

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

253RD MEETING

FULL COUNCIL SESSION

Golden Nugget Casino Hotel Biloxi, Mississippi

APRIL 1-2, 2015

April 1, 2015

VOTING MEMBERS

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

NON-VOTING MEMBERS

- LCDR 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
- Cathy Readinger.....Administrative Officer
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Charlotte Schiaffo.....Research & Human Resource Librarian

1 Bryan Schoonard.....GIS Analyst
2
3 **OTHER PARTICIPANTS**
4 Pam Anderson.....Panama City Beach, FL
5 Billy Archer.....Seminole Wind, Panama City, FL
6 Tom Ard.....Orange Beach, AL
7 Holly Binns.....Pew Charitable Trust
8 Randy Boggs.....Orange Beach, AL
9 Susan Boggs.....Orange Beach, AL
10 Dick Brame.....
11 Steve Branstetter.....NMFS
12 Eric Brazer.....Reef Fish Shareholder's Alliance
13 Karyl Brewster-Geisz.....NMFS
14 JP Brooker.....Ocean Conservancy, St. Petersburg, FL
15 James Bruce.....Cutoff, LA
16 Gary Bryant.....Fort Morgan, AL
17 Rick Burris.....MDMR
18 Shane Cantrell.....Galveston Charter Fleet, TX
19 Kim Chauvin.....Chauvin, LA
20 Bubba Cochrane.....Galveston, TX
21 Cliff Cox.....Destin, FL
22 Dean Cox.....
23 Jason Delacruz.....Reef Fish Shareholders Alliance/Gulf Wild
24 Dewey Destin.....Destin, FL
25 Mike Eller.....Destin, FL
26 Martin Fisher.....FL
27 Maurice Fitzsimmons.....Daphne, AL
28 Troy Frady.....Lillian, AL
29 Jim Green.....Destin, FL
30 Buddy Guindon.....Galveston, TX
31 Derrick Gutierrez.....Galveston, TX
32 Ken Haddad.....American Sportfishing Association
33 Ben Hartig.....SAFMC
34 Scott Hickman.....Galveston, TX
35 Roy Howard.....
36 Gary Jarvis.....Destin, FL
37 Mike Jennings.....Freeport, TX
38 Joe Jewell.....MS
39 Bill Kelly.....Marathon, FL
40 Bobby Kelly.....Orange Beach, AL
41 David Krebs.....Destin, FL
42 Jack McGovern.....NMFS
43 Paul Mickle.....MDMR
44 Bart Niquet.....Panama City, FL
45 Chris Niquet.....Panama City, FL
46 Bob Perkins.....USCG
47 Bonnie Ponwith.....SEFSC
48 Tracy Redding.....AAA Charters, AL

1 Mike Rowell.....Orange Beach, AL
2 Sonny Schindler.....Bay St. Louis, MS
3 G.P. Schmahl.....Flower Garden Banks, TX
4 John Schmidt.....
5 Dolph Scott.....National Geographic
6 Bob Spaeth.....Madeira Beach, FL
7 Bill Staff.....Orange Beach, AL
8 Tom Steber.....Orange Beach, AL
9 Andy Strelcheck.....NMFS
10 Brian Swindle.....Dauphin Island, AL
11 Mike Thierry.....Dauphin Island, AL
12 Skipper Thierry.....Dauphin Island, AL
13 Steve Tomeny.....Port Fourchon, LA
14 Russell Underwood.....Panama City, FL
15 David Veal.....Biloxi, MS
16 Wayne Werner.....Alachua, FL
17 Mike Whitfield.....Lynn Haven, FL
18 Jillian Williams.....Galveston, TX
19 Johnny Williams.....Galveston, TX
20 Bob Zales, II.....Panama City, FL
21 Jim Zurbrick.....Steinhatchee, FL

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23 - - -
24

25 The Full Council of the Gulf of Mexico Fishery Management
26 Council convened at the Golden Nugget Casino Hotel, Biloxi,
27 Mississippi, Wednesday morning, April 1, 2015, and was called to
28 order at 10:48 a.m. by Chairman Kevin Anson.

29
30 **CALL TO ORDER AND INTRODUCTIONS**
31

32 **CHAIRMAN KEVIN ANSON:** Let's get started. Welcome to the 253rd
33 meeting of the Gulf Council. My name is Kevin Anson, Chairman
34 of the Council. The Gulf Council is one of eight regional
35 councils established in 1976 by the Fishery Conservation and
36 Management Act, known today as the Magnuson-Stevens Act.

37
38 The council's purpose is to serve as a deliberative body to
39 advise the Secretary of Commerce on fishery management measures
40 in the federal waters of the Gulf of Mexico. These measures
41 help ensure that fishery resources in the Gulf are sustained,
42 while providing the best overall benefit to the nation.

43
44 The council has seventeen voting members, eleven of whom are
45 appointed by the Secretary of Commerce and include individuals
46 from a range of geographical areas in the Gulf of Mexico and
47 with experience in various aspects of fisheries.

48

1 The membership also includes five state fishery managers from
2 each Gulf state and the Regional Administrator from NOAA's
3 Southeast Fisheries Service, as well as several non-voting
4 members.

5
6 Anyone wishing to speak during public comment should complete a
7 public comment registration card and drop it in the box or give
8 it to council staff. One card per person, please. A digital
9 recording of the meeting is used for the public record.
10 Therefore, for the purpose of voice identification, each member
11 is requested to identify him or herself, starting on my left.

12
13 **MR. ROY WILLIAMS:** Roy Williams, Florida.

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

17
18 **LCDR JASON BRAND:** Lieutenant Commander Jason Brand, U.S. Coast
19 Guard.

20
21 **MR. DAVID WALKER:** David Walker, Alabama.

22
23 **MR. JOHNNY GREENE:** Johnny Greene, Alabama.

24
25 **MR. CAMPO MATENS:** Camp Matens, Louisiana.

26
27 **MR. HARLON PEARCE:** Harlon Pearce, the great state of Louisiana.

28
29 **MR. JOHN SANCHEZ:** John Sanchez, Florida.

30
31 **DR. PAMELA DANA:** Pam Dana, Florida.

32
33 **MS. MARTHA BADEMAN:** Martha Bademan, Florida.

34
35 **MR. BEN HARTIG:** Ben Hartig, South Atlantic Council liaison.

36
37 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.

38
39 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.

40
41 **DR. STEVE BRANSTETTER:** Steve Branstetter, NOAA Fisheries.

42
43 **DR. BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.

44
45 **DR. GREG STUNZ:** Greg Stunz, Texas.

46
47 **MR. LANCE ROBINSON:** Lance Robinson, Texas.

48

1 **MR. DOUG BOYD:** Doug Boyd, Texas.
2
3 **MS. LEANN BOSARGE:** Leann Bosarge, Mississippi.
4
5 **MR. DALE DIAZ:** Dale Diaz, Mississippi.
6
7 **MR. CORKY PERRET:** Corky Perret, Mississippi.
8
9 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** Douglas Gregory, council
10 staff.

11
12 **CHAIRMAN ANSON:** Thank you, everyone. We have next on the list
13 is Adoption of the Agenda. Is there anyone with any additions
14 to the agenda? Any changes to the agenda? We have got some
15 changes.

16
17 **ADOPTION OF AGENDA**

18
19 **EXECUTIVE DIRECTOR GREGORY:** We wanted to move the closed
20 session to first thing Thursday morning, to ensure that the
21 webinar is not running inadvertently, because it's difficult, as
22 you said earlier, to turn it on and off during the day.

23
24 I would like to add to Other Business a discussion of the state
25 director reports and have the council consider whether we want
26 to continue receiving them or not and also give like an overview
27 of the -- We have a Council Coordinating Committee meeting in
28 June and we'll just talk a little bit about that under Other
29 Business.

30
31 **CHAIRMAN ANSON:** I would just -- I am going to talk a little bit
32 about dress code for June in Other Business and we did -- If
33 it's approved, the Advisory Panel appointments being moved to
34 tomorrow morning, that is going to push up some committee
35 reports and we will put into that slot the hour timeline and I
36 will suggest Administrative Policy and Budget, Law Enforcement,
37 Gulf SEDAR Committee, and the Spiny Lobster Committee as the
38 four that we will try to put into that hour. If we can do it,
39 great. If not, we will just move those to tomorrow, what we
40 can't finish. Does anyone else have anything? We need a
41 motion.

42
43 **MR. PERRET:** Move to adopt the agenda as modified.

44
45 **MR. BOYD:** I second.

46
47 **CHAIRMAN ANSON:** We have a motion to accept the agenda as
48 written and seconded. Any objection to accepting the changes?

1 Thank you. It's approved. Two other quick items that should
2 be addressed now in the beginning, before we move into committee
3 reports. Doug, you have one?

4
5 **EXECUTIVE DIRECTOR GREGORY:** Yes, I would like to introduce a
6 new staff person, Brian Schoonard. If you would stand up. He
7 has replaced Mark Mueller. He is paid off our Coral Grant and
8 he is our GIS Analyst. If you have any mapping issues, he's the
9 guy to talk to and he just started with us about a month ago, in
10 January. We welcome you, Brian.

11
12 He worked with FWC before coming here and he has extensive
13 experience with GIS and he has already made some great
14 improvements to our system and what we're trying to do with the
15 Coral Grant is we're building a data portal for as much of the
16 information pertaining to the Gulf of Mexico as we can identify.
17 Thank you, Brian. We're glad to have you here.

18
19 **CHAIRMAN ANSON:** Welcome aboard, Brian.

20
21 **DR. CRABTREE:** While we are doing introductions, I would like to
22 introduce Jack McGovern, who is here today. Jack has taken the
23 position that Phil Steele had, who retired at the end of last
24 year. He is the Assistant Regional Administrator for
25 Sustainable Fisheries and he will be coming to a lot of our
26 meetings.

27
28 **MR. PERRET:** Just a heartbeat away.

29
30 **CHAIRMAN ANSON:** Welcome, Jack. The next quick item I wanted to
31 address is -- Dale.

32
33 **MR. DIAZ:** Kevin, I just want to make a comment. I talked with
34 Doug a little while back about this. I think there's been some
35 really good improvements to the way that we get information,
36 especially the way we can access this briefing book on the
37 website and getting the minutes early. I do know that Beth,
38 Charlene, and Phyllis have been helping out with this and, Doug,
39 if there is any other staff members, please relay to them that
40 we notice the improvements and it's very helpful and we thank
41 them for that and thank you for your leadership on that, too.
42 Thank you.

43
44 **CHAIRMAN ANSON:** Thank you, Dale. Well said and I concur. Some
45 of you may have noticed or heard that we do have a National
46 Geographic production crew visiting us today. It is part of a
47 broader scope of a series on commercial fishing, but Dolph
48 Scott, a producer of the show, is here and, Dolph, if you

1 wouldn't mind coming up and just provide a very brief summary of
2 what the content of this production will be and that will be
3 appreciated. Thank you.

4
5 **MR. DOLPH SCOTT:** Hello. Thank you for this. I am with
6 National Geographic and we're doing a documentary on fishing,
7 specifically sustainable fishing, and the Gulf region. We have
8 been filming in Galveston for a couple of weeks and we heard
9 about this conference and obviously this conference is
10 incredibly important and so we would like to cover it.

11
12 We're going to have a couple of cameras in here. We're going to
13 stay out of the way, as much as possible. We are not going to
14 interfere and, also, we are going to be filming members of the
15 council, members back here, and the public testimony that's
16 coming up a little later. We would really appreciate it if you
17 guys would sign a release so we could show it on television and
18 that's really what it is. I mean it's just a documentary on
19 fishing and it's with National Geographic.

20
21 **EXECUTIVE DIRECTOR GREGORY:** I would like to explain. I have a
22 copy of the releases and I will pass them out and at the same
23 time, I have asked them to consult with their legal people and
24 maybe, Mara, you know the answer.

25
26 Since we are government employees or government appointees, I
27 thought maybe they could film us without us having to sign a
28 release. Mara, do you have any idea of that? No? I will pass
29 out the release anyway to everybody.

30
31 **MR. SCOTT:** Okay and thank you very much.

32
33 **APPROVAL OF MINUTES**

34
35 **CHAIRMAN ANSON:** Thank you. That will take us to Approval of
36 the Minutes. Are there any changes to the minutes? Seeing
37 none, could I get a motion to accept the minutes as written?

38
39 **MR. DIAZ:** I did have one change. On page 19, line 21, there is
40 a misspelled word and the word that's misspelled is the number
41 "two" and that was the only change.

42
43 **CHAIRMAN ANSON:** All right. Any other changes? Is there a
44 motion?

45
46 **MR. DIAZ:** So moved.

47
48 **MR. PERRET:** Second.

1
2 **CHAIRMAN ANSON:** There is a motion to accept the minutes as
3 written by Dale and seconded by Corky and any discussion on the
4 motion? Does anyone object to the motion? The minutes are
5 approved. That will take us to Administrative Policy and
6 Budget. Mr. Perret, are you going to take that one?

7
8 **COMMITTEE REPORTS**
9 **ADMINISTRATIVE POLICY/BUDGET COMMITTEE**

10
11 **MR. PERRET:** With ex-Chairman Boyd's permission, yes, I will,
12 Mr. Chairman and thank you. The Administrative Policy and
13 Budget/Personnel Committee had a joint meeting and you should
14 have a copy that's been sent to you.

15
16 Anyway, I will go through it. The first thing was Review of the
17 2014 Carryover and 2015 Budget, Tab G-4. Staff reviewed the
18 2014 carryover budget and the proposed 2015 budget, noting that
19 we have not received any 2015 funding from NOAA to date.

20
21 **EXECUTIVE DIRECTOR GREGORY:** One exception. We just were
22 notified this morning that we got our full funding.

23
24 **MR. PERRET:** So you see what good we do? We met for one day and
25 we already got money from NOAA. Thank you, Doug. We have spent
26 about \$550,000 on 2015 expenses to date, using 2014 monies.
27 Staff is considering the accounting of year-to-date 2015
28 expenses to the 2014 carryover funds rather than to the 2015
29 budget, since we have no actual 2015 funding at this time. We
30 are not sure that NOAA will approve, but the North Pacific
31 Council is planning to do the same type of accounting. I guess
32 since we've been notified of receiving funding, we're in a lot
33 better shape.

34
35 **We have a motion. By a unanimous voice vote, the committee**
36 **recommends, and I so move, that the council, starting in 2015,**
37 **increase liaison funding by \$10,000 to a total of \$45,000**
38 **annually to each of the Gulf States and the Gulf States**
39 **Commission for the liaison contracts. Mr. Chairman, that's the**
40 **motion.**

41
42 **CHAIRMAN ANSON:** We have a committee motion. Is there any
43 discussion on the motion? **Is there any objection to the motion?**
44 **The motion is approved.**

45
46 **MR. PERRET:** Thank you, Mr. Chairman. The second item we took
47 up was Review of Benefits Analysis by Markley Consultants, Tab
48 G, Number 5. Staff reviewed the evaluation provided by Markley

1 Consultants regarding the status of our 401K plan relative to
2 IRS regulations. Staff intends to follow the recommendations
3 that we restate our 401K plan with the IRS before April 2016 and
4 to send a request to the IRS for a letter of determination
5 regarding the status of our governmental 401K plan.
6

7 The consultants also compared the staff retirement benefits
8 relative to that of the federal government and concluded that
9 the current council retirement plan is adequate and comparable.
10

11 Staff plans to follow the recommendation to pursue avenues for
12 potentially supplementing the retirement levels of those
13 employees with greater tenure who are below par with the federal
14 retirement system by making our 401K agreement to allow
15 discretionary contributions by the employee, as needed. There
16 were no motions necessary or made on this issue and is there any
17 questions?
18

19 Next, there was Review and Approval of Early Retirement Health
20 Plan, Tab G-4. Staff reviewed the policies of other councils
21 regarding early retirement health plans and presented data on
22 projected costs for providing the same for the Gulf Council
23 staff.
24

25 **By a unanimous voice vote, the committee recommends, and I so**
26 **move, that the council implement an early retirement plan for**
27 **employees with twenty years of tenure and at an age of 55 or**
28 **older, with a 75 percent subsidy for health care premiums up to**
29 **Medicare eligibility age for staff.**
30

31 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the
32 motion? **Any objections to the motion? Seeing none, the motion**
33 **carries.**
34

35 **MR. PERRET:** Thank you. Next, there was a Review of Advisory
36 Panel Term Limits, Tab G, Number 5. Staff reviewed the policies
37 of all the other councils regarding term limits and staggered
38 terms. Only one council had staggered terms. We have a motion.
39

40 **By a unanimous voice vote, the committee recommends, and I so**
41 **move, to recommend that the AP and SSC members serve three-year**
42 **terms without term limits. The AP will have staggered terms but**
43 **the SSC will not.**
44

45 **CHAIRMAN ANSON:** It's a committee motion. Any discussion? **Any**
46 **objections to the motion? The motion carries.**
47

48 **MR. PERRET:** Thank you. Next, we discussed Changes to the Title

1 and Appointment Process for Select APs. Staff presented a
2 summary of the structure of select APs that are comprised of
3 members with specific membership dictated by specific job titles
4 or in combination with general public appointees.

5
6 Staff requested the council consider retitling the Law
7 Enforcement, SEDAR, Outreach and Education and the Aquaculture
8 APs as technical committees and to allow appointments to be made
9 jointly by the Executive Director and Council Chair. Staff also
10 requested that the SMZ Monitoring Team be discontinued.

11
12 **The committee, by a unanimous vote, recommends, and I so move,**
13 **to retitle the following APs as technical committees, with**
14 **appointments to the SEDAR, Outreach and Education, and the**
15 **Aquaculture Technical Committees made jointly by the Executive**
16 **Director and Council Chair. So moved.**

17
18 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the
19 motion?

20
21 **MR. BOYD:** Mara made a comment about the change in the names of
22 the committees and I would just like to have her tell us again
23 what she said, because I can't remember exactly what she said,
24 but I think it had do with the fact that these are FACA
25 committees.

26
27 **MS. LEVY:** All I said was that you can call them whatever you
28 think is appropriate to help people understand what they're
29 doing, but that they're all advisory panels under the Magnuson
30 Act and their meetings have to be conducted under the procedures
31 required under the Magnuson Act, which then allows them to be
32 exempt from that Federal Advisory Committee Act procedures. The
33 names are fine, but legally they are all advisory panels.

34
35 **MR. BOYD:** Thank you. That's clear.

36
37 **CHAIRMAN ANSON:** Any other discussion? **Any objection to the**
38 **motion on the board? Seeing none, the motion carries.**

39
40 **MR. PERRET:** Thank you. **By a unanimous voice vote, the**
41 **committee recommends, and I so move, to discontinue the SMZ**
42 **monitoring group and reinstitute it as a working group, on an as**
43 **needed basis.**

44
45 **CHAIRMAN ANSON:** It's a committee motion. Any discussion? **Any**
46 **opposition to the motion? Seeing none, the motion carries.**

47
48 **MR. PERRET:** Thank you. Under Other Business, staff recommended

1 the council consider allowing the payment of health insurance
2 for employees on extended unpaid leave due to medical reasons.
3 Let me read that section with the modification and then I will
4 read the motion.

5
6 Section 4.6 deals with unpaid leave and the Executive Director
7 may grant unpaid leave to an employee for any period as deemed
8 appropriate. The unpaid leave status may be terminated at any
9 time with seven days notification to the employee. Except when
10 the unpaid leave is under the Family Medical Leave Act and here
11 is the new language: "or due to a medical condition that extends
12 beyond the Family Medical Leave period." That ends the new
13 language. The council's current practice of wholly assuming the
14 cost of health, life, dental, and disability insurance premiums
15 will not continue after the first thirty-day period of unpaid
16 leave.

17
18 **The committee, by a unanimous voice vote, recommends, and I so**
19 **move, to amend the administrative handbook language by adding**
20 **the highlighted language below and that highlighted language is**
21 **"or due to a medical condition that extends beyond the Family**
22 **Medical Leave period."** Thank you.

23
24 **CHAIRMAN ANSON:** It's a committee motion. Any discussion? **Any**
25 **opposition to the motion? Seeing none, the motion carries.**

26
27 **MR. PERRET:** Thank you, Mr. Chairman. That concludes the
28 report.

29
30 **CHAIRMAN ANSON:** Thank you, Corky. That will take us to the
31 next committee report of Law Enforcement and Mr. Boyd.

32
33 **LAW ENFORCEMENT COMMITTEE**

34
35 **MR. BOYD:** The Law Enforcement Committee met and staff reviewed
36 the comments made by the LEAP on various issues. The first
37 topic that came up was Illegal, Unreported, and Unregulated, or
38 IUU, Fishing in the Gulf of Mexico.

39
40 Dave Donaldson noted that the Gulf States Marine Fisheries
41 Commission is in the process of drafting a letter to the
42 Secretary of Commerce requesting additional funding for the Gulf
43 States to combat IUU.

44
45 Lieutenant Commander Brand noted that the seized fish were
46 considered unfit for human consumption, but the Coast Guard was
47 working on a Memorandum of Understanding to allow the seized
48 fish to be donated to non-profit sea turtle rehabilitation

1 facilities and to researchers.
2
3 A suggestion was made that biological data be collected on the
4 seized fish. Lieutenant Commander Brand responded that the fish
5 are weighed to obtain an average weight, but the fish often come
6 to the dock in the middle of the night. A question was asked
7 whether the seized equipment could be utilized rather than
8 destroyed. Seized equipment is currently not utilized.
9
10 Lieutenant Commander Brand reviewed a portion of a report to
11 Congress on "Improving International Fisheries Management" that
12 was discussed by the LEAP and attached to the summary.
13
14 In the current fiscal year, twenty-two seizures of Mexican
15 lanchas have been made and there have been a record number of
16 sightings. In the report, Mexico has been included in a list of
17 six countries that conduct IUU fishing in U.S. waters. Mexico
18 has two years to address the problem or face possible sanctions.
19
20 The next topic that came up was Ideas for Action by the Gulf
21 States Marine Fisheries Commission and the Gulf of Mexico
22 Fishery Management Council. Steven Atran related that he had
23 suggested that the council or Commission develop a smartphone
24 app for reporting violations to a central source, which could
25 then relay the report to the appropriate enforcement agency.
26 Committee members agreed that this was a good idea. One
27 suggestion was made to see if this could be incorporated into
28 the existing council fishing app.
29
30 Proposed Officer of the Year Program, Steven Atran related that,
31 when presenting the proposed program to the LEAP/LEC, he thought
32 that the review of applicants by the LEAP/LEC to select the top
33 three might require a closed session.
34
35 Since the Gulf States' Law Enforcement Committee is not
36 authorized to conduct closed sessions, the LEAP/LEC passed a
37 motion recommending that the review be done as just a LEAP
38 function. However, NOAA General Counsel has since advised that
39 the review does not need to be in a closed session.
40
41 The LEAP had recommended that there be a second award for team
42 of the year. Committee members expressed concern that adding a
43 team of the year award could add to logistics issues and costs.
44
45 Other Business, the LEAP/LEC meets as a half-day meeting, but is
46 considering changing to a full-day meeting because of the
47 increasing amount of items to review. The next LEAP/LEC meeting
48 is currently scheduled for the week of November 3 during the

1 joint Gulf States and Atlantic States Marine Fishery Commission
2 meeting in St. Augustine, Florida.

3
4 Because of the cost and logistics of the meeting on the east
5 coast as part of a joint commission meeting, council and
6 commission staff are considering whether to hold the joint
7 LEAP/LEC meeting or defer the LEAP portion of the meeting until
8 the next meeting in the spring 2016. Mr. Chairman, this
9 concludes my report.

10
11 **GULF SEDAR COMMITTEE**
12

13 **CHAIRMAN ANSON:** Thank you, Mr. Boyd. That will take us to the
14 Gulf SEDAR Committee Report. Before I read the report, I just
15 want to draw your attention to two items that were emailed to
16 you, I-4, SEDAR Gulf Assessment Schedule, and I-4(b), Alternate
17 Stock Assessment Schedule. Those are to be included as
18 addendums to the report.

19
20 Staff reviewed the status of planned stock assessments in the
21 Gulf through 2017, Tab I, Number 4, and summarized minor updates
22 to the timelines presented in the schedule. The committee was
23 encouraged to consider which data-poor species to assess in
24 2016.

