Anyway, thank you, guys.

5

6 **CHAIRMAN ANSON:** Tracy Redding, followed by Gray Cane.

7

8 **MS. TRACY REDDING:** Tracy Redding with AAA Charters. I work
9 along the Alabama beaches with about a hundred different charter
10 boats. A couple of easy comments. Roll call voting for both
11 the full council and in committees would be huge. I listen to
12 the majority of almost every meeting you guys have on the web
13 and I can't tell who votes which way and I end up having to
14 bother the council staff or whoever's cell number I have to have
15 on the council and ask them if they can recall who raised their
16 hand which time.

17

18 I think that the webinars are a fabulous tool and being able to
19 tell who votes how would mean a lot to me, but it's also
20 accountability to the stakeholders that you represent. We
21 should be able to tell, to go back through the official records,
22 and know which representatives from which state voted one way or
23 another, at least to give us a clue on where are we at and where
24 do we need to move, if we want the results to end up one way or
25 the other.

26

27 Another thing is please leave the for-hire charter boats out of
28 39, regional management. We really hope you hear that loud and
29 clear. We don't want to be part of that plan.

30

31 Really, I think that's about -- Give the collaboratives a
32 chance. The headboat program last year really made a
33 difference. I had something to sell. I can make it, but I just
34 need something to sell somewhere and so thumbs-up. Thank you.

35

36 **CHAIRMAN ANSON:** Thank you. Gray Cane, followed by Brian
37 Swindle.

38

39 **MR. GRAY CANE:** Good evening. My name is Gray Cane. I live in
40 Baldwin County, Alabama and I am a recreational sport fisherman
41 and I would like to thank all of you all for being here today
42 and considering all these issues that we deal with, but what I
43 really want, for myself and my family and my friends, is to be
44 able to fish.

45

46 If you have lived around here and know what's out in the Gulf of
47 Mexico, there is lots of red snapper out there and I just don't
48 get why we can't fish for them more than we do. I don't know.

1 I don't get it.

2
3 I really believe that the Alabama Department of Conservation has
4 a good handle on things. I trust those guys and I've worked
5 with them and I've known them all for a good while. I would
6 really like to see the control, if that's the right word for it,
7 turned over to them or giving them the opportunity to manage the
8 resource.

9
10 I think they know what they're doing and that's really all I
11 have to say. I would just like to go on record that I like to
12 fish and I wish I had the opportunity to do it for myself and my
13 family. Any questions?

14
15 **CHAIRMAN ANSON:** Apparently not. Thank you. Brian Swindle.

16
17 **MR. BRIAN SWINDLE:** Thank you all for letting me speak. My name
18 is Brian Swindle and I'm from Dauphin Island. I am a charter
19 boat guy and a commercial guy. I pretty much agree with all the
20 charter boat guys about all the important topics they've been
21 discussing.

22
23 39, leave us out of it. As far as 41 and 42, I like the
24 headboat program and I would kind of like to see those two
25 programs start at the same time and the reason that is is
26 because I'm from a small town and if you've got one boat that
27 can catch snapper and one that can't, that's going to send more
28 customers in one direction than the other.

29
30 I have had to explain to some customers why is that boat
31 catching fish and I am not and so I see a little issue with
32 that, but I really like the program and the way it's going.

33
34 I am also a commercial fisherman, like I said, and there are a
35 couple of things in 36. I would like all commercial boats to
36 report and not just the IFQ species, because who knows if
37 they've got snapper or grouper on the boat. It kind of protects
38 the IFQ shareholders also.

39
40 I am a shareholder. I was an initial shareholder. I had a 200-
41 pound license and I got a small quota initially and I have
42 invested my time and money and worked hard through the way and
43 I've got a substantial amount now.

44
45 I fish a lot of my quota, mostly all of it. I do lease some out
46 if I get in a bind and I can't catch them or whatever, but it
47 gives us flexibility if ever the need arises for us to offload
48 some fish and we can't catch them, if something bad happens and

1 we need to raise some money. I guess that's about all I've got
2 to say and thanks.

3
4 **CHAIRMAN ANSON:** Thank you. As you can see, Brian was the last
5 name on the list. I will go back and call out those who weren't
6 present earlier and that would be Sam Ard, Chris Callaway, Blake
7 Michaleski. Is there anyone out in the audience who has not
8 spoken who would like to speak? That concludes our public
9 testimony and we will reconvene in the morning at 8:30 with
10 committee reports. Thank you.

11
12 (Whereupon, the meeting recessed on January 27, 2016.)

13
14 - - -

15
16 January 28, 2016

17
18 THURSDAY MORNING SESSION

19
20 - - -

21
22 The Full Council of the Gulf of Mexico Fishery Management
23 Council reconvened at the Perdido Beach Resort, Orange Beach,
24 Alabama, Thursday morning, January 28, 2016, and was called to
25 order at 8:30 a.m. by Chairman Kevin Anson.

26
27 **CHAIRMAN ANSON:** Once again, good morning. First on the agenda
28 for Committee Reports is Admin Policy and Budget and Ms.
29 Bosarge.

30
31 **COMMITTEE REPORTS**

32 **ADMINISTRATIVE POLICY/BUDGET COMMITTEE REPORT**

33
34 **MS. BOSARGE:** Good morning. Before I start that report, I would
35 like to make one quick announcement. Dale and Ed and I went to
36 D.C. in October for some council training and I have to say that
37 the higher-ups in NOAA, when they gave their presentations, the
38 Gulf Council is setting the standard, as far as staff goes, in
39 many areas, specifically in our outreach and education.

40
41 They pulled up our website several times and the videos that
42 Emily and others of you do to let the public know what's going
43 on in an amendment without having to read the document, we
44 watched an entire video during the meeting and so kudos to you
45 all and great work.

46
47 Okay. Administrative and Budget Committee Report, the committee
48 adopted the agenda and minutes of the October 2015 Joint

1 Administrative & Budget/Personnel Committee meeting in
2 Galveston, Texas as written.

3
4 Review of Ad Hoc Advisory Panels, the council decided in January
5 of 2015 to review the ad hoc advisory panels each January to
6 determine if they should be continued for another year. In
7 August 2015, the council removed the ad hoc APs from the three-
8 year tiered membership appointment process.

9
10 The rationale for not including the ad hoc APs in the
11 appointment process for the regular APs is that ad hoc APs are
12 created for a specific short-term purpose and membership changes
13 may not always be warranted. **The committee recommends, and I so
14 move, to disband the Ad Hoc Artificial Substrate AP.**

15
16 **CHAIRMAN ANSON:** We have a committee motion. Is there any
17 discussion on the motion? **Is there any opposition to the
18 motion? Seeing none, the motion carries.**

19
20 **MS. BOSARGE:** Review of 2016 Advisory Panel Membership
21 Expirations, based on the new tiered membership appointment
22 process, the Coral, Spiny Lobster and Data Collection Advisory
23 Panels were appointed in 2015 for a one-year term. The Coral AP
24 met one time during 2015, but the other two APs have not yet
25 met.

26
27 Staff suggested the committee consider letting the current
28 membership of the Coral, Spiny Lobster, and Data Collection
29 Advisory Panels continue for another three-year term. No motion
30 was made to re-advertise the membership for these three advisory
31 panels.

32
33 Update on AP Background Checks by the States, the Law
34 Enforcement Technical Committee met by webinar and discussed the
35 feasibility of conducting AP applicant background checks for
36 violations related to federally-managed species. Not all states
37 may be able to separate violations by federally-managed species.
38 All states also require a signed request from the applicant
39 authorizing a background check.

40
41 The committee discussed the advisory panel appointment process
42 and recommended to staff that the AP background checks be done
43 by all the states for each potential AP member the council
44 intends to appoint. To minimize the potential burden on the
45 states, it was suggested that the AP appointment process be
46 conducted over two consecutive meetings, as follows. At the
47 initial AP appointment meeting, the council will select
48 individuals for the APs, where appointment will be contingent

1 upon the results of the state background checks.

2
3 Staff will work with the state law enforcement agencies to
4 develop the protocol for obtaining background checks from AP
5 applicants and get final agreement among the states at the
6 spring 2016 Law Enforcement Technical Committee meeting. This
7 concludes my report.

8
9 **CHAIRMAN ANSON:** Thank you, Leann. That will bring us next to
10 the Mackerel Committee, which was just emailed to you all a few
11 minutes ago, and Dr. Dana.

12
13 **MACKEREL MANAGEMENT COMMITTEE REPORT**

14
15 **DR. DANA:** Thank you, Chairman Anson. The Coastal Migratory
16 Pelagics Committee met on January the 27th and we started off
17 with CMP Amendment 26. It was approved for public hearings by
18 the council in October of 2015. The amendment addresses king
19 mackerel annual catch limits, commercial zone management,
20 allocations, sale provisions, and recreational bag limits.

21
22 Action 1, Adjust the Management Boundary for Gulf of Mexico and
23 Atlantic Migratory Groups of King Mackerel, the committee
24 continued to support the councils' preferred alternative,
25 Alternative 3, which is also recommended by the Gulf and South
26 Atlantic CMP Advisory Panels.

27
28 Action 2.1, Revise the Acceptable Biological Catch for Atlantic
29 Migratory Group King Mackerel, the SEDAR-38 stock assessment
30 showed that the Atlantic migratory group is healthy. The South
31 Atlantic Scientific and Statistical Committee provided
32 acceptable biological catch recommendations based on three
33 recruitment scenarios, high, medium, and low. The South
34 Atlantic CMP AP suggested that a large recruit class of small
35 fish is coming into the Atlantic and recommended Alternative 2,
36 which was also recommended by the Gulf CMP AP.

37
38 **The committee recommends, and I so move, in Action 2.1 to make**
39 **Alternative 2 the preferred alternative. Alternative 2 is to**
40 **revise the ABC for Atlantic king mackerel for 2016/2017 through**
41 **2019/2020, based on the ABC levels recommended by the SSC for**
42 **ABC under a high recruitment scenario.**

43
44 **CHAIRMAN ANSON:** We have a committee motion. Is there any
45 discussion on the motion? **Is there any opposition to the**
46 **motion? Seeing none, the motion carries.**

47
48 **DR. DANA:** In Action 2.2, it was to Revise ACLs, Commercial

1 Quotas, and Recreational ACT for Atlantic Migratory Group King
2 Mackerel. The Gulf CMP AP members thought a more conservative
3 ACL was not likely to affect either fishing sector. The AP
4 thought that using the equilibrium yield was, in a way, a form
5 of constant catch, which may help protect the stock in the event
6 there is an issue with recruitment in the Atlantic migratory
7 group. **The committee recommends, and I so move, in Action 2.2,**
8 **to make Alternative 3 the Preferred Alternative. Alternative 3**
9 **is to establish the ACL equal to the optimum yield deterministic**
10 **equilibrium yield at F 30 percent SPR equals 12.7 million pounds**
11 **for fishing years 2016/2017 through 2019/2020.**

12
13 **CHAIRMAN ANSON:** We have a committee motion. Is there any
14 discussion on the motion? **No opposition and the motion carries.**
15 Thank you.

16
17 **DR. DANA:** At their September 2015 meeting, the South Atlantic
18 Council removed Alternative 6 from Action 2.2. **The committee**
19 **recommends, and I so move, in Action 2.2, to move Alternative 6**
20 **to the Considered but Rejected Appendix.**

21
22 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the
23 motion? **Any opposition to the motion? No opposition and the**
24 **motion carries.**

25
26 **DR. DANA:** Moving to Action 3, Incidental Catch of Atlantic
27 Migratory Group King Mackerel Caught in the Shark Gillnet
28 Fishery, options for retention of bycatch for Action 3 were set
29 at either two fish or three fish, depending on which Atlantic
30 commercial zone in which a commercial shark angler was fishing.
31 Those retention limits are intended to reflect the recreational
32 bag limits in the concurrent regions.

33
34 The Gulf CMP AP did not think fish should be wasted and did not
35 foresee a directed bycatch fishery developing as a result of
36 Alternative 3.

37
38 **The committee recommends, and I so move, in Action 3 to make**
39 **Alternative 3 the preferred alternative. Alternative 3 is to**
40 **allow retention and sale of Atlantic king mackerel caught with**
41 **gillnet as incidental catch in the gillnet portion of the**
42 **commercial shark fishery for any vessel with a valid shark**
43 **directed commercial permit and valid federal king mackerel**
44 **commercial permit. The king mackerel must be sold to a dealer**
45 **with the Southeast federal dealer permit. For shark gillnet**
46 **trips in the southern zone, no more than two king mackerel per**
47 **crew member can be onboard and no more than two king mackerel**
48 **per crew member can be sold from the trip. For shark gillnet**

1 trips in the northern zone, no more than three king mackerel per
2 crew member can be onboard and no more than three king mackerel
3 per crew member can be sold from the trip.

4
5 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
6 the motion? Is there any opposition to the motion? **No**
7 **opposition and the motion carries.**

8
9 **DR. DANA:** Action 4, Establish Commercial Split Seasons for
10 Atlantic Migratory Group King Mackerel in the Southern Zone, the
11 main concern for the South Atlantic Council with respect to
12 Action 4 is managing changes in catch per unit effort over time
13 to keep the commercial king mackerel fishery in the Atlantic
14 southern zone open. The movement of fishermen from that zone to
15 the Atlantic northern zone and into the Gulf is largely driven
16 by declines in catch per unit effort, which result in fishermen
17 traveling to areas where fishing is better.

18
19 Approximately 550 vessels are registered with commercial king
20 mackerel fishing permits on the east coast of Florida. Though
21 fishermen from the east coast of Florida are thought to be
22 likely to travel regardless of season delineations, the Gulf
23 Council AP thought that establishing such a delineation may
24 cause more fishermen to travel than do currently. Staff will
25 consult fishermen in the Gulf northern and western zones in the
26 future to gauge the number of vessels which travel from the east
27 coast of Florida.

28
29 **The committee recommends, and I so move, in Action 4, to make**
30 **Alternative 1 the Preferred Alternative. Alternative 1 is no**
31 **action. The commercial fishing year for Atlantic king mackerel**
32 **is March 1 through February 28. The southern zone quota is**
33 **allocated for the entire fishing year.**

34
35 **CHAIRMAN ANSON:** We have a committee motion. Is there any
36 discussion on the motion? **Is there any opposition to the**
37 **motion? No opposition and the motion carries.**

38
39 **DR. DANA:** We moved on to Action 5, which is Establish a Trip
40 Limit System for the Southern Zone. The IPT and the South
41 Atlantic Council worked to consolidate what was previously
42 Actions 5.1 and 5.2 into a single action.

43
44 **The committee recommends, and I so move, to accept the**
45 **modifications to the language in Action 5 as proposed by the**
46 **South Atlantic Council and the IPT.**

47
48 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on

1 the motion? **Any opposition to the motion? No opposition and**
2 **the motion carries.**

3
4 **DR. DANA:** Committee members thought that more information was
5 needed on what was driving CPUE trends in the Atlantic southern
6 zone before they could recommend a preferred alternative to the
7 council. Staff indicated that public hearings were underway in
8 the South Atlantic and staff would query fishermen for more
9 details.

10
11 Action 6, Modify the ACL for Gulf Migratory Group King Mackerel,
12 committee members did not modify the current preferred
13 alternative, which is Alternative 2, which sets the ACL equal to
14 the ABC.

15
16 Next, Action 7, Revise the Commercial Zone Quotas for Gulf
17 Migratory Group King Mackerel, staff reviewed the justification
18 for including the east coast of Florida in the Atlantic
19 migratory group and described the need to address the commercial
20 zone allocations in the Gulf.

21
22 Gulf CMP AP members recommended Alternative 4, which they
23 thought best represented a fair and equitable compromise for the
24 distribution of the commercial allocation among the zones.
25 Staff noted that, perhaps as a result of the change in the start
26 date for the fishing season in the Gulf northern zone from July
27 1 to October 1, more vessels in that zone participated in the
28 commercial fishery in the 2014/2015 fishing season than in
29 previous seasons. This suggests that the season change from CMP
30 Amendment 20B has increased fishing opportunities in that zone.

31
32 **The committee recommends, and I so move, in Action 7 to make**
33 **Alternative 4 the preferred alternative. Alternative 4 is to**
34 **revise the commercial zone quotas for Gulf migratory group king**
35 **mackerel as follows: 40 percent for the western zone; 18 percent**
36 **for the northern zone; 21 percent for the southern zone hand**
37 **line component; and 21 percent for the southern zone gillnet**
38 **component.**

39
40 **CHAIRMAN ANSON:** We have a committee motion. Is there any
41 discussion on the motion? **Is there any opposition to the**
42 **motion? No opposition and the motion carries.**

43
44 **DR. DANA:** Action 8, Revise the Recreational and Commercial
45 Allocations for the Gulf Migratory Group King Mackerel, Gulf
46 Council staff described the 53 percent increase in recreational
47 landings for the 2014/2015 fishing season, most of which are
48 attributable to Florida.

1
2 This recent increase in recreational landings suggests that
3 reallocating recreational quota to the commercial sector, while
4 also raising the recreational bag limit to four fish per person
5 per day, could result in quota overages.

6
7 The Gulf CMP AP thought the increase in recreational landings
8 could be further increased by a change in the recreational bag
9 limit and affirmed their stance that the council should not
10 change sector allocations. Committee members agreed that the
11 recreational sector's allocation should not be changed in such a
12 way that would jeopardize that sector's ability to catch king
13 mackerel year-round.

14
15 **The committee recommends, and I so move, in Action 8, to make**
16 **Alternative 1 the preferred alternative. Alternative 1 is no**
17 **action, maintain the current recreational and commercial**
18 **allocations for Gulf migratory group king mackerel at 68 percent**
19 **recreational and 32 percent commercial.**

20
21 **CHAIRMAN ANSON:** We have a committee motion. Any discussion?
22 Mr. Diaz.

23
24 **MR. DIAZ:** I am not planning on making a motion, but I did want
25 to talk a little bit. I listened to the committee yesterday and
26 I thought the discussion around the table was very good. I do
27 want to compliment this AP. I think this AP was a very
28 unselfish AP. It's made up of a group of people with a lot of
29 commercial and I believe some recreational and other people on
30 it.

31
32 It seemed like everybody was very worried about not putting the
33 recreational side in any type of jeopardy and I commend them for
34 that. However, when I look at this fishery, we're not fishing
35 anywhere close to the ACL.

36
37 Ryan gave some information about a bag limit analysis and it
38 shows very few people catch two fish and the bag limit analysis
39 doesn't show that if we raised this up to three or four fish
40 that it's going to substantially eat into that ACL.

41
42 You know we're supposed to try to manage these fisheries, and
43 John said this yesterday and so I'm using some of your words,
44 John, but for the greatest good of the nation. I think we've
45 got time on this document to consider what to do, but I don't
46 think the way we're managing it right now is for the greatest
47 good of the nation. We're leaving a lot of fish out there that
48 could be utilized, but you know nobody has come up to try to

1 shove this into a reallocation.

2
3 We're not being forced into that. The past experience we have
4 with reallocation, I mean they're very difficult things to do.
5 When I went to the new council member training, there were some
6 discussions about that and everywhere there's a reallocation,
7 it's always hard and it's very difficult and I want to commend
8 Ms. Bosarge.

9
10 She came up with an alternative, which I believe is Alternative
11 4, which makes it where there is a no-lose situation for the
12 recreational fishery. They can't lose. I don't see how. It
13 sets where we shift a small amount and actually, what was
14 proposed yesterday was a very modest amount that wouldn't even
15 put us up close to the ACL.

16
17 Now, I don't have a crystal ball to know where this is going for
18 the recreational fishery, but that Alternative 4 makes it where
19 they can't lose. If they get up close to their ACL, it reverts
20 back and we're trying to fish at the ACL.

21
22 I think the Alternative 4 -- Somebody said it was brilliant
23 yesterday, Leann, and I think it is and I think it was very
24 creative thinking and it's probably a good way for us and other
25 councils to consider some of these things when it's a situation
26 like this.

27
28 I just wanted to bring it up at this time. I don't think the
29 way we're moving right now is managing for the greatest good of
30 the nation. We've got time on this and we can change this
31 preferred maybe at a future meeting, but I just wanted to kind
32 of put my thoughts out there and you know I'm in favor of us
33 trying to do a better job of managing this fishery and with
34 Alternative 4, there is just no way for the recs to lose and I
35 don't see why we can't give that serious consideration. Thank
36 you.

37
38 **CHAIRMAN ANSON:** Mr. Sanchez.

39
40 **MR. SANCHEZ:** Thank you, Mr. Chairman. I just want to echo what
41 Dale said. I mean we've heard, time and time again, you know
42 the one group is fully utilizing their quota and they could use
43 some more fish and the fish aren't in jeopardy and there is
44 buffers already built into our existing management, where we're
45 not compromising anything by maximally utilizing some fish.
46 Again, Leann's proposal she crafted, it creates a mechanism to
47 do it with virtually no jeopardy or none of the difficulties we
48 consider during reallocation.

1
2 If we're coming up close to it, it will stop and it will revert
3 back and so I don't see any reason not to maximize the benefit
4 for some folks that need it, as well as the nation and what
5 we're entrusted to do, and you know we heard about traveling
6 fishermen and this and that the other yesterday and all the
7 challenges this poses for the commercial sector.

8
9 This won't cure it all, but it would provide some relief and I
10 am curious to see how the public comments as we go forward with
11 this and maybe we can revisit this and do something that I could
12 be done to benefit some folks without really hurting other
13 folks. Thank you.

14
15 **CHAIRMAN ANSON:** Ms. Bosarge.

16
17 **MS. BOSARGE:** I am not going to make a motion either to change
18 anything. You know we have plenty of time to work on this and
19 we may decide to go with Alternative 4 or we may not, but one
20 thing I did want to say about Alternative 4 is not even specific
21 to mackerel in this document, but what I had hoped for
22 Alternative 4 is that it could be something that we can do both
23 ways.

24
25 You know we got a report from Dr. Branstetter yesterday on
26 landings on lots of different species and there may be some
27 species where the commercial is historically not catching their
28 allocation. This can go both ways, because in the same token
29 where I tried to set it up where it couldn't hurt recreational,
30 if it was a transfer that wasn't going from recreational to
31 commercial, the same is true if it's a transfer from commercial
32 to recreational each year.

33
34 I tried to set it up where it could go either way and so just
35 think of it that way in the future. Right now, it's going from
36 recreational to commercial, but it could be used in the opposite
37 manner as well.

38
39 **CHAIRMAN ANSON:** Mr. Riechers.

40
41 **MR. RIECHERS:** I don't want to sound negative here at all and I
42 applaud the way you've thought about this, Leann, in bringing it
43 forward, but when you're not, for one reason or the other or
44 other constraints, a sector is not catching their quota and you
45 create a situation to move it or shift it and then it can come
46 back without any harm, you know I am not really pressed to call
47 that a reallocation, because we truly haven't gone through the
48 reallocation notion of looking at the economics and making those

1 hard, critical decisions regarding reallocation.