25
26 The Southeast Fisheries Science Center provided a list of
27 species by the respective amount of data available for informing
28 the council's decision on which species to include in the data-
29 poor assessment.

30
31 The committee was informed that at least five species could be
32 assessed, with a realistic goal of assessing seven to eight
33 species likely being possible. These were separated into two
34 categories. Category 1 had the highest level of data and that
35 included gray snapper, scamp, red drum, lane snapper, and
36 wenchman. Category 2 was the second highest level of data and
37 in order of committee priority, in case not all the ten species
38 could be assessed, the priority was yellowmouth grouper,
39 speckled hind, snowy grouper, almaco jack, and lesser amberjack.

40
41 The committee approved assessing the species listed in
42 Categories 1 and 2, with the understanding that assessments on
43 all species in Category 1 would be completed in 2016. The
44 species in Category 2 would be assessed in 2016, if possible, in
45 order of priority.

46
47 The Southeast Fisheries Science Center also reminded the
48 committee of a change in effort estimation for MRIP from which

1 new calibration estimates will be available in 2017. The
2 calibration estimates would require Southeast Fisheries Science
3 Center assessment scientists' time to update ABCs for previously
4 assessed species, which could reduce the number of assessments
5 which could be completed in 2017.

6
7 The committee asked if an update of red snapper could be
8 completed in 2016 while keeping the red snapper standard
9 assessment beginning in 2017 on the schedule.

10
11 The Southeast Fisheries Science Center remarked that the 2017
12 standard assessment of red snapper would allow the incorporation
13 of recalibrated MRIP estimates from the aforementioned new MRIP
14 effort survey and that they would query their staff as to the
15 feasibility of an update assessment for red snapper in 2016.
16 That refers to the I-4(b), the Southeast Fisheries Science
17 Center assessment schedule. Dr. Ponwith, did you have any
18 comments to that?

19
20 **DR. PONWITH:** I did. Thank you very much, Mr. Chairman, and I
21 do appreciate the council's input on the prioritization of those
22 data-poor stocks. That's going to be very helpful. Our hope is
23 we can make our way through as deep a stack of those as we can,
24 but the prioritization helps us if the dotted line lands above
25 the total list.

26
27 I have sent a document and it is Tab I-4(b). It's a little bit
28 different format, but it's the same concept. You will see in
29 that that 2016 remains unchanged and 2017 basically also remains
30 unchanged and lists those stocks, but now you have provided the
31 better information, which is those stocks that are listed in
32 order of priority.

33
34 The difference begins in 2017 and I just wanted to make sure
35 that we were on the record that it is likely that will be the
36 year that we will be doing those calibration updates and what
37 that does is puts a delay in the stocks that we had listed for
38 2017, because that will be a pretty enormous task getting
39 through those calibration updates.

40
41 You will also see in the document that I sent that we're
42 including red snapper standard. The approach would be instead
43 of doing the calibration update for red snapper that we would
44 take that calibration information and run a full standard on red
45 snapper in addition to all of the calibration updates for the
46 other stocks that we'll be looking at.

47
48 Then if you look at 2018, which I know is a long way out, but

1 talking about this now gives our data people opportunities to
2 begin preparing the data. More importantly, it gives the age
3 readers the opportunity to understand what's in queue for
4 reading those ages.

5
6 I know we listed gray snapper and scamp in the list of the data-
7 poor. In circling back, the analysts believe that we should
8 keep those as benchmark stock assessments, the more traditional
9 stock assessments, because the data are adequate to be able to
10 support that level of an assessment for them, and so those in
11 2018 and then add to that a standard stock assessment for
12 yellowedge grouper.

13
14 The timing and the terminal year is driven by the time of
15 assessment. We would use 2016 as the terminal year for those
16 two benchmark stock assessments, to be able to accommodate that
17 longer time period that it takes to get them done, and the
18 standard, we would use 2017 as the terminal year for yellowedge
19 grouper. Those are my comments, if anybody has questions.

20
21 **CHAIRMAN ANSON:** Any questions for Dr. Ponwith? Just to be
22 clear then, Dr. Ponwith, the schedule that we have here that you
23 sent, with gray snapper and scamp then being segregated, taken
24 out of the data-poor category or slot in 2016, you anticipate
25 then that all of the other species potentially that were
26 identified could be done? Because we talked about seven or
27 eight and so I just view this as a slot of assessment time and
28 resources and so do you anticipate then of the ten that we
29 identified as Category 1 and Category 2 as being completed when
30 you include gray snapper and scamp as being conducted in 2018?

31
32 **DR. PONWITH:** What I will say is we absolutely can make it
33 through the Category 1 and we will work our way through the
34 Category 2 to the fullest extent possible. Having moved scamp
35 and gray snapper out into benchmarks improves the odds that
36 we're going to be able to get all of those done, but what we
37 need to do is take a look at the data and what kind of prep
38 needs to happen on those and that will drive, but the objective
39 will be to get as far through that complete list as we possibly
40 can.

41
42 **CHAIRMAN ANSON:** I thought I heard you correctly, saying you
43 would like for some guidance at this point for some of those
44 other species, for looking on down the line, or to fill in to
45 2018 or 2019? Is that --

46
47 **DR. PONWITH:** I think I have the input that I need from you,
48 because you've done a good job of prioritizing that list of

1 data-poor species. That was the most important thing. The
2 other is you had asked me can we do an update stock assessment
3 for red snapper in 2016.

4
5 The answer to that is no, we can't do that. That won't be
6 physically possible, given what else is there plus the
7 challenges of doing an update when we know that those
8 calibrations are coming through.

9
10 I guess it would be just looking at what the inclusion of those
11 calibration updates does to the 2017 slate and then recognizing
12 that we've moved two stocks from 2017 to 2018 to accommodate
13 that and make sure you are comfortable with that, because
14 basically what will happen from this point is the council looks
15 at this and makes sure they're comfortable with these as the
16 priority and then your representatives to the SEDAR Steering
17 Committee will carry this to the committee to get it on the
18 schedule on behalf of the broader enterprise.

19
20 **CHAIRMAN ANSON:** Council members, do you have any comments to
21 what Dr. Ponwith has reviewed in regards to a proposed schedule,
22 looking at 2016, 2017, and 2018? I take that as that's where we
23 will land. That concludes my report, if there is no other
24 comments. All right. That will take us to Spiny Lobster and
25 Ms. Bademan.

26 27 **SPINY LOBSTER COMMITTEE**

28
29 **MS. BADEMAN:** Thank you, Mr. Chairman. For Spiny Lobster, staff
30 reviewed the landings from the 2013/2014 season for spiny
31 lobster and presented the recommendations from the Spiny Lobster
32 Review Panel, which met on February 9, 2015.

33
34 The review panel recommended that spiny lobster be exempted from
35 an ACL requirement, the OFL be redefined as MFMT, and that a new
36 stock assessment was not necessary. It was clarified in
37 committee that an ACL is required by the Magnuson-Stevens Act.

38
39 On Spiny Lobster SSC Summary Report, the SSC representative
40 reviewed the summary report of the March 10, 2015 Special Spiny
41 Lobster SSC meeting. The SSC discussed the Spiny Lobster Review
42 Panel's recommendations and concurred that a new stock
43 assessment is not necessary for spiny lobster.

44
45 However, the SSC was unable to come to a consensus about an ACL
46 exemption of spiny lobster recommended by the Spiny Lobster
47 Review Panel. The SSC did not recommend redefining OFL in terms
48 of MFMT, because MFMT cannot be calculated without a stock

1 assessment and a stock assessment is not recommended at this
2 time. Mr. Chairman, this concludes my report.

3
4 **MR. SANCHEZ:** I would like to make a motion that the council
5 sign a letter to the RA requesting that spiny lobster not be
6 subject to an ACL, given the reasons outlined by the Spiny
7 Lobster Review Panel. If I can get a second, I will explain.

8
9 **CHAIRMAN ANSON:** There is a motion on the board. Is there a
10 second?

11
12 **MS. BADEMAN:** I will second it.

13
14 **CHAIRMAN ANSON:** Ms. Bademan seconds. Any discussion?

15
16 **MR. SANCHEZ:** The rationale is I understand we're required to
17 have an ACL and the reasons are treaties and requirements and
18 legalities and politics, but the science seems to indicate that
19 recruitment does come from elsewhere and they're not even
20 looking for a stock assessment on it.

21
22 The fishery has been around forever and endured far more
23 pressure than is currently done, due to the trap reduction
24 program, and I am totally agreeable to perhaps other ways to
25 address this non-need, shall we say, other than legal for an
26 ACL, but different avenues lead us to the same place and I would
27 just like to get to that place.

28
29 **DR. CRABTREE:** You can write a letter if you want, but we are
30 not going down a productive path, because I have absolutely no
31 authority to grant you an exemption from ACLs. Where we ought
32 to be spending our time is figuring out what's the best way to
33 handle this? Should we use multiyear averaging or how are we
34 going to deal with it?

35
36 But I think we've already expended more time than is productive
37 trying to get an exemption, but I have no authority to give you
38 such an exemption.

39
40 **DR. PONWITH:** I just feel like I need to make a technical
41 correction. Spiny lobster do have a very long larval stage and
42 so they are adrift in the water column for a long time before
43 they migrate down to the bottom and begin their benthic
44 existence.

45
46 What I heard was that they come from somewhere else and the fact
47 of the matter is a large portion of larvae can come in from
48 outside of this council's management area, but that doesn't

1 preclude at least some of the recruitment being self-recruited.
2 In other words, Gulf of Mexico lobster providing recruits to the
3 Gulf of Mexico or the South Atlantic Council's jurisdiction.
4 That's just a technical correction.
5

6 **CHAIRMAN ANSON:** Any other discussion? We have a motion that
7 the council send a letter to the RA requesting that spiny
8 lobster not be subject to an ACL, with the reasons outlined by
9 the Spiny Lobster Review Panel. All those in favor of the
10 motion please signify by saying aye; all those opposed same
11 sign. Can we have a show of hands, please? **All those in favor**
12 **of approving the motion on the board, please raise your hand.**
13

14 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six,
15 seven, eight, nine, ten, eleven.
16

17 **CHAIRMAN ANSON:** All those opposed raise your hand.
18

19 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five.
20

21 **CHAIRMAN ANSON:** That was eleven to five and motion carries.
22

23 **EXECUTIVE DIRECTOR GREGORY:** Just to inform the council, my plan
24 for moving forward is to convene our advisory panel with the
25 same information and see what suggestions they may have for
26 addressing this dilemma and then take those suggestions to the
27 SSC for their review. I imagine the South Atlantic Council will
28 probably do something similar, but I haven't really coordinated
29 with them on anything.
30

31 **CHAIRMAN ANSON:** Thank you. That concludes the committee
32 reports that were available and we are actually just --
33

34 **EXECUTIVE DIRECTOR GREGORY:** We've got more available. Data is
35 available.
36

37 **CHAIRMAN ANSON:** Data Collection and, Mr. Pearce, would you be
38 available to do that?
39

40 **MR. PEARCE:** Yes, let me get set up quick and I will have it.
41

42 **CHAIRMAN ANSON:** Mr. Pearce is getting to the report.
43

44 **DATA COLLECTION COMMITTEE**

45

46 **MR. PEARCE:** Yes, I'm getting there. All right. Data
47 Collection was called to order and the committee reviewed the
48 charterboat reporting discussion paper, Tab F, Number 4,

1 including the current range management alternatives for three
2 proposed actions.

3
4 Action 1 considers modifying for reporting requirements for
5 federally-permitted charterboats. The committee modified the
6 wording of the action alternatives concerning reporting
7 software.

8
9 The rationale is to incorporate guidance from the Technical
10 Subcommittee report that recommended guidelines for software be
11 established and certified by NMFS, thus allowing flexibility in
12 the software and devices used to submit fisheries data.

13
14 **The committee recommends, and I so move, to change the language**
15 **in in the document that reads "via computer or internet" to "via**
16 **National Marine Fisheries Service approved electronic logbook**
17 **devices".**

18
19 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
20 the motion?

21
22 **MR. FISCHER:** Yes, Mr. Chair. Just I guess it's the necessity
23 of term, but could you -- I just wanted to discuss, just a brief
24 second, removing the term "logbook" on "via National Marine
25 Fisheries Service approved device" and what's the dilemma? I
26 have an iPad and if it has the correct app, is that a logbook
27 device or is it just an electronic device? I know it's picky
28 and maybe I'm the only one that sees it that way.

29
30 **CHAIRMAN ANSON:** Mr. Pearce, do you have a comment?

31
32 **MR. PEARCE:** I just think that before we get too deeply into
33 this that we need to make sure that the devices actually do the
34 jobs they're supposed to do and not just pull one out of your
35 pocket and maybe it works. I think that we have to have some
36 oversight as to the devices that we're going to use for the
37 electronic reporting. It's not about a specific one. Anything
38 that will do that job is important, as long as it does the
39 correct job.

40
41 **DR. PONWITH:** I agree with Mr. Pearce in terms of the intent.
42 The intent is to make sure that however this is being done that
43 it's done in the right way. The technical aspects of this
44 haven't been set in stone yet and so what that means is you want
45 it to be correct, but you don't want to handcuff yourself.

46
47 I am wondering if it would be advisable to consider changing
48 that wording to say "via approved hardware or software", because

1 you may have a software that is completely immune to what type
2 of hardware you use to send that information or you may have
3 very prescribed hardware that does that job for you that deals
4 with the thing that Mr. Pearce raised and that is you want it to
5 be something that's approved and not just showing up in a gunny
6 sack. I am wondering if you change that to "approved hardware
7 or software", it gives you the flexibility. The key word here
8 is "approved".
9

10 **MR. PEARCE:** Those are good comments and what is the pleasure of
11 the council?
12

13 **CHAIRMAN ANSON:** We probably need a substitute motion, Mr.
14 Fischer.
15

16 **MR. PEARCE:** I think we would.
17

18 **MR. FISCHER:** Thank you, Mr. Chair. **After listening to Bonnie's**
19 **comments and that's the whole point, is not to get handcuffed at**
20 **this stage by specifying electronic logbooks and so if we could**
21 **craft it to say via National Marine Fisheries Service approved -**
22 **- I am not sure of the verbiage, but hardware or software**
23 **devices.** I don't recall what she stated, but I was in agreement
24 with it.
25

26 **CHAIRMAN ANSON:** I think it was just "approved hardware or
27 software". It could be "and/or software", to help cover the
28 full gamut of potential possibilities. Mr. Fischer, is that
29 your substitute motion? Does that capture it?
30

31 **MR. FISCHER:** Sure.
32

33 **CHAIRMAN ANSON:** All right. We have a substitute motion and is
34 there a second? Ms. Bademan seconds. Any discussion on the
35 motion? **Any objection to the motion? Seeing none, the motion**
36 **carries.** It appears that the other reports are still being
37 worked on.
38

39 **MR. PEARCE:** I am not done yet.
40

41 **CHAIRMAN ANSON:** Sorry, Mr. Pearce.
42

43 **MR. PEARCE:** This concludes my report, but the one thing I
44 wanted to say is I wanted to -- I wanted to say something before
45 I finished here. That's our report, but I am hoping that we can
46 direct staff to begin the ELB discussion document for the
47 scoping, so we can keep moving this thing down the road. That's
48 the only thing I had to say as the Chairman of the Data

1 Collection Committee. I want to make sure that this thing keeps
2 moving, so we can get it going.

3
4 **CHAIRMAN ANSON:** Doug tells me he hears your words of
5 encouragement and so they will put that on their list of things
6 to do.

7
8 **MR. PEARCE:** Now that concludes my report.

9
10 **CHAIRMAN ANSON:** Thank you, sir. We do have a few minutes left
11 before our scheduled break and so if we can take care of some of
12 the Other Business items that were brought up and so, Doug, you
13 have inclusion of state directors' reports.

14
15 **OTHER BUSINESS**
16 **DISCUSSION OF STATE DIRECTORS' REPORTS**

17
18 **EXECUTIVE DIRECTOR GREGORY:** A number of years ago we had on the
19 agenda, at the end of the agenda, verbal reports from each of
20 the state directors. Over time, that was changed to written
21 reports, because of our agenda growing in size and length, but
22 lately not all the states are providing written reports and so I
23 would like to consider doing away with that requirement or, if
24 the council wants to keep that requirement, then we will be more
25 diligent in reminding each of the state directors to provide
26 their written reports before each council meeting.

27
28 I would like some guidance as to how we want to handle providing
29 reports to the council at each council meeting from the state
30 and National Marine Fisheries Service directors.

31
32 **CHAIRMAN ANSON:** My two-cents, representing our state director,
33 is they can be a challenge to compile and bring forth and
34 oftentimes Alabama doesn't provide a report and so I think we
35 would look favorably upon not having the requirement or the
36 expectation, at least, that the report is to be submitted.

37
38 **MS. BADEMAN:** I would agree with that. We also do not submit a
39 report. If there is something going on in a committee, there is
40 something relative at the state level that should be discussed
41 in a committee, I am happy to bring that up, you know seasons
42 and that kind of thing. There is also other forums for those
43 state reports, Gulf States, where a lot of these side issues are
44 discussed and so I would be supportive of just taking that out.

45
46 **MR. PERRET:** If state directors had a permit, they are not
47 renewing their permit every meeting?

48

1 **MR. DIAZ:** We do submit a report. I don't think we've missed a
2 time. I could be corrected about that, but it does take a fair
3 amount of staff time. Somebody has got to coordinate it and all
4 of the bureau directors have to participate or assign somebody
5 to write their section of the report and I have always been a
6 proponent of if there's something that we're not using, why go
7 through all the trouble to generate it?

8
9 I think that's kind of where we're at now. We are going through
10 it to meet the obligation, but it's really not being used and so
11 I don't know that where we're at now it's providing any benefit
12 to the council and so I would be in favor of doing away with the
13 reports, because of the way they've been used recently. Thank
14 you.

15
16 **MR. WILLIAMS:** Mr. Chairman, I would move that we do away with
17 the requirement for state directors' reports.

18
19 **CHAIRMAN ANSON:** There is a motion and is there a second to the
20 motion?

21
22 **MR. PEARCE:** Second.

23
24 **CHAIRMAN ANSON:** It's seconded by Mr. Pearce. Any further
25 discussion on the motion?

26
27 **DR. CRABTREE:** I assume in addition to state directors' reports
28 that the Regional Administrator's report is also done away with
29 if this passes, because I always send one in.

30
31 **CHAIRMAN ANSON:** The motion, as I see it, says state directors'
32 reports. I guess if one wanted to get picky, that would exclude
33 the federal agency.

34
35 **DR. CRABTREE:** I think if we've got to send a report that they
36 should send a report.

37
38 **MR. WILLIAMS:** Why don't we just strike the word "state" and
39 just make it "directors' reports"?

40
41 **DR. CRABTREE:** An excellent idea.

42
43 **MR. PERRET:** Well, I may have a -- You know, Roy, you and I had
44 to write reports every month in the old days. It was a monthly
45 meeting and we old guys were able to do that, but I agree with
46 the motion.

47
48 **CHAIRMAN ANSON:** Any further discussion on the motion? **Any**

1 objection to the motion? The motion carries.
2

3 **DISCUSSION OF JUNE COUNCIL MEETING DRESS CODE**
4

5 We have got one minutes and so that would take the other item
6 under Other Business of dress code and I won't need the full
7 minute either, but everyone -- As everyone knows, we are going
8 to Key West in June. Key West in June is a little on the warm
9 side and to blend in more with the locals, if we wear our fancy
10 clothes, we might stick out a little bit more than we currently
11 do and so I am going to waive the requirement for the jacket for
12 the men and business attire and more formal attire for the women
13 and so we won't have to worry about packing those clothes.
14

15 **MR. PERRET:** If Camp violates it, we are going to fine him.
16

17 **EXECUTIVE DIRECTOR GREGORY:** I wouldn't go so far as to suggest
18 just Hawaiian shirts, Havaianas, and Bermuda shorts.
19

20 **CHAIRMAN ANSON:** Seeing that I like to wear my Hawaiian shorts,
21 particularly in Key West, I mean my Hawaiian shirts, I will say
22 the shirts would probably be okay, but the shorts -- I do draw
23 the line at the shorts. Wear long pants. No other business was
24 on the agenda and we are at the break and so we will go ahead
25 and take our full scheduled break and I will see everyone back
26 at one o'clock. Thank you.
27

28 (Whereupon, the meeting recessed at 11:30 a.m., April 1, 2015.)
29

30 - - -
31

32 April 1, 2015
33

34 **WEDNESDAY AFTERNOON SESSION**
35

36 - - -
37

38 The Full Council of the Gulf of Mexico Fishery Management
39 Council reconvened at the Golden Nugget Casino Hotel, Biloxi,
40 Mississippi, Wednesday afternoon, April 1, 2015, and was called
41 to order at 1:00 p.m. by Chairman Kevin Anson.
42

43 **PRESENTATIONS**

44 **MANDATORY SAFETY EXAMS FOR ALL COMMERCIAL FISHING VESSELS**
45

46 **MR. BOB PERKINS:** Good afternoon. My name is Bob Perkins and I
47 am the Uninspected Vessel Coordinator for the 8th Coast Guard
48 District in New Orleans. I came by today to -- This is about

1 the third time now I guess I've addressed the council and to
2 give you an update of where we're at with the 2010 Authorization
3 Act. While it doesn't have a lot to do with the council
4 directly, it has everything to do with all of the people that
5 you represent.

6
7 That said, the Coast Guard Authorization Act of 2010 brought in
8 some very significant changes to the fishing industry and there
9 were a couple of updates, one on the Maritime Transportation Act
10 of 2012 and again in 2014, where it changed some things.

11
12 What did the law do? Well, the law changed Section 604 or
13 Section 604 of the 2010 Authorization Act made numerous changes
14 to Chapter 45 and 46 of the USC, which is the chapters that
15 directly affect commercial fishing vessels.

16
17 The major items that were impacted here, the boundary line in
18 the Gulf of Mexico and everywhere in the United States is going
19 to move to three miles for safety purposes only and so any
20 vessel transiting seaward of three miles will have to meet all
21 of the requirements or any vessel fishing beyond the boundary
22 line.

23
24 Parity of vessels, state-registered and documented vessels are
25 going to be treated exactly the same. It doesn't matter if
26 you're state-registered and documented, but all of the rules are
27 now going to apply to them equally.

28
29 Probably one of the biggest changes for everybody is going to be
30 an out-of-the-water survival craft. Every vessel is going to be
31 required, by next February, to have a survival craft that will
32 keep everyone onboard that vessel out of the water. What that's
33 going to do is do away with the shark feeders that everybody has
34 been using for years. Those are gone. They are no longer going
35 to be authorized. You are going to have to have an IBA or a
36 life raft that will take every person on the boat and put them
37 out of the water.

38
39 You are going to have to record your drills and inspections on
40 the vessel and mandatory inspections or mandatory examinations
41 of vessels is coming back on October 15 of 2015. All vessels
42 operating seaward of three miles after that date must have a
43 Coast Guard exam on the boat.

44
45 This next item is a little bit more up in the air at the moment,
46 but there is mandatory training for all operators of vessels.
47 Every captain who operates a boat seaward of three miles is
48 going to have to have some type of training dealing with

1 navigation, ship handling, stability, damage control, first aid,
2 firefighting, and they are going to have to be able to
3 demonstrate their ability to perform those tasks.

4
5 Construction standards for smaller vessels, this has been in
6 effect since 1 January of 2010 and I think we're all aware of
7 that. Those standards are that any vessel less than fifty feet,
8 as of January of 2010, had to be built to rec boat standards.
9 That is a very straightforward kind of item and I don't think
10 there's a lot of discussion. Load line requirements for vessels
11 greater than seventy-nine feet --

12
13 **CHAIRMAN ANSON:** Mr. Perkins, hold on. Yes, Dr. Dana.

14
15 **DR. DANA:** Thank you, Chairman Anson, and forgive me for
16 interrupting. When you said that the captains going further
17 than three miles out would be required to go through set
18 training, is that for commercial only, commercial vessels, or
19 would that be charter for-hire or can you --

20
21 **MR. PERKINS:** Charter for-hire, they already have to have
22 licensed captains onboard and so those guys, we have already
23 covered them. Commercial fishing vessels do not have to have a
24 licensed captain onboard.

25
26 What this is going to do is it's going to require a certain
27 level of skill to be demonstrated on the part of any fishing
28 boat captain, commercial vessel. Not recreational. This has
29 nothing to do with recreational, but strictly commercial fishing
30 vessels.

31
32 All vessels greater than seventy-nine feet are going to have to
33 have a load line. Load lines are going to have to be maintained
34 on the vessel. Any vessel that is fifty feet or longer that is
35 built after July of 2013 is going to have to be classed. I
36 think everybody is aware of that and aware of the impact that
37 that has on the industry and there is some concerns about that,
38 but that is the law and that's the way it reads at the moment.

39
40 Alternate Safety Compliance Program, any vessel -- By 2017, the
41 Coast Guard is required to have an Alternate Compliance Safety
42 Program in place. By 2020, we have to start implementing that
43 program.

44
45 Any vessel built before 1995, when 2020 rolls around, is going
46 to have to come into compliance with the Alternate Compliance
47 Safety Program. We have not written all the parts of that yet
48 and we don't know exactly how that's going to be implemented,

1 but it's being worked on and some of the initial steps of that
2 are at the Department of Homeland Security already.

3
4 **MS. BOSARGE:** As you all are working on that Alternate Safety
5 Compliance Program for some of these older vessels, is it
6 something that's essentially just Coast Guard, as far as the
7 working group that's doing this, or is there any industry
8 involvement at all?

9
10 **MR. PERKINS:** There is involvement from the Commercial Fishing
11 Vessel Safety Program, the --

12
13 **MS. BOSARGE:** Is it AMSEA?

14
15 **MR. PERKINS:** No, not AMSEA, the Fishing Vessel Safety Advisory
16 Committee. They are involved with the training aspect of this
17 and they're involved with the Alternate Compliance Safety
18 Program. Now, we do have an up and running Alternate Compliance
19 Safety Program that we use for the head and gut fleet in Alaska
20 and that is what the new program is going to be based off of, is
21 that.

22
23 Basically, the Coast Guard is going to be inspecting the vessels
24 to make sure that they are seaworthy and they have the basic
25 essentials and they're in good working order to be going out to
26 sea.

27
28 **MS. BOSARGE:** So that smaller group you're talking about has
29 some industry people on it, essentially?

30
31 **MR. PERKINS:** Yes. The Coast Guard does intend to issue interim
32 rules. I do not know exactly when those are going to be in
33 place. Now, there are some items, like the life raft mandatory
34 exams, that don't require any public comment period and there is
35 not necessarily going to be any public comment period.

36
37 They are going to be implemented without public comment. Now,
38 the other items, where we're talking about the training for the
39 captains and we're talking about the material condition of the
40 boats, those items will be put out for public comment before we
41 go to a final rule with those.

42
43 There is a lot of time and effort and this is not going to
44 happen overnight. It's very cumbersome to get this through.
45 Homeland Security, which I'm sure all of you are aware of how
46 long it takes to get things through agencies in D.C.

47
48 The next page, we're just going over the dates that I've already

1 given you for the Alternate Compliance Safety Program. Owners
2 of fleets of thirty vessels or more are going to have until
3 January 1 of 2030 to come into compliance instead of January 1
4 of 2020. I am not sure that's going to affect a whole lot of
5 people in the Gulf of Mexico. I am not sure there's too many
6 fleet owners that own in excess of thirty vessels.

7
8 Going ahead, instead a two-year decal on boats, we are going to
9 have a five-year cycle on the vessels. That five-year cycle is
10 going to basically be you're going to have to have two exams
11 within a five-year period and so that break point in the middle
12 may be a two or a three-year period, but within five years,
13 you're going to have to have two exams on your boat.

14
15 Instead of just a mandatory exam, we are going to issue a
16 certificate of compliance, which is similar to, but it's not the
17 same, as a certificate of inspection that we do on inspected
18 vessels. Basically, it will do the same thing, where it's going
19 to list all of the equipment that's onboard and the dates that
20 that equipment was serviced. It's all going to be included in
21 the exam form that we're tracking. I have talked about the life
22 rafts already and I have pretty much covered all that.

23
24 **LCDR BRAND:** Bob, one question. If you have a certificate of
25 inspection, carrying observers and such, does that supersede the
26 certificate of compliance?

27
28 **MR. PERKINS:** If you're talking about a dual-permitted boat, it
29 would have to have both. If it's a boat that carries passengers
30 for hire and commercially fishes, it would --

31
32 **LCDR BRAND:** No, just commercial and they have a COI.

33
34 **MR. PERKINS:** If you have a COI on a -- Okay. Then that is
35 sufficient. I can't think of anything that would be on a COC
36 that would not be on your COI already. If there is something
37 that's not on your COI that you're required to have -- I didn't
38 know we had any commercial fishing vessels that were inspected
39 vessels. Dual-permitted boats, yes. That's what I said, but a
40 dual-permitted boat, you have to meet the greater standard based
41 on what you're doing.

42
43 **LCDR BRAND:** Okay. I guess this is a little bit different.
44 It's an inspection sticker for our observer program?

45
46 **MR. PERKINS:** We have to -- Any vessel carrying an observer has
47 to have a current exam on it and so we have to do an exam. The
48 observer program requires to have a current exam on the boat

1 prior to taking an observer onboard.

2
3 As far as built, apparently there's been a little confusion
4 about when a vessel is considered to be built, when we gave an
5 on or before date. The vessel has to have had a keel laid or be
6 in a similar stage of construction where it is actually that
7 vessel.

8
9 A contract has been let and money has exchanged hands and steel
10 has been cut and it can't just be a shipyard that has a hunk of
11 steel laying there with a number on it and this is Hull 12345
12 and they are going, well, we are building these and basically
13 waiting for somebody to come buy them. If they have got a keel
14 laying in their yard, that does not count as a vessel and that
15 vessel will have to be classed.

16
17 There seems to be some confusion about where we're at, but
18 basically every vessel right now has to be either built to rec
19 boat standards or classed if it's being built at this time,
20 unless the keel was laid or a contract was let before July of
21 2013. I am not sure we have any. We have checked the yards and
22 I don't think we have any vessels that are in that condition,
23 but if someone does or has that issue, then you need to talk to
24 the Coast Guard directly and we will try to resolve it for you.

25
26 If you are building one in your backyard or you know somebody
27 that's building one in their backyard, the Boat Builder's
28 Handbook or the American Boat and Yacht Council has a handbook
29 that will tell you what the recreational vessel rules are.
30 Quite honestly, they are not that stringent and they should be
31 very easy to comply with and it shouldn't be a big deal.

32
33 I think we're just basically rehashing things that we've talked
34 about and other changes of interest that are coming into line, I
35 can't see the slide well enough, because it's not big enough,
36 but I think that's the right slide there. It is.

37
38 Okay. EPA has a requirement for a pollution plan for vessels.
39 That has been put off until 2017 and the Coast Guard is not at
40 this time enforcing that. It's not an issue for any vessels.
41 The moratorium was extended until December 18 of 2017.

42
43 The next item that's going to be of interest to everyone is AIS,
44 Automatic Identification System. Any vessel sixty-five feet in
45 length or greater, as of next March 1, will be required to have
46 an AIS on it. We are not talking about a VHF radio that just
47 has an AIS receiver in it. This will have to have a transmitter
48 and receiver.

1
2 It can still be a B unit and not an A unit, but it has to have
3 both of those functions within the radio that transmits the name
4 of your vessel, your position, your course and speed, and it's
5 visible by the vessels around you.

6
7 It's a safety issue and it's to avoid collisions at sea. That's
8 the purpose in having it on the boat. There is no fishing
9 vessel that's going to be required to have an A unit except for
10 the pogy boats. That's the only one.

11
12 Now, the charter boats, passenger vessels, that's going to be a
13 different issue and some of those guys are going to have some
14 issues to deal with. If you're running in a VTS area or the
15 vessel exceeds fourteen knots, those vessels are going to have
16 to have an A unit in it, which is more costly, but it transmits
17 a lot more data.

18
19 Notice of arrival will not apply to any of the fishing boats in
20 the Gulf of Mexico, with the exception of the pogy fleet. The
21 pogy boats, we're already working with them directly to deal
22 with the notice of arrival requirement.

23
24 If your vessel -- Technically, if your vessel is coming from a
25 foreign port, and I don't know of many of our fishing boats that
26 transit to foreign ports on voyages, you would be required a
27 notice of arrival, but I don't think that's a major issue for
28 anyone in the Gulf, not that I'm aware of anyway.

29
30 Points of contact at headquarters are myself or, if you have
31 issue with classing a vessel, the class desk up in headquarters.
32 If you have any questions, I would be more than happy to do the
33 best I can to answer them for you.

34
35 **CHAIRMAN ANSON:** Bob, are you going to be around?

36
37 **MR. PERKINS:** I will be around until tomorrow.

38
39 **CHAIRMAN ANSON:** Until tomorrow? Okay, great. I have a
40 question for you and I will get with you. It's non-related to
41 this topic.

42
43 **MR. PEARCE:** Thank you for your presentation. It was great.
44 Now, you are real early in this process right now and there's a
45 long way to go before this is finalized?

46
47 **MR. PERKINS:** We have been working on this since 2010 and so are
48 we real early in the process? I don't know. How long does it

1 take sometimes to get rules about fish changed? So we have had
2 pieces of paper, documents, forwarded to Homeland Security that
3 have gone into the building and have not come back out and then
4 changes in other authorization acts have changed that and so
5 they came back out at that point.

6
7 We have resubmitted them. It's a work in progress and I can't
8 tell you when it will really happen, but I can tell you that
9 exams and the life rafts and the AIS are on the horizon and they
10 are coming.

11
12 **MR. PEARCE:** 2010, that's early in council years, that's for
13 sure.

14
15 **DR. DANA:** Thank you for the presentation, Bob. Back to the
16 automatic identification system. You noted that on the Class A
17 portion, which would be required for charter boats going faster
18 than fourteen knots, that the cost would be higher than Class B
19 and I am seeing that it really is. It's \$3,200 and is there any
20 program in place that helps the individual vessel owners to
21 offset that cost?

22
23 **MR. PERKINS:** Not that I am aware of. I wish I had a better
24 answer, but I don't. Not that I'm aware of. I know of no
25 program to help offset those costs for the vessel owners.

26
27 **MR. GREENE:** Thank you, Mr. Perkins. The designation of sixty-
28 five foot and greater is based off of documentation?

29
30 **MR. PERKINS:** Length overall.

31
32 **MR. GREENE:** Length overall, okay, but if it's documented at a
33 specific length, that is whatever it reads on your documentation
34 is correct -- There are a lot of guys in the audience here that
35 have probably got the same question and I've got a couple others
36 to follow up with, but --

37
38 **MR. PERKINS:** Length overall can vary from the documented length
39 of the vessel, but the builder's certificate should give a
40 length overall of the vessel and if that length overall puts you
41 under sixty-five feet and you are documented length puts you at
42 sixty-five feet, length overall is what we're going by.

43
44 **MR. GREENE:** Okay. Next question. If you are a dually-
45 permitted certificate of inspection vessel, does that trump the
46 new commercial fishing regulations or do you have to meet both
47 requirements or how does that work?

48

1 **MR. PERKINS:** Depending on what you're actively doing at the
2 time, you have to meet the requirements of that vessel.
3

4 **MR. GREENE:** Okay. The reason I ask is about the life float
5 compared to a life raft that we talked about earlier with it
6 being out of the water. If I own a certificate of inspection
7 vessel, which I do, and I wanted to go commercial fishing, do I
8 have to purchase the life float at this time to adhere to that
9 regulation, being that the Coast Guard recognizes the COI?
10

11 I mean we've got two conflicting regulations. The commercial
12 fishing regulations say we've got to have a float to keep us out
13 of the water, but the Coast Guard COI regulation hasn't changed
14 at this point, to my understanding.
15

16 **MR. PERKINS:** Correct and if you are taking the boat out to go
17 commercially fishing after next February, you are going to have
18 a life raft or an IBA onboard. If you are taking it out to haul
19 passengers and your certificate of inspection says you can get
20 away with a float, you can take your raft off and go with a
21 float, but when you are commercially fishing, you have to have a
22 raft on that boat that keeps everybody out of the water.
23

24 **MR. BOYD:** Mr. Greene asked my question, but let me ask it in a
25 little bit different way, so I'm sure I understand. You do not
26 have to comply with the more stringent regulation if you're a
27 dual-permitted vessel, is that correct?
28

29 **MR. PERKINS:** You have to comply with the regulations for the
30 vessel for the activity that you're involved in. If you're
31 commercially fishing, you have to meet those requirements. If
32 you're hauling passengers for hire, you have to meet those
33 requirements.
34

35 **MS. BOSARGE:** Just remind us again, because you know -- On our
36 vessels, we have a lot of this already and now, there are going
37 to be some new things that are going to affect us, but we have
38 the out-of-the-water life raft, the Solas A rafts. We have AIS
39 on a lot of our boats and VMS and electronic logbooks and the
40 list goes on and on, but what brought all of this about?
41 Obviously it must have been a safety concern, but what are the
42 statistics that we're looking at?
43

44 I know the fishing industry is a dangerous industry and it's a
45 little different depending on where you're doing it. It's a
46 little different in Alaska than it is in the Gulf of Mexico. In
47 Alaska, you have a lot more people on the boats and so if it
48 goes down, you're looking at maybe ten or fifteen lives, whereas

1 in the Gulf of Mexico, we have a lot of man overboard one-man
2 incidents and things like that, but what brought it about, so
3 that we know why this is important?

4
5 **MR. PERKINS:** Where exactly it came from -- I have some idea,
6 but I really am not well versed enough to speak to it, but in
7 2010 a Senator tacked on to the Coast Guard's authorization act
8 for that year, the money bill that authorizes our money, that
9 this and some other items -- Why they felt it was necessary at
10 the time to do it, I am not sure. I can't give you a good
11 answer to that, but I do know that at that point in time they
12 felt it was necessary to take all these steps to make fishing
13 safer.

14
15 Actually, fishing is the number two most dangerous industry in
16 the U.S. now. Number one is logging. We have fallen to second
17 place and so we're doing something right, but as far as
18 districts go or areas to fish, there are more people lost in the
19 Gulf of Mexico than there are in Alaska or in the Northeast or
20 in the Northwest, traditionally. For a couple of years, the
21 Northeast was the deadliest place to fish, but they had some
22 major accidents and lost a couple of boats.

23
24 On a year-in-year-out type of basis, the Gulf is more dangerous,
25 but it's because we have so many more boats out there fishing
26 than anybody else does. Out beyond three miles, we only have
27 somewhere in the neighborhood of 1,500 vessels out there, but if
28 you go to the inshore boats, the guys who are working inside of
29 three miles, there is 20,000-plus boats running around in there
30 commercially fishing, the bay boats. It's a dangerous place.

31
32 **MS. BOSARGE:** Thank you and we do appreciate it. The only
33 difference I think, just right offhand, and I may not -- Maybe
34 the COI boats already have this, but the only thing I can think
35 of that might not be required on a COI that may be required
36 under the commercial inspection is to have that certified
37 fishing vessel safety drill conductor onboard to do the drills.
38 You have to be certified to do the drills and so I don't know
39 that that would probably apply to a COI boat. That might be the
40 only extra thing that they would have to do, is get that class
41 and do their drills.

42
43 If you would just please keep in mind, when you get to these
44 boats that are twenty-five years and older and greater than
45 seventy-nine feet, that's essentially our fleet and so I know
46 there's a lot of variables and you are still working with that,
47 but I would encourage you to please cooperate with the industry.
48 The shrimp industry especially will be affected by this and Lord

1 knows we've got enough going against us that if we can work
2 together and collaborate to try and make our industry safer, we
3 would love to do that.

4
5 **MR. PERKINS:** One thing that I would add to that is if you have
6 boats that are over seventy-nine feet and old, a lot of those
7 boats don't have stability books. If you don't have a stability
8 book for your boat, you may want to start working on that and
9 make that a priority, because there is going to be a rush for
10 those at some point in time. They're already supposed to have
11 them. Every boat over seventy-nine feet should have a stability
12 book, but we all know that a lot of those were lost.

13
14 **CHAIRMAN ANSON:** All right. Mr. Perkins, thank you very much
15 for the presentation.

16
17 **MR. PERKINS:** Thank you for your time.

18
19 **CHAIRMAN ANSON:** Just a reminder to council members or I will
20 tell you that if we can save our questions for the very end, I
21 think it helps the presenter and makes it a little bit more of
22 an easier flow. Next would be Notice of Intent for a Draft EIS
23 for Expansion of Flower Garden Banks National Marine Sanctuary,
24 Tab A, Number 8, and Mr. G.P. Schmahl. Mr. Schmahl, welcome.

25
26 **NOTICE OF INTENT FOR A DRAFT EIS FOR EXPANSION OF FLOWER GARDEN**
27 **BANKS NATIONAL MARINE SANCTUARY**

28
29 **MR. G.P. SCHMAHL:** Thank you very much. My name is G.P. Schmahl
30 and I'm the Superintendent of the Flower Garden Banks National
31 Marine Sanctuary and I appreciate the opportunity to tell you
32 about what's going on with the proposal that we have out on the
33 street right now.

34
35 On February 3 of this year, NOAA published a Notice of Intent to
36 develop a draft environmental impact statement to consider the
37 potential expansion of the Flower Garden Banks National Marine
38 Sanctuary and the public scoping portion of this Notice of
39 Intent is open right now through next week, through April 6.

40
41 Within that time, we have held three public meetings, one in New
42 Orleans, one in Houston, and one in our offices in Galveston.
43 We are approaching the end of the public scoping period for this
44 proposal, but I wanted to kind of tell you where we are and how
45 we got here.

46
47 First of all, I wanted to remind everyone that the Flower Garden
48 Banks National Marine Sanctuary is a part of a system of

1 National Marine Sanctuaries around the United States. There is
2 thirteen National Marine Sanctuaries and one Marine National
3 Monument that is administered by NOAA in this program.

4
5 The Flower Garden Banks is the only National Marine Sanctuary in
6 the Gulf of Mexico. It is located about a hundred miles due
7 south of the Texas/Louisiana border right at the edge of the
8 continental shelf and it consists of three separate areas, the
9 East Flower Garden Bank, West Flower Garden Bank, and Stetson
10 Bank.

11
12 The Flower Garden Banks National Marine Sanctuary was designated
13 in 1992 for the East and West Flower Garden Banks and Stetson
14 Bank was added in 1996. The most important reason why it was
15 designated as a National Marine Sanctuary was because of an
16 incredibly healthy and flourishing coral reef that occurs at the
17 East and West Flower Garden Banks.

18
19 It is, surprisingly perhaps, one of the least impacted and one
20 of the healthiest coral reefs in the entire Caribbean and
21 western Atlantic region, with upwards of 50 percent living coral
22 cover. This is a higher percentage of living coral cover than
23 pretty much anywhere in -- Definitely anywhere in the
24 jurisdiction of the U.S. waters and rivals the most flourishing
25 coral reefs anywhere in the Caribbean.

26
27 Within the National Marine Sanctuary, as it exists now, several
28 things. I just want to go over the existing regulations first
29 of all, especially as it relates to fishing.

30
31 Anchoring is prohibited within the sanctuary, all anchoring of
32 any sort. We do provide mooring buoys in the shallow portions
33 of the sanctuary, especially in the coral reef cap area of the
34 East and West and Stetson Banks, but vessels over a hundred feet
35 are not allowed to use the mooring buoys, because of potential
36 damage to that infrastructure.

37
38 Most discharges are prohibited within the sanctuary, with
39 certain exceptions. Discharges related to approved marine
40 sanitation devices are allowed and, as I will mention in a
41 moment, certain types of fishing are allowed and chumming,
42 discharge of chum materials, within the sanctuary is allowed as
43 well if it's in relation to an allowed gear type.

44
45 The pretty much taking of any bottom feature or any tropical
46 fish or invertebrate is prohibited and that includes spiny
47 lobster and conch, but fishing by hook and line is allowed in
48 the sanctuary.

1
2 We have a definition for what's known as conventional hook and
3 line gear and this includes -- It includes essentially electric
4 reels and it includes bandit rigs. Those are an allowed gear
5 type within the sanctuary.
6
7 Pretty much all other forms of gear is not allowed, including
8 spearfishing. In fact, the way our regulations are written,
9 possession of unauthorized gear is essentially not allowed. If
10 you have that kind of gear, you can be in the sanctuary, but you
11 have to be moving through without interruption.
12
13 Beginning about in 2006, we started a process to look at our
14 management plan. All National Marine Sanctuaries are governed
15 by a management plan and we are required to review those plans
16 at frequent intervals.
17
18 We started a process to look at our existing plan and through
19 that process, one idea that came up consistently was that the
20 sanctuary should consider expansion and should consider some of
21 other reefs and banks in the northwestern Gulf of Mexico to be
22 included in the National Marine Sanctuary Program.
23
24 In fact, it served as a component of our revised management
25 plan, which you see here and it was published in April of 2012.
26 One of six action plans is a sanctuary expansion action plan and
27 it essentially says that we should evaluate and expand, as
28 appropriate, to a network of reefs and banks in the area of the
29 Flower Garden Banks and there is actually a recommended
30 expansion map in our management plan that was developed by our
31 Sanctuary Advisory Council. This map is shown here.
32
33 Now, this is the East and West Flower Garden Bank right there in
34 red and the areas that are designated around the East and West
35 Flower Garden Banks and to the east of the Flower Garden Banks
36 are the areas that were recommended by our advisory council for
37 potential expansion.
38
39 If that recommendation was adopted, it would increase the size
40 of the sanctuary from the current fifty-six square nautical
41 miles to about 280 square miles.
42
43 I wanted to -- First of all, the advisory council that we have
44 and all National Marine Sanctuaries do have advisory councils
45 associated with them and we have one that includes two
46 representatives from eight constituent groups that we feel are
47 the most involved and most affected by actions within the
48 sanctuary, including recreational diving, diving operations, the

1 oil and gas industry, recreational and commercial fishing,
2 education, research, and conservation. We also have a number of
3 agency non-voting members that sit on our council as well.

4
5 The area that we are looking at is -- I think most of you know
6 this, but along the edge of the continental shelf drop-off in
7 the northwestern Gulf of Mexico, there are a whole series of
8 reefs and banks that punctuate the seafloor right before it
9 drops off into the deep part of the Gulf.

10
11 The Flower Garden Banks and Stetson Bank are just three of over
12 -- There is dozens of them. In this particular map, there is
13 twenty-eight or thirty that have been identified and named as
14 prominent features and all of which have been researched quite
15 heavily over the years and are known to be very important, very
16 biologically significant, and very productive in terms of
17 fishery habitat in this portion of the Gulf.

18
19 Some of these should be very familiar to this council in the
20 process of the essential fish habitat work that was done a
21 number of years ago. A number of these areas were identified as
22 habitat areas of particular concern and this is the western
23 portion of that area and, of course, the Flower Garden Banks
24 were already designated as HAPCs, but a number of other areas
25 were also designated.

26
27 The important ones, in terms of regulations, are the ones that
28 are designated as coral HAPCs and the East and West Flower
29 Garden Banks and Stetson Bank are coral HAPCs and there was one
30 added at this time known as McGrail Bank to the east of the
31 Flower Garden Banks and that's shown on this map as well. Many
32 of these areas have been looked at by the council in the past as
33 important areas for fishery habitat.

34
35 We have done a lot of work since the early days of exploration
36 in these areas and we have been able to map in quite some
37 detail, using multibeam bathymetry, a number of those areas and
38 the areas in color are ones that we have mapped since 2001 to
39 investigate the biological and geological features associated
40 with these areas.

41
42 We have used ROV primarily, because most of these areas are too
43 deep for scuba diving depths. They are on the order from fifty
44 meters down to 200 meters or so in depth. Through that process,
45 we have been able to characterize many of these areas and
46 identify the habitats that are important within many of the
47 areas associated with these reefs and banks.