2
3 A great way to do this in this scenario and I applaud the effort
4 as we move forward, but I think one of the efforts that we have
5 to have around this table at some point is a discussion about
6 how are we going to do it when it's true reallocation and when
7 we're really thinking about allocation in terms of economics and
8 changes in demographics and shifts in fishing pressure across
9 the Gulf from 1974 to now and how do we address that at some
10 point.

11
12 Great effort though here and I appreciate that. I am just
13 trying to make the distinction that obviously this is an easier
14 case than that and we still need to think and have on our radar
15 some of those bigger issues as well.

16
17 **CHAIRMAN ANSON:** Ms. Levy.

18
19 **MS. LEVY:** I just wanted to mention something about timing.
20 Obviously it's up to you how fast or slow you want to move this,
21 but there is a lot of talk about how there's lots of time to
22 reconsider and there always is time to reconsider or consider it
23 in a different amendment, but just keep in mind how many actions
24 are in this amendment and what some of them do, redefine the
25 boundaries, shift the allocation among the Gulf, give people
26 extra quota.

27
28 I am not sure, when you're thinking about how long you want to
29 consider this particular action -- Think about what it does to
30 the things in the rest of the amendment and if there's a
31 schedule to try and get those in place for a particular fishing
32 year.

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

35
36 **DR. CARRIE SIMMONS:** Thank you, Mr. Chairman. Just to build a
37 little bit on what Mara said, we did go ahead and hustle our
38 public hearings before the South Atlantic Council meeting in
39 February, so that if the South Atlantic Council and you guys
40 were ready to take final action at their next meeting that we
41 could. I just wanted to bring that up and let you know that
42 information.

43
44 **CHAIRMAN ANSON:** Thank you for the update on that. Any other
45 discussion? All right. We have a committee motion and it's in
46 Action 8 to make Alternative 1 the preferred alternative. **Any**
47 **opposition to the motion?**

48

1 **EXECUTIVE DIRECTOR GREGORY:** Three hands.
2
3 **CHAIRMAN ANSON:** All those in favor. Would you please raise
4 your hands indicating all those in favor of the motion?
5
6 **EXECUTIVE DIRECTOR GREGORY:** Twelve.
7
8 **CHAIRMAN ANSON:** Twelve to three. The motion passes. Dr. Dana.
9
10 **DR. DANA:** Thank you, Chairman Anson. We move next into Action
11 9, which is Modify the Recreational Bag Limit for Gulf Migratory
12 Group King Mackerel. The bag limit analysis provided by the
13 Southeast Regional Office was reviewed and the methods used
14 therein explained.
15
16 The Gulf CMP AP ultimately recommended Alternative 2 as the
17 preferred, citing the recent increase in recreational landings
18 as a reason for not selecting Alternative 3.
19
20 **The committee recommends, and I so move, in Action 9 to change**
21 **the preferred alternative to Alternative 2. Alternative 2 is to**
22 **increase the bag limit to three fish per person per day.**
23
24 **CHAIRMAN ANSON:** We have a committee motion. Is there any
25 discussion on the motion? **Is there any opposition to the**
26 **motion? Seeing none, the motion carries.**
27
28 **DR. DANA:** We moved on to Other Business, Additional
29 Recommendations made by the CMP AP. Gulf AP members discussed
30 generally less frequent encounter rates with cobia and noted
31 that those cobia which were being caught were generally smaller
32 than in past years.
33
34 Gulf AP members thought it prudent to be proactive, in the event
35 that an issue exists with the Gulf's cobia population. Staff
36 noted that an update of cobia landings would be available as a
37 result of the MRIP recalibration work to be done by the Science
38 Center in 2017.
39
40 Possession of the Recreational Bag Limit of King Mackerel on a
41 Commercial Vessel When the Commercial King Mackerel Season is
42 Closed, the current federal regulations prohibit the possession
43 of the recreational bag limit of king mackerel on a commercial
44 vessel when the commercial king mackerel season is closed and on
45 a dually-permitted for-hire vessel, unless that vessel is acting
46 in a charter or headboat capacity. The Gulf CMP AP thought that
47 this was rule unfair, since it is the only one of its kind and
48 does not apply to other species.

1
2 The committee recommends, and I so move, to recommend that the
3 council remove the prohibition on retaining the recreational
4 king mackerel bag limit on a vessel with a commercial king
5 mackerel permit or a dually-permitted charter vessel when the
6 king mackerel commercial season is closed, but while the king
7 mackerel recreational season is open.
8

9 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
10 the motion? Mr. Diaz.
11

12 **MR. DIAZ:** I guess I am going to put Jason on the spot. In the
13 past, I think when we've done things like this, it's for law
14 enforcement reasons. Do you see any law enforcement challenges
15 with this, Jason?
16

17 **LCDR BRAND:** We're having a meeting with the Law Enforcement
18 Committee at the Gulf States Fisheries Commission, where we can
19 discuss it further, but I think we've been able to work around
20 this in the past and I don't see a problem with it, if that's
21 the way you want to go forward with it.
22

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

25 **MR. SWINDELL:** Mr. Chairman, I kind of have a question regarding
26 whether or not the people that buy the fish are also prohibited
27 from doing so when the commercial king mackerel season is
28 closed, because then, if the commercial people have a
29 recreational permit and they can keep the fish -- As long as
30 they keep the fish, I don't have a problem with it, but I do
31 have a problem if you allow them to then go sell the fish. That
32 is a problem and so I mean are the suppliers prohibited from
33 buying the fish during the closed season?
34

35 **CHAIRMAN ANSON:** Dr. Branstetter, would you like to comment?
36

37 **DR. BRANSTETTER:** Yes, dealers are prohibited from buying and
38 selling in a closed area.
39

40 **MR. SWINDELL:** Then I have no problem with allowing a commercial
41 boat to keep the king mackerel during the recreational season if
42 they caught it recreationally. That's the only question.
43

44 **CHAIRMAN ANSON:** Ms. Bosarge.
45

46 **MS. BOSARGE:** My thoughts on this were specifically to fishermen
47 in my area and what's happening to them is the boats that they
48 fish commercially, and I mentioned this in committee, are

1 twenty-eight-foot, center-console Contenders, usually. They are
2 commercial fishermen and they fish day in and day out, but we
3 also have barrier islands right outside of the Mississippi
4 coastline.

5
6 They take their family and kids out on that same boat on the
7 weekends and on holidays to go fishing and do this and do that
8 and even go to the islands. Now, they are so heavily regulated
9 that even when they -- Because that boat is commercially-
10 permitted and they red snapper fish on it, they have to hail-in
11 and hail-out just to take their kids to the islands. They have
12 to call the government and say I'm using my boat for pleasure
13 today and they have VMS and everything else.

14
15 Essentially, what is happening to them is they can't go
16 recreational fishing for king mackerel on that boat without this
17 change. They can't take their family out on their boat to go
18 recreational fishing and so it's not a situation so much where
19 they're commercial fishing and they're going to keep a
20 recreational bag limit. It's more like it's Saturday and I
21 would like to take my kids fishing, but I can't have any king
22 mackerel on this boat as a recreational fisherman, because this
23 boat has a commercial permit on it.

24
25 **CHAIRMAN ANSON:** Dale.

26
27 **MR. DIAZ:** I am just worried about some unintended consequences
28 is all that I'm thinking about and I do think that there is
29 other examples. Sometimes when you have a permit or license to
30 do something, it prohibits you from doing other things and it's
31 not breaking new ground.

32
33 People that have reef fish permits, they have to fish out in
34 federal waters and they can't recreationally fish in state
35 waters when state-water seasons are open. We don't allow that
36 and I'm sure there is other instances like that.

37
38 I understand people wanting to go recreational fishing when
39 they're off, but I don't know if it's going to work enforcement-
40 wise. I just think there are some problems that might come up
41 in the future and I am just a little uncomfortable with it and
42 so thanks.

43
44 **CHAIRMAN ANSON:** I am sorry, Ms. Bademan. I overlooked you and
45 so you're next.

46
47 **MS. BADEMAN:** It's all right. On that note, Dale, I just wanted
48 to note that this is consistent with the way our state rules are

1 set up in Florida. If you have -- Actually, the way it's set up
2 now, if you're commercial fishing for blue crab, you can take a
3 recreational limit of king mackerel on that trip, even though
4 it's a commercial trip.

5
6 You can't be commercial king mackerel fishing and take
7 recreational king mackerel on top of that. That doesn't work,
8 but, in Florida, your saltwater products license, that's our
9 commercial license and if you have -- That's your license and
10 you can use it as a recreational license if you're recreational
11 fishing, so that you're not having to buy two licenses. At
12 least from a Florida perspective, I think we're good to go with
13 this.

14
15 **CHAIRMAN ANSON:** Mr. Fischer.

16
17 **MR. FISCHER:** Thank you, Mr. Chair. Maybe this is something we
18 have to look at across all management plans, all platforms, is
19 allowing the captain or the owner of the vessel to be able to
20 fish for certain species, because if you possess a charter for-
21 hire permit, even on an off day and you bring your wife and
22 child to fish, you cannot keep that bag limit of reef fish, even
23 on a fun trip.

24
25 Like I say, I don't think it's fair to those people and I think
26 this is something we should actually look at across all
27 fisheries.

28
29 **CHAIRMAN ANSON:** All right. Dr. Dana.

30
31 **DR. DANA:** Thank you. This is just a point of process. If this
32 motion does indeed pass, then the staff will need to determine a
33 proper mechanism in which it -- As Roy said yesterday, Dr.
34 Crabtree, if it's a framework action or if it goes into
35 Amendment 26 or whatever and so --

36
37 **CHAIRMAN ANSON:** Mara.

38
39 **MS. LEVY:** Thank you. I just wanted to let you know under the
40 reef fish regulations -- It basically says that if you have a
41 commercial permit and the commercial season is closed that you
42 can keep bag limit quantities of reef fish, as long as you don't
43 have any commercial quantities of any reef fish species on your
44 vessel. You can't commercial fish for reef fish and have bag
45 limit species of those species that are closed, but you could do
46 what Leann was saying and just be out on a recreational trip and
47 have bag limit of those reef fish species.

48

1 I think the South Atlantic snapper grouper regulations are a
2 little bit different. They just say if the commercial season is
3 closed then you have to abide by the bag limit. I don't see the
4 same restriction about not having commercial quantities of
5 snapper grouper species on there, but I am not as familiar with
6 their regulations and so I would have to look at that more
7 closely, but so at least with respect to reef fish -- This, if
8 we structured it the same way, would be consistent with that.

9
10 **CHAIRMAN ANSON:** Any other discussion? We have a committee
11 motion. All those in favor of the motion please signify by
12 raising your hand.

13
14 **EXECUTIVE DIRECTOR GREGORY:** Fourteen.

15
16 **CHAIRMAN ANSON:** All those opposed like sign.

17
18 **EXECUTIVE DIRECTOR GREGORY:** One. Fourteen to one.

19
20 **CHAIRMAN ANSON:** The motion carries. Dr. Dana.

21
22 **DR. DANA:** Thank you. We finished off with Modifications to
23 Electronic Reporting. Gulf AP members cited the need for an
24 electronic reporting system for all commercial fisheries.

25
26 With current technology, Gulf AP members think that fishermen
27 can electronically submit their logbooks when the fish are sold
28 to a dealer, thereby decreasing the amount of time it takes for
29 commercial landings to be compiled for stock assessments. The
30 committee recommended this issue be forwarded to the Data
31 Collection Committee. Mr. Chairman, this concludes by report.

32
33 **CHAIRMAN ANSON:** Thank you, Dr. Dana. That will take us to our
34 next committee report, Data Collection, and Dr. Stunz.

35
36 **DATA COLLECTION COMMITTEE REPORT**

37
38 **DR. STUNZ:** Thank you, Mr. Chairman. The Data Collection
39 Committee met on January the 25th. Our first order of business
40 was Transition Considerations of For-Hire Electronic Reporting.

41
42 Dr. Ponwith gave a presentation describing some technical,
43 management, and cost considerations necessary to implement
44 electronic reporting in the Gulf for-hire sector. She noted
45 that Southeast Fisheries Science Center is establishing a pilot
46 program to test electronic reporting for Gulf of Mexico for-hire
47 vessels.

48

1 Her staff is also developing a white paper to evaluate benefits
2 and hurdles of electronic reporting in the for-hire sector.
3 Specifically, reporting frequency, types of approved software
4 and hardware, program costs, and transition considerations to
5 ensure continuity of historical time series will be evaluated.
6

7 The next business was Modifications to Charter Vessel and
8 Headboat Reporting Requirements. The committee also discussed
9 that the Technical Committee appointed at the October 2015
10 council meeting should evaluate the Southeast Fisheries Science
11 Center's white paper, when complete, and provide additional
12 recommendations to the council.
13

14 **The committee recommends, and I so move, to convene the**
15 **Technical Committee to work in concert with the Southeast**
16 **Fisheries Science Center and the Southeast Regional Office to**
17 **weigh various devices and platforms capable of fulfilling these**
18 **requirements and review the white paper from NOAA Fisheries and**
19 **report back to the council.**
20

21 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
22 the motion? Mr. Greene.
23

24 **MR. GREENE:** I support this motion. The only problem that I
25 have with it is I would like to have some type of a time certain
26 point that we can move forward. Perhaps we should modify it to
27 say at the April council meeting, but I don't know how the
28 interworking of that is and I don't want to push too hard, but I
29 want to push hard enough to make sure we're there.
30

31 **CHAIRMAN ANSON:** Dr. Stunz.
32

33 **DR. STUNZ:** Well, I too would like to see April and I don't know
34 if Bonnie can comment, because I know that's a very short fuse.
35 I don't know if June is maybe more realistic, but I mean the
36 point being that I really feel that we need to move this along.
37

38 I really see we're on two paths here and Bonnie discussed sort
39 of these parallel tracks. You've got a situation where our
40 staff and Dr. Froeschke needs some guidance so he can continue
41 and get some text in the amendment document that the captains
42 can feel comfortable with using and, of course, that's the rub
43 now, during that AP panel, is that no one supported moving this
44 forward until there was some more details.
45

46 John, I think, and maybe he can comment to this, can provide
47 more information to make people feel comfortable, I think, but
48 at some point he's going to reach a stopping point, because he

1 doesn't have what he needs from Bonnie's group, because we just
2 don't have that information, but then Bonnie says she can't
3 proceed because she doesn't quite have what she needs for
4 guidance from the council.

5
6 We're kind of just stuck in this situation and so I was hoping
7 by this motion that the Technical Committee could help move that
8 along and so I don't know if April is reasonable and so maybe,
9 Bonnie or John, do you guys want to jump in?

10
11 **CHAIRMAN ANSON:** Dr. Ponwith.

12
13 **DR. PONWITH:** Thank you, Mr. Chair. We were aiming to have that
14 white paper ready in time for the briefing book for the April
15 meeting. If the goal was to have that white paper into the
16 hands of the technical committee and have an opportunity to
17 interact and then use that to provide some synthesized findings
18 to the council, I think it would be very difficult to have that
19 done by April.

20
21 If this is the proposal if this motion were to pass, I would
22 think that bringing advice to the council in the June meeting
23 would be more realistic.

24
25 **CHAIRMAN ANSON:** Dr. Ponwith, going back to some of the
26 conversation about this topic during committee, as part of this
27 weighing of the various devices and platforms capable of filling
28 these requirements, would there be some kind of guidance as to
29 how effective each one would be relative to real-time reporting
30 or monitoring and such?

31
32 **DR. PONWITH:** I think we need to take a step back from that,
33 because when you look at the purpose and need of this document,
34 it doesn't have the words "real time" in there anywhere. It
35 says timely and more precise and more accurate and so I think
36 that it's a policy call on behalf of the council of what do you
37 want?

38
39 Do you want real-time, because when the notion of VMS was
40 originally proposed, it was VMS was not proposed to have
41 nanosecond updates on landings. It was proposed as a mechanism
42 to be able to improve your ability to monitor effort and make
43 sure you have effort correct, because if your effort is wrong,
44 it doesn't matter how accurate your landings data are.

45
46 When you multiply those by effort to catch per unit effort, you
47 are going to have inflated or deflated numbers and so that was
48 the original purpose.

1
2 Now, I keep hearing on a hot mic, over and over and over again,
3 real-time data reporting. I think what we need to do is make
4 some decisions here on what the goal is. Are we looking at
5 something that improves the timeliness of the preliminary
6 statistics that we get beyond what MRIP is delivering us right
7 now, which is forty-five days after the end of a two-month wave,
8 or are we looking for near real-time landings reports? If so,
9 does that imply that you are doing in-season closures and
10 deciding today whether you're closing tomorrow, based on what
11 you have?

12
13 These are the decisions that we need to hear about, because I am
14 seeing sort of a straying of what the original purpose of this
15 is. The crisper we are on what the management intent of this
16 new system is, the better we are able to give you here are three
17 alternatives to meet that objective and here are what the
18 financial costs are and here is how long it would take to stand
19 something like that up and shift from what we have to what we
20 would have.

21
22 The goal is, from a science perspective, this system would have
23 to be demonstrably better, in terms of the quality of the
24 science, because we want to make sure that anything we do make
25 an investment in, that it's improving the quality, or else we're
26 going to run into best available science issues.

27
28 That's kind of what Dt. Stunz was talking about, where we're
29 chicken-and-egging and what we need to do is get the right
30 people together and make sure we have a shared understanding of
31 what we're trying to accomplish. The crisper that is, the
32 better job we can do with giving you very precise descriptions
33 of what your alternatives are.

34
35 **CHAIRMAN ANSON:** Dr. Crabtree, to that point? I have several
36 other folks.

37
38 **DR. CRABTREE:** Yes and the problem, as I see it, is we haven't
39 decided what we're going to do. We haven't decided about
40 Amendment 42 and so maybe we're going to move the headboats into
41 an IFQ or something like that, but we haven't decided.
42 Amendment 41, we haven't decided exactly how we're going to
43 manage the charter boats.

44
45 We haven't decided if we're going to do regional management or
46 not and we haven't decided if they're going to be included in
47 regional management or not and so we're in this dilemma where
48 we're trying to design the data delivery system we need and we

1 are getting questions about what do we need for the data, but
2 that really depends on how we're going to manage the fisheries,
3 to some extent, because I think if we decide we're going to do
4 an IFQ for headboats, probably the reporting requirements we
5 would need with that could be different than if we go some other
6 path. You know I think this is going to continue to be tricky
7 until we resolve some of these issues of how we're going to
8 manage these fisheries.

9
10 **CHAIRMAN ANSON:** All right. I have several people. I have Dr.
11 Froeschke and Dr. Stunz and Doug Gregory and Dr. Lucas. Dr.
12 Froeschke.

13
14 **DR. JOHN FROESCHKE:** I am just trying to reconcile this in my
15 head. From one perspective, the council has constructed three
16 actions and identified preferred alternatives that essentially
17 give some outline of what they want: trip level reporting,
18 electronic system, passively recorded location information.
19 That's the skeleton.

20
21 Dr. Ponwith gave a presentation on Monday, Tab F-4, and on Slide
22 Number 2, there is a blue box down there in the bottom and the
23 attributes are electronic reporting, daily trip, dockside/at-sea
24 validation, high-resolution fishing areas, more timely delivery
25 for management, and a calibrated system.

26
27 These do not seem at odds to me. They seem very consistent and
28 so, on some level, there does seem to be a clear understanding
29 of what both groups need and so perhaps the framework is already
30 there. I mean that's sort of what we have talked about in
31 getting more feedback from the Technical Committee and things.
32 Beyond the specifics, I don't know what more we could do and so
33 perhaps we could discuss what about that is inadequate.

34
35 **CHAIRMAN ANSON:** Dr. Stunz.

36
37 **DR. STUNZ:** I think I can partially address that and certainly
38 to Roy's point. There is a lot of moving parts, which gives us
39 a lot of challenges in moving an amendment like this forward,
40 but we had an AP that met and there's the technical memorandum
41 that's out that summarizes things very well, which I get the
42 feeling and envision that's sort of what everybody wants.

43
44 John, I think I'm pretty confident that -- So let's say in this
45 motion we put an April date to hear what Bonnie said about a
46 briefing of where she's at in this process. We work with staff
47 to come up with maybe fleshing this document out a little bit
48 more, in terms of what we want, because what I'm hearing from

1 Bonnie too is we're not necessarily providing her with as much
2 information as what we would like as a council.

3
4 I think, as the committee chair, we could bring that back to
5 this council at the next meeting, to have a little more
6 discussion points on that. I think also what that would do
7 would be to allay some of the concerns that the fishermen might
8 have about what they were going to get out of this program and
9 so I think that's -- In other words, I am leaning towards having
10 a motion for April and Bonnie brings back her report and we also
11 further the discussion of the amendment.

12
13 In June, she gives us more concrete about the real actual
14 processes is sort of what I would like to see and then, finally,
15 my second point would be -- Well, let me just stop there, but I
16 want to come back to that second point. I don't want to muddle
17 the waters here just yet.

18
19 **CHAIRMAN ANSON:** All right and so next we'll have Dr. Lucas.

20
21 **DR. LUCAS:** I want to say that I agree with Dr. Stunz here in
22 how we can proceed, but I also think -- First of all, thanks,
23 Bonnie, for clarifying -- I kept asking questions about VMS and
24 what we were going to use it for, law enforcement or if it was
25 about depth or whatever, and I think I just heard you tell me
26 that it was about effort. I think that's clarifying some things
27 there.

28
29 I thought we discussed a little bit on timeliness the other day
30 and I thought Steve Branstetter did a great job of summing up
31 what is the quickest they can even turn around and so we know
32 it's not real-time or near real-time. I can't remember and I
33 would have to look at my notes. It was fourteen days, or
34 sometime thereabout, on what the turnaround time would be and so
35 I mean the idea that you're going to use this for real-time
36 management decisions, with those type of timelines, we know
37 isn't really going to occur.

38
39 I think we have heard from charter boats that I don't think
40 that's what they were exactly expecting. They want more
41 accurate information and so I think we do have kind of a path
42 forward in some of the things we discussed the other day about
43 where we were trying to get to and I think if we kind of follow
44 Dr. Stunz's path there that we may get there sooner than waiting
45 on 41 or 42 to be finalized before we even consider how we do
46 data. I think we have to start capturing that data now.

47
48 **CHAIRMAN ANSON:** Mr. Brown, followed by Ms. Bademan.

1
2 **MR. BROWN:** I did want to mention to you that the State of South
3 Carolina is getting ready to implement an electronic charter
4 logbook for -- It will be mandatory here eventually, but it's
5 going to be an ongoing project, but it will go into effect on
6 February 8 and right now, Claude Peterson has developed it from
7 over here in Louisiana and they will be doing the maintenance on
8 it.

9
10 It will be implemented and I think what they're doing right now
11 is they're getting input from all the different charter guys on
12 how they would like to see it refined and put into effect.