48

1 The Flower Garden Banks, as I mentioned, contains what is known
2 as a true coral reef, ahermatipic coral reef, the hard corals
3 that you're familiar with in many parts of the Caribbean, and
4 there are some of these areas that are associated with the areas
5 that we are looking at for expansion as well.

6
7 McGrail Bank that I mentioned is actually quite high in coral
8 cover and has over 20 percent living coral cover at McGrail
9 Bank. Some of other banks, like Bright Bank and Sonnier Bank,
10 also contain true coral reef communities, but most of the areas
11 that we are looking at are not these shallow-water coral reefs,
12 but are characterized more by the deep water and mesophotic
13 coral communities that are found deeper than fifty meters.

14
15 These are characterized by black coral and by gorgonians and
16 other types of soft corals and by sponges, crinoids and these
17 types of organisms, but also are very important as fishery
18 habitat as well.

19
20 When our advisory council looked at these range of banks that
21 occur mostly to the east of the Flower Garden Banks, we
22 conducted a process where we identified a number of criteria
23 categories, including the type of biological communities that we
24 knew about from our investigations. We looked specifically at
25 connectivity issues, both structural and biological
26 connectivity.

27
28 We looked at potential threats, or perceived threats, in many of
29 these areas and to gauge the public and scientific interest in
30 many of these areas and what we did was put together a matrix of
31 information based on those categories and came up with a ranking
32 system of what we felt were the most important of these features
33 that should be considered in a boundary expansion and that is
34 what essentially led to that advisory council recommendation
35 that is included in our management plan.

36
37 We also looked at how would we draw boundaries around these
38 areas, because there is so much activity out there, not only
39 fishing, but certainly this is the most intense development, in
40 terms of oil and gas resources, in the world and there is quite
41 a bit of existing oil and gas infrastructure out there already.

42
43 There is a whole host of other activities and regulatory regimes
44 that occur out there and so as we put together potential
45 boundaries, we wanted to minimize impact, as much as possible,
46 with those other activities and essentially what we did was draw
47 pretty tight boundaries around what we considered the core
48 biological features of these areas, with a small buffer zone in

1 addition to that.

2
3 This is just one example from -- This is McGrail Bank and it's a
4 little bit difficult to see on this, but there is an outer blue
5 line that's kind of a square here and that is the current HAPC
6 boundary and so the recommended boundary that our advisory
7 council came up with is actually inside the boundary of the
8 current HAPC and it tracks the primary feature itself. The
9 coral reef part of the feature is this part in red, which is the
10 shallowest portion of McGrail Bank.

11
12 I wanted just to highlight a couple of these banks to show you
13 what I feel are some issues of why it would benefit to become
14 part of the National Marine Sanctuary Program. This particular
15 one is Bright Bank. It's located about twelve miles east of the
16 East Flower Garden Bank. It is a feature that has coral on it,
17 shallow-water stony coral on it, but it is not a true coral
18 reef.

19
20 It still contains very important biological communities. One of
21 the reasons that the coral reef is not so well developed there
22 anymore is that it was subject to some pretty severe excavation
23 in the 1980s, including some dynamite activity and some large
24 excavation activity that was related to a group that thought
25 there was a treasure galleon associated there at Bright Bank.

26
27 This was an interesting one, because what it kind of pointed out
28 to people was there is areas like this that can fall between the
29 cracks in terms of regulations. Even though already at that
30 time coral was already protected by the Gulf Council, but they
31 were not fishing and so it was not a fishing activity and so the
32 Gulf restrictions on taking coral did not apply to this
33 activity.

34
35 These were already determined to be no activity zones by the
36 Minerals Management Service and you couldn't go in there and
37 drill for oil, for example, but they were not drilling for oil.
38 They were drilling for other kinds of treasure and so in this
39 particular case, there was no way to take a formal action
40 against this activity for destruction of coral. At least in my
41 opinion, it shows that the need for a more comprehensive
42 approach to protection of some of these features.

43
44 One of the other major threats to these areas is anchoring and
45 the primary anchoring that we're talking about is by large
46 boats. This is right off the shipping fairway and there are
47 situations where major vessels come on to these shallow areas to
48 anchor and this particular photo is not from this area. It's

1 actually from the Dry Tortugas, but it shows you the size of the
2 anchor and chain that's related to these anchoring incidents.

3
4 It does occur out there. This is a situation that occurred at
5 Geyer Bank a few years back, where a very large freighter, about
6 a thousand-foot freighter, was anchored on top of Geyer Bank.
7 We are not able to dive directly on that anchor point, but it
8 could cause some considerable injury.

9
10 This is just some shots of Geyer Bank. Geyer Bank, again, is a
11 little bit deep for true coral reef development, but it is an
12 incredible area for other types of benthic communities and very
13 large fish populations are associated there.

14
15 Related to fishing, in our recent public meetings we have had
16 engagement by a number of fishermen that have pointed out some
17 concerns about this proposal and they have to do primarily to
18 two major issues and one is anchoring.

19
20 As I mentioned, hook and line gear is allowed in the sanctuary
21 and by default, we would think that the new areas would also be
22 subject to the same regulations that occur in the existing
23 sanctuary, but even though the fishing gear is allowed,
24 anchoring would be prohibited and so the ability to anchor in
25 some of these areas is important to some of this fishing
26 activity.

27
28 We have committed already to work through our advisory council
29 to get together with the fishing interests that may be affected.
30 We are going to put together a working group and invite the
31 fishermen who have identified this as an issue and sit down with
32 them and see if we can come to some kind of agreement on exactly
33 what kind of fishing activity or anchoring activity would be
34 necessary to allow this fishing to continue.

35
36 The other issue that has come up relates to bottom longlines and
37 this is just a map, again, of our recommendation area. This
38 yellow line is a little bit faint on this photo, but this is the
39 fifty-fathom restricted area line that occurs in the western
40 Gulf of Mexico, west of Cape San Blas.

41
42 As you can see, all of these features are essentially seaward of
43 that line and so bottom longline and buoy gear is an allowable
44 gear type now. Of course, that type of fishing takes great
45 pains to try to avoid these kind of features, because they lose
46 their gear for one reason, but, at the same time, restrictions
47 that might come into play with the expansion of the sanctuary
48 may affect the bottom longline fishery as well.

1
2 Those are the two primary areas that we have identified already
3 related to fishing that have come up in our public scoping
4 process and I wanted to remind you, and I know you have probably
5 worked a little bit with the Florida Keys National Marine
6 Sanctuary already, but the National Marine Sanctuary Act, which
7 governs our activities, of course, does specifically talk about
8 the promulgation of fishing regulations in National Marine
9 Sanctuaries and it does require that we coordinate directly with
10 the appropriate regional fishery management council and actually
11 allow the council the opportunity to prepare the draft
12 regulations for fishing as it relates to the National Marine
13 Sanctuary designation.

14
15 As we move forward with this process, we will be working with
16 you directly and at some point, we will need agreement on how to
17 move forward with fishing-related regulations within the
18 sanctuary.

19
20 Where do we go from here? Like I mentioned, the Federal
21 Register notice came out in February and the scoping period ends
22 next week and then we will go into a process where we will take
23 the public comment and evaluate and analyze it.

24
25 We will, like I mentioned, be working through our advisory
26 council and working groups to identify specific issues and try
27 to come to resolution on those and our target is to come up with
28 a draft environmental impact statement in six to nine months and
29 when this is published, this will be a formal proposal.

30
31 It will identify the range of alternatives and a preferred
32 alternative to implement a boundary expansion and so at that
33 point, of course, we will go through another round of public
34 comment and review and, depending on that review, to finalize it
35 in a final environmental impact statement sometime after that.
36 That's basically what I have today and, again, I appreciate the
37 opportunity to address you today.

38
39 **CHAIRMAN ANSON:** Thank you for the presentation.

40
41 **MR. PEARCE:** Good presentation and a little scary, but a good
42 presentation. On your sanctuary advisory council, who from the
43 recreational or commercial fishing industry in the Gulf is on
44 your advisory council?

45
46 **MR. SCHMAHL:** We have several and, in fact, several are here
47 today. In fact, Scott Hickman is on our council and Shane
48 Cantrell is on our council. Buddy Guindon is on our council and

1 Mike Jennings, who I saw here, is a former member of our council
2 as well. We also have -- There is four fishing representatives
3 and the other person's name is Keith Love and he is a very
4 active recreational spear fisherman.

5
6 **MR. PEARCE:** You have no one from Louisiana? No one from
7 Louisiana?

8
9 **MR. SCHMAHL:** You are correct. No one from Louisiana. That's
10 right.

11
12 **CHAIRMAN ANSON:** So you are starting the process and you're
13 fairly early on in the process and you made comments to working
14 with the council or at least the council has an opportunity to
15 go ahead and develop some of those proposed regulations relative
16 to fishing.

17
18 I haven't been around the last time it was done for the Flower
19 Gardens Marine Sanctuary and so, Doug, do you have any thoughts
20 on how we might proceed or do you have any thoughts on where we
21 would fit in? You provided the timeline, but will we be getting
22 the analysis or the summary of the scoping document comments and
23 at that time you would suggest we work on it independently with
24 you or your group or are you going to offer some suggestions out
25 of your advisory panel or how is this going to work?

26
27 **MR. SCHMAHL:** Yes, the way the law is written, the formal part
28 of the consultation happens at the time of the publication of
29 the draft environmental impact statement, but we would like to
30 work much earlier than that, so there is no surprises or no
31 issues that have not been identified at that time.

32
33 We are definitely open to working with the council and the
34 council staff however you think is appropriate. At a minimum,
35 we will be inviting council staff to participate in the working
36 groups that we're going to be putting together specifically on
37 the fishing issues.

38
39 Then I would hope that we could -- As we're developing the draft
40 EIS, we would be providing those documents to the council, to
41 council staff, and I assume that if Doug thought it was
42 appropriate to bring it to the full council before the DEIS came
43 out, that would be perfectly fine as well.

44
45 It's been handled different ways for sanctuaries throughout the
46 country. Some councils have chosen to take a very active role
47 in the development of any fishing regulations related to the
48 sanctuary. In other cases, councils have said we'll step back

1 from this one and allow the sanctuary program to promulgate
2 those regulations and so it's been done both ways and so it will
3 kind of depend, I think, on the degree of interest and perhaps
4 controversy related to it.

5
6 **CHAIRMAN ANSON:** Council members, do you have any thoughts on
7 that? Should we just let them work on the process and feed us
8 kind of documents as they develop them or do we want a more
9 engaged, direct interface with them, either through staff or
10 period reviews of those documents that they come forward with?
11 Does anybody have any thoughts on it? I guess, Doug, unless you
12 have some comments, do you want to just let them --

13
14 **EXECUTIVE DIRECTOR GREGORY:** I think what G.P. laid out is an
15 appropriate way. Depending on our work schedule, we would love
16 to cooperate and work with the working groups. I have some
17 experience with the sanctuary program and the process in the
18 Keys and it tends to be more involved sometimes than even our
19 process, but at a minimum, the different draft documents we will
20 bring to the council's attention, through the Sustainable
21 Fisheries/Ecosystem Committee, as they're developed. At a
22 minimum, we will do that on an ongoing basis.

23
24 **CHAIRMAN ANSON:** Thank you. Any other questions for Mr.
25 Schmahl? Thank you, sir.

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

28
29 **CHAIRMAN ANSON:** Next we have a Draft Environmental Assessment
30 for Amendment 6 to the Highly Migratory Species FMP, Tab A,
31 Number 9, and Karyl Brewster-Geisz. Karyl, welcome to the
32 council.

33
34 **DRAFT ENVIRONMENTAL ASSESSMENT FOR AMENDMENT 6 TO THE HIGHLY**
35 **MIGRATORY SPECIES FMP**

36
37 **MS. KARYL BREWSTER-GEISZ:** Thank you, Mr. Chairman. Good
38 afternoon, everyone. As you said, my name is Karyl Brewster-
39 Geisz and I work for the Highly Migratory Species Management
40 Division of NOAA Fisheries.

41
42 This amendment has to do with the shark fishery. It's been a
43 long time coming for this amendment. We have taken comments
44 from a lot of fishermen, states, NGOs, and the various councils
45 and so we really appreciate the opportunity to present what we
46 have proposed.

47
48 There are a lot of issues currently facing the shark fishery.

1 These issues have caused a lot of shark fishermen to leave the
2 shark fishery and so there aren't as many fishermen as there
3 have been even a few years ago. Some of these include
4 commercial landings that exceed the quota and derby fishing
5 conditions.

6
7 The objective of this entire amendment is to try to provide a
8 fishery that fishermen actually want to fish in and make a
9 profit from, but we also need to continue rebuilding overfished
10 stocks, along with preventing overfishing of other shark stocks.

11
12 In addition, while we were doing this rulemaking, we had two new
13 stock assessments done through SEDAR-34. One was for bonnethead
14 sharks and the other was the Atlantic sharpnose sharks. During
15 the course of this assessment, it was found that both of these
16 species have two stocks, one in the Atlantic and one in the Gulf
17 of Mexico.

18
19 For bonnethead sharks within the Gulf of Mexico, we now have an
20 unknown status and for sharpnose sharks, the stock within the
21 Gulf of Mexico is not overfished and no overfishing is occurring
22 and so we are now taking a look at the small coastal complex and
23 seeing what changes we need to make for the total allowable
24 catch and commercial quotas. On to the alternatives. I am
25 going to try to go through this really fast and so if I'm going
26 too fast, slow me down and if you think I'm going too slow, feel
27 free to let me know and I will try to go faster.

28
29 The first set of alternatives we looked at was permit stacking.
30 This is a set of alternatives that the fishermen introduced to
31 us. It would basically mean if you had multiple permits that
32 you would be able to take multiple trip limits.

33
34 We decided not to go forward with permit stacking at this time.
35 We felt it would be really beneficial to those fishermen who had
36 multiple permits, but most of the shark fishermen do not have
37 multiple permits.

38
39 Instead, we decided to move forward with commercial shark
40 retention limits. The current retention limit is thirty-six
41 large coastal sharks per trip. This was established in 2008
42 and, at the same time, we established a sandbar commercial quota
43 of 116 metric tons.

44
45 This retention limit, the thirty-six large coastal, was
46 established to try to balance the sandbar quota, because we knew
47 that there would be a number of sandbar sharks caught as the
48 fishermen were catching large coastal sharks and so it was a

1 balancing act.

2
3 We are proposing to increase that trip limit to fifty-five large
4 coastal sharks and as part of that balancing act, we are now
5 also proposing to reduce the shark research fishery quota to
6 about seventy-six metric tons. This quota, the research fishery
7 quota, has not been fully utilized in the past few years and so
8 we think this shouldn't be a bad thing for the research fishery,
9 although the research fishery has provided a tremendous amount
10 of data and has really moved the shark fishery and shark
11 research forward.

12
13 The most contentious part of the alternatives that we're looking
14 at are regional and sub-regional quotas. Right now, the shark
15 fishery has two regions, a Gulf of Mexico region and an Atlantic
16 region.

17
18 We are now proposing to separate the Gulf of Mexico region and
19 the Atlantic region into subregions. For the Gulf of Mexico,
20 that means eastern and western. This is something that a lot of
21 fishermen and dealers have wanted for a while, because based on
22 the migration of sharks and based on what the fishermen in
23 certain regions within the region are fishing for, they may not
24 have an open season when sharks are actually in their area.

25
26 We are proposing similar things for both the Atlantic and the
27 Gulf of Mexico. I am going to skip through the Atlantic. I
28 just want you to know that there are proposals for the Atlantic
29 as well.

30
31 Within the Gulf of Mexico, just for large coastal sharks, we
32 looked at separating this region into two subregions based on
33 either the 88 degree or the 89 degree lines. The landings
34 history started in 2008 and this was when Amendment 2 went into
35 place, when we had the retention limits go into place, fins
36 naturally attached, and so we figure this is a really good place
37 to start the fishery.

38
39 We also have quota linkages within the Gulf of Mexico and so the
40 aggregated large coastal and the hammerhead shark quotas are
41 linked. When the quota of one of them is met, we close both of
42 those groups.

43
44 This is what we are proposing within the Gulf of Mexico is right
45 at the 89 degree line and I can't read those numbers and so let
46 me just bring it up here so I can read them for you. You have
47 the blacktip quota and so for the western group, the western
48 subregion, we are proposing about 66 percent of the blacktip

1 quota would go to that group and 35 percent or so would go to
2 the eastern Gulf of Mexico. The blacktip shark quota is not
3 linked to the other quotas. It is a stand-alone quota and so
4 that's just what we are proposing.

5
6 For the aggregated large coastal in the western, we are
7 proposing about 43 percent and in the eastern, about 58 percent
8 of the quota. In the eastern Gulf of Mexico, the aggregated
9 large coastal shark would be continued to be linked to the
10 hammerhead shark quota and the hammerhead shark quota in the
11 western would be zero metric tons and that's because in recent
12 years very few hammerheads have been landed and we came out with
13 a quota of one metric ton.

14
15 Rather than try to link it, we decided to essentially prohibit
16 hammerhead sharks in the western Gulf of Mexico. We have
17 received a lot of comments on these subregions, both the lines,
18 the hammerhead quotas and the percentages and we are taking a
19 very close look at some of the percentages and numbers. We have
20 had comments that there are a lot more hammerhead sharks taken
21 in the western Gulf of Mexico than our original data indicated.

22
23 We are not proposing subregions for small coastal sharks, but,
24 as I said before, based on the new assessments, we are coming up
25 with a number of proposals for the total allowable catch in the
26 commercial quota.

27
28 Alternative D-6 is our preferred. This is using the current
29 adjusted quota and using that as the proposed quota and so that
30 would be about 68.3 metric tons.

31
32 The last alternative we looked at is modifying the vessel
33 upgrading restrictions. Currently, anybody with a directed
34 shark permit needs to meet certain upgrading restrictions before
35 they can increase the size of their vessel. We are proposing to
36 remove these upgrading restrictions. We feel the trip limits
37 are enough of a limitation for the vessels.

38
39 The comment period for this ends on April 3. We are hoping to
40 have this in place this coming summer. We have already held all
41 the public hearings and you are actually our last group that we
42 are presenting to and so thank you very much for this
43 opportunity. This is all the information you need to submit a
44 comment and then if there are any questions or comments, I will
45 be happy to take them now.

46
47 **CHAIRMAN ANSON:** Thank you.

48

1 **MR. DIAZ:** Thank you for coming. It was a good presentation.
2 Your Slide 18 that shows the line, I'm sure you got a lot of
3 comments about this in the past and I know you have the curve
4 out to the east and I'm sure that's to take in the Chandelier
5 Islands, but it seems to me that -- There might be some
6 advantages and disadvantages, depending on how this line is, but
7 if that line started at the South Pass of the Mississippi River
8 and went south, then everything east of the river would be in
9 one zone.

10
11 Right now, it's split into two zones and it's got this odd-
12 shaped line that goes around the Chandelier Islands and I've got
13 to believe there's probably some law enforcement folks that
14 probably would not like that line. Are you all considering
15 shifting that line a little bit further to the west and taking
16 off from the South Pass of the Mississippi River? Is that one
17 of the options you're considering and what other negative pros
18 and cons comments have you got related to that line?

19
20 **MS. BREWSTER-GEISZ:** The line is currently based off the
21 reporting areas. The subregions would be based on where the
22 sharks are caught and not necessarily where they are landed and
23 so we are using the same reporting areas that are used in all
24 the trip tickets and the logbooks, which is why there is that
25 curve at the 89 degree line up at the top, because that's how
26 they are for the reporting.

27
28 We have had a lot of comments that we should move it to the 88,
29 which is the other alternative we looked at, or even that we
30 move it farther east. A lot of the concern is that some of the
31 Louisiana fishermen, when they notice that their quota is about
32 to be taken, will go and move over or at least report over the
33 89 into the eastern Gulf of Mexico area and so those are some of
34 the comments we've gotten.

35
36 There are not that many fishermen actively fishing in the
37 Mississippi/Alabama area and so we are actively considering
38 moving that line based on the comments we've received so far.
39 It's been a lot of concern both from the State of Louisiana and
40 the State of Florida about that line.

41
42 **MS. BADEMAN:** Hi, Karyl. I was just going to say, for what it's
43 worth, on the line, that it sounds like a lot of people from
44 Florida support the 88 and I think that's what we'll be
45 supporting in our letter that we send to you guys.

46
47 **MS. BREWSTER-GEISZ:** Thank you.

48

1 **CHAIRMAN ANSON:** Any other questions? Thank you, Karyl.

2
3 **MS. BREWSTER-GEISZ:** Thank you.

4
5 **CHAIRMAN ANSON:** We are ahead of schedule and, Doug, Sustainable
6 Fisheries/Ecosystem, who is going to handle that? Who has that?
7 Who chaired that committee? Was it Leann? Leann, are you ready
8 to do the Sustainable Fisheries Committee Report?

9
10 **COMMITTEE REPORTS (CONTINUED)**
11 **SUSTAINABLE FISHERIES/ECOSYSTEM COMMITTEE**

12
13 **MS. BOSARGE:** The Sustainable Fisheries/Ecosystem Committee met
14 and the first item discussed Categorical Exclusion for
15 Charter/Headboat Decals. Some council members felt that the
16 council had not provided enough public access to this proposed
17 action.

18
19 They stated that they had spoken to charter boat operators who
20 were unaware of the action and were opposed to it. The charter
21 boat operators felt that the decals allowed them to
22 differentiate federally-permitted vessels from non-federally-
23 permitted vessels and that this would allow them to police
24 themselves.

25
26 They suggested that, if anything, the decals should be made
27 larger and easier to read. Dr. Crabtree passed around a sample
28 decal for us. He stated that the decals are not legible unless
29 up close and that enforcement is based on the vessel's permit,
30 not the decal.

31
32 Vessels can transfer a federal permit and are supposed to remove
33 the decal, but do not always do so, making the decals unreliable
34 to identify federally-permitted vessels. Because the document
35 was intended to be a categorical exclusion, it did not contain
36 any alternatives and only a proposed action to eliminate the
37 decal requirement.

38
39 **By a voice vote with one opposed, the committee recommends, and**
40 **I so move, that the council stop work on the document to**
41 **eliminate the decals for federally-permitted for-hire vessels.**

42
43 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
44 the motion? **Any opposition to the motion? The motion carries.**

45
46 **MS. BOSARGE:** Next, the committee examined the Draft NOAA
47 Climate Change Strategy. Doug Gregory related that the council
48 received a presentation on the Draft Climate Change Strategy in

1 January, but did not have the actual draft document to review at
2 that time. The document is in the current briefing book
3 materials and Mr. Gregory gave a brief presentation highlighting
4 the major features of the draft strategy.

5
6 One council member asked what NMFS could do about climate
7 change. Mr. Gregory responded that the document was primarily
8 about adapting to changes and did not address any mitigation
9 factors.

10
11 Dr. Will Patterson presented the SSC comments and
12 recommendations. He noted that mitigation actions, such as
13 alternative fuels, had been discussed by the SSC and could
14 possibly be added to the document. He noted that in the Gulf
15 climate change is being addressed by incorporation into
16 integrated ecosystem assessments.

17
18 Mr. Gregory then reviewed a draft letter to the NMFS Office of
19 Science and Technology commenting on the draft strategy. The
20 recommendations in this letter were based on staff review of the
21 draft strategy and also contained the SSC recommendations.

22
23 **By a unanimous voice vote, the committee recommends, and I so**
24 **move, that the council give staff editorial license and approve**
25 **the draft letter on Climate Change Strategy for submission to**
26 **the NMFS Office of Science and Technology.**

27
28 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
29 the motion? **Any opposition to the motion? Seeing none, the**
30 **motion carries.**

31
32 **MS. BOSARGE:** Next, the committee considered proposed revisions
33 to National Standard 1, 3, and 7. Alan Risenhoover gave a
34 presentation outlining the proposed changes to National Standard
35 1, including changes to National Standards 3 and 7.

36
37 Will Patterson reviewed the SSC comments, which focused on the
38 relationship between OY, ACL, and ACT. Steven Atran noted that
39 staff reviewed the redline draft of the proposed changes and had
40 several proposed comments.

41
42 The public comment period for the proposed revisions runs
43 through June. Staff will prepare a letter to send to the NMFS
44 Office of Sustainable Fisheries based on staff review, SSC
45 comments, and any council recommendations for review and
46 approval by the council at the June meeting.