13
14 They will have something similar to the electronic logbook for
15 the headboats, where they will have a map on there that will
16 have a ten-mile grid, so that you will be able to give a
17 position of where you were fishing, and some economic data and
18 stuff too. That's just to let you know that this is going into
19 effect.

20
21 **CHAIRMAN ANSON:** Mark, that would just be -- It's a logbook and
22 they have weekly reporting or it's daily reporting? It's for
23 effort or is it for monitoring? I mean what's the intention of
24 that?

25
26 **MR. BROWN:** Yes, it's a combination of things and it will be
27 weekly and it will mirror what's going on with the headboat,
28 electronic headboat. At first, I think it's going to start out
29 where it's still using the paper logs and you will have a choice
30 to do it online or the paper log, but it is eventually going to
31 transition into all electronic reporting.

32
33 **CHAIRMAN ANSON:** Ms. Bademan.

34
35 **MS. BADEMAN:** I just wanted to reflect a little bit on some of
36 the comments that we heard last night about this amendment and I
37 think the discussion we're having around the table is good, but
38 I also want to mention -- You know when we come back to the
39 actual actions in this document, I think we need to think about
40 some of these things, like what is the window that we really
41 need to be submitting these reports?

42
43 We heard some testimony last night that doing it before arriving
44 at the dock may not be the most realistic option and maybe we
45 can still do something daily, where there is hopefully less
46 recall bias and we're still getting the data quickly, or as
47 quick as I guess we can get it, but keeping in mind that there
48 is a lag. Also, a lot of the comments that we've heard about

1 VMS. I just don't want to lose sight of those in the long run.
2 Thanks.

3

4 **CHAIRMAN ANSON:** Dr. Stunz.

5

6 **DR. STUNZ:** To Ms. Bademan's point, I agree and just listening
7 to some of the captains, I feel like the amendment right now is
8 a little bit of a one-size-fits-all and we kind of mirror what
9 we're doing in the headboats what we're doing in the charter
10 boats and I'm not so sure that's necessary.

11

12 If, for example, the headboats need the same type of resolution
13 that the charter boats might need and it seems like Bonnie and
14 Roy's group sort of have what they need with working pretty well
15 with the headboats and I know it's a web-based reporting system
16 and that certainly could be improved and refined, but it seems
17 to be something that's working reasonably well and so you know I
18 don't know if we want to -- I think we need to discuss those
19 differences and those needs as we develop this further and I am
20 sure John can develop that and some different alternatives that
21 we can look at and consider next time.

22

23 The other concern that I have, and this is directed at you, Dr.
24 Ponwith, just a little bit, to clarify. Some of the hallway
25 discussions we had with the captains are, for example, the
26 generic amendment might be a little too generic, in the sense
27 that, okay, we're at some point going to turn this over to your
28 office, but they're concerned with at what point do they lose
29 the ability to have some input.

30

31 I know we had a little discussion about -- I guess I would hope
32 as a council and councilman that there would be this really
33 fruitful exchange of information about what's working and what's
34 not as you're going through these pilots, but we then have a
35 good idea of what something like that would -- How would you
36 envision -- You're running through a program and it's not
37 working and how are the fishermen going to communicate with your
38 office to get what they need once maybe we don't have as much
39 control over it as a council at that point? That was a concern
40 of many.

41

42 **DR. PONWITH:** I will say that for this to be a successful
43 venture that it has to be a successful partnership. As the
44 users of this system, we would engage quite heavily the
45 industry, but the industry wouldn't be the ones making the
46 policy decisions.

47

48 What we need to do is create a division of labor between what

1 decisions on how we get this work done land soundly in the
2 council's arena and what the scientific requirements are going
3 to be, which the Center can take the lead on, in consultation
4 with the SSC, and then when it comes to the actual nuts and
5 bolts of this system and how much latitude there is, both in the
6 software and in the hardware, that's when we would engage the
7 industry.

8
9 We have made a practice of doing this. We are doing a pilot
10 study right now, finishing up a pilot study, with commercial
11 trip ticket electronic reporting and the design work has all
12 been done in conjunction with the industry, because if the
13 industry can't use it, it's not in any of our best interests.

14
15 Again, I think the short answer is we need to line out what's
16 the responsibility of the council in terms of the decisions and
17 then, once we get those taken care of, within that guidance, we
18 would anticipate we would be engaging quite closely with the
19 industry.

20
21 **CHAIRMAN ANSON:** All right. I have Johnny, followed by Leann
22 and then Mr. Sanchez.

23
24 **MR. GREENE:** You know, when you read through the document and
25 you see things such as "NMFS-approved hardware and software", it
26 leaves it very vague, because it could be anything. You could
27 have paper logbooks or you could have all the way up to the most
28 fancy VMS ever provided.

29
30 My way of looking at this is if we're going to do something out
31 of the gate, I want to do it absolutely gold-star, 100 percent
32 perfect right off the bat and obviously intentions of that are
33 going to have pushbacks and people don't like them and people
34 don't want to report. People are uncomfortable with I don't
35 want people knowing where I am fishing.

36
37 I see commercial guys that obviously don't seem to have a
38 problem with it, although maybe it's used in a different manner,
39 but people don't seem to have an issue with it.

40
41 In my opinion, I always want to -- It's like selling an old car.
42 I am going to start way up here on my price and then we'll work
43 down to a level that everybody can compromise and work forward
44 with that, but I would hope that at least by April that we have
45 an idea of a little more clear direction.

46
47 I think Dr. Froeschke brought up some good points and I
48 appreciate the points that Bonnie made, but I think that we need

1 to have an encompassing deal that works from the top-down. In
2 other words, ideally, we would like to have this, but, from a
3 scientific standpoint, we don't need this and okay, then let's
4 step back a notch. From a management point, maybe we don't need
5 this and we can unilaterally do it, but I think it's foolish not
6 to start with the best possible thing we can get and work down
7 with it from there.

8
9 There are amendments that are proposed that are moving forward
10 and will have variance in this and I think that some people in
11 my industry felt like we were pushing this real hard and, to a
12 degree, I don't even know that some of this is really up to the
13 council.

14
15 I think it's really what are the science needs we have to have
16 and what type of platform do you have to have to get that
17 information and then we have to make those decisions.

18
19 I was kind of under the impression, and maybe I swayed or
20 whatever, but I was kind of under the impression of, okay, let's
21 kick this to you and when you're ready with it, we'll pick it
22 back up and go with it and perhaps maybe that's why the final
23 action is there.

24
25 I understand there is a lot of people that were uncomfortable
26 with it, because it moved extremely fast, and I kind of got a
27 little nervous about how fast it was moving too and so, with
28 that being said, I would certainly like to hear what the other
29 people have to say, but I am probably going to come back and
30 make a substitute motion to add the word "April" in that
31 existing motion, but we will go from there, after the other
32 people have an opportunity to speak.

33
34 **CHAIRMAN ANSON:** Leann.

35
36 **MS. BOSARGE:** Three things that I would like to address. You
37 had originally mentioned an April timeframe, Dr. Stunz, and I
38 was hoping to see something at our next council meeting to give
39 me a little more clarity on this too.

40
41 It seems like what won't allow this motion to pass with an April
42 timeframe is the white paper. Well, I am somebody from private
43 industry and I feel like if you have enough knowledge in the
44 room, it doesn't matter if they've written it on paper or not.
45 The knowledge is there and whatever is in that white paper is
46 probably in their mind as well and they can have a meeting and
47 maybe get some further information for us to consider.

48

1 Maybe if we remove the words "white paper" from this motion,
2 which would have to be a substitute, I assume, we could remove
3 "white paper" and add an April timeframe, for at least these
4 people to meet and us to have some feedback. Otherwise, we're
5 going to sit here in April and have the same conversation and
6 wonder what's going on and so that's my first thing.

7
8 The second thing is what Martha mentioned about the day of the
9 reporting and that maybe it's not necessary to have this before
10 actually hitting the dock at this point, but to still have it as
11 far as the bias recall and accurate data. I would concur with
12 that, but, on the same token, I think if we have a system -- If
13 we set up a system and if we stand up a system that can handle
14 daily reporting, surely it wouldn't take that much of a tweak to
15 the system to change three hours in the time you report. That
16 sounds like a regulatory thing, to me.

17
18 If we say you have to report daily and at some point in the
19 future we pass Amendment 42 and it requires some sort of
20 reporting before you land, well, surely the system would be able
21 to handle somebody reporting at four o'clock in the afternoon
22 versus ten o'clock at night in the same day. I don't think
23 that's really all that big of a deal as far as moving along and
24 trying to have this meeting and figure out where they're going
25 with a system.

26
27 Then the last thing is I realize that that meeting right there
28 is going to be pretty technical, but I think if I'm not able to
29 listen to that meeting right there and really understand the
30 issues that they're having, as far as what they need from us and
31 how that goes into the nuts and bolts of the system that they're
32 trying to stand up, that I will never get my arms around this
33 and so when this meeting takes place, I would like to request
34 that it's available via webinar, so that I can hear it, so that
35 I really understand what's going on and what decisions I need to
36 make right here and if I don't make that decision, what
37 repercussion it has.

38
39 **CHAIRMAN ANSON:** John.

40
41 **MR. SANCHEZ:** Thank you, Mr. Chairman. I, for one, would like
42 to, I guess, flesh out in this, as this thing evolves, for me to
43 get a better understanding of the balance we're trying to strike
44 between real time, near real time, given the fact that there is
45 some hardships to certain types of fishing operations and you're
46 taking -- You're a headboat and you've got a lot of people and
47 it's going to be hard for you to do a timely report with a lot
48 of people on it and you're adding hours to already a really

1 tough day.

2
3 We heard some of that during testimony, as well as the reality
4 of if you were to get inundated, the agency, with a bunch of
5 information all at once, is it really going to be processed in
6 real time anyway? So kind of figure out where that balance is
7 between doing this in a way that doesn't completely
8 inconvenience the fishing public as well as when do you really,
9 really need this balance without losing its effectiveness in
10 terms of timeliness?

11
12 **CHAIRMAN ANSON:** Dr. Ponwith.

13
14 **DR. PONWITH:** To that very point, here is one of the challenges
15 that we face. You know I absolutely recognize that pushing a
16 "send" button on an electronic report after you're in the
17 fourteenth hour of your day and trying to get your customers out
18 to a restaurant so they can have a cup of coffee and celebrate
19 their catch is challenging, but, as chaotic as that day has
20 been, picture accumulating seven chaotic days and sitting down
21 on a Sunday night and trying to recreate each of those seven
22 chaotic days in your mind.

23
24 I can guess that you can imagine how the recall would erode as
25 each day accumulates and so these are the very things that we're
26 thinking about when we ask about the periodicity of reporting.

27
28 My expectation is for any amount of accuracy in those reports
29 that you would have to create that report at the end of each
30 day. I am a birder. I go birding. I will go out for four days
31 in a row and if I don't sit down every single night, by the
32 third day, I can't remember what I saw the first day compared to
33 the second day. It all becomes a blur.

34
35 If it's a blur, those are still data, but the challenge is we
36 get blurred data that are electronically reported and then when
37 we compare them to the actual observations on the dockside
38 validation, the difference of them increases. The bigger those
39 differences are from one another, the more estimation we have to
40 make to calibrate those in.

41
42 I know that there is going to be some give and there is going to
43 be some take, but what the science can do for you is to explain,
44 if you make this decision, these are the scientific
45 repercussions and, again, there are pros and cons and there are
46 costs and benefits to every single decision that has to be made,
47 but that's just one example.

48

1 **CHAIRMAN ANSON:** I have Mr. Swindell, followed by Mr. Brown.
2
3 **MR. SWINDELL:** I hear what you're saying, but, at the same time,
4 when we're talking no more fish than people are allowed to catch
5 and red snapper and all, I think it's fairly easy to have -- At
6 the end of the week, put together what you've done for the week
7 and stretch it out by day and size of fish and date you were
8 doing this. I mean I have been in an industry that we filled
9 out logbooks for every set. Every time you caught fish, you
10 filled out a logbook and it got to where it can work, but for
11 this, what do we want to know?
12
13 I want to know how many fish people are catching and some way of
14 estimating the pounds, once the Science Center gets the
15 information of how many they caught by size, perhaps. At least
16 then correlate that with some pounds and that's a lot better
17 than we're getting now.
18
19 I mean I can't believe that when you're saying you're catching a
20 red snapper that's seventeen inches long that you can't come up
21 with how much weight that fish is. That can be done. I just
22 think Louisiana has a good system, but they do it biweekly for
23 their recreational catches and I think it would work for
24 everybody, no offense. Thank you. I think we can come up with
25 a system that will give you the data that you need to get this
26 thing going.
27
28 **CHAIRMAN ANSON:** To that point, Dr. Ponwith.
29
30 **DR. PONWITH:** Yes and so just a correction. This isn't a red
31 snapper sampling program. It's for all reef fish species and
32 all coastal migratory pelagic species and so it's recall across
33 a wealth of species.
34
35 **CHAIRMAN ANSON:** Mark.
36
37 **MR. BROWN:** I did want to clarify something. I had to go out
38 and make a phone call about it, because I wasn't quite sure if I
39 had relayed exactly what it was, but we are moving in that
40 direction and the target date for making this mandatory will be
41 January 1st of 2017 and throughout this year, there will be some
42 working with this program with some like a pilot type of
43 program, you know just to make sure we get everything worked
44 out.
45
46 We have had a logbook program in place for South Carolina for a
47 long time and we came online I think it was last year with the
48 electronic headboat and there's only thirteen headboats in the

1 State of South Carolina and so we don't have a lot of people
2 that are participating in that, but we do have a lot of charter
3 boats and what the end thing is that we're trying to do, is
4 we're trying to get to a point to where we can get the charter
5 boats online with an electronic logbook and get everybody into a
6 similar program, so it doesn't matter whether you're a charter
7 or a headboat. You're going to report one time and it will go
8 through the same system and it will go to the feds and the state
9 will also get it and so then that way, everybody will be on a
10 uniform type of reporting.

11

12 **CHAIRMAN ANSON:** Mr. Fischer.

13

14 **MR. FISCHER:** Thank you, Mr. Chairman. I believe the challenge
15 coming is how much user-supplied data do you use and how far do
16 you want a captain to delve into the biology of the fish versus
17 how much do you want a dockside biologist to do his job and how
18 to marry these. I believe that's where the final challenge is
19 going to come from and what are we trying to get out of the
20 whole program?

21

22 **CHAIRMAN ANSON:** I agree with lots of the comments that have
23 been made here. What is that we're trying to get and, as Dr.
24 Crabtree noted earlier, we've got some pending amendments that
25 might really shed some light on that and so we're trying to
26 almost do these -- Go ahead.

27

28 **MR. FISCHER:** To sum up and to tie in with what Dr. Crabtree
29 said, I don't think -- I think we could get a report from this
30 committee in April, but I think it's going to be ongoing. I
31 don't think we're going to have not even near a solution. We
32 won't even see options at this time and so let's not get our
33 expectations high that they're going to lay a program out in
34 front of us by April.

35

36 I think they will just lay the challenges out to us and,
37 depending on what happens on three of our next amendments we'll
38 be taking action on, it depends on where this is going.

39

40 **CHAIRMAN ANSON:** Yes and that was, I guess, my question, after
41 the motion was brought up, is I just want to -- From my
42 perspective, I want to make sure that when this group convenes
43 that they come back with a product that the council understands
44 what the product is going to be and there isn't any expectations
45 that there's something else that's going to be provided that
46 would help us get to that endpoint, whatever that endpoint is,
47 but to that point, Dr. Ponwith.

48

1 **DR. PONWITH:** Let's talk about that. What I am hearing is that
2 there is going to be a -- Let's see. To convene the Technical
3 Committee. What I am hearing is the going thought is for the
4 Technical Committee to meet and, instead of focusing on getting
5 that white paper in front of the council in the April meeting,
6 to put our emphasis on getting the Technical Committee together
7 to walk through here are -- You can do it this way, this way,
8 this way, or this way and here are the costs and here are the
9 benefits and here are the pieces that are kind of transferable
10 if you take this approach and here is what you gain and here is
11 what you lose, in terms of the two criteria that seem to be the
12 prevailing criteria, which is timeliness and accuracy and
13 precision.

14
15 I think it would be smart, before we get the group together, to
16 have a conversation about what we want out of that group, for
17 that very reason, to make sure that what you are delivered is
18 what you were expecting.

19
20 What I picture in my mind is kind of a flow chart. You can do
21 this and this is what it looks like and here is what the
22 requirements would be in terms of science and here's what the
23 requirements would be in terms of the software and here's how
24 long it might take to get enacted and here's another approach.
25 It's different from this one because and here are the
26 differences in cost and here are the differences in how long it
27 would take to be put into place.

28
29 I could picture a flow chart type of product in that, so that
30 you can take a look, so that as you weigh not only this
31 amendment, but the other actions that you are contemplating with
32 respect to the charter for-hire and the headboat fleet, you can
33 take those into consideration. Is that what you have in mind?
34 Does that seem like it's going to get you to where you need to
35 be to make decisions on this?

36
37 **CHAIRMAN ANSON:** That sounds like kind of -- Based on the
38 discussion at the committee and based on a lot of the comments
39 we heard at the podium and certainly a lot of the emails that we
40 have received here lately -- There is just a lot of unknowns to
41 folks as to what they're getting and what they're going to be
42 committed to, potentially.

43
44 The cost is an issue, obviously. You don't have much money or
45 you don't have any money down the pipe and so if those costs are
46 shifted to the individual charter boat guys and that's going to
47 be an issue that would go into their matrix of which they would
48 like to potentially go down.

1
2 I don't know, Dave, I mean I think you brought this up during
3 one of the previous meetings, but you all have done an analysis
4 some time ago, by at least one of those methods with the
5 validation and, granted, the numbers might need to be redone, as
6 far as the cost, but I mean you've got -- You're going to be
7 involved with that Technical Committee and that will be
8 information you can provide too and so thank you for that.
9 Okay. I have Dr. Stunz.

10
11 **DR. STUNZ:** Mr. Chairman, you made my main point there and I
12 know we need to move on and get these dates laid out, but I
13 wanted to make a point to both Myron and Johnny about I agree
14 that we want to get the best possible thing coming out, but, in
15 reality, there is probably going to need to be tweaks and I
16 would hope we would together, working with Dr. Ponwith, have
17 something that's very adaptable as we go.

18
19 You know I keep hearing the word "pilot" and, having been
20 responsible for a couple of those pilots myself, I feel like
21 we're getting piloted to death here and so the point that I want
22 to make is I would rather try to get this as best as we can,
23 but, at the same time, we do have MRIP that I wanted to remind
24 everyone that's going to be running alongside of this as well
25 and that obviously is not going to go away anytime soon and
26 that's a good thing.

27
28 I don't think there's a big risk in if we don't have it exactly
29 the way we need it and we use some adaptable approach to
30 designing this that it can evolve as we go along as well, but,
31 in other words, I don't want us to be held up here trying to get
32 every possible thing perfect, because it's going to probably
33 change, at least move it down the road more.

34
35 **CHAIRMAN ANSON:** Leann.

36
37 **MS. BOSARGE:** I would like to offer a substitute motion to
38 convene the Technical Committee to work in concert with SEFSC
39 and SERO to weigh various programs, that's a general version of
40 the word "program", meaning data collection program, devices,
41 and platforms capable of fulfilling these requirements, in an
42 effort to report back to the council at the April meeting.

43
44 I am leaving out the white paper, because it won't be ready in
45 time. We can also review that white paper at our April meeting
46 as a separate agenda item, I think, but I would like to see this
47 meeting take place before the April meeting, the Technical
48 Committee meeting, so that we can get a report back on that and,

1 as a sidebar, I would mention again that I would love for that
2 to be broadcast via webinar so that I can hear it firsthand and
3 understand where these tradeoffs are and what they mean, if I
4 can get a second.

5
6 **CHAIRMAN ANSON:** There is a substitute motion and it's been
7 seconded. Mr. Walker, did you second?

8
9 **MR. WALKER:** I second.

10
11 **CHAIRMAN ANSON:** It's been seconded. Any discussion on the
12 substitute motion? Dr. Ponwith.

13
14 **DR. PONWITH:** So has an effort been made to name that committee
15 yet, because if the notion is for them to meet to deliberate and
16 to generate a product for the April meeting, in time for the
17 briefing book, so you can study it, that's a really short
18 timeframe and so I just --

19
20 **CHAIRMAN ANSON:** I think there is and, Dr. Froeschke, can you
21 answer that question?

22
23 **DR. FROESCHKE:** Yes and, well, two points. Yes, we have the
24 Technical Committee. The difference though between the white
25 paper approach and the Technical Committee approach is that the
26 Technical Committee has met before and the generalities that
27 limited the document are because that group has no information
28 about what are the bounds of the resources available for
29 potential programs, even with an order of magnitude.

30
31 The benefit of, I think, a white paper approach is that the
32 agency would take the lead on constraining potential ideas
33 within what they felt like were possible and so then this
34 committee could review that.

35
36 If we go to the meeting approach, it seems that we need some
37 mechanism to get some better ideas of what's possible within the
38 box, so we can do better.

39
40 **CHAIRMAN ANSON:** Leann.

41
42 **MS. BOSARGE:** John, I completely understand where you're coming
43 from and I feel like you've probably been beating your head
44 against the wall with this for a while, but I think the
45 difference between this right here and the stand-alone Technical
46 Committee is that we're also bringing two other groups or
47 individuals into this process and I think that what Bonnie just
48 described to Kevin, when she answered Kevin's question about a

1 flow chart showing some tradeoffs if you stand it up this way or
2 if you stand it up this way, you could tweak it here and this is
3 your tradeoff and this is what you get, that gives people like
4 me that don't have the background of you and Dr. Stunz something
5 to work with, something to start with.
6

7 I think that the council has a good idea of what we expect to
8 see out of this and I think that Dr. Ponwith and her shop have a
9 pretty good idea of what they're going to go into this trying to
10 accomplish and so I think we will get some good outputs from
11 this meeting, to at least further the discussion.
12

13 **CHAIRMAN ANSON:** Mara.
14

15 **MS. LEVY:** Just wanting to clarify what "these requirements"
16 are, is that referring to what Bonnie had in her presentation
17 about the requirements for a data collection system or what's
18 been discussed in the prior Technical Committee Report?
19

20 **MS. BOSARGE:** In the original motion, I'm sure that "these
21 requirements" probably referred to the actual document that we
22 had in front of us fulfilling what we had as our preferreds,
23 those requirements.
24

25 Now, I think though, with the discussion that we've had around
26 this table and the document that we have in front of us, I feel
27 that Bonnie has a pretty good idea of what we mean by "these
28 requirements" and are you okay with what we expect to get out of
29 this meeting or what we hope, I guess, to get out of this
30 meeting, your flow chart approach?
31

32 **DR. PONWITH:** Yes, I think I can picture that and then we can do
33 sort of iterative examples of if this is a management objective,
34 here are the approaches we can take. If the management
35 objective changes -- Yes, I think we can look at that.
36

37 **CHAIRMAN ANSON:** Mr. Walker, followed by Mr. Greene.
38

39 **MR. WALKER:** I was just going to add -- I mean you know real-
40 time is what most people are wanting, real-time, and there is a
41 way in these devices, looking at different options, to get what
42 they're looking for.
43

44 A lot of you have got emails and it seems like a lot of boats in
45 Venice all run forty knots and that's forty-six miles an hour.
46 If you're running that fast, you ought to have time to at least
47 pull your boat out of gear before you hit the dock to gather
48 things back together, because there's going to be a lot of

1 things on the deck scattered around, and so you're going to have
2 a little bit of time.

3
4 It doesn't take long and it's not real complicated. The
5 headboat, they didn't have any problems filling out their VMS
6 and it doesn't take that long to prompt right through and enter
7 in your data and fishermen are capable of multitasking.

8
9 **CHAIRMAN ANSON:** Johnny.

10
11 **MR. GREENE:** I thought I was pretty good at multitasking, but,
12 thanks, Captain Walker. I hate to put the council staff on the
13 spot, but, Dr. Simmons, would you weigh in on this? I think
14 somehow I am missing something here and I know you've been a big
15 part of the beginning. I hate to put you on the spot and if you
16 don't want to answer, you don't have to, but I just would like
17 to get some feedback.

18
19 **DR. SIMMONS:** All right. Thank you, Mr. Chairman. My concern,
20 again, is that we have convened the Technical Subcommittee. We
21 have a draft, and it's in the back of the document, about
22 various recommendations, based on the Cadillac programs, the
23 medium program, and the lower program, I think.

24
25 They may not be set out exactly like that, but the issue we've
26 had in the past, when we convened this Technical Subcommittee,
27 is we didn't know what kind of resources we had available and
28 whether those resources were all going to come from the agency
29 or whether they were going to be divided among the fishermen or
30 any of those types of things, whether it was going to be a
31 sample or a census and how the program was going to be developed
32 and how it was going to run, along with MRIP for the charter
33 vessels, et cetera.

34
35 We didn't have all that information from the agency and so I
36 really feel like, in order to get what I think the council wants
37 out of this subcommittee, is we need something tangible for them
38 to look at about how they think this program might work, so that
39 they have an opportunity to take that information, be it a white
40 paper or a presentation or whatever the Science Center staff can
41 provide, so that they have something to look at and review and
42 then develop their recommendations from that.

43
44 What I'm afraid of is without that information is that, again,
45 we'll be shooting in the dark as far as providing
46 recommendations.

47
48 **CHAIRMAN ANSON:** Dr. Ponwith, to that point.

1
2 **DR. PONWITH:** Yes and so in terms of the federal resources
3 available to bring this work, that is a mystery from even me,
4 because I don't have a budget to develop recreational programs.
5 It's not in my budget and so it's not a budget resource line
6 that's in my control and it's something we would have to compel
7 and compete for and so that is part of the challenge. I don't
8 know how much resource would be available.

9
10 The stronger package we put together and the more compelling
11 that package is, and by compelling, it is if we do this, we will
12 have an increase of precision of this, we'll have an increase of
13 timeliness of this, and it will serve the management process in
14 the following ways, that is what will be compelling.

15
16 The tighter that package we can put together, the more
17 likelihood there would be the resources that it would take to
18 put this together and it gives us then a little more information
19 to understand where the cost sharing line will be between what
20 the government does versus what part the industry would have to
21 bear.

22
23 So I understand Dr. Simmons's frustration, because I have got
24 some of the same concerns. I think where we are right now is a
25 T in the road and that is to get the team together with the
26 federal folks and sit down and refine, because I am hearing, on
27 one hand, a concern that we don't want too much of this to be
28 done exclusively by federal people and miss an opportunity for
29 input from outside of the federal family, but then I am hearing,
30 on the other hand, that other leg of the T, is it may be time to
31 bring the federal folks together with the team again and take
32 what was done in that original white paper and refine it with
33 what we know now that the amendment is this far alone.

34
35 Those are two valid approaches to taking the next step and it's
36 a matter of which approach you think is going to be the most
37 effective. Both have their pros and both have their cons.

38
39 **CHAIRMAN ANSON:** Dr. Stunz.

40
41 **DR. STUNZ:** I hear that and I recognize your concern, Dr.
42 Simmons and Dr. Ponwith, and I certainly recognize the budgetary
43 constraints, but I think we need to first go with what is the
44 program we want and with a budget in mind and something
45 realistic, obviously, but that's why I like Leann's idea of the
46 starting point of this flow chart.

47
48 I still don't even really know what it would look like, but I

1 mean I think that's the whole point. You look at the amendment
2 and I don't think what we're talking about here that we can make
3 those decisions in the context of alternatives and actions and
4 those kind of things.

5
6 We need the starting point where we can envision what this
7 program is going to look like in the charter and the headboat
8 and then is it going to be a census in each one and so I think,
9 until we see something that we can work with and then start
10 developing, it's the place to go.

11
12 I would recommend, based upon this motion, if it's approved,
13 that a major outcome, or what we need to see, maybe even prior
14 to this meeting, is a start to that flow chart that we can begin
15 to work with and have something to discuss.

16
17 **CHAIRMAN ANSON:** All right. We are out of our time for this
18 portion of the meeting, but I have Johnny next, but I would like
19 to try to wrap up further discussion on this, so we can go ahead
20 and dispense with these motions. Johnny.

21
22 **MR. GREENE:** I was going to try to help you with that. We're at
23 ten o'clock and I think we're scheduled for a break. Would you
24 consider allowing us to take a break and give us a few minutes
25 to work on this? I think everybody is onboard with it and I
26 think if we have a few minutes to kind of work on the motion
27 that perhaps when we come back that we could get something up on
28 the board that would be okay with everyone.

29
30 **CHAIRMAN ANSON:** Yes, since we're kind of at a break, and if
31 that would kind of expedite things, I think we can go for that
32 and so let's take our scheduled break and then come back and
33 finish up with Data Collection. Let's do ten minutes for our
34 break. Thank you.

35
36 (Whereupon, a brief recess was taken.)

37
38 **CHAIRMAN ANSON:** Okay and so we're back in the Data Collection
39 Committee Report and we have a substitute motion on the board.
40 Leann.

41
42 **MS. BOSARGE:** Okay. After much discussion, we have tweaked this
43 motion a pretty good bit and so what I would like to do is
44 withdraw that substitute motion, if my seconder will concur,
45 which was David.

46
47 **MR. WALKER:** Yes.

48

1 **MS. BOSARGE:** Okay. Then I would like to make a new substitute
2 motion, which I gave to staff, in the interest of time. **The**
3 **motion is to request that SEFSC prepare an analysis in the form**
4 **of a flow chart for alternatives for reporting in the for-hire**
5 **sector for the council to review at its April 2016 meeting.** If
6 I can get a second for this substitute motion, I will explain
7 quickly.

8
9 **MR. GREENE:** Second.

10
11 **MS. BOSARGE:** Okay. This will give us a flow chart to review at
12 our April meeting and the work on the white paper will also
13 continue and some time after the April meeting and before the
14 June meeting, hopefully, there will be a meeting of the
15 Technical Committee, at which point they will have this flow
16 chart, which we have made comment on, as well as the white paper
17 to review and hopefully be able to make even more progress
18 between the April and June meeting, but this is what I would
19 like to see us have in front of us at our April 2016 meeting, to
20 wrap our hands around what we really have here and what our
21 options are.

22
23 **CHAIRMAN ANSON:** All right. We have a substitute motion and is
24 there any discussion on the motion? Mr. Swindell.

25
26 **MR. SWINDELL:** Is this for all fisheries that the for-hire
27 sector is involved in? Is that correct?

28
29 **MS. BOSARGE:** This would be for the for-hire sector and Bonnie
30 has mentioned that there will be several different options and
31 alternatives in the flow chart. The flow chart will branch out
32 in many different areas, where if you want to go this way with
33 headboats or if you want to go this way with charter for-hire or
34 if you want to go all together -- There will be different
35 alternatives and tradeoffs with each path in the flow chart, so
36 that we can make some sort of evaluation as to what these
37 tradeoffs are.

38
39 **MR. SWINDELL:** But this is not just for red snapper? This is
40 for all fisheries?

41
42 **MS. BOSARGE:** Right. This is in regards to what's in the actual
43 document and so CMP and reef fish.

44
45 **CHAIRMAN ANSON:** Mr. Fischer.

46
47 **MR. FISCHER:** I think I would like to see on this flow chart
48 also some discussion of other species that are MRIP species, but

1 not necessarily council species, like HMS species, tarpon, and
2 things the coastal guides are capturing, because there is a lot
3 of snapper captured by coastal guides that aren't permitted and
4 so we have to -- We have to have one system and the flow chart
5 has to encompass everyone.

6
7 **CHAIRMAN ANSON:** Dr. Crabtree.

8
9 **DR. CRABTREE:** It seems to me this is just reporting by
10 federally-permitted vessels and it seems to me it's a census and
11 we're going to make every vessel have this and every vessel,
12 federally-permitted vessel, report and they're going to report
13 every species they catch. It doesn't matter if they catch it in
14 state waters or they catch it in federal waters. They are going
15 to report all of their catches and all of their discards.

16
17 Are we at least in agreement on all of that? But it's not going
18 to apply, for example, to a state-licensed guide who only fishes
19 in state waters, because we don't have any authority to require
20 them to do these things and so I mean are we all in agreement
21 and clear on that?

22
23 **CHAIRMAN ANSON:** I think we are now. Mr. Fischer.

24
25 **MR. FISCHER:** So, for clarity, it's reporting permitted for-hire
26 vessels, from what Roy just said, and not just for-hire vessels.

27
28 **DR. CRABTREE:** It's the federally-permitted for-hire sector, I
29 would say.

30
31 **MS. BOSARGE:** That's fine and we can make that amendment. I
32 assumed with the document we had in front of us that that was
33 kind of read into it, but we can spell it out if you would like
34 and that's not a problem.

35
36 **CHAIRMAN ANSON:** Mr. Greene, you seconded the substitute motion
37 and do you agree? Okay. **Any further discussion on the**
38 **substitute motion? Any opposition to the substitute motion? We**
39 **have one opposed. The motion carries.** Dr. Crabtree.

40
41 **DR. CRABTREE:** So, Bonnie, when you guys go, we're clear that
42 we're talking a census for all the federally-permitted vessels
43 and I think what we want is to get as timely reporting as we
44 can. We talk about real-time and I guess real-time technically
45 means instantaneous, which I don't know that any of this is
46 going to be, but I think the amendment is pretty clear that we
47 want trip-level reporting, which, depending on how many
48 expansions and things have to be done with it, gets you on a

1 scale of at least days or a week maybe, but I think that's what
2 we're talking about.

3
4 Now, you can argue, depending on what management decisions we
5 make, that we might not need that, but, at least for now, I
6 think that's -- My sense is that's what we're talking about that
7 we want.

8
9 Then, if we can make some decisions over the next meeting or
10 two, maybe that changes and maybe it doesn't, but I don't know
11 that that changing would significantly shift the hardware and
12 things that we're talking about, but it might shift the
13 requirements in how the software would be structured to send in
14 the reports.

15
16 **CHAIRMAN ANSON:** That's my sense, is trip-level reporting. You
17 know if there are opportunities in the flow chart idea to
18 indicate this type of avenue or approach requires a certain
19 hardware or doesn't -- It doesn't need to be, but it would be
20 better if you had this, for daily reporting, let's say, versus
21 the next option in the flow chart idea would be weekly reporting
22 and you could -- It would be an option that you could include
23 certain hardware, but, again, if you took it out, it would have
24 this impact and that type of thing.

25
26 **DR. CRABTREE:** Then there's the issue of VMS coming up, which I
27 don't know that we're prepared to deal with at the moment.
28 There is clearly some reluctance to go with VMS and it seems to
29 me what we need -- You know part of this is the effort part of
30 it and was the trip taken or not.

31
32 We found out with the headboat survey that they get busy on
33 trips and some of them were doing two-day trips and sometimes
34 they did a trip and forgot to hail-out or do anything. We knew
35 they made a trip, because we had the VMS on the boat and we
36 could see they went out and so we could nail them down and fix
37 that.

38
39 I don't know that a VMS is necessary to do that. I know Dr.
40 Gallaway talked about a reporting system with cell phones and
41 all and it could be that that's adequate that we could tell if
42 the boat went out or didn't go out with that. It might be with
43 a telephone app or something and it's not VMS, but you could
44 tell if the boat left the dock and went out with it.

45
46 I guess maybe for now we might come back and decide we do need
47 VMS and maybe if we go down the path of Amendment 42, we'll
48 decide we've got to have VMS for that, but, at least for right

1 now, we want some ability to tell if the boat actually went out
2 or not, but it doesn't necessarily have to be a full-blown VMS.
3 It seems to me that almost any reporting device now, whether
4 it's a tablet or a phone or any of that, has GPS capabilities
5 and could tell you where you went and that's the best I can do
6 with clarifying some of these things, until we get further down
7 the path of deciding what we want, but I hope, Bonnie, that
8 gives you guys enough to kind of reign some of these things in a
9 little bit and get a little more specific about how we might do
10 it.

11
12 **CHAIRMAN ANSON:** I appreciate those comments, Dr. Crabtree, to
13 help try to help Bonnie and her staff and the group that meets
14 to come out with something that, again, we can explore further
15 and have a better understanding and as well as the public to
16 have a better understanding as to what the options are and what
17 the benefits are and what the tradeoffs are and if, Bonnie, you
18 can do kind of that.

19
20 Definitely we need some validation, but it doesn't need to be
21 VMS and it could be some other alternative method and, again,
22 what impact that has on the reliability of the information and
23 the cost and the ability of staff to take that and incorporate
24 it into their analysis and monitoring and such and that would be
25 great. All right and so, Dr. Stunz, I think you have a little
26 bit more in your report.

27
28 **DR. STUNZ:** Yes, just a slight bit more. I will just read the
29 last part of it here into the record. Upon completion of the
30 technical review of the Southeast Fisheries Science Center white
31 paper and pilot project, the council can evaluate these
32 recommendations and take final action on the Modifications to
33 Charter Vessel and Headboat Reporting Requirements Amendment.
34 Mr. Chairman, this concludes my report.

35
36 **CHAIRMAN ANSON:** Thank you for that report. That will take us
37 to the next report, which would be the Shrimp Committee Report
38 and Ms. Bosarge.

39
40 **SHRIMP MANAGEMENT COMMITTEE REPORT**

41
42 **MS. BOSARGE:** The Shrimp Committee moved to adopt the agenda and
43 approved the minutes of the October 2015 meeting as written with
44 one revision.

45
46 Amendment 17A, Shrimp Permit Moratorium, staff reviewed both
47 written and public hearing comments, Tab D, Numbers 4(a) and
48 4(b). Staff reviewed the amendment, Tab D, Number 5, and noted

1 that the council's current preferred alternative would extend
2 the moratorium on shrimp permits for ten years.

3
4 Staff also reminded the committee that a preferred alternative
5 for Action 2 had not yet been selected. Committee members
6 discussed the benefits associated with maintaining the royal red
7 endorsement to the federal shrimp vessel permit and whether the
8 endorsement was necessary.

9
10 Staff reminded the committee that the document was slated for
11 final action at this council meeting and selecting a preferred
12 alternative for the royal red shrimp endorsement action would
13 allow the public the opportunity to comment on the direction the
14 committee is currently leaning.

15
16 **After discussion, the committee made the following motion. In**
17 **Action 2, to make Alternative 1 the preferred alternative.**
18 **Alternative 1 is no Action, continue to require a royal red**
19 **shrimp endorsement to the federal Gulf shrimp vessel permit to**
20 **harvest royal red shrimp from the Gulf EEZ. Endorsements are**
21 **open access for entities with a federal Gulf shrimp vessel**
22 **permit. The motion carried without opposition**

23
24 **CHAIRMAN ANSON:** We have a committee motion. Is there any
25 discussion on the motion? **Is there any opposition to the**
26 **motion? No opposition and the motion carries.**

27
28 **MS. BOSARGE:** The committee reviewed the codified text, Tab D,
29 Number 6. **The committee then made the following motion: to**
30 **approve Shrimp Amendment 17A and that it be forwarded to the**
31 **Secretary of Commerce for review and implementation, and deem**
32 **the codified text as necessary and appropriate, giving staff**
33 **editorial license to make the necessary changes in the document.**
34 **The Council Chair is given the authority to deem any changes to**
35 **the codified text as necessary and appropriate. Motion carried**
36 **without opposition.**

37
38 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the
39 motion? All right. We will go to a roll call vote.

40
41 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.

42
43 **DR. STUNZ:** Yes.

44
45 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.

46
47 **MR. MATENS:** Yes.

48

1 EXECUTIVE DIRECTOR GREGORY: Mr. Williams.
2
3 MR. WILLIAMS: Yes.
4
5 EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.
6
7 MR. SWINDELL: Yes.
8
9 EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.
10
11 MR. FISCHER: Yes.
12
13 EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.
14
15 DR. CRABTREE: Yes.
16
17 EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.
18
19 DR. LUCAS: Yes.
20
21 EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.
22
23 MR. BOYD: Yes.
24
25 EXECUTIVE DIRECTOR GREGORY: Mr. Walker.
26
27 MR. WALKER: Yes.
28
29 EXECUTIVE DIRECTOR GREGORY: Mr. Greene.
30
31 MR. GREENE: Yes.
32
33 EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.
34
35 MR. DIAZ: Yes.
36
37 EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.
38
39 MS. BOSARGE: Yes.
40
41 EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.
42
43 MR. RIECHERS: Yes.
44
45 EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.
46
47 MR. SANCHEZ: Yes.
48

1 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.
2
3 **DR. DANA:** Yes.
4
5 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.
6
7 **MS. BADEMAN:** Yes.
8
9 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
10
11 **CHAIRMAN ANSON:** Yes.
12
13 **EXECUTIVE DIRECTOR GREGORY:** It's unanimous.
14
15 **CHAIRMAN ANSON:** We have a question from Mr. Fischer.
16
17 **MR. FISCHER:** Do we have a timeframe on 17B?
18
19 **CHAIRMAN ANSON:** Dr. Simmons.
20
21 **DR. SIMMONS:** Thank you, Mr. Chairman. We are trying to get the
22 Shrimp Working Group together to start really getting into 17B
23 and so we hope to have that in February or March. We're trying
24 to get it before the March SSC meeting, so that we can also have
25 the SSC look at it, but we are having a problem getting a time
26 that the Science Center staff is available and the other folks
27 from the universities that are experts in this area.
28
29 We are trying to get that sorted out right now and hopefully
30 we'll have a meeting in February or March and get that to the
31 SSC at the March meeting and then have some recommendations for
32 the council in April and have a draft, revised draft, options
33 paper for the council in April. That is our goal right now.
34
35 **MS. BOSARGE:** Thank you, Dr. Simmons. The next item on our
36 agenda was Discussion on NOAA's TED Enforcement Boarding Form.
37 A representative from OLE was unable to attend the meeting, but
38 the committee still discussed the TED Boarding Form on Tab D,
39 Number 7.
40
41 Mainly, the committee members were concerned that there was no
42 box to inform whether the TED compliance check was a courtesy
43 inspection that was voluntarily requested by the fisherman or as
44 part of a routine inspection. The committee felt that there
45 should be a distinction between these on the TED Boarding Form.
46
47 The committee felt that the industry could be unfairly censored
48 if there was no place on the TED Enforcement Form to distinguish

1 between violations and voluntary courtesy inspections, which
2 ensure gear is in compliance before fishing.

3
4 The committee also requested adding further detail to the form
5 regarding type of trawl gear and NMFS indicated this was on the
6 horizon at a future date. A letter indicating the importance of
7 these two additions to the TED Enforcement Boarding Form will be
8 sent. Mr. Chair, this concludes my report.

9
10 **CHAIRMAN ANSON:** Thank you for the report. That will take us to
11 the next committee report, which is Reef Fish, and Mr. Greene.

12
13 **REEF FISH MANAGEMENT COMMITTEE REPORT**

14
15 **MR. GREENE:** Thank you, Chairman Anson. Will Patterson
16 summarized the SSC meeting. The following items in the
17 presentation refer to agenda items or other business later in
18 the committee meeting: gray triggerfish OFL and ABC, west
19 Florida hogfish OFL and ABC, recreational red snapper ACT
20 buffer, and red grouper OFL and ABC.

21
22 Draft Amendment 43, Hogfish, staff reviewed the actions and
23 alternatives in the draft amendment and requested
24 recommendations for public hearing locations. A more complete
25 draft of the amendment will be presented to the council in April
26 to select preferred alternatives and approve for public
27 hearings. Hearing will be held after the April council meeting.

28
29 By consensus, the committee recommended the following hearing
30 locations: St. Petersburg/Pinellas County area; Naples; plus a
31 webinar hearing.

32
33 **CHAIRMAN ANSON:** We have a committee -- Well, we don't have a
34 motion, I guess, but just a recommendation, but John.

35
36 **MR. SANCHEZ:** I think in order for us to move forward that we're
37 going to have to set an MSY for this, so that certain things can
38 be done to move forward with this document. **To that end, I**
39 **would move that we select MSY at 30 percent.**

40
41 **CHAIRMAN ANSON:** We have a motion to select MSY at 30 percent
42 and this would be for hogfish. Do we have a second to the
43 motion?

44
45 **MS. BADEMAN:** I will second it. I'm trying to find the actual
46 document to figure out what action that is.

47
48 **DR. CRABTREE:** That's Action 2, Alternative 3.

1
2 **CHAIRMAN ANSON:** All right. So in Action 2, Alternative 3, to
3 select MSY at 30 percent. Give us a minute or two for staff to
4 get the appropriate text. Would anyone like to discuss the
5 motion? John, is there -- Preferred. There we go. That's your
6 intent, was to make it the preferred, correct?
7
8 **MR. SANCHEZ:** Correct.
9
10 **CHAIRMAN ANSON:** The motion is in Action 2, and we're speaking
11 of Amendment 43, in Action 2 to select Alternative 3 as the
12 preferred alternative. Dr. Crabtree.
13
14 **DR. CRABTREE:** Does that mean we're going to come back to the
15 sub-options on the minimum stock size threshold at a later date,
16 I guess, since that's not specified?
17
18 **CHAIRMAN ANSON:** Currently, yes. It appears that we have not
19 selected one and so we could potentially come back at a later
20 date. Any other discussion on the motion? **Is there any**
21 **opposition to the motion? Seeing none, the motion carries.** Mr.
22 Greene.
23
24 **MR. GREENE:** Chairman Anson, do you want to have the public
25 hearing locations in the form of a motion or by consensus, will
26 that work for you?
27
28 **CHAIRMAN ANSON:** I don't know. We might get some input on that
29 from Martha. Martha.
30
31 **MS. BADEMAN:** I wanted to back up in hogfish. We skipped Action
32 1. I wanted to offer a preferred there. I know the South
33 Atlantic is moving on hogfish as well and Action 1 is the action
34 that defines the management unit. **I want to offer Alternative 2**
35 **as the preferred alternative for Action 1 in the hogfish**
36 **amendment.**
37
38 **MR. SANCHEZ:** Second.
39
40 **CHAIRMAN ANSON:** We have a motion in Action 1 of Amendment 43 to
41 make Alternative 2 the preferred. It's been seconded by Mr.
42 Sanchez. Martha, do you want to just have some discussion?
43
44 **MS. BADEMAN:** Just to explain this one, this is the alternative
45 that the South Atlantic has chosen. It's also what we have been
46 talking about for the yellowtail snapper line in the other
47 amendment that we're going to get to and so that would be
48 consistent. What else was I going to say?