47
48 Lastly, the committee took up the Ecosystem SSC Report. Steven

1 Atran summarized the report of the September 19, 2014 meeting of
2 the Ecosystem-Based Fishery Management Working Group. This
3 group was charged with developing suggested goals and objectives
4 and with identifying and prioritizing information needs for
5 ecosystem-based fishery management.

6
7 The group's recommendations were submitted to the Ecosystem SSC.
8 Dr. Wei Wu presented a summary of the February 25, 2015 meeting
9 of the Ecosystem SSC, which focused on the effect of the
10 Madison-Swanson, Steamboat Lumps, and Edges Marine Reserves on
11 gag, red grouper, and other species in the reserves.

12
13 Monitoring by FSU researchers found that gag, red grouper, and
14 red snapper were larger inside the reserves than outside the
15 reserves. In addition, commercial CPUE of gag and red snapper
16 declined in a linear rate with increasing distance from the
17 reserves, suggesting a spillover effect that decreased with
18 distance. The Ecosystem SSC had seven recommendations for the
19 council to consider for actions to proceed with ecosystem-based
20 management.

21
22 Due to time constraints, the committee did not discuss the
23 Ecosystem SSC's recommendations. Instead, the acting chair,
24 myself suggested that the Ecosystem SSC report be submitted for
25 review to the new consolidated SSC once that body is formed.
26 Mr. Chairman, this concludes my report.

27
28 **CHAIRMAN ANSON:** Thank you, Ms. Bosarge. We are still a little
29 ahead of schedule, but the other committee reports are either
30 not done or it will be helpful to hear from public testimony and
31 so we're just going to take an extended recess and reconvene at
32 three o'clock sharp. Thank you.

33
34 (Whereupon, a brief recess was taken.)

35
36 **CHAIRMAN ANSON:** Good afternoon, everyone. Public input is a
37 vital part of the council's deliberative process and comments,
38 both oral and written, are accepted and considered by the
39 council throughout the process.

40
41 The Sustainable Fisheries Act requires that all statements
42 include a brief description of the background and interests of
43 the persons in the subject of the statement. All written
44 information shall include a statement of the source and date of
45 such information.

46
47 Oral or written communications provided to the council, its
48 members, or its staff that relate to matters within the

1 council's purview are public in nature. Please give any written
2 comments to the staff, as all written comments will be posted on
3 the council's website for viewing by council members and the
4 public and will be maintained by the council as part of the
5 permanent record. Knowingly and willfully submitting false
6 information to the council is a violation of federal law.

7
8 If you plan to speak and haven't already done so, please
9 complete a public comment registration card and give to council
10 staff. We accept only one card per person. Each speaker is
11 allowed three minutes for their testimony. Please note the
12 timer lights on the podium, as they will be green for the first
13 two minutes and yellow for the final minute of testimony.

14
15 At three minutes, the red light will blink and a buzzer may be
16 enacted, if needed. Time allowed to dignitaries providing
17 testimony is extended at the discretion of the Chair. With
18 that, Roy Howard, you will be first, followed by Jason Delacruz.
19 Good afternoon, Mr. Howard.

20
21 **PUBLIC COMMENT**
22

23 **MR. ROY HOWARD:** We've got it on now. My name is William R.
24 Howard and I represent RFR, the Recreational Fishermen's Rights,
25 and a small boat and I am a small boat recreational fisherman.

26
27 I would like to thank the panel for just listening to me for a
28 few minutes. I have a few comments and a few suggestions and I
29 have run into a lot of problems that you guys have with Congress
30 on trying to get some sense made out of what's going on and I
31 would hate to be in your position.

32
33 All my friends call me Bub and I want you all to look at Bub
34 right now and I want you to understand when you see
35 "recreational" on a piece of paper that you will see me. It's
36 not just a name. It's a person. I am blood and bones and I am
37 real old. I am eighty-one years old and I have been fishing the
38 Gulf for red snapper since I was fifteen years old. That's a
39 long time.

40
41 What point we need is a few -- I am going to make a few
42 suggestions that's going to be hard, because I have already
43 talked to my congressman and a couple other congressmen about
44 how these things are done and the only way it's going to change,
45 basically, is Congress do it, but speaking for the small boat
46 recreational people, we come down to several facts when we get
47 into them.

48

1 One is when you cut the days out, the small boat recreational
2 fishermen are working people. They work five days a week and
3 they have weekends only, basically, about 90 percent, to go out
4 and catch a fish.

5
6 Now, if we have one bad weekend, that cuts them down a weekend.
7 That needs to be taken into consideration as to just how many
8 days we can go, but the whole gist of the thing is I read an
9 article made by the Gulf Council and it went into some detail
10 about what was happening in the recreational sector as to why we
11 kept cutting days and cutting days and cutting numbers and
12 cutting days and cutting days.

13
14 Finally, at the end of that whole page, it come out and told
15 what the problem was and that paper said that at this time we
16 are catching fish that are twice as large as fish were four to
17 five years ago. There is the whole problem.

18
19 We are not catching more fish. We are catching bigger fish and,
20 therefore, we get less when that happens and the whole gist of
21 the entire thing is that we need to change the recreational
22 sector from pounds, which are estimated and they are not
23 correct.

24
25 I worked in estimates for too many years and one figure can
26 change an estimate thousands of pounds, just one figure. If you
27 were to figure that fish at twenty pounds we're catching now, if
28 we come back and said, hey, let's figure that fish at fifteen
29 pounds, what does that do? That puts you back in the game
30 again.

31
32 See, it's too much commonsense that's not being applied to
33 what's happening and I know you guys are regulated to death,
34 like everybody else is, and I know the problems we've got for
35 even making any changes at all, but I would like to suggest a
36 few things that you might consider.

37
38 **CHAIRMAN ANSON:** Mr. Howard, you have exceeded your three
39 minutes and if you could wrap it up, please.

40
41 **MR. HOWARD:** Do what? My time is up?

42
43 **CHAIRMAN ANSON:** Yes, sir.

44
45 **MR. HOWARD:** You've got to be kidding.

46
47 **CHAIRMAN ANSON:** No, sir. Three minutes and we have a question
48 over here though for you, sir, from Dr. Dana.

1
2 **MR. HOWARD:** You don't want me to go ahead with my suggestions
3 then?
4
5 **CHAIRMAN ANSON:** Unfortunately, sir --
6
7 **MR. HOWARD:** You didn't have time to learn who I was.
8
9 **CHAIRMAN ANSON:** You can provide those as written testimony if
10 you would like and provide them to council staff. We have a few
11 questions though for you, okay? Dr. Dana.
12
13 **MR. HOWARD:** Yes, but you're going to have to talk up. I am
14 old. I am eighty-one years old and I am hard of hearing too and
15 so if you've got a question, ask me what you want. What is it?
16 I don't like the idea of being cut off before I am half through.
17 I ain't been one minute yet. I mean I'm an old fellow and I
18 think I need a little more consideration than that. I don't
19 know how many hundred people you've got to talk today.
20
21 **CHAIRMAN ANSON:** Dr. Dana, could you ask Mr. Howard some
22 questions?
23
24 **MR. HOWARD:** Who has got a question?
25
26 **DR. DANA:** Mr. Howard, I would like to hear your suggestions,
27 but out of consideration for the Chair, would you lay them out
28 briefly?
29
30 **CHAIRMAN ANSON:** Mr. Howard, could you provide your suggestions
31 very quickly, your points, very quickly?
32
33 **MR. HOWARD:** I didn't come up to try and make a long speech, Mr.
34 Chairman. I will just leave you guys to your little thing and I
35 will deal with Congress from now on. Thank you.
36
37 **CHAIRMAN ANSON:** Mr. Pearce.
38
39 **MR. PEARCE:** That's all right.
40
41 **CHAIRMAN ANSON:** Okay. We have Jason Delacruz, followed by Bill
42 Kelly.
43
44 **MR. JASON DELACRUZ:** Good afternoon. Thank you guys very much
45 for having me today and giving me an opportunity to speak. I am
46 going to show that I have been here long enough that now I need
47 glasses. I didn't when we started this process.
48

1 The first couple of things I just want to go through is let's
2 start with Amendment 28. I am definitely one of the allocation
3 holders of the 70 percent of the people that don't see this
4 reallocation amendment as a useful amendment. It accomplishes
5 very little and I don't support it for that fact alone.

6
7 I also supply fish to the 97 percent of the consumers out there
8 that actually can't go catch the fish themselves and I am quite
9 certain they don't support that on their own. We have seen that
10 too from the Fish for America Campaign and the people that have
11 come here and represented.

12
13 Also, it seems a little sketchy in Amendment 28 that we're
14 working on these recalibration numbers, but yet we hear there is
15 two different versions that we haven't even explored that we
16 don't even know what they're going to come out with and so
17 recalibrating on the very first thing just to get this off our
18 plate so it moves forward, even if it's not right -- Again,
19 that's a challenge for me as well.

20
21 I think the fundamental -- Most importantly, and I think we just
22 saw a perfect example of that, is this is an extremely
23 challenging issue. The goal with 28 originally was to get a
24 longer season and better access for the recreational fishermen.
25 I am here all the time and so I understand the process. A
26 fellow like that was just up, he doesn't. He doesn't have the
27 time. He does this for recreating.

28
29 I fall back to the same thing I said in my last public
30 testimony. These people have advocacy groups that they support.
31 Those advocacy groups need to do their job. They need to come
32 up with a solution for these people so that he can go fishing
33 when he wants to, whether it be whatever system it is, but
34 instead of just going down the same course and then trying to
35 reallocate with this amendment that actually accomplishes
36 nothing.

37
38 It will not get them what they want. It doesn't get him another
39 day and it doesn't get him anything. It gets him a half a day
40 this year and maybe nothing next year and so it's completely
41 illogical and it doesn't make any sense to me.

42
43 I will talk a little bit about Amendment 36 real quickly. It
44 really doesn't really need to be done. I mean there is a
45 handful of things that we can do to make that amendment
46 stronger. I mean the red snapper fishery is the best it's ever
47 been and arguably that's one of the two top reasons that it's
48 the way it is, is because we went to an IFQ with that fishery.

1
2 We need to respect that and try to do something with it. I mean
3 if you guys really want to do something good for this management
4 plan, push the national office and the Regional Office to move
5 forward with the loan program that we asked for three or four
6 years ago.

7
8 We asked for an income -- It was a nationally-backed IFQ loan
9 program and that would solve the new entrants problem. Guys
10 could show that they were useful and that they actually had --
11 They knew how to catch fish and that they were a viable,
12 bankable scenario and do that. All the instability that this
13 council has offered forward has done nothing but make it
14 completely impossible for a bank to touch you.

15
16 Even if a guy, a young man, wanted to get in and he could show
17 it all, you guys have undermined that process and you guys need
18 to come up with a solution to strengthen it so that we can help
19 these young people get in there. My time is up and thank you
20 very much, Kevin.

21
22 **CHAIRMAN ANSON:** Thank you, Jason. Mr. Pearce.

23
24 **MR. PEARCE:** Thank you, Jason. You made a couple of comments
25 that I'm curious about. First off, what alternative in
26 Amendment 28 do you support?

27
28 **MR. DELACRUZ:** Status quo.

29
30 **MR. PEARCE:** Okay and the second thing is in the beginning of
31 your presentation, you threw a 70 percent number out at us and
32 what is that?

33
34 **MR. DELACRUZ:** You have the commercial fishery, which is the 51
35 percent. Then you have the charter boat fishery, which
36 represents about half of whatever their percentage is of the
37 rest of the recreational fishery. All the charter boat
38 fishermen, all the commercial fishermen, that 70 percent we do
39 not support anything on reallocation. It makes no sense and it
40 solves no problems whatsoever.

41
42 **MR. PEARCE:** Just a quick follow-up. Will we hear from these
43 charter boats that will back up that 70 percent for you today?

44
45 **MR. DELACRUZ:** Absolutely. Absolutely. We have discussed it.
46 Thank you.

47
48 **MR. BOYD:** Jason, you just said that the charter for-hire

1 industry would not support reallocation. Reallocation to the
2 recreational industry would give them more fish and why would
3 they not support that?

4
5 **MR. DELACRUZ:** Because it gives them more fish, but it doesn't
6 give them any more time. It's an illusion. That's what I have
7 been saying all along. It doesn't accomplish anything. You are
8 doing something basically to be able to say you did it.

9
10 Like Eric Brazer said for our organization last public
11 testimony, you are a solution in search of a problem and that's
12 not it. If you want to help him that was up here earlier,
13 advocate for something that will really change the way you guys
14 go fish and give him the opportunity to go fish all he wants.

15
16 The tag system is the perfect idea and whether it is or not, it
17 makes sense, because he can go fish when it fits his time. He
18 does have a full-time job and he does go work and they have
19 soccer and there is a whole thing there and you need to come up
20 with a solution for that instead of staying in this bag. Thank
21 you very much.

22
23 **CHAIRMAN ANSON:** We have Bill Kelly, followed by Gary Bryant.

24
25 **MR. BILL KELLY:** Mr. Chairman and members of the council, Bill
26 Kelly. I am the Executive Director of the Florida Keys
27 Commercial Fishermen's Association. First off, I would like to
28 applaud you for your motion this morning regarding spiny lobster
29 and considering developing a language for an ACL transboundary
30 exemption.

31
32 I think the science is there. We've seen what's going on in
33 that fishery over a long period of time. Those fluctuations
34 that we saw in the 2000s, primarily due to Mother Nature, in the
35 form of Hurricanes Katrina, Wilma, and Rita, impacting us in
36 2005 and beyond with lost gear and so forth have restricted
37 harvest as well as one of the worst recessions that we've ever
38 encountered in this nation.

39
40 We now see an increase in that fishery there and I think we're
41 in the right direction here, following the science and the
42 conclusive evidence and genetic support for external recruitment
43 and so thank you very much and that's something that we promoted
44 and I asked for in my address during Manage our Nation's
45 Fisheries III, giving all of you additional management
46 responsibility and flexibility to develop things like ACL
47 transboundary exemptions.

48

1 Secondly, I would like to talk to you about the CMP Framework 3
2 regarding kingfish and gillnets. We are looking at one of the
3 most robust and healthy fisheries that we have in the Gulf of
4 Mexico, with virtually zero bycatch. You have seen us be very
5 proactive here in accountability measures and so forth as we try
6 to streamline that fishery and improve profitability and reduce
7 the carbon footprint out there and make things happen in a much
8 more palatable fashion.

9
10 We would like to see you retire the latent permits in that
11 industry to support our measures and industry-supported
12 accountability measures, both in-season and post-season.

13
14 With regard to these trip limits, an increase to 35,000 pounds
15 would reduce about 50 to 60 percent of our problems with regard
16 to overruns on trip limits and you understand the nature of
17 that, the high-yield fishery that it is, these things happen.
18 There will always be over and under, but it's how can we best
19 manage them.

20
21 The best way to do that would be through a 45,000-pound trip
22 limit that would resolve about 95 percent of our issues there.
23 Also, it would eliminate the possibility of a twenty-four-hour
24 turnaround, as you heard from some of our fishermen.

25
26 The accountability can be real time. We have proven that over
27 the past couple of years in reporting to NMFS and so forth and
28 we can continue with that level of dependability. It's based on
29 -- That fish down at 25 percent of the quota remaining is based
30 on nets in the water and not boats on the scene and we have lead
31 pilots that have been designated with the responsibility of
32 drawing that fishery down.

33
34 Two more items here. One, the south Florida regional
35 management, we promoted and asked for that in the Florida Keys,
36 but we were looking to streamline rules and regulations so they
37 would be the same on both sides of the overseas highway for us.

38
39 For example, you can harvest red grouper at eighteen inches on
40 the Gulf side and twenty on the South Atlantic, but this has
41 morphed far beyond control here and we really need to get back
42 to the basics of what we're looking for. We have seen the state
43 suggest they take over control of economically-important species
44 like yellowtail, mutton snapper, black, red, and gag groupers.
45 That is totally inappropriate. They are so vital to our
46 economies. We have suffered a four-year closure on groupers.

47
48 **CHAIRMAN ANSON:** Bill, if you can wrap it up.

1
2 **MR. KELLY:** Yes, sir. Ostensibly to protect gag and black
3 groupers, but we are catching less than 1 percent of the gags
4 here. It has created economic hardships and created an actual
5 grouper derby beginning on April 1 of each year and so we have
6 serious concerns there and we also need to voice our strong
7 opposition to the Gulf States five states plan. Thank you.

8
9 **CHAIRMAN ANSON:** Thank you. Any questions? No questions.
10 Thank you, Bill. Gary Bryant, followed by Ken Haddad.

11
12 **MR. GARY BRYANT:** I am Gary Bryant, owner and operator of Red
13 Eye Charters out of Fort Morgan, Alabama. I will try to cover
14 several topics very quickly. Amberjack, I support thirty-four
15 inches. I would like to see the closure remain in June and
16 July. We need something to fish for in the spring and the fall.

17
18 On king mackerel, there is talks of increasing the limit.
19 Personally, I don't think that would benefit my business. I
20 don't oppose increasing the limit, but I don't see any personal
21 benefit at this time to my business.

22
23 The headboat pilot collaborative, I would like to see this
24 program continued and I would like to see it expanded into the
25 charter boats and I would like to see it used as a model for the
26 for-hire sector.

27
28 Amendment 39, I think Amendment 39 offers a great way to bring
29 flexibility to the private boat owners. I have serious concerns
30 though about the charter industry coming under state management
31 and I would like to tell you my biggest concern. That is that
32 all states have opened non-compliant seasons.

33
34 They opened these seasons knowing that they were benefiting
35 their private boat owners at the expense of the non-boat-owning
36 public and the charter boats that take them fishing and so it is
37 my belief that once we're divided into five pieces that we're in
38 a much weaker political position as a charter boat industry and
39 we are subject to being picked off one state at a time.

40
41 Once one state moves their fish, the bulk of their fish, into
42 the private boat category, we are going to see more political
43 pressure put on the other states and then I think we're in a
44 position where the charter boat industry could be divided and
45 conquered one state at a time and so I have serious concerns
46 about that. I would have to see that issue addressed before I
47 could support Amendment 39.

48

1 Amendment 36, as a charter boat operator, I would like to see
2 the crew size restrictions eliminated on dual-permitted vessels
3 and Amendment 28, reallocation, even though it would benefit me,
4 I do not support taking fish out of an accountable sector and
5 putting it into an unaccountable sector. I think the only
6 reallocation should be between accountable sectors. I
7 appreciate your time.

8
9 **CHAIRMAN ANSON:** Thank you, Gary. We have Ken Haddad, followed
10 by Bob Zales.

11
12 **MR. KEN HADDAD:** Thank you, Mr. Chairman and council members.
13 My name is Ken Haddad and I am here on behalf of the American
14 Sportfishing Association, the trade organization for the
15 sportfishing industry, and I appreciate the opportunity to
16 provide comments.

17
18 I am speaking primarily to Amendment 28. We do appreciate that
19 the council added two new alternatives for consideration at the
20 last meeting and we ask that you accept the Reef Fish
21 Committee's recommended preferred Alternative 9.

22
23 You now have compelling evidence, scientifically vetted by the
24 SSC, that concludes a long-term underestimate of the
25 recreational landings and a change in size selectivity. The
26 recalculation of allowable catch based on these data has
27 produced additional quota.

28
29 The increase in quota found in Alternative 9 is based on those
30 changes in the recreational sector and not collective changes in
31 the entire fishery. Although it's already been happening, there
32 is not a real good rationalization that this defined increase in
33 allowable catch should not be invested back into the
34 recreational sector.

35
36 For the landings recalibration, this is simply unarguable. The
37 argument that size selectivity is analogous to the generic
38 benefits of management I don't think is the case. For every
39 pound increase in size selectivity, there has been concurrent
40 reductions in fishing days for the recreational sector.

41
42 We are managed by bag limits, size, and season and not by IFQs
43 and so even in the face of increasing stocks because of size
44 selectivity, the fishing days for the recreational sector has
45 been continually and substantially reduced.

46
47 We have always argued that the recreational sector is managed
48 under a commercial-driven system and it creates problems in the

1 recreational fishery. In essence, the recreational sector has
2 been penalized for substantially and contributing to the
3 increase in stock and, in fact, this very situation has created
4 the additional growth or quota.

5
6 I would venture to guess that if size selectivity in the
7 recreational sector went down and required a reduction in quota,
8 the argument would be that that reduction should stay within the
9 recreational sector.

10
11 Finally, when considering economic efficiencies, your Appendix G
12 in the Amendment 28 states the following. Now this has to do
13 with economic efficiencies. The economic efficiency and
14 analysis shows that on economic efficiency benefits to the
15 nation could be increased by redistributing some of the
16 commercial -- Quota from the commercial to the recreational
17 sector. In general, the larger the share of quota redistributed
18 to the recreational sector, the greater the benefits to the
19 nation.

20
21 This is understandably not the sole component in your decision
22 making, but we ask that you realize that there is an appendix in
23 your document that has an economic efficiency analysis and it
24 needs to be part of your decision. Thank you, Mr. Chairman.

25
26 **CHAIRMAN ANSON:** Thank you, Ken. We have a couple of questions
27 over here, Ken. Mr. Pearce, followed by Mr. Sanchez.

28
29 **MR. PEARCE:** Ken, thanks for your presentation and a couple of
30 questions for you. The first one is that in a lot of the
31 discussions we've had -- Would you support the development of a
32 private recreational fisheries management amendment that helps
33 take us away from a derby fishery and maybe figures out a
34 different way to stretch that harvest out?

35
36 **MR. HADDAD:** We believe we need to move to a different
37 management construct. Honestly, under the current structure of
38 Magnuson, I don't know if that can work, but we are open for
39 discussion on that and moving forward, yes.

40
41 **MR. PEARCE:** That would be good and second, a follow-up, or it's
42 more of a comment. You mentioned the economic efficiency and I
43 think that same report also said that in order to get
44 reallocated that you still had to get your house in order and
45 you had to be more accountable and so I think there's both sides
46 of that story.

47
48 Again, when it comes to recalibration, I believe that there's

1 two sides to the equation and that we have to consider the
2 growth and the fresh fish for the consumers in the country too
3 that eat at the table and, look, I understand recalibration and
4 I'm not against what's going on, but I think there's two sides
5 to that equation and we need to look at that. Thank you, Ken.

6
7 **MR. HADDAD:** Thank you and if I can respond to that second
8 question, we feel we have got our house in order at great
9 penalty, which is a 20 percent set-aside and buffer to keep us
10 from going over quota. We believe we have sacrificed to get our
11 house in order in the best method we can under the current
12 structure we're operating under.

13
14 **CHAIRMAN ANSON:** John, do you have a question?

15
16 **MR. SANCHEZ:** Yes and I'm all in agreement for trying to give
17 groups as they come forth and try to be accountable, given the
18 present dilemma everybody is in with red snapper, the ability to
19 create their management schemes and constructs, such as -- Not
20 such as, but as the commercial group did with their IFQ.

21
22 They become accountable and they are managed and they're staying
23 within the confines of their allocation. The charter boat
24 folks, the for-hire folks, they have come up with a notion to
25 try to do the same thing for them and I am all for an Amendment
26 39 giving the recreational, the private sector, their ability to
27 try to come up with something meaningful that keeps them
28 accountable in a way that allows them the best success, the most
29 access and everything, but I don't want to mix the two anymore.

30
31 It seems like each group has respectively stepped up to the
32 table, and this is my opinion, and tried to go forward and do
33 something meaningful in terms of accountability and I will work
34 with you to the end if we keep this Amendment 39 purely a
35 private recreational issue and so I don't know if you are
36 agreeable to that and my question would be in your intent, when
37 you view Amendment 39, would you see these two groups together,
38 for-hire and recreational, in terms of allocation issues and
39 such or would you be willing to separate them and give you guys
40 the same opportunity to create your own scheme of management?

41
42 **MR. HADDAD:** We would argue that the two should remain together
43 for management in 39 and that there are ways to manage them
44 differently within that framework.

45
46 **CHAIRMAN ANSON:** We have one more question for you, Ken.

47
48 **MS. BOSARGE:** Just out of curiosity, why is it that you want to

1 remain with that for-hire sector? It's just me looking at it
2 from an outsider. From the commercial side, you seem very
3 different.