1
2 Where this line has come from, we use that line for management
3 of a couple of things, other than potentially yellowtail
4 snapper, but also we were working with our law enforcement and
5 FWC in trying to find a line where there were going to be fewer
6 jurisdictional boundaries and this seems to be something that
7 works for Collier County folks and Monroe County folks and so
8 that's where this is coming from.

9
10 **CHAIRMAN ANSON:** Thank you for that rationale explanation. Any
11 other discussion? All right. The motion is on the board. I
12 guess I will read it quickly, just for the record. It's in
13 Action 1, make Alternative 2 the preferred alternative.
14 Alternative 2 is south of Cape Sable the hogfish management unit
15 in the Reef Fish FMP is defined as the West Florida Shelf or
16 Gulf of Mexico stock of hogfish. The geographical range of this
17 unit is all waters of the Gulf of Mexico north of a line
18 extending west from 25 degrees, 9 minutes North latitude to the
19 outer boundary of the EEZ and northward and westward throughout
20 the rest of the Gulf of Mexico. **Is there any opposition to the**
21 **motion? Seeing no opposition, the motion carries.** Mr. Greene,
22 I think you can continue now. Thank you.

23
24 **MR. GREENE:** Back to my earlier question about the meeting
25 locations.

26
27 **CHAIRMAN ANSON:** Is there any -- It's not a committee motion,
28 but it's a recommendation from the committee. Doug, do we need
29 a formal motion for these? Typically we do, but --

30
31 **EXECUTIVE DIRECTOR GREGORY:** Not really, as long as it's clear.

32
33 **CHAIRMAN ANSON:** All right. So I don't see anybody else having
34 any comments and so I think we're good. Thank you.

35
36 **MR. GREENE:** Draft Framework Action, Modify Gear Restrictions
37 for Yellowtail Snapper, staff reviewed the action and
38 alternatives in the draft framework action and brought up the
39 potential issue of bycatch of other finfish on yellowtail
40 snapper trips.

41
42 Currently, if the circle hook requirement is lifted for
43 commercial yellowtail snapper fishermen, those fishermen would
44 not be able to retain any other species in the Reef Fish FMP for
45 which circle hooks are still required. A Gulf-specific, trip
46 length-delineated analysis has been requested by staff and is
47 scheduled to be available by the end of February.

48

1 Staff asked the committee if there were alternatives which could
2 be removed. A motion to remove Action 1, Alternatives 2 and 3,
3 to Considered but Rejected was withdrawn after discussion.

4
5 Staff noted that a proposed season change for commercial and
6 recreational yellowtail snapper in the South Atlantic has been
7 sent to the Secretary of Commerce for approval. Adopting such a
8 measure in the Gulf would ensure homogeneity in fishing seasons
9 between the councils and was proposed in a plan amendment
10 examining yellowtail snapper ACLs at the Gulf Council's October
11 2015 meeting.

12
13 The South Atlantic has since abandoned efforts to consolidate
14 yellowtail snapper ABC and ACLs and sector allocations in the
15 Atlantic. Staff crafted a season change action to be included
16 in the circle hook framework action. **Motion to add Action 2 to
17 the document as recommended by staff.**

18
19 **CHAIRMAN ANSON:** All right and that motion is on the board. I
20 will read that as well for the record. In Action 2, Modify the
21 Fishing Year for Gulf Yellowtail Snapper, Alternative 1, no
22 Action, do not modify the fishing year for yellowtail snapper.
23 The fishing year, commercial and recreational, is the calendar
24 year, January 1 through December 31. Alternative 2 is modify
25 the fishing year for the commercial sector for yellowtail
26 snapper: Option a: June 1 through May 30; Option b: July 1
27 through June 30; Option c: August 1 through July 31. The South
28 Atlantic Council adopted that. Option d: September 1 to August
29 31. Alternative 3 is modify fishing year for the recreational
30 sector for yellowtail snapper: Option a: June 1 through May 30;
31 Option b: July 1 through June 30; Option c: August 1 through
32 July 31, the South Atlantic Council adopted; and Option d is
33 September 1 to August 31. Any discussion on the motion? Mr.
34 Sanchez.

35
36 **MR. SANCHEZ:** I want to make a motion that we select Alternative
37 2, Option c as the preferred.

38
39 **CHAIRMAN ANSON:** I think, procedurally, this would be the motion
40 -- Let's maybe pass this motion first and then we can come back
41 and deal with that. Any other discussion? **Is there any
42 opposition to the motion? Seeing none, the motion carries.**
43 John, do you --

44
45 **MR. SANCHEZ:** Thank you. **For Alternative 2, select the
46 preferred as Option c, August 1 through July 31.**

47
48 **CHAIRMAN ANSON:** All right. We have a motion and it's been

1 seconded by Ms. Bosarge. That motion reads: In Action 2, to
2 select Alternative 2, Option c, as the preferred. Any
3 discussion on the motion? Martha.

4
5 **MS. BADEMAN:** I think we need to do the same thing with -- We
6 also need to choose something with Alternative 3. I don't know
7 if it's better to do that in one motion with this or dispense
8 with this and add another preferred.

9
10 **CHAIRMAN ANSON:** I would say, since this is already on the
11 board, let's go ahead maybe and dispense with this one and then
12 we can deal with that one separately. Any other discussion?
13 **Any opposition to the motion? Seeing none, the motion carries.**
14 Martha.

15
16 **MS. BADEMAN:** I would like to also, in Action 2, select
17 **Alternative 3, Option c as an additional preferred.**

18
19 **MR. SANCHEZ:** Second.

20
21 **CHAIRMAN ANSON:** We have a motion on the board. Is there any
22 discussion on the motion? It's been seconded by John Sanchez
23 and is there any discussion on the motion? **Is there any**
24 **opposition to the motion? No opposition and the motion carries.**
25 Mr. Greene.

26
27 **MR. GREENE:** Discussion of Scoping Document for Amendment 33,
28 Reef Fish Limited Access Privilege Program, staff provided an
29 overview of the amendment and discussed the steps previously
30 taken by the council in the development of this amendment. The
31 committee discussed the list of species included in the
32 amendment. The committee did not advise staff to continue work
33 on this amendment.

34
35 Discussion of Amendment 36, Red Snapper IFQ Modifications, staff
36 reviewed the potential actions being considered for modification
37 of the red snapper IFQ program and the committee discussed
38 several items. A motion to remove allocation caps from the
39 document failed. Staff will continue developing a draft
40 amendment.

41
42 **CHAIRMAN ANSON:** We have a question from Mr. Williams.

43
44 **MR. WILLIAMS:** Regarding Amendment 36, you know some of
45 Amendment 36 is going to be very difficult and I think some of
46 it has some low-hanging fruit that would be relatively easy to
47 deal with.

48

1 I had some discussion with a couple other members about maybe
2 dividing it into a 36A and a 36B. 36A would be to do the things
3 that would be relatively easy, which I think would be to deal
4 with those inactive accounts, that 27,000 or 28,000 pounds of
5 red snapper that's never been activated, and figure out a way to
6 distribute that, whether it would be to all the existing
7 shareholders proportionately or somebody suggested yesterday, it
8 might have been David, but somebody suggested distributing it to
9 eastern Gulf grouper fishermen to deal with their bycatch
10 problem of red snapper. I kind of like that idea, but I think
11 we could dispense with that one fairly easy.

12
13 The midyear quota change, it seems like that would be pretty
14 easy to do as well. I know it's going to draw some fire from
15 the industry, but still, they would get everything they needed
16 and it's just some of it would be held back.

17
18 **Then the hail-in and hail-out seems to me to be fairly easy too**
19 **and I didn't detect that there was much opposition from anybody**
20 **to that and so, if I could, I would like to offer a motion that**
21 **we divide Amendment 36 into two parts, Amendment 36A and**
22 **Amendment 36B, and deal with the three easy things that I listed**
23 **in Amendment 36A.**

24
25 **CHAIRMAN ANSON:** All right. We have a motion and is there a
26 second to that motion?

27
28 **MR. SANCHEZ:** I will second it.

29
30 **CHAIRMAN ANSON:** Thank you, John. Is there any discussion on
31 the motion? Mr. Riechers.

32
33 **MR. RIECHERS:** Roy, I guess I'm a little concerned about
34 dividing it at this point, because I mean the document is not
35 very fleshed out. We don't really know what our various options
36 are and alternatives and I am just -- I don't want to preclude
37 us from looking at it and how some of those things interact with
38 the other things that are still left in the document.

39
40 We may end up there anyhow and I just think it's premature at
41 this point. I think we need to let it evolve a little bit more.
42 Once you start fleshing it out, it's definitely easy to carve
43 off things, because then you've got the text written around it
44 and alternatives and you can fast-track one or the other. We've
45 done this before, thinking we were going to fast-track things,
46 and in fact, then it hasn't worked out that way either. That's
47 the only reason I am going to speak against the motion at this
48 point.

1
2 **CHAIRMAN ANSON:** Leann.
3
4 **MS. BOSARGE:** I hadn't talked to you about this, but I do think
5 this is a good idea, simply because it seems like every time
6 that we come to the table and we look at this 36 document that
7 we're not really making any progress, because it's kind of
8 overwhelming. It really is.
9
10 If this, then that and I think if we can split these things out
11 and maybe see if we can come to a conclusion on a few things
12 that do seem to be slightly more simplistic, maybe with less
13 unintended consequences to those few items, and that will
14 streamline the other one, whichever one that would be, 36A or
15 36B, so that maybe we can hone in on the more complicated issues
16 and really see if we can have a good discussion and come to some
17 consensus and some good alternatives in there.
18
19 **CHAIRMAN ANSON:** Any other discussion or comments? Mr. Walker.
20
21 **MR. WALKER:** I would speak in favor of this motion as well. I
22 think it would help move things along faster on these items.
23
24 **CHAIRMAN ANSON:** All right. There doesn't appear to be any more
25 -- Mr. Fischer.
26
27 **MR. FISCHER:** Would these be the only three bullets we would
28 have in 36A or should we get a little deeper into the document,
29 because just see if this is inclusive of everything. I guess my
30 question is, is this premature by maybe one meeting and get just
31 a little deeper in the document and then we see how to divide
32 it?
33
34 **CHAIRMAN ANSON:** The motion reads those specific items and so
35 unless we did take time to go through that and identify those
36 additional items, maybe, that are currently in the document,
37 these are them and so it depends on how you look at it as to
38 whether or not we're doing anything premature. Leann.
39
40 **MS. BOSARGE:** Myron, to your point, I think once staff brings us
41 back the two documents, at whatever meeting that is going to be,
42 the next meeting or the meeting after, if you see some more low-
43 hanging fruit in the one that is still the kind of overwhelming
44 document, I think we could certainly ask staff to shift that
45 over to the more streamlined one.
46
47 **MR. FISCHER:** That's fair and that's what I was getting to. So
48 in the next one or two meetings, we will see what the two

1 documents look like and we can make the final shifts.

2
3 **CHAIRMAN ANSON:** I guess my question would be to staff, to avoid
4 a little bit of the ping-pong situation. I mean is that --
5 Would that create too much extra work to start working on these
6 and then come back at a later date and add or remove or move
7 them around? I mean eventually you've still got to come up with
8 the analysis and explanation and everything and so I don't see
9 that being any problems for staff, but I'm just making sure.

10
11 **DR. LASSETER:** Because you're initiating both of them at the
12 same time, it appears to me that there would be individual
13 actions and if you did want to move one from A to B or B to A, I
14 don't see a problem with that.

15
16 **CHAIRMAN ANSON:** Thank you. Just checking. Mr. Boyd.

17
18 **MR. BOYD:** I am assuming that when we move these to A and divide
19 into an A and B that that would include the red snapper IFQ and
20 the grouper/tilefish IFQ? You are not going to leave one
21 species or one type of IFQ in one plan and deal with it and then
22 deal with it in another plan also and is that correct?

23
24 **CHAIRMAN ANSON:** We're dealing with red snapper IFQ
25 modifications and that was what the original document was
26 addressing and the grouper IFQ has its own schedule and will
27 have a review at some point in the future and so we'll deal with
28 that individually or separately from this particular Amendment
29 36 process. Dr. Crabtree.

30
31 **DR. CRABTREE:** It is a red snapper amendment, you're right, but
32 I suspect all three of those apply to both programs in a similar
33 fashion and so that's something staff, I think, can evaluate, is
34 to whether this could be more general and apply to both
35 programs.

36
37 **CHAIRMAN ANSON:** My take on it would be that it would apply to
38 all commercial reef fish trips, whether or not those vessels
39 were also in the grouper/tilefish IFQ or not. Yes, to be
40 specific, it does apply at least for that particular item, but
41 it also includes all the other commercial reef fish boats as
42 well. That's my take on it. Mara.

43
44 **MS. LEVY:** I think the enforcement of all commercial reef fish
45 trips applies to everyone, if you're making everyone hail-in and
46 out. I think the issue was that inactive accounts are also an
47 issue in grouper/tilefish, as well as they have allocations that
48 you might want to withhold if we're going to reduce a quota and

1 so you could potentially make this amendment more general,
2 applying to both IFQ programs, if you felt that that was
3 warranted. Then the other stuff might be, in 36B, very specific
4 to red snapper.

5
6 **CHAIRMAN ANSON:** That's a good point. I was just -- My comment
7 earlier was just to Doug's question, as to whether or not it did
8 include grouper/tilefish, and it's my understanding it does not
9 and so if that's the intention of the council, is to move
10 forward and include grouper/tilefish into that, for certain
11 elements that have been identified, either here or elsewhere in
12 the scoping document, then that would be up to the council
13 members to decide. Any other comments? Martha.

14
15 **MS. BADEMAN:** It seems to make sense to handle them both in the
16 same amendment, but it's Roy's motion.

17
18 **MR. WILLIAMS:** I don't have any objection to that. You were
19 right originally though, Kevin, that 36 is a red snapper
20 amendment, but I certainly, especially if staff explores it a
21 little bit and comes back and says you really have the same
22 issues in grouper/tilefish, we could fold it right in there and
23 I wouldn't have any objection to that.

24
25 **CHAIRMAN ANSON:** All right. Well, right now, it doesn't really
26 say that, in my mind, and so we need to, I think, include it
27 here if we want to give staff direction.

28
29 **MR. WILLIAMS:** Do you want me to make a motion to modify my
30 motion or can we just go with the understanding that staff will
31 look at the possibility of including grouper/tilefish into it as
32 well?

33
34 I mean these red snapper accounts have been -- They have had
35 since, what, 2006 or 2007 to activate these things and they
36 still haven't. Grouper/tilefish was another three or four years
37 after that and so they haven't had as much time, but the issues,
38 I agree, are all the same and I don't have a problem with doing
39 it, but it just was prompted by this document here and so that's
40 the basis of my motion.

41
42 **CHAIRMAN ANSON:** Dr. Crabtree.

43
44 **DR. CRABTREE:** They are telling me that the inactive status is
45 based on inactive since 2010 and so that could be applied to
46 both fisheries, because grouper/tilefish, I think, went into
47 place in 2010, right?

48

1 **MR. WILLIAMS:** If I could ask Dr. Crabtree, do you think I ought
2 to go ahead and modify the motion or just make it explicit that
3 I intend for this to include both red snapper and grouper
4 tilefish?
5
6 **DR. CRABTREE:** I don't really have a preference how you do it,
7 as long as we do it, but I think they should apply to both of
8 them, whether staff wants it in the motion or --
9
10 **MR. WILLIAMS:** I will just state for the record then that it's
11 my intent that this would apply to both red snapper and
12 grouper/tilefish.
13
14 **DR. CRABTREE:** You're referring to 36A?
15
16 **CHAIRMAN ANSON:** Or 36B, but yes. Doug, did you have a comment?
17
18 **EXECUTIVE DIRECTOR GREGORY:** Only that we will definitely report
19 back as we do our research and look into this more in-depth and
20 if any obstacles or complications arise, we will certainly
21 report back it back to the council.
22
23 **CHAIRMAN ANSON:** Leann.
24
25 **MS. BOSARGE:** I was just going to say that I mean it could be
26 very simple, I would think, in 36A. If you have an action item
27 like regarding the inactive accounts, then you could have your
28 alternatives and you could have a subalternative of, okay, are
29 we going to have this apply only to the red snapper IFQ accounts
30 or all reef fish or -- So we can have some subalternatives and
31 make that decision and flesh it out, I would think, in the
32 document, either way.
33
34 **CHAIRMAN ANSON:** John.
35
36 **MR. SANCHEZ:** This is a question or more a curiosity thing, but
37 with regards to withholding IFQ allocation before a possible
38 quota reduction, what is the typical approach to that? Is it
39 kind of a percentage that marks in step, a percentage of
40 allocation reduction, in step with an anticipated quota
41 reduction percentage or can you blanketly withhold everything?
42 I mean how does that typically work in a real-world scenario?
43
44 **CHAIRMAN ANSON:** Dr. Crabtree.
45
46 **DR. CRABTREE:** Generally, we would have a council amendment that
47 the councils approved, but we can't get to a final rule before
48 January 1 and so we would withhold whatever amount of quota

1 decrease the council was proposing until we got to a final rule.
2 I guess it's conceivable if the proposal was to shut the whole
3 fishery down, but, in most cases, it's to withhold some
4 percentage of it.

5
6 **CHAIRMAN ANSON:** All right. Is there anyone else that has any
7 questions or comments? All right. So we will take a vote on
8 this. **Will you please indicate by raising your hand if you are**
9 **in support of this motion? Thirteen in favor. All those**
10 **opposed? Thirteen to two and the motion carries.** Mr. Greene.

11
12 **MR. GREENE:** Final Action, Amendment 39, Regional Management of
13 Recreational Red Snapper, staff summarized the concerns of the
14 Law Enforcement Technical Committee regarding reliance on
15 dockside enforcement under regional management. Staff then
16 summarized the written comments received on the amendment and
17 those from public hearings.

18
19 Staff reviewed the amendment's actions and preferred
20 alternatives. In Action 2, motions to make each of Alternatives
21 2, 3, and 4 the preferred alternative failed by roll call vote.
22 Therefore, there is no preferred alternative for Action 2.

23
24 The committee further discussed enforcement issues. Lieutenant
25 Commander Brand expressed concerns with relying on dockside
26 enforcement, noting that many anglers return to private docks.
27 A committee member noted that the public expressed concerns
28 about enforcement during public hearings.

29
30 **CHAIRMAN ANSON:** I have some questions. Dr. Dana.

31
32 **DR. DANA:** I was going to make a motion that in Action 2 that
33 **Alternative 2 be the preferred alternative, if I can get a**
34 **second.**

35
36 **MR. SANCHEZ:** I will second for discussion.

37
38 **CHAIRMAN ANSON:** All right. We have a motion on the board in
39 Action 2 to make Alternative 2 the preferred alternative. It's
40 been seconded by Mr. Sanchez. Mr. Riechers.

41
42 **MR. RIECHERS:** Mr. Chair, you may consider this a non-substitute
43 motion or you may -- I am going to ask, but I will make it and
44 then we will see how you consider this. **I would make a motion**
45 **to table Amendment 39 today.** If I get a second and you consider
46 that germane here, I will go into some discussion.

47
48 **CHAIRMAN ANSON:** We have a second. Dr. Stunz seconds. Doug.

1
2 **EXECUTIVE DIRECTOR GREGORY:** I hate to get technical, but you
3 probably mean postpone indefinitely, because tabling is to a
4 later time in the meeting.
5
6 **MR. RIECHERS:** Okay. **Postpone indefinitely then.**
7
8 **EXECUTIVE DIRECTOR GREGORY:** Am I right, Mara?
9
10 **MS. LEVY:** Well, probably. Also, if you do a motion to table,
11 you can't debate it. If you do a motion to postpone, you can
12 debate it.
13
14 **CHAIRMAN ANSON:** Robin, based on that, you want to change that
15 to postpone?
16
17 **MR. RIECHERS:** That's fine, yes. We have used them
18 interchangeably here and so we really haven't made that
19 difference in the past, but yes.
20
21 **CHAIRMAN ANSON:** We're still learning. Dr. Crabtree.
22
23 **DR. CRABTREE:** Does this mean we postpone it until -- I mean
24 we're done with it is what we're saying and we're not going to
25 take action on it, unless down the road we pass a motion to
26 bring it back on the table? That's what I am hearing, Robin?
27
28 **CHAIRMAN ANSON:** Robin.
29
30 **MR. RIECHERS:** Do I have a second before we start all of this
31 discussion?
32
33 **CHAIRMAN ANSON:** I think it was Dr. Stunz.
34
35 **MR. RIECHERS:** Yes, Roy. At least that's certainly the thought
36 process. We heard a lot of testimony yesterday regarding the
37 current amendment, regarding how it's not meeting the purpose
38 that it originally set out to meet. I certainly share some of
39 those concerns as well.
40
41 The other thing that we have going on, of course, is we have
42 dealt with this particular -- The motion previously, that Action
43 2. We have dealt with that for three meetings and we went
44 through a series of motions, three different times, and we
45 haven't been able to come up with a preferred alternative on
46 those sets of motions.
47
48 My thought is that, instead of us going through that again

1 today, let us go back and reflect on the document a little bit
2 and think about what are some of those -- If there are places
3 where we thought, each of us individually thought, that we could
4 come back and modify that document in a way that moves it back
5 towards the original intent or also just helps to solve the
6 gridlock we've been in on that Action 2, then we would come back
7 and someone would make a motion and we would see if we could
8 untangle it and we would talk about it again, but, right now,
9 you're right, Roy.

10
11 I think the notion is to basically just not go into this whole
12 scenario of Action 2 again today and let us go ahead and
13 dispense of that, if that's where we're heading.

14
15 **CHAIRMAN ANSON:** Martha.

16
17 **MS. BADEMAN:** I am going to support Robin's motion here. We, of
18 course, went to public hearings at the council. The public
19 hearings that I attended, and those were the Florida meetings,
20 there was a lot of concern about Amendment 39 as it is written.