4
5 **MR. HADDAD:** From the sportfishing industry perspective, there
6 is a broad recreational sector and we believe that we need to
7 operate together and solve our problems together. There are
8 businesses and we understand the charter for-hire is a business
9 that takes recreational fishermen out. We just look at it as
10 another vehicle to bring out the recreational fishermen and we
11 need to look at solving our problems together, frankly, and we
12 have offered to do that on many occasions.

13
14 **CHAIRMAN ANSON:** Just to let council members know, we have about
15 fifty cards at three minutes per and that's about two-and-a-half
16 hours without question and answer. I am just letting you know.
17 Bob Zales is up, followed by Jim Zurbrick. Jim, you supplied
18 two cards, but we're just going to give you one time's worth.
19 Thank you.

20
21 **MR. BOB ZALES:** Bob Zales, II, President of the Panama City
22 Boatmen's Association. When it comes to amberjack, I suspect
23 you all have gotten a handful of emails from people around
24 Panama City.

25
26 The March to May closure is not acceptable to us in Panama City,
27 Florida. By doing that, what you're going to do is you're going
28 to make the spring season, which we try to struggle through,
29 limited to red porgies, vermilion snappers, and red grouper and
30 every great now and then, it's the Spanish mackerel and
31 sheepshead, maybe. That fishery is needed for this time of the
32 year and so the June/July closure, even though they're not
33 really happy with that either, is more acceptable.

34
35 The thirty-four-inch size limit, some of them want thirty-four
36 and some of them would rather see, including me, the stepped-up
37 move to thirty-four. Do thirty-two and then thirty-four. In my
38 opinion and from my experience from fishing jacks and years ago
39 and tagging hundreds of them, the bigger that jack gets, the
40 more stressed he gets in the fishing activity and the more
41 likely it is to die.

42
43 By moving from thirty to thirty-four immediately, you are going
44 to kill a lot of fish and there's going to be a lot of people
45 out there trying to catch that thirty-four-inch that are going
46 to be throwing fish back.

47
48 Between what dies naturally from stress, you are going to have

1 the marine mammals, the dolphins, out there grabbing them and
2 taking them away and so that's going to be a problem. I think
3 it will be more successful and better for the resource to do it
4 in a stepped system.

5
6 The decals, Dr. Crabtree and I agree on this and that's a rare
7 thing. The decal, in my opinion, is useless. To enforce it,
8 and when Dr. Crabtree did the little permit around the table, he
9 didn't really do it the way it needs to be done, because you
10 need to be moving it around, because when you're on the water
11 and an enforcement guy is looking for it, he's not looking at a
12 steady sign. He is looking at a move.

13
14 Any time that I have ever been boarded, I have never once had an
15 enforcement person ask about the decal. They want to see the
16 permit and so it's more money in their pocket to help them do
17 other things that might benefit us and so I don't -- I think you
18 just need to go along with getting rid of it and put it back on
19 the table.

20
21 There is a problem that we hear all the time now about the
22 recreational fishery being unaccountable and that is not true.
23 We are managed by a bag limit and we are constrained by a bag
24 limit and a size limit and we fish that bag limit according to
25 the quota that we get.

26
27 The Fisheries Service is at fault for any excesses that the
28 recreational sector has done, because of the data system that
29 clearly does not work. So that needs to be fixed and the
30 recreational sector doesn't need to be punished for that and be
31 told we're not accountable all the time, because clearly we are.

32
33 Every fishery out there right now is accountable, because they
34 are all constrained by regulations in everything that they do
35 and, with all due respect to Jason, he doesn't represent me or
36 my family as a charter fisherman and I support reallocation.
37 Any questions?

38
39 **MR. PEARCE:** Thank you for your candid comments, as always. One
40 comment I've got that National Marine Fisheries is not doing its
41 job, it seems like Roy keeps chasing his tail backwards with
42 less days and less days to try and keep people accountable.

43
44 **MR. ZALES:** I'm sorry, Harlon, but can you speak up? I can't
45 hear you.

46
47 **MR. PEARCE:** Yes. Dr. Crabtree and his staff keep trying
48 desperately to keep the recreational sector accountable and keep

1 them doing your job correctly, but as we cut days back and back
2 and back, we still haven't solve the problem and so I think we
3 have to look at different ways, other than just what we've done
4 in the past, to help solve that problem and that's why I'm a big
5 advocate of a private recreational fishery management amendment,
6 to try and figure out different days, different ways, in these
7 derby fisheries, because it is clearly not working to keep these
8 days going back and as the states become unaccountable, it just
9 makes that job a bigger and bigger job for Roy to solve and he
10 is trying. I know he is, but it's not happening.

11
12 **MR. ZALES:** No, I agree with you 100 percent. I told you when
13 you got on that campaign when you first got on this council that
14 I would stand behind you 100 percent to try to change it and
15 you've done an excellent job in trying to do so, but we are
16 still right there where we were when you started. It's a big
17 nut to crack.

18
19 **CHAIRMAN ANSON:** Thank you, Bob. Jim Zurbrick, followed by Tom
20 Steber.

21
22 **MR. JIM ZURBRICK:** Thank you, council, for allowing me to speak.
23 My name is Jim Zurbrick and I'm from Steinhatchee, Florida and
24 I'm the owner of two boats and the owner/operator of one of them
25 and a fish dealer.

26
27 You guys need to get some larger dinnerware, because you've got
28 a lot on your plate. Lord, I am -- I mean I've got a list here
29 and it's a laundry list. Allocation, I am for status quo. This
30 is a political decision. This is not a fish decision. You all
31 know it and you search your hearts. Those of you that really
32 understand it and search your hearts, you can come up with all
33 the kind of excuses that you can.

34
35 You have heard some comments that the recreational fishery is
36 accountable. Once again, you can change the definition in
37 people's minds, but actually what's accountable is what the
38 commercial sector has achieved in red snapper management and
39 what the charter for-hire is getting ready to do. [Those are
40 the standards. Those are the definitions of accountability.

41
42 As for gag grouper, listen, I fish for gag grouper. I live in
43 the heartland of the estuary of gag grouper and there's a
44 problem, regardless of what the data says. I have to go on
45 record of saying Jim Zurbrick, by what I've been catching, it's
46 less than ever and I have got effort and there is something
47 wrong.

48

1 Of course, we had the red tide up in my area, but Gulf-wide our
2 landings are down. Look at the landings. The proof is in the
3 pudding in the landings in this case. The Headboat
4 Collaborative gave you some gag landings and they were
5 disappointing.

6
7 If you're going to do something, because I understand that, once
8 again, there is political pressure to give the recreational
9 fishermen more days and more fish, and that's what this is about
10 and we understand, but the commercial sector, and I probably
11 speak for many of them, keep it or give us very little, if you
12 have to.

13
14 Also, amberjack and a council member said that he had heard some
15 comments about amberjack commercially being a 2,000-pound trip
16 limit. I don't get enough days. I do some spearfishing trips
17 and I have interactions with jacks and I would like to see jacks
18 stay open as long as they can to cover some of these
19 interactions.

20
21 You catch a fifty or sixty-pound jack and it's got some monetary
22 value and right now, I am throwing it back. Mr. Zales was right
23 about some of the stress these bigger fish have, but I would
24 like to see it go 1,500 pounds and I know it does hurt some of
25 those people who are counting on them, but I think it does
26 better good by allowing a longer season.

27
28 Regional management, let the recreational, the truly
29 recreational, not like what the sport boat industry might lead
30 you to believe, but we know what happens. We've been around and
31 once it's in their group, they can pick away at it. Let's get
32 the private recreational separate and let them come up with
33 their own management plan and leave everyone else to stand
34 alone.

35
36 **CHAIRMAN ANSON:** Jim, your time is up.

37
38 **MR. ZURBRICK:** Okay and I thank you.

39
40 **CHAIRMAN ANSON:** Thank you. Mr. Pearce.

41
42 **MR. PEARCE:** Real quick, Jim. You're a charter boat and you're
43 against reallocation and you're a charter boat and you don't
44 want to be in Amendment 39 and you want it private recreational
45 only and is that right?

46
47 **MR. ZURBRICK:** Yes.

48

1 **CHAIRMAN ANSON:** Thank you, Jim. Tom Steber, followed by Chris
2 Niquet.

3
4 **MR. TOM STEBER:** I am Tom Steber, President of the Alabama
5 Charter Fishing Association, the GM of Zeke's Landing Marina,
6 Zeke's Charter Fleet, and Gulf Shores Marina. I am just going
7 to reminisce a little bit.

8
9 I spent twenty-three years in the retail business before I got
10 in the fishing business. I managed and bought for Gayfers and
11 Maison Blanche Department Stores, which most of you will
12 remember twenty-five years ago, before Dillard's bought them.

13
14 In 1995, I got in the marina business and I moved back to
15 Baldwin County and, at the time, Zeke's had twelve to fourteen
16 charter boats and today, we've got forty-plus charter boats and
17 have struggled.

18
19 In 2010, the BP oil spill hits us and put us all out of
20 business. Most of the charter boats were able to make a decent
21 living not doing what they wanted to do, but they made a living
22 and got through the BP deal and actually came out pretty good.
23 Zeke's was not that way.

24
25 We still have \$5.3 million worth of claims that are pending and
26 that's BP that has made us all hold. In 2014, Zeke's filed for
27 Chapter 11 and this past January, we are now owned by the bank,
28 which I work for the bank and it's working out fine for now. I
29 think everything will be just fine before it's all over with,
30 but it kind of tells you where we've gone.

31
32 I want to thank you very much for passing Amendment 40. It
33 gives the charter industry a light at the end of the tunnel. We
34 have to have the ability to manage our own business and I can
35 see that coming now. We agree with state management for private
36 anglers only. We feel like the charter boats have to be managed
37 by federal, along with commercial and along with headboats.
38 Thank you.

39
40 **CHAIRMAN ANSON:** Thank you, Tom. Mr. Pearce.

41
42 **MR. PEARCE:** Thank you, Tom. You are the head of the Alabama
43 association, right?

44
45 **MR. STEBER:** Correct.

46
47 **MR. PEARCE:** How many boats are in your association?
48

1 **MR. STEBER:** We have eighty-eight charter boats, permitted
2 charter boats.
3
4 **MR. PEARCE:** Those eighty-eight want to come out of Amendment 39
5 and leave the private recreational in and what is your position
6 on allocation, 28?
7
8 **MR. STEBER:** What do you mean?
9
10 **MR. PEARCE:** Amendment 28, are you for reallocation?
11
12 **MR. STEBER:** No, I am not. You know the commercial industry has
13 done what they're supposed to do and it just doesn't make sense
14 to take it away from them. I agree with the gentleman before
15 and if there's pounds that they don't need, then use it as a
16 buffer. Don't award it to somebody that can't be accountable.
17
18 **MR. PEARCE:** Okay. You've got eighty-eight boats in your group
19 and that's what they want?
20
21 **MR. STEBER:** Yes.
22
23 **CHAIRMAN ANSON:** Next we have Chris Niquet, followed by Mike
24 Whitfield.
25
26 **MR. CHRIS NIQUET:** Hello. My name is Chris Niquet and I'm from
27 Panama City, Florida. I am part of the group that holds 70
28 percent of the IFQ allocation, with the charter boats holding
29 the other part, and I am not in support of any reallocation.
30 That would be the first choice, a. I guess it would be called
31 Alternative a. I cannot support it, because of National
32 Standard 4.
33
34 I don't know if any of you have looked it up, but National
35 Standard 4 says reallocation cannot be reasonably calculated to
36 propose conservation. Now, if anybody here on this council can
37 tell me how this reallocation can propose conservation, I am
38 here for the next two minutes and one second.
39
40 Next, I support full retention of red snapper and elimination of
41 the minimum size limit. I don't know exactly how you're going
42 to do it and I don't know if it's going to be cameras on the
43 boats, but I know you're going to have to have some kind of a
44 way to account for all the reef fish and the red snapper coming
45 in.
46
47 I don't know what they do with the very small snapper. That
48 isn't a problem in the eastern Gulf. We've got big fish there

1 and so that's a problem to be eliminated. I support the use of
2 industry quota banks. It will help stop discarding the snapper
3 they catch in the eastern Gulf and it will give the industry a
4 chance for the new entries to come in and get some allocation
5 and get some shares and start their own business and become part
6 of the fishery.

7
8 I support elimination of the crew size requirements on dually-
9 permitted vessels. I think there's 140 or 170 of them and there
10 is no need for it anymore. There is no derby fishing in the
11 commercial fishery.

12
13 I oppose these things: adding more restrictions on who can hold,
14 access, transfer, and catch red snapper; creating additional
15 caps in the red snapper industry; increasing capacity at this
16 time, because the fishery is not rebuilt. I think everybody
17 here says it hasn't been rebuilt.

18
19 The use-it-or-lose-it provisions, I don't know how you can take
20 a man's allocation away just because he isn't using it and I
21 strongly oppose withholding allocation at the start of the
22 fishing year. Thank you very much for your time to speak.

23
24 **CHAIRMAN ANSON:** Thank you. Mr. Pearce.

25
26 **MR. PEARCE:** Thank you, Chris, for your comments. I am a little
27 confused about your first one on allocation. You said
28 Alternative a, but do you mean Alternative 1, no action?

29
30 **MR. C. NIQUET:** Alternative 1, no action at this time.

31
32 **MR. PEARCE:** Okay and what is your position on Amendment 39,
33 regional management? Do you want the charter boats out of that
34 amendment?

35
36 **MR. C. NIQUET:** I would think that 39 would be best if the
37 charter boats were out of it and they had their own management
38 system in place, so they could further enhance their business
39 opportunities. Instead of being in a derby-style fishery, they
40 would be able to choose when to go, because of bad weather
41 concerns or breakdowns or lack of business or several other
42 factors.

43
44 **CHAIRMAN ANSON:** Next we have Mike Whitfield, followed by Bob
45 Spaeth.

46
47 **MR. MIKE WHITFIELD:** Mike Whitfield from Lynn Haven, Florida, a
48 commercial fisherman for over thirty-five years in the red

1 snapper business and an AP member. First, 1,500 pounds on
2 amberjacks is, I think, a reasonable amount for the amberjack.
3
4 Amendment 36, we have done everything in the IFQ industry to
5 have a good system and we have one or two flaws, but they are
6 being worked out and so I don't see any need for Amendment 36.
7
8 That brings me to Amendment 28. Amendment 28, I am going to go
9 back a few years with you. Back in the 1980s, late 1980s, we
10 want to a twelve-inch size limit that took 30 to 35 percent of
11 my production away from my vessel at that time.
12
13 Two or three years later, we went to a thirteen-inch size limit
14 and that took about another 12 to 15 percent of my production
15 away from my vessel and all the rest of these boys was fishing
16 back in those days. Myron can tell you, because he's seen a lot
17 of it out of Grand Isle.
18
19 It took the production away from us, because we deal with a
20 small fish. This is the reason these fish has come back. We
21 have paid our dues and that's over 45 percent, at least, that we
22 have put back in this industry to build this industry up and now
23 you want to take fish away from us and we have done everything
24 we can do to help it, to increase it, and then you take fish
25 away from us and you're taking fish away from the American
26 public that can't go catch them and so you're taking fish away
27 from them just to satisfy another day or two of fishing and that
28 does not make any sense, to me.
29
30 Then you've got this buffer sitting here that there's 20 percent
31 of their fish sitting aside because you can't figure out how to
32 get to use them. If you would figure out a way to use that 20
33 percent of their buffer and put it over there where it ought to
34 be, that would cover anything that you want to take away from me
35 as a commercial industry and I've been doing it for forty years
36 and my family has been doing it for pretty close to ninety years
37 in the commercial red snapper fishery.
38
39 In the late 1980s, you had approximately thirty-five boats that
40 was considered as snapper fishing vessels and I was one of them
41 and Russell Underwood was one of them. You didn't have that
42 many vessels. If you had went with a big -- If you had went
43 with a 20,000-pound when they first started the endorsement, you
44 would have probably had about twelve or fifteen boats, period,
45 and they all fish west of the Mississippi River and I was one of
46 them.
47
48 I don't see taking fish away from one group that has added to

1 this industry for the last thirty years just to satisfy one or
2 two days of fishing. Thank you.

3
4 **CHAIRMAN ANSON:** Thank you. Bob Spaeth, followed by Eric
5 Brazer.

6
7 **MR. BOB SPAETH:** My name is Bob Spaeth with the Southern
8 Offshore Fishing Association. It was formed in 1976
9 representing commercial fishermen. I want to remind the council
10 that when the rebuilding plans were made the council had to
11 decide on constant catch or constant F. The council chose
12 constant F, which is take the pain now for the gain later, and
13 told the industry to take the pain now and you will gain the
14 rewards in the end.

15
16 The industry took the pain and now you want to reallocate those
17 fish to a sector that overfished and doubled their quota for
18 over ten years with no penalty. The commercial consumers were
19 held to strict quotas and accountability. I guess you could say
20 the commercial industry did more to rebuild the stocks than
21 anyone else.

22
23 Now comes the reward time and some want to change the game.
24 Tell me how you can justify breaking the word of the council and
25 giving the fish to a sector that's unaccountable and still is
26 unaccountable and, under Option 8, the recreational will gain
27 one day and the consumer will be denied 240,000 dinners. How
28 does this make commonsense?

29
30 We realize that the recreational fishery is important to the
31 economy. The recreational sector has most of the fish now.
32 Blue marlin, they have 100 percent. White marlin, 100 percent.
33 Sailfish, 100 percent. Amberjack, 73 percent and 20 percent
34 commercial. Kingfish is 70 percent recreational and 30 percent
35 commercial. Gag grouper is 65 percent recreational and 35
36 percent commercial. Red snapper is 49 recreational and 51
37 commercial and red grouper is 24 recreational and 74 commercial.
38 Sea trout is 98 percent.

39
40 The regulations forbid the sale of recreational fish and that
41 leaves the commercial fishing the only access for the consumer,
42 the biggest user group to get fresh fish. All the citizens of
43 the U.S. have a right to those fish and not just the 3 percent
44 who have the wealth to own their own boats.

45
46 Eventually the truth will come out and the consumer will pay
47 more for the fish and have less access, because of a few wealthy
48 individuals that want to grab the resource that belongs to all.

1 We ask the council to keep its word that if we're going to look
2 at reallocation that we need to put all the fish on the table
3 and look at fair distributions.

4
5 As you see who is getting the majority of the fish, it does not
6 look very balanced to me. The most sensible thing is to
7 straighten out the problem and one or five days is not the
8 solution. Fix the problem of the science, the timing, the
9 money, the modeling.

10
11 There is a 30 percent recreational TAC and if you eliminate that
12 or give them 15 to 20 percent more fish, the problem would go
13 away. Everybody in this room does not believe --

14
15 **CHAIRMAN ANSON:** Bob, if you can wrap it up.

16
17 **MR. SPAETH:** Okay. Wrapped up. Thank you.

18
19 **CHAIRMAN ANSON:** Thank you. Any questions? Thank you, Bob.
20 Eric Brazer, followed by James Bruce.

21
22 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman. My name is
23 Eric Brazer and I'm the Deputy Director of the Gulf of Mexico
24 Reef Fish Shareholder's Alliance. I represent some of the 70
25 percent of this fishery that holds red snapper allocation and
26 they do not support red snapper reallocation.

27
28 I stand for the 97 percent of the over 300 million Americans
29 that own this resource, but don't catch it, and I do not support
30 reallocation and a majority of them, we believe, do not support
31 reallocation.

32
33 For some reason, the five state directors here, the ones in
34 charge of representing the commercial and recreational fishermen
35 in their state, they appear to want reallocation. Yet, you have
36 heard from the fishermen at these meetings that they do not want
37 reallocation.

38
39 70 percent of the allocation is held by those who do not want
40 reallocation. The fishermen in this room do not want
41 reallocation. The seafood-consuming public does not want
42 reallocation. We cannot make it any clearer than that.

43
44 That being said, the red snapper IFQ is working. It is helping
45 rebuild this resource and it's helping achieve optimum yield,
46 reduce capacity, and eliminate the derby. It's doing what it's
47 supposed to do, what it's intended to do, and the five-year
48 review confirmed that.

1
2 We don't want wholesale changes to the IFQ. We do not want more
3 restrictions on who can own, lease, transfer, and catch red
4 snapper. We don't want additional caps. We are not in a fleet
5 expansion mode yet, because red snapper is not rebuilt.

6
7 We don't want use-it-or-lose-it and we don't want quota withheld
8 at the beginning of the year. We do want Amendment 36 to meet
9 the goals of the IFQ program and improve the performance of this
10 fishery. Amendment 36 should create opportunities for industry-
11 led quota banks, similar to what the Shareholder's Alliance has
12 done thus far, and I am happy to talk about that with anybody.

13
14 It should start the discussion on full retention of red snapper
15 to eliminate the discard problem. It should improve hail
16 requirements and crack down on illegal poaching. It should
17 eliminate crew size restriction on dual-permitted vessels,
18 because they are not necessary, and it should prioritize a
19 federally-backed quota loan program that you started to help
20 stabilize and grow fishing businesses without hurting others.

21
22 We want to protect gag grouper and we don't believe that
23 doubling the quota will do that. You have heard from fishermen
24 that they're not catching them, because we believe the
25 assessment is too optimistic. We would like a more conservative
26 TAC increase or keep it at status quo.

27
28 We want regional management to work for the private angler. We
29 support Action 2, Alternative 2 and we hope you will take every
30 opportunity to expand the hugely-successful Headboat
31 Collaborative Program any chance you get. Commercial and
32 charter fishermen stand for accountability, sustainability, and
33 profitability and we hope that you do too. Thank you very much,
34 Mr. Chairman.

35
36 **CHAIRMAN ANSON:** Thank you, Eric. Mr. Pearce, followed by Mr.
37 Walker.

38
39 **MR. PEARCE:** You didn't discuss Amendment 39 and what is your
40 organization's position on regional management? Should we take
41 charter boats out of that amendment?

42
43 **MR. BRAZER:** We support regional management for the private
44 anglers.

45
46 **MR. WALKER:** Eric, you mentioned about the quota bank and could
47 you tell us a little bit about the quota bank?

48

1 **MR. BRAZER:** Sure thing, if I may, Mr. Chair. The quota bank is
2 a concept that's used elsewhere in the United States. I spent
3 nine years working in New England developing one up there and it
4 has worked in Morrow Bay and it's worked in Alaska and it's an
5 opportunity for fishermen to come together and form a
6 cooperative and start to address fishery problems from the
7 ground up.

8
9 The Shareholder's Alliance has formed a quota bank. It's a
10 program of our organization and its goal is to help reduce red
11 snapper discards. We have allocation that has been donated,
12 outright donated, to this program that we are leasing to grouper
13 fishermen on the west coast of Florida to help cover and reduce
14 their red snapper bycatch.

15
16 We have accountability measures and we have an operations plan
17 and agreement and eligibility criteria. We have a contract that
18 they must sign and there is enforcement of this. We believe
19 this program can work. It's a ground-up, bottom-up, program and
20 we believe a model like this is perfect for the Gulf. It has
21 worked elsewhere and we want to try and make it work here.
22 Thank you.

23
24 **MR. WILLIAMS:** Eric, thank you. You mentioned that you would
25 want to see a full retention fishery for red snapper and how
26 would that work? A guy has no quota and a guy has a small fish
27 and how do you force a guy to keep a small fish and how do you
28 force a guy to keep it if he has no quota?

29
30 **MR. BRAZER:** That's why we wanted to start this discussion now.
31 Obviously it's going to be a lengthy one and it's going to be a
32 complicated one, but if done right, it will eliminate red
33 snapper discards.

34
35 It will, in some cases, force more selective fishing behavior
36 and it's going to require a lot of collaboration and cooperation
37 in the IFQ marketplace, but I think for those that want it, we
38 can find a way to make it work. Thank you.

39
40 **CHAIRMAN ANSON:** Thank you, Eric. James Bruce, followed by
41 Billy Archer.

42
43 **MR. JAMES BRUCE:** James Bruce from Cutoff, Louisiana, commercial
44 fisherman. Amendment 28, we took a cut in the fish when we went
45 to IFQs and recreational goes over all the time and I don't see
46 how you call could punish us and give them the fish.