21
22 There was a lot of confusion about what it really means and
23 there was concern about how it was going to be enforced. We
24 have those concerns from our own Law Enforcement Technical
25 Committee.

26
27 We also discussed this at our last commission meeting in Panama
28 City, at the end of last year, and we walked our commissioners
29 through the nitty-gritty details of this amendment and what it
30 really would mean for them as commissioners and what it would
31 mean for anglers in Florida, whether it's private anglers or
32 whether it's for-hire, under any circumstances, and they were
33 very concerned about this.

34
35 They felt that it really does not provide additional flexibility
36 and a lot of benefits at this point. I am not saying that this
37 isn't something that we couldn't pick up again at a later date,
38 but we have some issues that we need to work through if this is
39 going to come and really be a viable solution for the
40 recreational fishery.

41
42 **CHAIRMAN ANSON:** I have Roy, followed by Johnny and then Dr.
43 Stunz.

44
45 **MR. WILLIAMS:** I support Dr. Dana's original motion; however, I
46 would vote for this one. In fact, I am going to vote in favor
47 of it, but I also want to reconsider the motion that was
48 defeated in committee that I made about either doing away with

1 the sunset on sector separation, or at least postponing it. I
2 am going to vote for this, so that I can reconsider this if my
3 motion that's going to come after this is defeated.

4
5 **CHAIRMAN ANSON:** Johnny.

6
7 **MR. GREENE:** Well, I'm kind of at a mindset of let's either do
8 it or we don't. The information in here, there's a pile of it,
9 as you all know, in Amendment 39. It's still there and they
10 could go back and pick pieces of it up if we decide to move on.

11
12 My concern with this is that we all, in committee, agreed to
13 support a Gulf-wide recreational focus group. I don't want to
14 sway these people into assuming that they have to conform their
15 ideas and thought processes into this type of deal, because they
16 may come up with something bigger.

17
18 I think we need to vote it up or down and be done with it here
19 today. If there's no support for it, let's just clearly vote it
20 down and wipe the slate clean and allow that group to do as they
21 indicated and then we can move forward.

22
23 **CHAIRMAN ANSON:** To that point, Robin?

24
25 **MR. RIECHERS:** Johnny, I don't necessarily see it the same way
26 you do in that respect, but obviously one of the things you
27 mentioned is that group is working and certainly if they get a
28 little further along and this conforms to something or that we
29 could salvage things out of here that would be useful, then it's
30 still there.

31
32 I mean let's face it, guys. We have done this before on many
33 different amendments. They come and we work on them for a while
34 and sometimes we get to a point where they're not moving forward
35 and they either sit for a while, either just within activity, or
36 we table them and then they come back again, in various forms.

37
38 This isn't unusual at all. It's just this one may have been
39 more controversial on this particular subject, or on a
40 particular subject, but we've done this before.

41
42 **CHAIRMAN ANSON:** All right. I have several folks here. I have
43 Dr. Stunz and John Sanchez and Jason Brand.

44
45 **DR. STUNZ:** I speak in favor of the substitute motion. At the
46 end of the day, as an individual council member, I hear the
47 states and their concerns and the issues that they have in this
48 amendment and that's really, to me, what makes a difference. I

1 mean for this to be successful, whether we pass it or not, the
2 states are going to have buy-in on it and I don't know if we've
3 reached that point yet and so, therefore, I would support
4 postponing discussion on this amendment.

5
6 **CHAIRMAN ANSON:** John.

7
8 **MR. SANCHEZ:** I am going to support this as well, because we've
9 been discussing this for years now and it's kind of frustrating
10 that the states couldn't come to an agreement on this situation
11 and we haven't even really got to the heart of the matter, where
12 the rubber would meet the road, where we're really talking about
13 state allocations and such.

14
15 In the meantime, it's the recreational angler that is suffering
16 without a meaningful plan and so if we're just going to keep
17 kicking this back and forth, I would just say let's postpone it
18 indefinitely or, better yet, like you were saying, let's wipe
19 the slate clean with it. It's really accomplished nothing.

20
21 **CHAIRMAN ANSON:** Mr. Brand.

22
23 **LCDR BRAND:** Thank you, Mr. Chair. Before we vote, I just
24 wanted to clarify the enforcement piece. As we heard from
25 Captain Scott Hickman yesterday, regional management does
26 address some of the concerns of the domestic kind of IUU
27 fishery, where we have the recreational sector catching red
28 snapper outside of state waters and sometimes claiming that they
29 were caught in the open state waters.

30
31 This addresses that issue. However, Action 5, if we have closed
32 areas, kind of nullifies that benefit to enforcement and so I
33 just wanted to clarify that concern, that it does help us with
34 kind of the poaching of fish in closed federal waters. However,
35 there is a lot of other complex factors for enforcement to
36 figure out and then Action 5 would nullify some of those
37 benefits.

38
39 **CHAIRMAN ANSON:** Leann.

40
41 **MS. BOSARGE:** Strangely enough, I am not sure if I support this
42 motion. The thing I want more than anything is closure on 39
43 and yet, I am not sure if I support this substitute motion. You
44 know we had a committee of the whole during Reef Fish, which was
45 interesting and I thought it worked really well, but we did have
46 one member of the council that wasn't able to be present for the
47 committee of the whole and so saying that we have a good handle
48 on what Action 2, Alternative 2 would do is -- I am not sure if

1 we're really there yet.
2
3 If I support this substitute motion and it passes, then we don't
4 have the opportunity to really see how the full council would
5 vote on Action 2, Alternative 2.
6
7 The other thing that concerns me is that if we're simply
8 postponing the discussion of Amendment 39, you know one thing
9 that has been very hard for me to grapple with is that
10 recreational angler, private angler, AP and whether we're going
11 to put that to the side and allow the private groups that are
12 getting together to come forward to us in that manner with some
13 ideas.
14
15 If we simply postpone discussion on 39, that poor group has so
16 many unknowns that I don't know how they could come up with
17 anything. You know we've got a sunset in 40 that's on the
18 horizon and we don't make any decision as to if we're really
19 ready to pursue Amendment 39 and regional management and, if it
20 is something we're thinking about in the future, we really
21 haven't given them a definitive indication of will it be for the
22 entire rec sector or will it be just for them.
23
24 This, to me, this doesn't seem to do much. I think we need to
25 come to a conclusion and essentially there's another discussion
26 that's going to happen as to the sunset in 40. Roy has already
27 said that he's going to want to talk about that, depending on
28 how things go.
29
30 I would like to make a second substitute motion, because that's
31 going to determine really what happens in regional management,
32 in my opinion. **The second substitute motion would be to**
33 **postpone discussion on Amendment 39 until the council approves**
34 **an amendment to modify or remove the sunset provision for sector**
35 **separation.** If I can get a second, I will explain.
36
37 **CHAIRMAN ANSON:** Is there a second to the second substitute
38 motion?
39
40 **DR. CRABTREE:** We are mixing unrelated things now into a
41 substitute motion and I think you ought to rule whether that's
42 appropriate now.
43
44 **CHAIRMAN ANSON:** Mara, do you want to weigh in on this? I mean
45 I don't see any limitation on the items in a motion.
46
47 **MS. LEVY:** Technically, the substitutes need to be germane to
48 the motion it's substituting and the original motion. We may

1 have strayed a little bit from that germaneness by going to the
2 substitute motion to postpone on a motion to pick a preferred,
3 but since we're already there, a second substitute to change the
4 postponement -- It seems like it's in line with the first
5 substitute and so we may have strayed a little bit from allowing
6 the first substitute, but once we allowed that, it seems like
7 those are related.

8
9 **CHAIRMAN ANSON:** Dr. Crabtree.

10
11 **DR. CRABTREE:** A question. If this passes, that does not mean
12 that we have approved Roy's motion to begin work on an amendment
13 to remove the sunset provision. It just means we're postponing
14 the discussion and so it seems to me the original substitute
15 motion, and then followed by Roy's motion, more clearly gets at
16 the same thing.

17
18 **CHAIRMAN ANSON:** Well, yes. Roy.

19
20 **MR. WILLIAMS:** I am wondering if we simplified modified this a
21 little bit that the maker would -- If those would solve the
22 problem. To postpone discussion of Amendment 39 and direct
23 staff to begin preparation of an amendment to modify or remove
24 the sunset. Does that make it clearer?

25
26 **MS. LEVY:** That's not germane.

27
28 **MR. WILLIAMS:** That's not germane?

29
30 **CHAIRMAN ANSON:** That goes outside the bounds, yes. If we can
31 remove that. I don't recall hearing a second to this and so
32 technically we're discussing it and so is there a second to this
33 second substitute motion?

34
35 **MR. SANCHEZ:** I will second it.

36
37 **CHAIRMAN ANSON:** All right. It's seconded by Mr. Sanchez. Is
38 there any other discussion on the second substitute motion?
39 Leann.

40
41 **MS. BOSARGE:** I just don't want this body to sit around and do
42 nothing waiting for a sunset and thinking, for some unapparent
43 reason, that if 40 sunsets that everything was beautiful before
44 40, because we had one heck of a problem still before 40. I
45 mean things were not rosy for anybody.

46
47 I just want to make sure that we don't do something today that
48 doesn't allow us to, as a full council with everybody here,

1 really figure out if the full council would actually take action
2 on regional management or not.

3

4 **CHAIRMAN ANSON:** I have Dale, followed by Myron.

5

6 **MR. DIAZ:** I mean I had some thoughts on Robin's motion and
7 they're still applicable to this motion. I do understand
8 there's a lot of problems with Amendment 39, but my hope for
9 Amendment 39 is it would help get us out of the state non-
10 compliance box.

11

12 We don't have anything really on the horizon to help with that
13 and that's a pretty big problem and that's why I've been hanging
14 in there and hoping we could come together on 39, in some way,
15 shape, or form. I am kind of mixed on the motion, because I do
16 realize it's got problems.

17

18 Obviously some of the states aren't happy. If we ever get to
19 pass it and we've got a few states that aren't satisfied with
20 it, I don't know what kind of compliance we're going to get and
21 how successful it's going to be.

22

23 This state non-compliance thing is a big problem and I don't
24 know what we're going to do about that. I don't know what other
25 ideas we are going to have come to the table to move it forward
26 and so I'm still struggling on how to vote on this, but the big
27 problem is still there and we're not doing anything to solve
28 that and we have to try to do something to eliminate that.

29

30 **CHAIRMAN ANSON:** I have Myron, followed by Roy Williams and then
31 Dr. Crabtree.

32

33 **MR. FISCHER:** I would like to either ask Roy or Mara -- I am
34 just curious of the outcome. So if this motion passes, but the
35 council struggles and just cannot adjust the sunset provision,
36 then you can never discuss Amendment 39 again? Is that what it
37 states?

38

39 **CHAIRMAN ANSON:** To that point, Dr. Crabtree.

40

41 **DR. CRABTREE:** You could come in at the next meeting and make a
42 motion and pass it to undo all of that and start talking about
43 it. You can't bind yourselves, but I think the intent of this
44 is you're going to wait until you take final action on an
45 amendment to remove the sunset. That's how I'm reading it, but
46 I mean you can undo all of this at any moment.

47

48 **CHAIRMAN ANSON:** Roy Williams.

1
2 **MR. WILLIAMS:** Ken Haddad made reference to those old if-then
3 statements in computer programming and that's kind of where I'm
4 hung up here. If we postpone -- I mean this is kind of an if-
5 then thing and I'm just not sure -- If we approve this motion to
6 postpone discussion of 39 until we've approved an amendment to
7 modify or remove the sunset, what happens if we never approve
8 that amendment to modify or remove the sunset?

9
10 So I come in behind this and make a motion to modify or remove
11 the sunset, but it's defeated and where are we? I don't know
12 and so I think I'm going to vote against this, just because I am
13 not certain what it is that it does. I know what you want to
14 do, but I'm not sure that it does it.

15
16 **CHAIRMAN ANSON:** Leann.

17
18 **MS. BOSARGE:** I may withdraw it, depending on the answer to this
19 question, I guess, from Mara. If we started an amendment or a
20 framework action to look at this sunset and it's based on this
21 second substitute motion, which somehow ties it into regional
22 management, and say we get to 2018 and it sunsets, 40 sunsets,
23 then all bets are off, right? I mean it doesn't matter anymore.

24
25 **MS. LEVY:** Well, I mean really what this is doing is changing it
26 from postpone indefinitely to postpone until this happens, but,
27 like Roy said, you could come in at the next council meeting and
28 decide you don't want to postpone it anymore. You can't bind
29 yourselves to some future action and so it's an intent. It
30 changes it from indefinitely to when this happens, but if this
31 never happens, you could still bring 39 back up again.

32
33 **CHAIRMAN ANSON:** Dr. Crabtree.

34
35 **DR. CRABTREE:** So I'm kind of like Roy. This, to me, just kind
36 of muddies things. I assume Roy is still going to make the
37 motion to direct staff to begin work on it and so, to me, it's
38 cleaner to vote on the original substitute and then vote on the
39 next motion, but that's just --

40
41 **MS. BOSARGE:** I have been convinced. **I will withdraw the second**
42 **substitute motion if the seconder agrees, if John will agree.** I
43 will go back to my original comment that I still am not sure I
44 will support the first substitute motion to postpone this
45 discussion. I would like to see where the cards fall if we
46 actually all vote on this as a body.

47
48 **CHAIRMAN ANSON:** Any other discussion on the substitute motion?

1 David.

2
3 **MR. WALKER:** I don't support slowing it down. I would like to
4 continue discussion. I support 39 for the private anglers.
5 They need a solution.

6
7 **CHAIRMAN ANSON:** Roy and then Dr. Dana.

8
9 **MR. WILLIAMS:** I am going to vote for, as I said earlier, for
10 the postponement. I would sure like it if 2.2 were passed, but
11 the problem, I think, is that -- You know we're going to turn it
12 over and ask the states then to manage their own fisheries and
13 at least a couple of the big ones I don't think are going to do
14 anything and so where are we then, once we've turned it over to
15 them and given them the right to manage their own fishermen?

16
17 I just don't think they're going to and so what have we
18 accomplished? I don't think it's anything. I think we've
19 accomplished very little and so, for that reason, I am going to
20 vote to postpone further discussion on it.

21
22 **CHAIRMAN ANSON:** Dr. Dana, followed by Martha.

23
24 **DR. DANA:** Thank you, Chairman Anson. Obviously my original
25 motion is where I would have liked this to go, being the Action
26 2, Alternative 2 being the preferred, and that's based on
27 meeting after meeting and what we were hearing from the charter
28 boats being okay with state management of the snapper for the
29 private recreational and then the charter for-hire being managed
30 by the federal.

31
32 I have received as well a letter with unanimous support from the
33 Mississippi Fish and Wildlife Commission saying that they also
34 supported the federal for-hire fleet being managed by the
35 federal, but, all that said, if this -- If the substitute motion
36 to postpone discussion on Amendment 29 passes, and I agree with
37 Martha that Amendment 39, as it is written, is not good for
38 Florida and so, all that said, it's not good for Florida and so
39 I can't support Amendment 39 as it is now.

40
41 If Amendment 39 is brought up at a later date, then you can
42 expect that the charter for-hire will readdress the Action 2,
43 Alternative 2 ideal and being managed under a federal -- By the
44 federal. Thank you.

45
46 **CHAIRMAN ANSON:** Martha.

47
48 **MS. BADEMAN:** I just wanted to note, and maybe it wasn't clear

1 when I spoke before, and maybe I didn't say it, but I mean
2 private anglers, charter for-hire, everybody that I've talked to
3 about this amendment, they are not supporting it and so the
4 people that would be managed under this amendment do not support
5 it.

6

7 **CHAIRMAN ANSON:** John.

8

9 **MR. SANCHEZ:** After hearing everything that we've discussed for
10 a while, and particularly this morning, I guess, in my mind, to
11 make it clear, I would make a substitute motion that we make
12 Action 1, Alternative 1 the preferred, no action, retain the
13 current federal regulations for management of recreational red
14 snapper in the federal waters of the Gulf of Mexico.

15

16 **CHAIRMAN ANSON:** Hold on. Let me make sure we've got the motion
17 on the board correct. John's second substitute motion is to
18 make Action 1, Alternative 1 the preferred alternative. Is
19 there a second to the motion? It's seconded by Leann. Robin.

20

21 **MR. RIECHERS:** John and Mr. Chair, I thought I was trying to get
22 us out of not having a long debate here on 39 and I apologize.
23 Obviously we're still going to have that. John, if we do that,
24 then we basically walk through the entire document, because what
25 you've done is you've just picked a preferred. Then we can go
26 to the next one and then we get to the end and we have to vote
27 or we don't have to vote, whatever the case may be.

28

29 What I was trying to do, by doing what I did, was not walk us
30 through the entire document. We know that there are some issues
31 and we know that some folks -- We heard a lot of testimony
32 yesterday about how it's not going to work right now and, again,
33 I am not precluding the fact that it may come back again,
34 because it may.

35

36 Even if we said, as people said, wipe the slate clean, the
37 document is still over here in computers and if we ever need to
38 bring it back, we're bringing it back. That's what we did with
39 many other documents through time. Aquaculture, sector
40 separation, I mean I can go on and on with documents that we've
41 done that with.

42

43 You know I understand what you're trying to do, but I'm afraid
44 it's going to lead us down the road we were trying not to go
45 down, but certainly we can vote on that substitute and hopefully
46 we'll get back to the second one.

47

48 **CHAIRMAN ANSON:** Mara, was your comment to Robin's point? Go

1 ahead.

2

3 **MS. LEVY:** I think if you vote to make Alternative 1 the
4 preferred -- I thought we were talking in Action 1 and is that
5 right?

6

7 **DR. CRABTREE:** Yes.

8

9 **MS. LEVY:** Okay. Then, really, there is no more decision
10 points. I don't think you would have to walk through the
11 document, because everything else flows from making a decision
12 to actually implement the delegation or the CEP, except for the
13 size limit change, but if you're not going to do that, then
14 nothing else cascades from that decision.

15

16 Saying that, I think both of these things do the same thing. If
17 you decide not to take action right now and choose CEP or
18 delegation, you can come back at the next meeting and decide you
19 want to bring it up and change your preferred. If you postpone
20 the discussion indefinitely, you can come back at the next
21 meeting and decide you want to start the discussion again and so
22 I really think at this point it's a distinction without a
23 difference.

24

25 **CHAIRMAN ANSON:** Martha.

26

27 **MS. BADEMAN:** Ditto what Mara says. I think, to me, the
28 original substitute motion though -- I guess it's clearer with
29 the intent that we are postponing this indefinitely. If you
30 pass the second substitute motion, then, okay, we did Action 1
31 and we made Action 1, Alternative 1 the preferred alternative.
32 Do we talk about this again in April? I don't know, but I think
33 I would prefer the substitute motion here, the original
34 substitute.

35

36 **CHAIRMAN ANSON:** All right. Any other discussion on the second
37 substitute motion?

38

39 **DR. CRABTREE:** Can I request a roll call?

40

41 **CHAIRMAN ANSON:** We have a request for a roll call vote. Mr.
42 Gregory.

43

44 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana. We are talking about the
45 second substitute, which is Action 1, to make Alternative 1 the
46 preferred alternative. Dr. Dana.

47

48 **DR. DANA:** Yes.

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

1
2 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
3
4 **MR. SANCHEZ:** Yes.
5
6 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.
7
8 **DR. STUNZ:** No.
9
10 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
11
12 **MR. DIAZ:** No.
13
14 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
15
16 **CHAIRMAN ANSON:** No.
17
18 **EXECUTIVE DIRECTOR GREGORY:** We have four yes and thirteen no.
19 **The motion fails.**
20
21 **CHAIRMAN ANSON:** Just for the record, I think Dr. Stunz's vote
22 was no and not yes.
23
24 **DR. STUNZ:** That is correct. It was no.
25
26 **EXECUTIVE DIRECTOR GREGORY:** Do you want us to start putting
27 them on the screen like this? We haven't done that before.
28
29 **CHAIRMAN ANSON:** I think it helps -- Well, it helps address the
30 previous discussion we had.
31
32 **EXECUTIVE DIRECTOR GREGORY:** I mean I had the official tally.
33
34 **CHAIRMAN ANSON:** Yes and if staff can keep up, which it appears
35 they can, I don't have a problem with it.
36
37 **EXECUTIVE DIRECTOR GREGORY:** Okay.
38
39 **CHAIRMAN ANSON:** That will take us back to the substitute
40 motion. Is there any other discussion on the substitute motion?
41 I just might want to make a comment that I kind of ally myself
42 with Dale and your comments. Trying to work to get to a point
43 that offers some protection and guarantees and regional
44 management, at least from my perspective, is that it offers a
45 little bit more guarantees and protections to a wider group of
46 anglers and certainly we're interested in continuing the
47 discussion and trying to get to a point where we can get some
48 general consensus, but also realize that there is a window.

1
2 Robin, you mentioned that we bring documents up from time to
3 time and put them to bed, so to speak, from time to time during
4 that process and at some point there becomes a point where
5 you've got to make a determination as to what you're going to
6 do, because it doesn't give any guarantees and it doesn't give
7 any securities to the folks in the industries, and you know at
8 some point you've got to come to the table and make a decision
9 and I would hope to think that that time is sooner than later.
10 That brings us to our first substitute motion. Do you have a
11 question, Leann? Go ahead.

12
13 **MS. BOSARGE:** Say this passes and we postpone discussion of
14 Amendment 39 indefinitely and we've already had a discussion
15 about a private rec AP and, in committee at least it didn't
16 sound like we were going to form that group.

17
18 I agree with Dale. I want 39 to get to a point where the states
19 can succeed with it, but if we're not working on it anymore,
20 which is what this would do, how are we going to get to that
21 point, if we say we postpone that indefinitely and it looks like
22 we're probably not going to form a private rec AP and so we've
23 got that postponed indefinitely and what are we doing for the
24 private recs at that point?

25
26 I think if we're not happy with 39 that we have to keep working
27 on it. We have to do something for these private recs. We
28 can't postpone 39 indefinitely and not form an AP and then do
29 nothing. I mean we have something in the works for the for-hire
30 sector. We've got some plans that they're working on with us
31 and we have a sunset we're up against, yes, but we're working on
32 something.

33
34 To me, the only thing that we're working towards, if we get rid
35 of 39 and we don't do a private rec AP, is a sunset to go back
36 to the way things were. What are we going to do if we postpone
37 this? I don't think it puts any impetus on coming together as a
38 body with federal representatives and state representatives and
39 then regular people, I guess, like me, to come to a consensus
40 and do something if we postpone this.

41
42 **CHAIRMAN ANSON:** Mr. Riechers.

43
44 **MR. RIECHERS:** Leann, I understand your concerns, but I would
45 say that obviously at the next meeting, all things -- Red
46 snapper will be up on the table again. I mean we will be having
47 those discussions.