47
48 If you all want it done right, you all do it right and separate

1 it three ways and manage them all three ways. They have got
2 three amendments on the table and when I first started to come
3 to these meetings ten years ago, they used to have three
4 options. On Amendment -- I don't even know the numbers no more,
5 but 36 they've got ten options with three preferreds, when they
6 only had three options to start off with.

7
8 Now, I know you all have got to keep you all's jobs and that's
9 how it is and making laws and all. The more laws you all make,
10 the more laws you all can haggle, but you all are making the
11 industry not work good. I am done been put out of catching
12 redfish already and then the TEDs come along and so we started
13 fin fishing.

14
15 When I first come to these meetings, I said, cool, we've finally
16 got a fishery that we don't go to do nothing and we can follow
17 the law and now, you all are pushing us in a corner and what are
18 we supposed to do? Can you all tell me? Can I go eat at you
19 all's houses after you all take my fish and give it to the
20 recreational? Who is going to feed the restaurants? Who is
21 going to feed me? Who is going to pay my bills? Thank you.

22
23 **CHAIRMAN ANSON:** Thank you, Mr. Bruce. Billy Archer, followed
24 by David Krebs.

25
26 **MR. BILLY ARCHER:** Billy Archer from Panama City, Florida. I'm
27 a third-generation fisherman and first off, I would like to
28 thank everybody here that voted for Amendment 40 to be passed.
29 That's a great way to start the New Year, having something to
30 look forward to.

31
32 I've got a little checklist here I would like to run down. On
33 the amberjack fishery, I support the thirty-four-inch size limit
34 and the June/July closure. I heard Captain Zales talk about
35 using it up a little at a time, but let's just go there.

36
37 I also support, as petty as it is, leaving the decals on the
38 boat. That's one way you can distinguish who is an active
39 charter boat and who is not.

40
41 As far as Amendment 39, I support Action 2, Alternative 2.
42 Regional management should be included for private anglers only.
43 Time and again, the charter fleet has presented a unified voice
44 that Amendment 39 should include private anglers only.

45
46 The for-hire industry in the headboat amendment should be
47 initiated and selecting and convening the advisory panels to
48 move forward for these amendments. Currently, due to the

1 council inaction, the highly-successful Headboat Collaborative
2 is facing a lapse in the ability to provide access to the
3 American non-boat-owning public.

4
5 Amendment 36 needs to focus on the goals of the IFQ system and
6 remove the size limit on dual-permitted vessels and create quota
7 banks to address discards and initiate a federally-backed loan
8 program and explore the full retention fishery. The red snapper
9 IFQ program is working and please leave it alone.

10
11 As far as gag grouper, I support either a more conservative
12 increase or no increase at all. We are not seeing these fish
13 and believe the assessment is too optimistic and the things I
14 oppose are adding more restrictions on who can hold, access,
15 transfer and catch the red snapper. I also oppose creating
16 allocation caps. The use-it-or-lose-it provision is unnecessary
17 and also withholding allocation at the start of the fishing
18 year. It makes no sense.

19
20 I support status quo for Amendment 28. Reallocation from a
21 fully accountable sector to a totally unaccountable sector just
22 does not make sense. Thank you.

23
24 **CHAIRMAN ANSON:** Billy, you have a question.

25
26 **MR. PEARCE:** Bill, thanks for coming. I appreciate your
27 presentation. As a charter boat, you are against reallocation
28 and you are for Alternative 1, which is no action?

29
30 **MR. ARCHER:** Yes, sir.

31
32 **CHAIRMAN ANSON:** David Krebs, followed by Mike Jennings.

33
34 **MR. DAVID KREBS:** Good afternoon, Mr. Chairman. My name is
35 David Krebs, owner of Ariel Seafoods in Destin, Florida. I'm an
36 IFQ shareholder, grouper/tile and red snapper. I am going to
37 start off gently and congratulate Dr. Dana and Ryan and Martin
38 Fisher for a wonderful King Mackerel AP that they held. I think
39 that the commercial industry, once again, came together and
40 found some solutions to better that fishery.

41
42 Having said that, here we are talking about Amendment 28 again.
43 I don't know what more I can say. My friend Mike Whitfield, who
44 I have known for thirty-something years, who speaks the truth,
45 couldn't have said it any better. Why? You have had a 300
46 percent increase, over a 300 percent increase, since 2008 in the
47 recreational quota and it's still not enough. Will it ever be
48 enough? The answer is no, because it's not about the fish.

1
2 It's about an agenda. The Florida net ban was about an agenda.
3 It wasn't about the fish. The American public deserves access
4 to this resource and if they don't have to buy a boat and they
5 don't have to get on a boat to go eat a red snapper dinner.

6
7 There are fewer and fewer wild-caught domestic fish available to
8 the American consumer every year. It's the status of our
9 fisheries. Most of our fisheries are rebuilding. We did take
10 the hard cuts and the sacrifices. Who came to this podium and
11 argued for a size limit reduction to reduce discards that were
12 dying?

13
14 As the other side was telling you, let's increase our size
15 limit, because we will get more days of fishing, because we're
16 only going to be tagged with the fish that we land at the dock.
17 It's time for the recreational community to step up to the plate
18 and fix their problem.

19
20 The charter industry, I can't thank you all enough for getting
21 Amendment 40 through. Let them manage their fishery. Let them
22 be accountable and as far as the economics to justify this
23 reallocation, one part of the story was Agar/Carter and we
24 talked about that and in this summary document, I talked to
25 Assane about it.

26
27 The rest of the story is left out unless you read your
28 appendices. The Buck/Carter threw it all out and you all know
29 that that were here and so let's keep reality reality and let's
30 do what's right by the fishery and let's do what's right by the
31 American public and put politics aside.

32
33 I mean what a great, great campaign that still went out as early
34 as three weeks ago and we're only getting one day of
35 recreational fishing and I heard that in Washington. We've got
36 to do something. We've got to change something. We're getting
37 one day of recreational fishing and where did that come from?
38 Sportsmen's lobby. It didn't come from the charter industry.
39 They weren't screaming give us regional management for one day.

40
41 Nobody ever mentioned about the states going noncompliant and
42 what that did to the federal season. Let's tell the truth. You
43 as a council quit being mocked and being said that you're
44 inefficient and ineffective and that you can't manage the
45 resource. Do your job right. Thank you.

46
47 **CHAIRMAN ANSON:** Thank you, David. We have Mike Jennings,
48 followed by David Veal.

1
2 **MR. MIKE JENNINGS:** Hello. I am Mike Jennings and I'm the
3 President of the Charter Fishermen's Association. I own and
4 operate two federal charter boats out of Freeport, Texas. I am
5 just going to hit on a couple of issues today, because they're
6 the hot button issues from the association standpoint.

7
8 Amendment 28, we do not support as a charter boat industry.
9 Without going into a long length of reasons that you continue to
10 hear and you're going to continue to hear today, the major part
11 is that it doesn't prevent recreational overfishing.

12
13 It doesn't guarantee the prevention of that overfishing and it
14 doesn't address any kind of a management plan that would address
15 the potential or perceived overfishing. We ask the council to
16 address those issues and then opinions may change on
17 reallocation.

18
19 Amendment 39, we support Amendment 39 for the private
20 recreational sector and we support it as long as Action 2,
21 Alternative 2 is the preferred. One of the issues with
22 Amendment 39 is what we've been hearing about this Gulf States
23 plan or this plan that the state directors have come up with.

24
25 My state director told me that it is what true regional
26 management would look like and in discussing that with other
27 state directors, a comment was made to me yesterday that I don't
28 know what's wrong with you guys and you hate -- You were here a
29 year ago saying you hate federal management and now you say you
30 hate state management.

31
32 I take exception to that. I have never stood at this podium
33 ever and I don't think a charter boat has stood up here, not in
34 my association, seven-hundred-and-twenty-something strong now,
35 that said we hated federal management.

36
37 We hated being tied altogether in that recreational sector while
38 being managed under totally separate and more stringent
39 regulations. All we asked was to be separated out so that we
40 could be managed in a way that fit our industry and provided
41 more access to the American people and it comes down with
42 regional management to what Corky has always coined as faith and
43 trust.

44
45 That's the problem with regional management. There is no faith
46 and trust. With 30B in place, the states have a track record of
47 state loopholes and opening up four-county grouper seasons.
48 They are crushing the triggerfish allocation for an entire year

1 all knowing how detrimental that was going to be to the charter
2 boat industry.

3
4 The states have zero track record of doing anything that
5 benefits the access of the majority of the American people that
6 access this fishery through our boats and turning that over to
7 the states under regional management, we just don't have that
8 faith and trust.

9
10 Amendment 39, Alternative 2 or Action 2, Alternative 2, I
11 support it all day long. We believe that every sector in this
12 fishery ought to be able to pursue an avenue that best fits
13 their fishery and the way that they pursue their fishery. We
14 have no objection whatsoever to Amendment 39 if the private
15 recreational sector wants to come to the table and work towards
16 a better management system, as we have done. By all means, we
17 will not stand in their way and will not oppose it. Thank you.

18
19 **CHAIRMAN ANSON:** Thank you. Mr. Pearce.

20
21 **MR. PEARCE:** Mike, real quick, because you were pretty clear
22 about what you want, but your charter boat organization, how
23 many members in your group?

24
25 **MR. JENNINGS:** A little over 720.

26
27 **MR. PEARCE:** 720. Are they all from Texas?

28
29 **MR. JENNINGS:** No, sir. They are from --

30
31 **MR. PEARCE:** Where are they from?

32
33 **MR. JENNINGS:** All the way from Brownsville. We have got
34 members at Port Isabelle, Brownsville, Texas and all the way
35 down to Venice, Florida.

36
37 **MR. PEARCE:** Okay and so you are pretty representative of what
38 the charter boat guys want across the Gulf, right?

39
40 **MR. JENNINGS:** Yes, sir. Private recreational anglers too. We
41 have a strong private -- We have private recreational members,
42 marina owners.

43
44 **MR. PEARCE:** How many active charter boats do we have in the
45 Gulf, active and not permits? How many active charter boats? I
46 had always heard it was 750 or so.

47
48 **MR. JENNINGS:** The best guess for any of us, I guess. We're

1 somewhere around 700 is what the best we've been able to come up
2 with from federal.

3
4 **MR. PEARCE:** You are pretty close and so you're against
5 reallocation and you want to be out of 39?

6
7 **MR. JENNINGS:** Yes, sir.

8
9 **CHAIRMAN ANSON:** Thank you. David Veal, followed by Captain Jim
10 Green.

11
12 **MR. DAVID VEAL:** I am David Veal with the American Shrimp
13 Processors Association, an association that has less than fifty
14 members from Texas to North Carolina. Yet, according to the
15 International Trade Commission, processes more than 70 percent
16 of all the warm water shrimp harvested in the Gulf and South
17 Atlantic. By far, the bulk of the members are in the Gulf.

18
19 This small group of people serve as the bank for the shrimp
20 industry, the largest single economic sector of the Gulf
21 fishery, and have more at stake, maybe, than any other single
22 group with the decisions you make involving the shrimp industry.

23
24 We are extremely concerned about the decision that is upcoming
25 about the number of permits and let me briefly tell you why.
26 Starting in 2000, we saw imports increase between 2000 and 2005
27 at 15 percent a year.

28
29 The industry won its first trade case in 2005 and we saw a
30 leveling out of that increase. In 2011, we filed another trade
31 case involving subsidies. It turns out that the Commerce
32 Department says that seven countries subsidize their industry to
33 the tune of one-and-a-half billion dollars a year. Of that,
34 \$250 million is WTO trade illegal. It means it directly impacts
35 a domestic fishery in another country.

36
37 If you combine that with two disasters, one natural disaster,
38 Katrina, and an oil spill and add to that a downturn in the
39 economy, we would argue that the shrinkage in the shrimp fleet,
40 which, by the way, we recognize was warranted, may not have been
41 impacted at all by the restriction on the number of impacts.

42
43 We would hope and encourage a thorough analysis of all of the
44 factors that might influence the fleet size before we start
45 making a decision about whether we need to reduce the number.

46
47 Now, we wouldn't suggest that the 1,900 number needs to be
48 increased, nor would we agree that the current number is

1 sufficient. We hope that there is room somewhere between those
2 that we can reach a number that we can all live with.

3
4 I must tell you that our industry is terribly concerned that the
5 size of the fleet is teetering on the point of impacting the
6 size or the level of harvest that is there. It is singly our
7 greatest fear among all the other things that we wrestle with
8 and until we have a thorough understanding of the relationships
9 between the fleet size, the moratorium, or the restriction on
10 permits, and all of the other driving factors, we would hope
11 that we can at least maintain the status quo. Thank you.

12
13 **CHAIRMAN ANSON:** Thank you, Mr. Veal. Mr. Pearce.

14
15 **MR. PEARCE:** Thank you, David, for coming. I really appreciate
16 you showing up here and talking. The council needs more
17 shrimpers talking before this board and that's for sure. I do
18 agree that a lot of the shrinkage of the fleet was because of
19 the horrific events that took place in the Gulf from 2005 to
20 2010 and so it really just wasn't people getting out because of
21 that, but we lost a lot of fishermen during that event and
22 shrimpers were a lot of them offshore and so this council -- You
23 said you wanted us to go somewhere in between those numbers and
24 is that correct?

25
26 **MR. VEAL:** Yes.

27
28 **MR. PEARCE:** Okay. We will take that into consideration, I'm
29 sure. Thank you.

30
31 **MR. VEAL:** More than anything else, we want you to thoroughly
32 consider what we think are the real driving factors for the
33 shrinkage of the fleet and that's the economic factors that have
34 influenced the industry. Thank you.

35
36 **CHAIRMAN ANSON:** Thank you. Jim Green, followed by Wayne
37 Werner.

38
39 **MR. JIM GREEN:** Chairman Anson and members of the Gulf Council,
40 thank you. My name is Jim Green and I'm the Vice President of
41 the Destin Charter Boat Association. On amberjacks, the DCBA
42 believes that the minimum size limit of thirty-four inches is
43 acceptable. It brings the mature fish in the stock to 85
44 percent.

45
46 In Destin, our fleet supports the closure of June and July. We
47 are far more dependent on amberjacks in the spring, fall, and
48 winter seasons than the summer months, because of the access for

1 red snapper and gag groupers.

2

3 If we are trying to rebuild the fishery, we believe that it's
4 more beneficial to have a mature stock at harvest rather than
5 allowing such a large number of fish to be removed from the
6 biomass in a sixty-one-day period. We believe that would hinder
7 the rebuilding effort.

8

9 The DCBA supports maintaining the requirements for decals on
10 federally-permitted vessels. We support Amendment 39 and moving
11 forward with Alternative 2 becoming the preferred alternative of
12 Action 2. We believe that each sector should have the right to
13 pursue flexibility in their fishery.

14

15 The DCBA would like to see scoping documents created on
16 Amendments 41 and 42 before the next council meeting. We would
17 like to see staff's numbers and alternatives on what the
18 framework would look like, especially considering flexible
19 management. It would allow for stakeholders to begin to address
20 any logistical discrepancies that may arise.

21

22 The DCBA would also like to request the Gulf Council charge and
23 convene the For-Hire and Headboat APs before the June council
24 meeting, if possible.

25

26 On Amendment 28, the DCBA feels this is irresponsible to
27 reallocate at this time. To reward a sector that has bucked and
28 circumvented the process should not be a consideration. The
29 DCBA fully supports the voluntary, fully-funded VMS pilot
30 program. This is a fully-funded chance to test the system's
31 ability and we ask that all members of this council support this
32 opportunity. We need to find out if this works or it doesn't.
33 If it does, we have a vetted choice to look at and if it
34 doesn't, we have something to scratch off the list.

35

36 The DCBA membership is overwhelmingly in favor of ELBs and VMS
37 within the same unit, but there is other groups that want to
38 test different forms of ELBs that do not involve VMS and ELBs
39 are imperative and we are asking the council to initiate
40 multiple data collection pilots so that we can perpetuate the
41 implementation of such ELBs sooner than later.

42

43 The DCBA understands the logistical issues concerning a red
44 snapper split season and so we are emphasizing the importance of
45 our sector to uphold accountability. Please ensure our harvest
46 does not exceed our quota. It's very important for us to
47 demonstrate accountability and good stewardship. Thank you.

48

1 **CHAIRMAN ANSON:** Thank you. Jim, we have a question from Mr.
2 Pearce.

3
4 **MR. PEARCE:** Jim, thank you very much for coming. How many
5 members in your organization?

6
7 **MR. GREEN:** Right not we have somewhere around seventy-six.

8
9 **MR. PEARCE:** All right and you are against reallocation and for
10 not being in Amendment 39?

11
12 **MR. GREEN:** We definitely do not want to be a part of Amendment
13 39, but we support their actions to go forward. Reallocation,
14 with the growing recreational fishery, it's not a crazy
15 question, but I think we all need to get our ducks in a row.

16
17 I think that the imposed 20 percent buffer, because of the
18 lawsuit last year, is not the recreational sector getting their
19 ducks in a row. I think that's you forcing them to.

20
21 **CHAIRMAN ANSON:** We have Wayne Werner, followed by Bart Niquet.

22
23 **MR. WAYNE WERNER:** Wayne Werner, commercial fisherman out of
24 Leesville, Louisiana. I would like to support a 1,500-pound
25 amberjack limit, the first thing. Amendment 28, you haven't
26 listened to your advisory panels and you haven't listened to
27 your SESSC and I don't think you're going to listen to me, but I
28 am going to say it anyway.

29
30 You need to just drop this. Drop this, because it's really
31 creating nothing but animosity towards this council. Look. 70
32 percent of the fishery, like you've heard today, doesn't want
33 it. It's gone on and on and on and over and over and meeting
34 after meeting. Three or four people get up here or maybe two or
35 maybe one and ask for it and you continue on down the road.
36 Just status quo I where we need to go.

37
38 Amendment 36, you know we need to address some low-level
39 entrants to help some bycatch issues, which when you reallocate
40 the fish, it's going to make it much harder for us to address
41 that problem. There are actions for other actions.

42
43 If you took all my fish away from me today, I would probably
44 kill more snappers than I killed today fishing, because I would
45 have to try to make a living and I would have to cull through
46 them everywhere I go. I guess that's what this council wants.
47 I just don't understand it.

48

1 Other than that, I think you should kind of support the
2 shareholder program, because helping people address these issues
3 is very important. It's important to me and I would like to say
4 something about selectivity.

5
6 You know, I think this is a good way to hide some of the
7 problems that we had from the oil spill about five years ago.
8 You know it's just not the right thing to do. Whenever you
9 start looking at this, all of a sudden you're not looking at all
10 the age groups of the fish throughout the fishery. You are
11 trying to hide stuff again.

12
13 I mean it's time for this council to step up and do its job and
14 you know we have to be conservation minded. If we're not, we're
15 not going to have to worry about it after four years of
16 recruitment that we had and we're probably looking at five years
17 of recruitment that we had and we're going to have a problem.
18 With that, I would like to say thank you for your time.

19
20 **CHAIRMAN ANSON:** Thank you, Wayne. Bart Niquet, followed by
21 Mike Eller.

22
23 **MR. BART NIQUET:** I am Bart Niquet from Lynn Haven, Florida.
24 I've been fishing since 1946 full time and right now, I am a
25 commercial fisherman in the snapper program and to say I'm
26 shocked at the proposals and discussions that yesterday provided
27 us would be an understatement.

28
29 The fact that someone on the council actually put forth some of
30 these proposals is a clear indication that they either don't
31 understand the snapper program or they have another agenda.

32
33 One, it clearly doesn't protect the fishery. A program which
34 last year was considered a model for other councils is fast
35 becoming a disaster and you all should be ashamed of yourselves.
36 I am going to leave some of this out, because I don't think you
37 need that.

38
39 On proposals and alternatives put forth in Amendment 28, I say
40 no, status quo, or whatever it takes to wake you up. This whole
41 thing stinks and it seems to be something cooked up at some
42 back-room bar. Again, I say status quo.

43
44 On regional management, I am not for it, but whatever the
45 majority wants. Most of your problem with discards is the fact
46 that the TAC isn't high enough so that you have a full fishery.
47 If it was open, you would have no discards at all and everybody
48 could catch fish, but I don't know.

1
2 All I can say is if we're going to get any fish for June, don't
3 wait around to ruin the market again for the commercial fishery.
4 Give us the fish when we need it.
5
6 Amendment 39, it seems to be a good thing and I am for that. I
7 am glad the charter and headboats are getting a break. However,
8 you still have nothing done to regulate the only proportion of
9 the fishery that is making no effort to comply. Wake up. The
10 roses are wilting and you can't smell them anymore. Thank you.
11
12 **CHAIRMAN ANSON:** Thank you, Bart. Mike Eller, followed by
13 Russell Underwood.
14
15 **MR. MIKE ELLER:** Mike Eller, hailing from the world's luckiest
16 fishing village of Destin, Florida, thirty-fourth year,
17 consecutive year, as a Gulf fisherman. I support the thirty-
18 four inch size limit. We support keeping the closed season
19 during June and July. We did that so that that would have the
20 most impact. It would be irresponsible to move the closed
21 season and shorten the season for everybody else. I also
22 support a 1,500-pound trip limit.
23
24 We support the ELBs. The data collection is the one thing
25 everybody in this room agrees on. We don't need a VMS. No
26 problem. We need electronic logbooks and we need them right
27 now. On charter boats and on fishing boats, we are action-
28 oriented people. If this was my council or if I was in National
29 Marine Fisheries, I would walk into my data collector's office
30 and I would tell them that you're going to turn the wheel 180
31 degrees or I am going to fire you. That's how we do it in the
32 fishing business.
33
34 We see a problem and we fix the problem and so if our data
35 collection is the problem, somebody needs to get hold of them
36 and tell them to get their act together and start thinking
37 outside the box. Nothing personal, Bonnie.
38
39 The VMS pilot program, we need to support it for those who want
40 a VMS and want to collect that extra data that shows where
41 they're at and things like that. Don't fight them. If there is
42 a way to get this paid for by somebody else, don't fight them
43 and let them have their VMS. If the VMS -- We're going to have
44 our electronic logbook and it's either going to be in your VMS
45 or it's going to be on your Smartphone or it's going to be on
46 your iPad. All of those approved devices, great. Support them
47 and let them move forward and don't require them to have a VMS,
48 but if they want one, support their efforts to get it paid for.

1
2 Reallocation is irresponsible at this point. You know it's a
3 legitimate question as you start talking about the changes in
4 socioeconomics and the changes in population in our country, but
5 to reallocate from a fishery that got their ducks in a row to a
6 fishery that doesn't is just really ludicrous.

7
8 I mean the fact that you're even thinking about it is just
9 wrong. It's just plain wrong and so regional management, I am
10 afraid what's going to happen with regional management is it's
11 going to be a boom/bust cycle.

12
13 Here we are and we've all paid the price to rebuild this red
14 snapper fishery and we're paying the price to rebuild the gag
15 grouper fishery and the states have obviously shown that they
16 are more willing to give access, but at the same time, they are
17 not willing to do the hard work of collecting better data.

18
19 Here we all stand up here and gripe about the data and the
20 states are going to move forward and give more access, but they
21 are not going to do anything different than the federal
22 government is going to do and it's irresponsible. At least
23 Louisiana is saying, hey, we want to report everything.

24
25 If you want regional management, states, then you need to step
26 up and put your big boy pants on and you need to do it better
27 than National Marine Fisheries is doing it.

28
29 The decal, it allows us to police ourselves. You only need one
30 number on that decal and that's the expiration date. We have an
31 illegal fishery going on in the Gulf of Mexico and it's called
32 for-hire state boats that don't have a federal permit that go
33 offshore nine miles every single day. The state does not have
34 the resources to go after them and we need our decals and I
35 think that's about it. Thank you very much.

36
37 **MR. PEARCE:** Mike, real quick, a couple of quick comments.
38 First off, you're against reallocation and you want private
39 recreational only in Amendment 39 and not the charter boats?

40
41 **MR. ELLER:** I am against reallocation at this point, because it
42 just doesn't make any sense to take fish away from a responsible
43 -- Regional management, you know if the states want to work on
44 those private boat guys, I think it's a setup for failure. I
45 think it's going to turn us into a boom/bust. If that's what
46 the states want to do, then for it. I am not for us being part
47 of it though.