48

1 We will be having the discussions about the private rec AP and
2 we'll be -- I mean it's not like these things ever really --
3 When we stop for a moment, in the next two months, I mean --
4 People are still going to be talking about them and you're going
5 to be getting calls, phone calls, and letters and emails and if
6 we have to come back to the next meeting and that's the time of
7 indefinitely, because there is a magic solution, then we bring
8 it back up.

9
10 I don't think it's not working on things. I think it's just
11 saying for right now let's park this and let's see what else we
12 can do. In fact, I think it is working on things, but it's just
13 I don't think they're either-or.

14

15 **CHAIRMAN ANSON:** There doesn't appear to be any -- David.

16

17 **MR. WALKER:** I was just going to say I don't think it sends a
18 good message to the Hill. I mean you know they would like to
19 hear some better solutions for the recreational private angler
20 too. They're hearing a lot from them too and you don't want to
21 stop your line of communication and discussion and I certainly
22 don't want to see any discussion stopped.

23

24 You know they've come and testified they want to work on it and
25 that's good. Let them work on it, but let's don't postpone our
26 discussion here. I would like to see the state directors work
27 with the private anglers better and help work with them to get
28 them a solution and anything that keeps the communication open
29 seems like it benefits those who need it and that's the private
30 angler.

31

32 You already have the commercial that has a good FMP and the
33 charter for-hire and headboat, they're working on their FMP and
34 we heard discussion from the private angler that they're working
35 and so I mean let's keep the discussion going.

36

37 **CHAIRMAN ANSON:** Mr. Greene.

38

39 **MR. GREENE:** I speak in opposition to this motion. I've sat
40 here and I've thought about it and I don't think I slept but an
41 hour last night trying to piece all this together. If we do
42 what's suggested right here, here is the big issue. There is
43 nothing on the board.

44

45 Now, I know that we can come and talk about things and I know
46 that we can do all this great stuff, but sometimes we just don't
47 do anything and I think it's time for us to do a little
48 something here and, picking up on what Mr. Diaz and Mr. Swindell

1 have said in the last couple of days, I think it's time to do
2 something.

3
4 I think in any type of decision, whether it's business or
5 personal or whatever, you have to back up and say, okay, well,
6 where can I take a sure win? It may not be exactly what I want
7 right now and I may not win the battle or the war, but I'm going
8 to take the sure win right here.

9
10 Now, there is proposed congressional and senatorial language
11 that may come about that may change a lot of this. We have a
12 nine-mile fishery, through appropriations right now, that we
13 don't even have nine-mile boundaries on navigation charts for
14 Alabama, Mississippi, or Louisiana yet. I think that we need
15 some mechanism in which we can work, on the short-term, to
16 regulate the recreational fishery.

17
18 **CHAIRMAN ANSON:** I have Mr. Swindell and then Myron.

19
20 **MR. SWINDELL:** The problem I am having right now with all of
21 this is that we have all these people that came here and they
22 testified to us and we really want people to come and we decide,
23 well, we're not going to pay attention to you now. We have been
24 listening to this meeting after meeting and people have come and
25 testified about this particular proposal.

26
27 Somewhere along the line, if we're in a corporation, you have to
28 make a decision and I am ready to make the decision. I think we
29 all are being very petty with not knowing -- Robin, I would
30 really like to know, what are you waiting to hear or what
31 information is it that you don't have that maybe someone else
32 can provide to you?

33
34 I am just concerned about why are we going to keep postponing
35 it, with not knowing what else you want to know. I don't want
36 backroom talking and trying to solve this stuff. Let's do it in
37 front of everybody and let's get it all done and I'm ready to do
38 it. Thank you.

39
40 **CHAIRMAN ANSON:** Myron. No? All right. There doesn't appear
41 to be any more comments or discussion and so we have a
42 substitute motion to postpone discussion of Amendment 39
43 indefinitely. Another roll call? Just testing you, Dr.
44 Crabtree. Go ahead.

45
46 **EXECUTIVE DIRECTOR GREGORY:** My apologies, Leann, but Ms.
47 Bosarge.

48

1 MS. BOSARGE: It's all right. I'm ready for this one. No.
2
3 EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.
4
5 MR. BOYD: Yes.
6
7 EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.
8
9 MR. DIAZ: No.
10
11 EXECUTIVE DIRECTOR GREGORY: Dr. Crabtree.
12
13 DR. CRABTREE: No.
14
15 EXECUTIVE DIRECTOR GREGORY: Dr. Dana.
16
17 DR. DANA: Yes.
18
19 EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.
20
21 DR. STUNZ: Yes.
22
23 EXECUTIVE DIRECTOR GREGORY: Mr. Greene.
24
25 MR. GREENE: No.
26
27 EXECUTIVE DIRECTOR GREGORY: Mr. Matens.
28
29 MR. MATENS: Yes.
30
31 EXECUTIVE DIRECTOR GREGORY: Dr. Lucas.
32
33 DR. LUCAS: Yes.
34
35 EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.
36
37 MR. FISCHER: Yes.
38
39 EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.
40
41 MR. RIECHERS: Yes.
42
43 EXECUTIVE DIRECTOR GREGORY: Mr. Sanchez.
44
45 MR. SANCHEZ: No.
46
47 EXECUTIVE DIRECTOR GREGORY: Mr. Swindell.
48

1 **MR. SWINDELL:** No.
2
3 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.
4
5 **MR. WALKER:** No.
6
7 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.
8
9 **MS. BADEMAN:** Yes.
10
11 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.
12
13 **MR. WILLIAMS:** No.
14
15 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
16
17 **CHAIRMAN ANSON:** Yes.
18
19 **EXECUTIVE DIRECTOR GREGORY:** We have nine yes and eight no. **The**
20 **motion passes nine to eight.**
21
22 **CHAIRMAN ANSON:** **The motion passed nine to eight.** Mr. Greene.
23
24 **MR. GREENE:** For-Hire Management, Draft Amendments 41 and 42,
25 staff summarized the comments from the scoping workshops. For
26 Amendment 41, staff reviewed the document structure and actions.
27 The committee suggested additional alternatives be included in
28 Action 2, distribution of quota to charter vessels. Staff noted
29 that the additional actions described at the end of the document
30 would be developed in future drafts, including an action to
31 address voluntary participation.
32
33 For Amendment 42, staff discussed the organization of the
34 amendment and the management actions. The committee discussed
35 the use of auctions for initial allocations and inquired about
36 public support for cooperatives. Committee members requested
37 the addition of an action that would allow headboats to opt out
38 of the program.
39
40 **CHAIRMAN ANSON:** I have Dr. Crabtree.
41
42 **DR. CRABTREE:** I talked a lot to people about Amendment 42 and
43 Action A-2, which is the species to include in the program, and
44 talking to staff, generally speaking, they don't think it would
45 require any additional work to include all five of these
46 species, any more work than to do it for the two species.
47
48 Right now, we have two preferreds, which are red snapper and

1 gag. The other species under consideration are gray
2 triggerfish, greater amberjack, and red grouper. It seems to me
3 that it would make sense to go ahead and include all five of
4 these species in the program.

5
6 **I would make a motion that under Action A-2, in addition to**
7 **Alternative 2 and 5 as preferreds, we also make Alternatives 3,**
8 **4, and 6 preferreds.**

9
10 **CHAIRMAN ANSON:** Dr. Crabtree, is that your motion? Is there a
11 second to the motion?

12
13 **MR. GREENE:** Second for discussion.

14
15 **CHAIRMAN ANSON:** There is a second for discussion by Mr. Greene.
16 We do need to wordsmith it a little bit, potentially.
17 Essentially, it's, as Dr. Crabtree stated, to include the three
18 additional species, to make a total of five that's being
19 incorporated into the document. Dr. Crabtree.

20
21 **DR. CRABTREE:** It just seems, to me, if we decide we're going to
22 go through this and this is how we're going to manage the
23 fishery, we may as well solve these other problems while we're
24 at it. We've had closures of greater amberjack, gray
25 triggerfish, and red grouper now on the recreational side, with
26 some fairly short seasons.

27
28 I am not making a judgment as to where the council is going to
29 go with it, but it just seems, to me, if we're going to do this
30 and we think it's a viable way to solve this problem, let's go
31 ahead and address these other species while we're at it.

32
33 **CHAIRMAN ANSON:** Is there any other discussion on the motion?
34 **Is there any opposition to the motion? Seeing none, the motion**
35 **carries.** Is that all you had, Dr. Crabtree?

36
37 **DR. CRABTREE:** For now.

38
39 **CHAIRMAN ANSON:** For now, of course. Mr. Greene, do you want to
40 continue, please? Wait. Mr. Williams.

41
42 **MR. WILLIAMS:** Thank you, Mr. Chairman. I am looking for the
43 portion of the document where there was the discussion about the
44 cooperatives, because I don't think there is much, if any,
45 support for those cooperatives and I think it's a waste of time
46 to have staff analyzing the cooperatives.

47
48 **If I could, I would like to offer a motion that in the headboat,**

1 under Amendment 42, that we remove the discussion of
2 cooperatives and that those not be considered an alternative.

3
4 **CHAIRMAN ANSON:** All right. We're going to need a couple of
5 minutes for staff to get the motion fully up on the board.
6 Mara.

7
8 **MS. LEVY:** I just want to make sure that we're looking at the
9 right document, because there is one for headboats and one for
10 charter and they both have cooperatives. The headboat one,
11 Action A-1 is the type of recreational management program for
12 headboat survey vessels and Alternative 3 is to manage by
13 cooperative. It looks like what you're saying is you want to
14 move that to Considered but Rejected, or not consider that for
15 the headboats.

16
17 **CHAIRMAN ANSON:** Roy, can you help staff?

18
19 **MR. WILLIAMS:** I apologize. I have got different page numbers
20 than other people for some reason and so Steve has loaned me his
21 document. Steven Atran has loaned me his document. What I want
22 to remove is to remove on page 9 of Amendment 42, B-10(b), I
23 want to remove Alternative 3 under Section 2.1, Section A. I
24 know this isn't a very good motion so far and I apologize.

25
26 In Action A-1, Type of Recreational Management Program for
27 Headboat Survey Vessels, I want to remove Alternative 3.
28 Alternative 3 is manage the reef fish species included in the
29 headboat management program by establishing a recreational
30 fishery cooperative program.

31
32 **CHAIRMAN ANSON:** Half the battle to recognizing you have a
33 problem, and we're talking about creating motions, Roy, is
34 that's half the battle, is recognizing you have a problem. We
35 are working towards getting the motion and I guess people know
36 the intent is for the headboat amendment only is what you're
37 talking about removing this item to the Considered but Rejected
38 and is that correct?

39
40 **MR. WILLIAMS:** That's correct, yes.

41
42 **CHAIRMAN ANSON:** Is there a second to that? Is there a second
43 to that motion?

44
45 **MR. GREENE:** Second for discussion.

46
47 **CHAIRMAN ANSON:** Second for discussion by Mr. Greene. Go ahead,
48 Roy.

1
2 **MR. WILLIAMS:** You know, in talking to a lot of the fishermen, I
3 didn't hear anybody that was really in favor of a cooperative.
4 What they said was we can always form a cooperative if we want.
5 They are used in fisheries and they're using in agriculture, as
6 Ed said, but they would rather do it privately among themselves,
7 if they decide they want to do that, and not have it be part of
8 this, where an allocation was being made to that cooperative.
9 In my discussions, they didn't really like that idea and so
10 that's the basis of my motion.

11
12 **CHAIRMAN ANSON:** Dr. Stunz.

13
14 **DR. STUNZ:** I am not generally opposed to that, Roy, at all, but
15 I mean at this stage of development of the document, I just feel
16 like having all the tools on the table that are needed and so at
17 some point we remove it later down the line, and we might
18 discover that that is in fact the case, or we might discover
19 that in fact we would like something like that. I would prefer
20 to keep it in the document at this point.

21
22 **CHAIRMAN ANSON:** Doug.

23
24 **EXECUTIVE DIRECTOR GREGORY:** I think this was prompted by public
25 testimony, and maybe Robin can confirm this, but I thought I
26 heard yesterday that somebody said that cooperatives were not
27 legal in Texas. That does throw a monkey wrench into it, if
28 that's true.

29
30 **MR. RIECHERS:** Okay and so you write "collaborative" here. I
31 mean that's the difference that they were saying. I am not
32 certain about the legality. Given the number of ag cooperatives
33 that we have in the state -- Like I said, I certainly don't -- I
34 am not familiar with that, but I haven't checked into it.
35 Others who set up the other collaborative may have.

36
37 **CHAIRMAN ANSON:** Is there any other discussion on the motion?
38 Roy, this would just apply to the headboat amendment, right,
39 because there is similar language in the for-hire charter boat
40 amendment as well. I just want to make sure that, if your
41 intent was to include the whole for-hire sector, then maybe --

42
43 **MR. WILLIAMS:** I am going to go for the small one first and then
44 maybe I will go for the other one, too.

45
46 **CHAIRMAN ANSON:** All right. Is there any further discussion on
47 this motion? **All those in favor of the motion, please signify**
48 **by raising your hand; all those opposed like sign.**

1
2 **EXECUTIVE DIRECTOR GREGORY:** Four.

3
4 **CHAIRMAN ANSON:** The motion carries twelve to four. I think
5 staff had suggested, Doug, that they bring those things you take
6 to like baseball games with the hand and everything, the big
7 sponge. We might get that for Dr. Crabtree. I think, Mr.
8 Greene, you can continue on the Reef Fish Committee Report,
9 please.

10
11 **MR. GREENE:** Draft Options, Red Snapper Recreational ACT
12 Adjustment, staff reviewed the options paper to revise the
13 recreational red snapper ACT buffer. It was noted that the SSC
14 could not establish scientific justification to either change or
15 retain the buffer, due to numerous sources of uncertainty and
16 only two years of landings data under the 20 percent buffer.

17
18 Committee members suggested that action on the options paper
19 could be deferred, but they would like to review it again once
20 2015 landings are finalized. It was also suggested that
21 different buffers be considered for the private and for-hire
22 components, based on appropriate risk tolerance.

23
24 **CHAIRMAN ANSON:** Excuse me one second, Mr. Greene. We had just
25 a little bit -- I meant to, before Johnny started back into the
26 report, but we have just a little bit more time here remaining
27 in this report and there are just a couple of other agenda items
28 remaining that probably won't take but a half-hour, at most, and
29 so I was planning to go straight through and not break for lunch
30 or any other break and try to get through this in the next
31 forty-five minutes or so. Dale.

32
33 **MR. DIAZ:** I am okay with that. I have not checked out yet
34 though and I believe checkout is at twelve. If we could take a
35 short break to checkout, that would be fine with me.

36
37 **CHAIRMAN ANSON:** Yes and a ten-minute break then for everybody
38 to do that and then we'll reconvene and try to finish full
39 council. Thank you.

40
41 (Whereupon, a brief recess was taken.)

42
43 **CHAIRMAN ANSON:** We will try to finish up Reef Fish. Mr.
44 Greene, if you want to continue.

45
46 **MR. GREENE:** Thank you, Chairman Anson. Gray Triggerfish OFL,
47 ABC, and Rebuilding Plan Parameters, staff reviewed the OFL and
48 ABC recommendations provided by the SSC. The time to rebuild in

1 the absence if fishing mortality, Tmin, is six years and ABC for
2 the first three years of rebuilding were presented for eight,
3 nine, and ten-year rebuilding timelines.

4
5 The earliest an update assessment can be scheduled is 2019.
6 Staff will develop an options paper for an amendment to
7 establish a new rebuilding plan based on the ABCs provided. A
8 committee member asked that the amendment also look at reducing
9 the bag limit, increasing the minimum size limit, and providing
10 a later opening date. Discussion on Ad Hoc Private Recreational
11 AP, committee members noted that a new private group --

12
13 **CHAIRMAN ANSON:** Johnny, excuse me one second. Roy.

14
15 **MR. WILLIAMS:** Just before we totally finish Reef Fish, I have a
16 motion regarding sector separation and Amendment 40. Karen has
17 it and so if you would just, before Reef Fish is totally over,
18 give me a chance.

19
20 **CHAIRMAN ANSON:** Okay.

21
22 **MR. GREENE:** Committee members noted that a new private group
23 has been formed, the Gulf Angler Focus Group, to develop
24 recommendations for the private recreational component. Ken
25 Haddad from American Sportfishing Association explained that the
26 group is holding meetings facilitated by the Florida State
27 University's FCRC Consensus Center to develop consensus
28 positions for recreational fishermen.

29
30 Mr. Haddad felt that forming an AP through the council process
31 at this time would be counterproductive to the group's efforts
32 and suggested that the council wait at least a year before
33 forming an AP. Several committee members agreed that the
34 council should wait and give the private group a chance to work.

35
36 **CHAIRMAN ANSON:** Go ahead, Roy.

37
38 **MR. WILLIAMS:** I've got two things then, I guess. One is on
39 this ad hoc private recreational AP. I just -- You have already
40 heard me say it, but I have to say it one more time. This new
41 Gulf focus group, at least the names that are on this initial
42 meeting, or maybe the second meeting they've had, are certainly
43 not meeting the criteria of what we were talking about, a
44 private recreational group.

45
46 I mean let's just go through the names that were on this letter
47 that they sent to us: Ken Anderson, owner/operator of the
48 Captain Anderson out of Panama City; Pam Anderson, Operations

1 Manager of Captain Anderson's Marina; somebody by the name of
2 Hughes Andry, who is with Sportco Marketing, light tackle
3 industry; Jim Donofrio, Executive Director of the Recreational
4 Fisheries Alliance; Chris Horton, Congressional Sportsmen's
5 Foundation; Mike Nugent, Port Aransas Boatmen's Association;
6 Kellie Ralston, ASA; Ted Venker, Conservation Director, CCA; Bob
7 Zales, President of NACO; Gary Zurn, owner/partner of Big Rock
8 Sports.

9
10 None of those people, I don't think, represent those three or
11 four people that came up here in the meeting yesterday and asked
12 us to form this group. It's notable that all of these people --
13 I said this yesterday, but I am going to say it again. All of
14 the people that I know on here, and I don't know each and every
15 one of them, but they were all against sector separation and
16 they were all for reallocation.

17
18 My guess, and I am not certain of this, but I am guessing they
19 want state management rather than federal management of the red
20 snapper fishery. I am not going to make that a universal
21 statement, because I'm not sure of that, but these are all birds
22 of a feather.

23
24 I know what they want and it's not necessarily what I want. I
25 am not going to be an obstacle at this point. Ken Haddad asked
26 that we give them some time and so I am willing to give them
27 some time, but I don't see them representing those three or four
28 guys that came -- One guy came clear from Texas, clear from
29 Galveston, to talk to us.

30
31 I don't see him being represented on here and if they don't pick
32 up those people somehow, if they just stay this particular group
33 here, I already know what all these guys want and so that's all
34 I have to say, but now I would like to make a motion.

35
36 **CHAIRMAN ANSON:** Go ahead.

37
38 **MR. WILLIAMS:** Maybe other people want to speak to that. I
39 don't know, but --

40
41 **CHAIRMAN ANSON:** Okay. I thought the motion was related to your
42 comments, but --

43
44 **MR. WILLIAMS:** The motion -- Karen has my motion, if she could
45 bring it up. This goes back to the -- Since we did not do
46 anything in Amendment 39, there were portions of Amendment 39
47 that would have eliminated the sunset. Since we didn't do
48 anything with it, I offered this motion in committee and it was

1 defeated, but I am going to offer it again.

2
3 **The motion is to direct staff to prepare an amendment to modify**
4 **or eliminate the sunset on sector separation created by**
5 **Amendment 40.**

6
7 **DR. DANA:** Second.

8
9 **CHAIRMAN ANSON:** We have a motion and it's been seconded by Dr.
10 Dana. Is there any discussion on the motion? Robin.

11
12 **MR. RIECHERS:** We went through this in committee, Roy, and I
13 think you -- I voted against it in committee and I am going to
14 do so again as well. I don't think we're under the time crunch
15 that many people act like we're under. In fact, I know we're
16 not, given how simple this amendment would be.

17
18 I will speak to your previous comments though and I didn't want
19 to just chime in and have a long discussion without a motion,
20 but I think we can often say we know what people think, because
21 we hear a lot of them up here and we know what they're thinking,
22 but I think you've got to give that group, first of all, a
23 little opportunity to work.

24
25 When you say the private rec guy is not represented, you have a
26 couple of the biggest organizations that represent private
27 anglers along the coast. Now, the difficulty, as we've seen
28 many, many times, is getting enough of those people with those
29 diverse interests into a coalition and have them gel around
30 something and they've got some work to do, but I would say let's
31 not paint that brush and just assume we know what they want.

32
33 **CHAIRMAN ANSON:** Martha.

34
35 **MS. BADEMAN:** A question for Roy. What are we thinking here
36 with this "modify"? Is this extend for a year or two years or
37 three years or ten years? What are we thinking here?

38
39 **MR. WILLIAMS:** I am thinking at least three. I would prefer
40 five or ten. I would prefer eliminate it altogether, but, at
41 minimum, I would think, at the low end, it would be another
42 three years, but that would be at the absolute lowest. I am
43 assuming staff would bring us alternatives. Well, they would
44 have to bring us alternatives and so I would think they would
45 start around three years and go from there.

46
47 **CHAIRMAN ANSON:** Any other discussion? David.

48

1 **MR. WALKER:** I would just like to mention, and maybe I'm wrong,
2 but I thought when Ken was mentioning they were working on their
3 -- Their group was working together to develop and he mentioned
4 how the commercial had the time to work on their group and the
5 charter had a chance to work on their group. It didn't sound
6 like they opposed them working on it and so I think we could
7 extend them this -- I agree with it. I think that 40 needs to
8 be extended and eliminate the sunset.

9
10 **CHAIRMAN ANSON:** John.

11
12 **MR. SANCHEZ:** I would echo that, for the same reasons. Just
13 like Ken came and I support him in asking for time to put their
14 plan and their thoughts and their ideas together. This group
15 has been putting their plan, their thoughts, their ideas
16 together. It is a very slow process and when we voted on it,
17 the sunset was thrown out. That wasn't original.

18
19 When that came, we voted down a five-year in lieu of a three-
20 year and so here we are and the time is marching and the process
21 isn't getting any quicker and so it's just basically giving this
22 group of folks, this sector, more time, just like the other
23 group is asking for. I mean it's all about just more time.

24
25 **CHAIRMAN ANSON:** Dale.

26
27 **MR. DIAZ:** I just want to make sure I thoroughly understand the
28 motion. The motion is not to do away with sector separation
29 today. It's to get the staff to work on an amendment and then
30 we'll make a decision on this probably at the next meeting. So
31 it's not a decision today and it's to get the paperwork ready so
32 we'll have some options at the next meeting?

33
34 **MR. WILLIAMS:** That's correct, Dale. That's my intention.

35
36 **MR. DIAZ:** Thank you, sir.

37
38 **CHAIRMAN ANSON:** Any other discussion? Pam.

39
40 **DR. DANA:** Thank you, Chairman Anson. I am going to vote in
41 favor of this motion. First of all, when the sunset was put on
42 the Amendment 40, it was based on the progression of Amendment
43 39 and whether eventually there would even be a need for
44 Amendment 40.

45
46 Since Amendment 39 has been postponed indefinitely, then, at the
47 very least, we allow an amendment to move forward with some
48 level of certainty, that certainty being, at the minimum, an

1 extension of time to Amendment 40.

2
3 We fought very hard, for years, the battle over Amendment 40.
4 We heard it and it was brutal and we finally acted on it. At
5 the very least -- Well, I speak in favor of this motion.

6
7 **CHAIRMAN ANSON:** Dr. Lucas.

8
9 **DR. LUCAS:** Roy, I've been sitting here contemplating it and I
10 still think my comments from yesterday stand. I think this is
11 going to eventually have to happen, but I am kind of like Robin
12 on this. I don't think it has to happen right away.

13
14 I still think we have time and I still think they're moving
15 towards solidifying things in 41 and 42, which we know will take
16 some time, but I don't think we have to start this right away,
17 because I think it is going to be a simple amendment or whatever
18 that will probably consist of one action with a couple of
19 options. I don't think it has to be started right away. Where
20 I do think it needs to be done, I can't support it at this time.

21
22 **CHAIRMAN ANSON:** I will just add that I agree with Robin and Dr.
23 Lucas's comments that it shouldn't take too much time, but I
24 guess, looking at it a little bit pragmatically, there always
25 seems to be a little hiccup along the way and so I think I would
26 be in support of this motion, just to try to make sure that that
27 timeline is met. Mr. Swindell.

28
29 **MR. SWINDELL:** How long have we been into, what is it, a three-
30 year now sunset provision on this?

31
32 **CHAIRMAN ANSON:** It's a three-year sunset and we just finished
33 up year one and year two will be this year.

34
35 **DR. CRABTREE:** It sunsets after the 2017 season.

36
37 **MR. SWINDELL:** Okay. One of the things that I have noticed, in
38 a lot of comments by people, is that this amendment has given a
39 particular industry a lot of assurity that they are going to at
40 least have an industry of some fashion.

41
42 I would hate to be down to one year, or even within the last
43 year, making a decision for them to continue fishing under at
44 least some circumstances that they are dealing with now. I
45 would rather see us extend this for a few more years now,
46 almost, if not next meeting, to give them some more assurance
47 that here's a segment that they're still going to have a job to
48 do, rather than waiting until the end of the sunset period to

1 make the decision. That's my real concern. Thank you.

2
3 **CHAIRMAN ANSON:** Leann.

4
5 **MS. BOSARGE:** I support this motion as well. I think we need to
6 start this discussion. I think everything we do seems to get
7 slowed down, but mainly so that we can have this discussion on
8 the record and begin the conversation. Since we're not forming
9 a private rec AP, we at least need to have this discussion, so
10 that maybe the focus group that's out there can eliminate a
11 little bit of uncertainty as to where they need to hone in and
12 focus on.

13
14 We at least need to give them some direction, even if it's not
15 by forming an AP. We need to talk about this and decide where
16 we're going in the future, so that these people can make plans
17 and not just the for-hire sector, but the private angler sector.

18
19 They need to understand what our long-term direction is, whether
20 it's to keep it or do away with it or extend it. They need to
21 understand that. These people need to be able to make their own
22 plan and they can't do that with uncertainties like this hanging
23 over their head.

24
25 **CHAIRMAN ANSON:** Johnny.

26
27 **MR. GREENE:** Building on what Leanne said, just think back to
28 the public testimony yesterday. You heard one individual say
29 that he was spending a fairly significant amount of money
30 repowering his boat, with some engine company out of
31 Mississippi.

32
33 I can sit here and think of about eight to ten boats right now
34 that are being repowered and the economic impact of that is
35 pretty big. Any business person always contemplates future
36 expenses and you get into boats the size of mine -- There was
37 one that was similarly repowered ten or twelve years ago and
38 \$400,000. That's a big economic impact.

39
40 Now, the engines didn't cost \$400,000. They were probably
41 \$250,000 and it probably cost the remaining \$150,000 to have a
42 local company here in town install the engine and fabricate the
43 motor mounts. There's a lot to this.

44
45 Understand that it's not just letting the fishermen have the
46 opportunity to fish, but there are local businesses and fuel
47 sales and marinas. It's bigger than that and I just wanted to
48 share that with you.

1
2 **CHAIRMAN ANSON:** Doug Boyd.
3
4 **MR. BOYD:** Thank you, Mr. Chairman. I am not going to vote for
5 this, for a couple of reasons. One, we heard Roy say, and, Roy,
6 if I get this wrong, please help me, the sunset takes place in
7 2018. Is that correct?
8
9 **DR. CRABTREE:** It's good for three seasons and so it sunsets
10 after the 2017 season.
11
12 **MR. BOYD:** Okay and so we still have plenty of time to work on
13 this. It's not going to be, as Dr. Lucas said, it's not going
14 to be a terribly long document. It's going to have a couple of
15 options that we'll be able to discuss and so I think we can wait
16 and we don't need to be taking it up right now. I think it's
17 premature.
18
19 I would like to just speak to Johnny Greene's statement.
20 Businesses operate in the environment that they are in,
21 regardless of what may come down the pike in the next year or
22 the year after. The mortgage industry operated and they got a
23 lot of new regulations, but I don't know that anybody sat there
24 and waited and made decisions about whether to invest in their
25 business or not invest in their business based on what might
26 come from Congress. The banking industry does the same thing.
27
28 Mechanic shops, regardless of what cars may come out, they're
29 not going to stop their business and go out of business because
30 they don't know what's going to happen. I would submit to you
31 that someone who is repowering probably is not going to go out
32 of business based on what we do here and whether we vote on this
33 amendment or not.
34
35 **CHAIRMAN ANSON:** Dale, did you have your hand up earlier?
36
37 **MR. DIAZ:** No.
38
39 **CHAIRMAN ANSON:** Roy.
40
41 **MR. WILLIAMS:** It's been pointed out to me that my use of the
42 word "modify" is open to interpretation and they asked if I
43 meant "extend" and the answer is yes, I meant extend and if the
44 seconder would agree, I would like to change "modify" to
45 "extend".
46
47 **DR. DANA:** I agree.
48

1 **CHAIRMAN ANSON:** Is there any further discussion on the motion?
2 The motion is to direct staff to prepare an amendment to extend
3 or eliminate the sunset on sector separation created by
4 Amendment 40. All those in favor of the motion, please signify
5 by -- We have a request for a roll call vote. The request was
6 made by Mr. Walker. Doug, are you ready?
7
8 **EXECUTIVE DIRECTOR GREGORY:** Yes. To direct staff to prepare an
9 amendment to extend or eliminate the sunset on sector separation
10 created by Amendment 40. Mr. Williams.
11
12 **MR. WILLIAMS:** Yes.
13
14 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.
15
16 **MS. BADEMAN:** Yes.
17
18 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.
19
20 **MR. WALKER:** Yes.
21
22 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.
23
24 **MR. SWINDELL:** Yes.
25
26 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
27
28 **MR. SANCHEZ:** Yes.
29
30 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.
31
32 **MR. FISCHER:** No.
33
34 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.
35
36 **MR. RIECHERS:** No.
37
38 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.
39
40 **DR. LUCAS:** No.
41
42 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.
43
44 **MR. MATENS:** No.
45
46 **EXECUTIVE DIRECTOR GREGORY:** Mr. Greene.
47
48 **MR. GREENE:** Yes.

1
2 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.
3
4 **DR. STUNZ:** No.
5
6 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.
7
8 **MR. BOYD:** No.
9
10 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.
11
12 **DR. CRABTREE:** Yes.
13
14 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
15
16 **MR. DIAZ:** Yes.
17
18 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.
19
20 **DR. DANA:** Yes.
21
22 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.
23
24 **MS. BOSARGE:** Yes.
25
26 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
27
28 **CHAIRMAN ANSON:** Yes.
29
30 **EXECUTIVE DIRECTOR GREGORY:** We have eleven yes and six no. **The**
31 **motion passes eleven to six.**
32
33 **CHAIRMAN ANSON:** Thank you. Roy, do you have anything else?
34
35 **MR. WILLIAMS:** No, sir.
36
37 **CHAIRMAN ANSON:** Okay. Johnny.
38
39 **MR. GREENE:** Red Grouper Stock Assessment Results, staff noted
40 that the SSC presentation had included a review of the red
41 grouper stock assessment and a five-year OFL and ABC yield
42 stream. Staff suggested that work could begin on a framework
43 action to adjust the red grouper ACL and asked for guidance from
44 the committee.
45
46 **DR. CRABTREE:** It's not clear in the report that we gave them
47 that guidance and do we need to make a motion to ask staff to
48 begin work on a framework action? It just says they asked for

1 guidance from the committee.
2
3 **DR. SIMMONS:** I think, for clarity, it would be nice to have a
4 motion. If you feel comfortable, we can go ahead and proceed
5 that way.
6
7 **DR. CRABTREE:** I would like to make a motion to ask staff to
8 begin work on a framework action to adjust the red grouper ACL.
9
10 **MS. BADEMAN:** I'll second it.
11
12 **CHAIRMAN ANSON:** There is a motion and it's been seconded by Ms.
13 Bademan. That motion is that staff begin a framework action to
14 adjust the red grouper ACL. Any discussion? Martha.
15
16 **MS. BADEMAN:** Just to reiterate what I said in committee. I
17 think this is a priority. We have had some issues with the red
18 grouper ACL being exceeded, or the ACT being exceeded, the last
19 couple of years and I would like to avoid that situation again,
20 if we can, because it does have consequences for the
21 recreational fishery, including closures at very important times
22 of the year for that fishery.
23
24 **CHAIRMAN ANSON:** Johnny.
25
26 **MR. GREENE:** I agree with what Martha said and I also would like
27 to just give a shout-out to the SSC, who came back and gave us
28 that constant catch scenario that will be provided within this
29 document and I appreciated the fact that Mr. Methot was there
30 and I thought it was a very good start on something that
31 potentially we may want to see more of in the future.
32
33 **CHAIRMAN ANSON:** Any further discussion on the motion? **Is there**
34 **any opposition to the motion? Seeing no opposition, the motion**
35 **carries.** Mr. Greene, I will give it you one more time.
36
37 **MR. GREENE:** Extension of Sector Separation Sunset Provision,
38 committee members noted that sector separation will sunset after
39 three years. Work will need to begin soon if the council wants
40 to extend the sunset provision before sector separation expires.
41 A motion to develop a plan amendment to either modify or
42 eliminate the sunset provision failed.
43
44 Reopening Red Snapper Recreational Season to Reach the Annual
45 Catch Limit, committee members expressed an interest in
46 developing a procedure to allow the Regional Administrator to
47 reopen the recreational season if the ACL has not been reached.
48

1 The Regional Administrator currently has the authority to re-
2 open the recreational fishery if the ACT has not been reached,
3 but not to reopen it to allow the ACL to be reached.

4
5 **Motion to start the development of an action to develop a**
6 **mechanism to allow the red snapper season to reopen in the event**
7 **that the ACL is not exceeded during the initial season.**

8
9 **CHAIRMAN ANSON:** We have a committee motion. Is there any
10 discussion on the motion? **Is there any opposition to the**
11 **motion? Seeing none, the motion carries.**

12
13 **MR. GREENE:** Mr. Chairman, that concludes my report.

14 15 **OTHER BUSINESS**

16
17 **CHAIRMAN ANSON:** Thank you, Mr. Greene. That concludes all of
18 our committee reports and next on the agenda was the Vote on
19 Exempted Fishing Permit Applications, of which there were none
20 submitted. That will take us to Item Number VII, Other
21 Business.

22
23 I don't know if I mentioned it at the last meeting or not, but
24 when I attend the South Atlantic Fishery Management Council
25 meetings, they have on their agenda a time set aside and put on
26 the agenda that gives the members who are representing non-
27 voting agencies an opportunity to go ahead and provide some
28 information that might not otherwise come up during our normal
29 council deliberations and so I have done that for this agenda
30 and I intend to do it for future agendas while I am Chair. We
31 can just go down the list here. Mr. Brown, are you ready for
32 the South Atlantic Report?

33 34 **SUPPORTING AGENCIES SUMMARY REPORTS** 35 **SOUTH ATLANTIC COUNCIL LIAISON**

36
37 **MR. BROWN:** Yes, I am. I would like to thank you all too for
38 having me here and I have learned a lot this week and I will be
39 taking some interesting information back to the South Atlantic.
40 I would like to go ahead and read this report.

41
42 During our December meeting, we approved the new fishery
43 management measures and adopted a vision blueprint and the
44 snapper grouper management improved measures for dolphin,
45 blueline tilefish, yellowtail snapper, and black sea bass.

46
47 We established a new commercial trip limit for dolphin, because
48 the ACL had been met a couple of years in a row, in 2014 and

1 then 2015. We actually had some industry reps from different
2 organizations that came to the council and we talked to them and
3 they said that this would be a good option for maybe a step-
4 down, so that as they progress through the season and if they
5 got close to that ACL, then it would help to extend it.

6
7 The new commercial trip limit, which the South Atlantic Council
8 manages the dolphin also from New England to the Florida Keys,
9 the new trip limit for the commercial sector is once it has
10 reached 75 percent of the ACL, it's going to be 4,000 pounds.
11 That was established in December.

12
13 The blueline tilefish, the information that came back, we set a
14 new ACL at 174,798 pounds and the rationale that came back from
15 that was that the blueline tilefish -- There was an indication
16 that all of the blueline tilefish in the South Atlantic and in
17 New England are all of one stock.

18
19 We do have a scheduled stock assessment for 2017 that will give
20 us a better idea, but the genetic studies do determine that this
21 is one stock and so the commercial bag limit was increased from
22 100 pounds to 300 pounds per trip and the recreational bag limit
23 also was increased from one fish per vessel per day to three
24 fish per person per day, with the season being from May until
25 August.

26
27 The yellowtail snapper, we modified the current fishing year for
28 yellowtail snapper from the calendar year to an August to July 1
29 fishing year and basically we did have some industry reps that
30 came to us and we talked about it and they said that this would
31 work the best for them, because that way they can go ahead and
32 catch the fish and get the best market price for them and then,
33 if it did close, it would close during the time of the spring
34 and summer spawning season.

35
36 Black sea bass, the black sea bass are considered not overfished
37 anymore, with the most current stock assessment in 2013. We
38 were able to go ahead and change the recreational bag limit, as
39 of our last meeting, from five fish to seven fish per person per
40 day, and, because there is being so many harvested and discards
41 right now, we're looking at changing the size limit also, from
42 thirteen inches down to twelve inches, to try to reduce some of
43 the discards.

44
45 The black sea bass pot fishery has been an ongoing work, with a
46 lot of battles with trying to avoid any interaction with the
47 South Atlantic right whale, and so, after a lot of years of work
48 with Amendment 16, it looks like we've finally come up with some

1 alternatives to where the black sea bass pot fishermen will be
2 able to continue fishing year-round, as long as they fish in
3 certain depths of water that will avoid the South Atlantic right
4 whale.

5
6 The vision blueprint for the snapper grouper fishery was a work
7 in progress that we have been working on for many years and we
8 had some meetings this past fall and came up with some good
9 focal areas of what we were going to look at doing.

10
11 The focus areas were science, management, communication, and
12 governance, and so, in December, we adopted the vision blueprint
13 and so we're going to be looking at putting this into our our
14 actions over the next year, with sub-regional management and
15 sector-based management and looking at a recreational stamp for
16 the private recreational sector. Also, one of the other things
17 was a traditional multiday bandit boat amendment.

18
19 We had items approved for public hearings in January and
20 February, the charter/headboat reporting amendment, with
21 mandatory weekly reporting, electronic reporting. We had the
22 hogfish, Snapper Grouper Amendment 37, which included the
23 creation of two separate managed stocks of the hogfish, with one
24 stock in the Florida Keys and then the other stock would be the
25 upper Georgia and the Carolinas.

26
27 We have Amendment 26 to the Coastal Migratory Pelagic Fishery
28 Management Plan. The South Atlantic used the same document as
29 the Gulf of Mexico is using and then the council is also
30 soliciting public scoping on preliminary measures that may be
31 considered for the mutton snapper, following a recent stock
32 assessment. I think that's about it. If you have any
33 questions, I would be glad to answer them.

34
35 **CHAIRMAN ANSON:** I think we have at least one from Martha.

36
37 **MS. BADEMAN:** Not a question, but I just wanted to tag along
38 with the report on mutton snapper. FWC is holding workshops on
39 mutton snapper the next couple of weeks. The first week, we'll
40 be tagging along with the South Atlantic and they will be doing
41 some public hearings on some things and we'll be doing the
42 mutton snapper hearings in conjunction with those, but we will
43 be having some in the Gulf jurisdiction.

44
45 We will be in Key West on February 3, and that is a joint
46 meeting with the South Atlantic. We will be in St. Petersburg
47 on February 15th, Naples on the 16th, and we will be having a
48 webinar on February 24th. That information is on our website,

1 which is myfwc.com. Thanks.

2
3 **CHAIRMAN ANSON:** Go ahead, Mark.

4
5 **MR. BROWN:** I would like to mention one other thing that's not
6 in this document. We had a citizen science meeting last week.
7 It was a four-day meeting, where we brought people together that
8 were in the industry, you know private and recreational
9 fishermen along with scientists, and we all sat around in groups
10 and had some discussion on a direction of putting together some
11 projects in the future that would help to possibly close some of
12 the gaps that we have in our science and our understanding of
13 our fisheries and it was really good.

14
15 I really enjoyed that, because there was a lot of good
16 interaction and a lot of good ideas and we kind of went through
17 it and we narrowed them down and we fine-tuned it to where we
18 kind of saw where we would like to go with this and so I just
19 wanted to mention that.

20
21 **CHAIRMAN ANSON:** That's good to hear and we look forward to
22 hearing more about your progress in that avenue and it's
23 certainly something for us to keep kind of tabs on and consider,
24 potentially, for trying to work in the Gulf.

25
26 It's good to hear also that you guys are opening up the bag
27 limits on a few species there. It's been real tough for you all
28 the last four or five years and so that's also good to hear.
29 All right. Next, we have Dave from the commission. Dave.

30
31 **GULF STATES MARINE FISHERIES COMMISSION**

32
33 **MR. DONALDSON:** Thank you, Mr. Chairman. The commission has
34 five major programs: the IGF program that deals with
35 interjurisdictional fisheries; SEAMAP, which is a cooperative
36 state/federal fishery-independent program; Sport Fish
37 restoration that deals with recreational fisheries in the Gulf
38 and focuses on anadromous fish restoration, artificial reefs,
39 and fisheries data; Fisheries Information Network, or GulfFIN,
40 that is a state/federal cooperative program for fishery-
41 dependent data; and then the Aquatic Nuisance Species Program
42 that coordinates the Gulf and South Atlantic regional panel and
43 looks at the new introduction and monitoring of established
44 invasive species in the Southeast.

45
46 A few activities that I thought might be of interest to the
47 council and under GulfFIN, due to level funding over the last
48 ten years, we have had to eliminate dedicated funding for

1 biological sampling, which has led to the reduction of the
2 number and frequency of biological samples from the recreational
3 and commercial fisheries. GulfFIN actually provides the
4 majority of the otoliths for recreational species.

5
6 This has the potential to have a significant impact on the
7 quality of stock assessments, because we don't have this needed
8 age data. The good news is that we have been able to, over the
9 last couple of years, have been able to piecemeal funding
10 together and continue some level of sampling, but that is
11 certainly not a long-term solution.

12
13 Another activity under GulfFIN is the development of regional
14 implementation plans for MRIP. As a member of GulfFIN, the Gulf
15 Council, through their staff, has the opportunity to provide
16 input on areas of focus on future recreational data collection
17 and MRIP is very interested in hearing the perspectives from
18 these regional councils.

19
20 Then, lastly, under GulfFIN, we are coordinating the convening
21 of a national workshop to improve the accuracy of recreational
22 discards.

23
24 Under SEAMAP, the Shrimp Groundfish Trawl Survey, both the
25 summer and the fall, have expanded surveys into Florida, to
26 sample south of Tampa, beginning in 2010 and continuing to
27 present. There is more complete coverage in the summer, but
28 there is some sampling in the fall and it has provided needed
29 data on juvenile reef fish, snapper and triggerfish, et cetera,
30 and the good news is these data will be available for the next
31 red snapper assessment and hopefully improve that assessment.

32
33 They have also implemented a vertical line survey in Louisiana,
34 Alabama, and Texas, starting in 2010, and Texas just started in
35 2015, but also coordinating with Mississippi and Florida
36 sampling. They are using NFWF money to conduct a vertical line.
37 It will provide Gulf-wide coverage, targeting reef fish on
38 structured bottoms, artificial reefs, oil and gas structures,
39 and identifying this data gap and this data will be available
40 for future assessments.

41
42 Then the last program, under Sport Fish, to address the baseline
43 need for data on artificial reefs, we have established the Gulf
44 Artificial Reef Monitoring and Assessment Program, or GARMAP,
45 using standardized protocols to sample artificial reefs.

46
47 We are conducting a pilot in Mississippi this year and hopefully
48 we will expand to the other states, but the baseline data will

1 provide managers with the necessary information to make
2 scientifically-based decisions about management of artificial
3 reef habitats and the associated species on those reefs. That's
4 all I've got and if you have any questions, I will be glad to
5 answer them.

6
7 **CHAIRMAN ANSON:** Thank you, Dave, for the report. Any questions
8 for Dave? All right. Thank you. Lieutenant Commander Brand.

9

10 **COAST GUARD**

11

12 **LCDR BRAND:** Thank you, Mr. Chair. I just wanted to provide one
13 initiative that we completed in 2015 with the Gear Management
14 Team. Specifically, Dale Stevens worked with us and he provided
15 at-sea TED, turtle excluder device, inspection training to all
16 of our units around the coast and it did a great job in kind of
17 increasing the confidence of our boarding officers' skills and
18 ability to be more consistent with the NOAA inspections for the
19 inspection of the TED. That was great and I really appreciate
20 Dale's effort.

21

22 He went around the Gulf and traveled on his own time to help us
23 with that initiative and all the feedback has been very
24 positive. The boarding officers of the Coast Guard feel a lot
25 more confident in checking those TEDs and so we're going to
26 continue that program. We're going to meet with Dale to work on
27 how we're going to move forward with that, but I just wanted to
28 thank him for that.

29

30 **CHAIRMAN ANSON:** Thank you and thank you, Dale. That goes
31 through all of the people that are here from the non-voting
32 agencies. There wasn't any other business, as I recall, that
33 was to be brought up at the meeting. Is there any other
34 business that needs to be brought forward? If not, that
35 concludes our meeting. Thank you, everyone.

36

37 (Whereupon, the meeting adjourned at 1:03 p.m., January 28,
38 2016.)

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