48

1 **MR. PEARCE:** Lastly, I am going to offend Bonnie, because she is
2 working hard with us, even this afternoon, to help get that
3 volunteer electronic reporting done soon, okay?
4

5 **MR. ELLER:** Fifteen years we've been working on this and we
6 would have it changed tomorrow if it was me.
7

8 **CHAIRMAN ANSON:** Russell Underwood, followed by J.P. Brooker.
9

10 **MR. RUSSELL UNDERWOOD:** Thank you, Mr. Chairman. I am Russell
11 Underwood. I live in Panama City, Florida, but I fish off of
12 Leesville, Louisiana. I've been down there for about thirty-
13 five years. I have a little small fleet of boats.
14

15 The first thing I would like to do is tell you that the red
16 snapper IFQ plan is doing well. It's probably the best recovery
17 stock in the Gulf, I believe. I think the decision you all made
18 on the Amendment 40, that's a good thing.
19

20 I just got a lot of concern about Amendment 28. I don't support
21 it at all. I think it's unfair. I think it's illegal. We
22 heard the committee yesterday talk about reallocation and, boy,
23 you ought to hear what they are talking about. The restaurants
24 in New Orleans all the way down to Key West are screaming and
25 the fish houses are screaming. What are we going to do?
26

27 You are taking fish from the American public and you all are
28 going to hear more about it. You know we've still got a ways to
29 go on this Amendment 28, but there is a lot of people upset
30 about this.
31

32 I have eaten in New Orleans and I have eaten in Key West and
33 they all have red snapper on their meals and stuff and so you
34 are going to hear a lot more about that, but back to amberjacks.
35

36 In the western Gulf, I think we should have a 1,500-pound trip
37 limit. I do not support Amendment 39, talking about regional
38 management. You have heard today that I don't want no part of
39 no state management. No part. You heard about the charter
40 boats and they don't want no part.
41

42 I have been and I will be quite honest with you. I have been
43 aggravated at the council before and maybe a little upset at Roy
44 a couple of times, but I have got more faith in Roy and this
45 council than I ever do for the states. That scares me. Like
46 the other speaker said, I am worried about where we're going
47 with this recreational management deal.
48

1 I appreciate you all's time. I think you all have done a great
2 job on the red snapper recovery and a great job. You all have
3 moved forward on Amendment 40 and I just believe that we need to
4 protect the American consumer and I do not support reallocation.
5 Thank you.

6
7 **CHAIRMAN ANSON:** Thank you. Mr. Perret.

8
9 **MR. PERRET:** Mr. Underwood, thank you again for testifying,
10 Russell. You trust Roy and National Marine Fisheries Service
11 and I guess the council more than the states. Give me a reason
12 why.

13
14 **MR. UNDERWOOD:** Well, I've been coming here for about thirty-
15 five years and I have sat on numerous advisory panels and I have
16 worked with Mr. Doug Gregory. I am one of the reasons and he is
17 one of the reasons we got the longliners outside of fifty
18 fathoms in the western Gulf. We had some problems and we fixed
19 it. We stopped the buoy fishing and I just have a lot of faith
20 in their scientists.

21
22 You talk about Philip Goodyear and remember what Philip Goodyear
23 said and we had to believe it for a long time and it was like
24 the second prophet? He would say killing all these big fish
25 will destroy this fishery and guess what? He was right. When
26 we had the buoy fishing and we had the longlining in the western
27 Gulf, the fishery failed to nothing. I was there and I saw it
28 with my own eyes.

29
30 What I am saying is we all have our disagreements, but I've got
31 a lot more faith in this council system and I have found my way
32 to Washington and they do listen to me and they know what you
33 all are doing and I am just glad to be part of this process and
34 I have got a lot of faith in you all and I really do, sincerely.

35
36 **MR. PEARCE:** Russell, I will ask you a direct question about
37 regional management. If you are put under the states, as some
38 of the discussions in Washington are going right now, do you
39 think the way you fish now will exist? Will IFQs disappear?

40
41 **MR. UNDERWOOD:** I am sorry, but I didn't fully understand your
42 question.

43
44 **MR. PEARCE:** In other words, I am concerned if the discussion in
45 Washington about the states managing all of our fisheries, the
46 commercial fishery and the charter fishery and the private
47 recreational fishery out to 200 miles, if the states get your
48 fishery and they begin managing your fishery, do you think that

1 your IFQs will stay in place?

2
3 **MR. UNDERWOOD:** No, I do not. If the states get regional
4 management for the commercial sector, commercial fishing is over
5 with, over with completely.

6
7 **CHAIRMAN ANSON:** All right. We have J.P. Brooker, followed by
8 Pam Anderson.

9
10 **MR. J.P. BROOKER:** Thank you, Chairman Anson, and thank you to
11 the council for the opportunity to give comment. My name is
12 J.P. Brooker and I'm with the Ocean Conservancy based in St.
13 Petersburg, Florida. I'm a recreational fisherman and my
14 fishing has been fishing commercially and recreationally in
15 Florida for six generations.

16
17 On behalf of our more than 120,000 members, I would like to
18 offer comments and recommendations specifically pertaining to
19 gag grouper. Ocean Conservancy recommends that the council
20 takes a precautionary approach and acts conservatively when
21 setting the gag ACL by selecting the status quo alternative in
22 Action 1.

23
24 Precaution is needed for gag on account of persistent
25 uncertainties facing the stock. Notably, there are considerable
26 uncertainties regarding the importance of males in the
27 reproductive success of gag. While there have been recent
28 strong recruitment events, there is also ample evidence that the
29 proportion of the older male stock has been severely depleted
30 over time and lacks protection.

31
32 Gag are protogynous hermaphrodites, meaning they are born female
33 and a portion of the population will become males, beginning at
34 age eight. The current stock assessment only considers the
35 female component of the stock.

36
37 It is critical to note that if the male/female stock model was
38 used, as opposed to the female only model currently in use, gag
39 grouper would be considered overfished.

40
41 The comprehensive study from 2008 indicates that when the
42 effects of removing males from the population is not fully
43 known, as is the case with gag, the stock should be modeled
44 using a combined male/female spawning stock biomass estimate.
45 Furthermore, most assessments of hermaphroditic species used a
46 combined male/female approach. The South Atlantic Fishery
47 Management Council, for example, uses the male/female spawning
48 stock biomass reference point for gag grouper.

1
2 The uncertainty windows presented in SEDAR-33 for gag only
3 includes uncertainty pertaining to the female only model.
4 However, a true picture of the uncertainty facing gag should
5 encapsulate both the female only model and the male/female
6 model. These uncertainties are of particular concern given the
7 fact that the recreational sector has struggled to catch its ACL
8 in several seasons since 2008.

9
10 The council should take these uncertainties into consideration
11 when setting ACLs for gag in 2015 and onward and should take
12 into account that an increase in the ACL may not be warranted if
13 the existing lesser ACLs and associated ACTs cannot be met.

14
15 Furthermore, analysis of why anglers should not be landing their
16 share of the quota should be undertaken in order to make
17 informed management decisions going into the future. In
18 addition, for Amendment 39, we recommend that the council select
19 Action 2, Alternative 2 as preferred.

20
21 This will benefit the recreational sector by allowing state
22 managers to create a red snapper regulations directly to the
23 recreational fishermen who target the species and this will
24 allow for expanded state discretion in setting bag limits,
25 regional closures, seasonal closures, size limits, et cetera,
26 all the way out to the 200-mile limit. Again, Ocean Conservancy
27 thanks you for the opportunity to give comment.

28
29 **CHAIRMAN ANSON:** Thank you, J.P. Pam Anderson, followed by
30 Randy Boggs.

31
32 **MS. PAM ANDERSON:** Dr. Crabtree, Chairman Anson, and council
33 members, I am Pam Anderson, Operations Manager for Captain
34 Anderson's Marina in Panama City, First Vice President of the
35 PCBA, and the fishery rep on the Bay County Chamber of
36 Commerce's Government Affairs Committee.

37
38 Our family has been taking passengers recreationally fishing
39 since 1935 and before that, they did commercial fishing since
40 the mid-1800s.

41
42 Yesterday, I had my office send a memo to our charter boat
43 captains to get their views on the Reef Fish Committee's vote on
44 the size and season for amberjack. They said they could live
45 with the size increase, but the change in the closure period
46 will be a real problem for them. It will cause the loss of many
47 trips they usually have in the spring.

48

1 They have little to fish for in the early spring except for
2 amberjack until red snapper are available. They prefer, if
3 there is a closure, for it to be in the summer, June and July,
4 when they have red snapper and grouper available. I believe
5 when this subject came up before that you received the same
6 comments from the majority of charter boat operators.

7
8 We ask that in the red snapper Amendment 28 you choose
9 Alternative 9. It states, in part, the percentage increase in
10 the recreational sector should be that amount attributable to
11 recalibration of MRIP catch estimates and the change in size
12 selectivity.

13
14 To choose this alternative sounds like great news and what we in
15 the recreational sector have been asking for for a while, more
16 quota for longer seasons for our recreational anglers and for
17 the reasons you've stated. This gives us a scientifically-based
18 reallocation which is welcome.

19
20 We care about the sustainability of this fishery, but we've been
21 managed the same as the commercial sector and, as you well know,
22 that model does not work fairly for the recreational sector.

23
24 We have, as a sector, requested better data collection for years
25 and to include our sector in it. It hasn't happened yet at the
26 council level, but the science appears to have improved and we
27 are thankful for that.

28
29 As you deliberate on the issues concerning the recreational
30 sector, please remember the groups that are here opposing this
31 reallocation measure. They are in the minority of the
32 stakeholders in the Gulf. The majority does not want sector
33 separation and they want more access to their natural resource.
34 They have paid their dues with the limited seasons and bag
35 limits and now they should be rewarded for what is obviously
36 their fair and equitable share of red snapper. In addition, we
37 are appreciative that the Amendment 39 for regional management
38 is moving forward. Thank you.

39
40 **CHAIRMAN ANSON:** Thank you, Ms. Anderson. Randy Boggs, followed
41 by Susan Boggs.

42
43 **MR. RANDY BOGGS:** Thank you all for having me here. I'm Randy
44 Boggs, Gulf Headboat Collaborative manager, but I am speaking on
45 behalf of myself today and I do own a charter boat, too. The
46 amberjack, closing those in the early part of the year would
47 absolutely be disastrous for us. That would leave us basically
48 with the cold water that we have off the Panhandle at that time

1 of the year -- It would leave us red porgies and vermilion
2 snapper and the vermilion are very finicky at that time of the
3 year and it would be really, really hard to sell a trip.

4
5 A thirty-four-inch size limit is no big deal. I wouldn't mind
6 seeing them go to a thirty-four or a thirty-six step or a
7 thirty-two, thirty-four, thirty-six, to keep the season open
8 longer.

9
10 I will tell you guys I got to see the stuff on the Gulf Headboat
11 Collaborative, all the stuff that Josh Abbot presented
12 yesterday, for the first time. I was very proud of the way that
13 came out. I think the program is working the way it did and it
14 was pretty great. Thank you all for the chance to try and
15 that's really all I have today.

16
17 **CHAIRMAN ANSON:** Randy, we have one question from Dr. Dana.

18
19 **DR. DANA:** Thanks, Captain Boggs. You may not know, but in your
20 querying of the Alabama charter boat fishermen, what is their
21 perspective on the decals for the for-hire federally-permitted
22 vessels?

23
24 **MR. BOGGS:** Thank you for reminding me. We've talked a lot
25 about a lot of things and we like the decals, but I have an idea
26 and it's kind of an off-the-wall idea. If we just put our
27 documentation number, like mine is 904088, if we just did like
28 the commercial fishermen and we put it on the side of our boat
29 and maybe, if you have a top on your boat, on the top and have a
30 certain color letter that's used only for charter boats.

31
32 Like if we did 904088 in blue or red, it would identify you as a
33 charter boat and then if they're going to board you for
34 enforcement issues, you still have to have your -- You wouldn't
35 have to have the sticker and take the burden of printing it off.
36 We could have a certain color letter that represented us and it
37 would be a safety issue.

38
39 They could tell who you were and they could tell you were a
40 charter boat. If the boat were in distress, you could see it
41 from the room and you could see it from the sides, the same as
42 the commercial guys display theirs. I think that would be a
43 great idea and it would take the burden of printing the stickers
44 off, because if enforcement is going to board you, they are
45 going to board you and they're going to look at your paperwork
46 anyway, but I do love the idea of being identified as a charter
47 boat, so we can know who has the numbers on and who doesn't.

48

1 **MR. PEARCE:** Randy, real quick, what is your position on
2 reallocation and what is your position on Amendment 39? Should
3 the charter boats be in 39?

4
5 **MR. BOGGS:** Charter boats, most charter boats, are federal
6 boats. We fish in federal waters and out of the 54,000 fish we
7 harvested in the Headboat Collaborative, all those fish, as far
8 as I know, were harvested in federal waters. We have always
9 been under the federal management.

10
11 I like the federal management system. It affords us protection
12 under Magnuson. It may be a slow process. We know that the
13 wheels of government grind very slow and there is huge mistakes
14 made as slow as they grind, but we found great success at the
15 council process and I think it's there and what was the other
16 question?

17
18 **MR. PEARCE:** Allocation. Where do you stand on 28?

19
20 **MR. BOGGS:** I would love to reallocate every fish in the Gulf of
21 Mexico to the American public. Everybody should have access to
22 the fish and the commercial fishermen have a great fishery.
23 They have been fully accountable and if we had electronic data
24 reporting, if we had logbooks -- I forget that the council
25 process changed.

26
27 I've been here a long time and when I first started coming here,
28 I didn't have to wear glasses and I had blonde hair instead of
29 gray hair and so I've been doing this a long -- I remember when
30 Corky had hair and so we've been here a long, long time.

31
32 My idea, ten years ago, was to split the Beaufort Program and
33 have a charter boat side of it and a headboat side of it. It
34 gives you everything and the system is already in place.

35
36 Guys, understand the charter for-hire industry and the
37 headboats, we don't mind paying for part of this stuff. If we
38 would like to see the management and the Science Center would
39 accept it, we don't mind. Guys, we buy two permits that cost
40 thirty-five dollars a year to participate in this fishery. I
41 can afford more than seventy-dollars for my permits.

42
43 Charge me a little bit more money for the permits and ramp up
44 the Beaufort Program, or a program similar to it, because it
45 gives you everything you need and I would love to see something
46 like that done, but that's kind of my opinions on it.

47
48 **CHAIRMAN ANSON:** Susan Boggs, followed by Ricky McDuffie.

1
2 **MS. SUSAN BOGGS:** Good afternoon. I am Susan Boggs and my
3 husband, Randy, and I own two headboats, a charter boat, a
4 charter booking office, and a dock store that sells fuel, bait,
5 and ice to both recreational and commercial vessels.

6
7 I support a thirty-four-inch fork length on amberjack and I also
8 support leaving the season closed for the months of June and
9 July. At this time, I cannot support any part of Amendment 28,
10 red snapper reallocation.

11
12 As far as Amendment 39, regional management, I support this for
13 the private recreational angler. The charter boats and
14 headboats do not need to be included in this amendment. I do
15 support some type of decal or identification mark to the charter
16 boats in the Gulf and I thank you for your time.

17
18 **CHAIRMAN ANSON:** Thank you, Ms. Boggs. Ricky McDuffie, followed
19 by Bobby Kelly.

20
21 **MR. RICKY MCDUFFIE:** I am Ricky McDuffie with Sea Hunter
22 Charters out of Orange Beach, Alabama. I have been in business
23 for thirty-eight years and I have two multi-passenger boats. I
24 am in favor of the amberjack thirty-four and the closure in June
25 and July.

26
27 We need to be able to have an open season. When people are
28 calling, we can't tell them everything is closed in the spring.
29 I mean we've got to have something, whether we can catch fish
30 that size or not. At least we can tell them the opportunity is
31 there.

32
33 As far as Amendment 28, I think we need to not -- I am not in
34 favor of that right now. As far as Amendment 39, private recs
35 only and keep the -- I am in favor of keeping the headboat
36 program going and learn from that and hopefully we can see the
37 light at the end of the tunnel one day. Thanks.

38
39 **CHAIRMAN ANSON:** Thank you, Ricky. Bobby Kelly, followed by Tom
40 Ard.

41
42 **MR. BOBBY KELLY:** Good afternoon, council. My name is Bobby
43 Kelly and I am from Orange Beach, Alabama. I own two federally-
44 permitted charter boats. First, I want to say how adamantly
45 opposed I am to the idea of Amendment 28. I actually think the
46 word "disgusted" would be a better term for it, even though I
47 would benefit from reallocation. I can't see how taking fish
48 away from a very accountable fishery benefits anyone

1 significantly and, in fact, if somebody on this council can tell
2 me how the reallocation, taking 3 percent, one pound, 100,000
3 pounds away from my commercial fishermen and giving it to the
4 private sector, private recreational angler, tell me how it's
5 going to benefit them. Anybody? All right. That's what I was
6 worried about.

7
8 Therefore, I think that the council -- Kevin Anson, you are my
9 state guy and I think you all should vote no. You should vote
10 for Alternative 1, no action, on Amendment 28. I don't know how
11 much more stronger I can say that. I am very opposed to it.

12
13 I believe that the actions that the council has made on greater
14 amberjack -- You guys are doing good there and I support the
15 thirty-four-inch fish. A June and July closure has worked good
16 for us. We've got other fish to catch. We've got red snapper
17 and so keep the closure during the month of June and July. I
18 think that's a good thing.

19
20 If the council decides to move forward with Amendment 39, I
21 think that's great. I think a lot of guys here want it. I
22 support Action 2 on Alternative 2, but it needs to be for only
23 the private recreational anglers.

24
25 All my charter for-hire brethren here behind me, we've done so
26 much work. A lot of legwork and a lot of time and a lot of
27 money has been spent to have us with our own program. Amendment
28 41 and 42, we need to start moving on that and you all stop
29 wasting time at this council dragging our feet on 3 percent of
30 this fish. There is other more important things to be taken
31 care of than trying to steal fish from my commercial fishermen.
32 It's not the best use of your time is what my dad would tell me.

33
34 If we've got a few minutes, you all start thinking about
35 triggerfish. Let's not get into this 2016 season and go, oh,
36 sorry, guys, but no more triggerfish this year either. Let's
37 get out in front of this. All right? Every guy in here wants
38 the same thing and let's do something on these triggerfish.

39
40 If it's one fish per person for 2016, so we can slow it down and
41 we can have access to these fish, every charter for-hire
42 operator in here will do it. Even my commercial fishermen have
43 already said, well, we would only catch twelve and so, once
44 again, they're ahead of the curve on this conservation issue.
45 You all do something for us and give us a fish to catch. Thank
46 you.

47
48 **CHAIRMAN ANSON:** Tom Ard, followed by Holly Binns.

1
2 **MR. TOM ARD:** Hello. I'm Tom Ard. I'm a charter boat
3 owner/operator out of Orange Beach, Alabama. I'm on the Board
4 of Directors of the OBFA and the CFA. My business, I usually
5 fish inside of twenty miles. I take tourists from all over the
6 country fishing.
7
8 We don't really have to catch a whole lot of fish, but we just
9 need something to catch. Me and Bobby have been talking about
10 the triggerfish idea because the triggerfish have really
11 exploded over the last couple of years and there's really a lot
12 of them out there.
13
14 I told him today we probably could have caught our two-person
15 limit every day this year not even trying, it seemed like. I am
16 really worried about the triggerfish and not having access to
17 these fish and so let's try to get ahead of this curve and don't
18 be like the red snapper, where the stock assessment is down here
19 and our catches are up here and it shuts off and we don't get to
20 catch them.
21
22 I am like the one fish per person and that's minimum. I would
23 like to see some paperwork on what a fifteen-inch sized fish
24 looks like or a sixteen-inch sized fish looks like, so we can
25 have access. Access is what we all need. They want to bring
26 something home or have the opportunity to bring something home.
27
28 Amberjack, I don't mind the thirty-four inches. Like I said, I
29 fish inside of twenty miles and so I probably won't be able to
30 keep one for the next few years if it goes straight to thirty-
31 four inches and so I kind of like the stepped system and maybe a
32 thirty-two and then go to a thirty-four and when the fish get
33 bigger, maybe even a thirty-six, but going straight to a thirty-
34 four would probably affect me a little bit, but we have that
35 access and we have that ability to maybe catch one and so I
36 could still sell that. If it keeps my season open longer, I
37 still have a fish to catch.
38
39 Amendment 28, it's not ready yet, not until we get more
40 accountable. I am not willing to put those fish into letting
41 the state seasons suck them up. I'm just not ready yet on 28.
42
43 On 39, I think that all the true recreational fishermen should
44 be managed by the states. I am for that. The charter for-hire
45 want to be managed by the federal and keep our federal permits.
46 That's what we want. We want to be separated from that.
47
48 We have Amendment 40 and thank you very much to the guys that

1 voted for that. Thank you. We have Amendment 40 and give the
2 private recs Amendment 39 and it will work out great. Let's see
3 what else I've got here.

4
5 Please keep working on a charter for-hire fish management plan,
6 something that would give my business flexibility and my
7 customers more access. There is that word again, "access". I
8 don't have to catch a full limit every day, but it would be nice
9 to catch three or four snapper all the time. It would be great.

10
11 Work on that redfish pilot. Like four or five years ago, I
12 think I was one of the first ones that said, hey, let's start
13 catching redfish in federal waters again. We're finally
14 starting to work that way and so let's keep that up. These
15 Mississippi charter boats, that's a big part of their fishery
16 and so let's help them out. I support research on some
17 descending devices and I use the Seaqualizer. I am starting to
18 do a video on that and --

19
20 **CHAIRMAN ANSON:** You need to wrap it up, Tom.

21
22 **MR. ARD:** Thank you very much.

23
24 **CHAIRMAN ANSON:** Holly Binns, followed by Martin Fisher.

25
26 **MS. HOLLY BINNS:** Good afternoon, Chairman Anson and members of
27 the Gulf Council. My name is Holly Binns and I represent the
28 Pew Charitable Trust. Thank you for considering our testimony
29 today on red snapper, gag grouper, and greater amberjack.

30
31 Red snapper is rebounding. The annual catch limit has increased
32 every single year since 2009. This year's quota increase was
33 the largest in the history of this fishery. Biologically, this
34 fishery is a success story. However, significant challenges lie
35 ahead, as his council figures out and develops strategies for
36 the recreational sector that improve monitoring and better meet
37 the needs of the various user groups.

38
39 To that end, we encourage the council to keep moving forward
40 with Amendment 39. This could pave the way for innovations in
41 the monitoring and management of the private recreational
42 fishery, provided that the state run data collection programs
43 are set up so that they can feed seamlessly into the current
44 stock assessment system.

45
46 However, we recommend that the council keep this amendment
47 focused on the private angling sector. We also urge the council
48 to continue working on the amendments that develop management

1 and monitoring and data collection strategies that are tailored
2 to the way the charter for-hire and the headboat industry fish.

3
4 I want to change gears now and offer up some recommendations for
5 the gag framework action. Although the stock assessment showed
6 that gag are no longer overfished, the population is only
7 slightly above that overfished threshold. We have heard today
8 from some of the fishermen here and we have heard at past
9 council meetings that these fishermen aren't seeing the gag out
10 there anymore.

11
12 Neither the recreational nor the commercial sector caught their
13 quota this past year. Recruitment was the lowest on record in
14 the last two years of the assessment and there is still far too
15 few of those older male fish.

16
17 For that reason, we urge the council to select Alternative 1 for
18 Action 1, which is the most conservative catch limit option. We
19 think this is really important to avoid gag getting back into
20 that overfished condition and with all that entails.

21
22 Finally, we are encouraged to see the council taking the biology
23 of the greater amberjack population into account, specifically
24 by setting the closed season to correspond with the spawning
25 season and by increasing the minimum size limit. We further
26 recommend selection of Alternative 3b in Action 1 of the
27 framework. This is a more conservative catch level and together
28 with these other measures, this provides a stronger likelihood
29 of finally ending overfishing.

30
31 After a failed rebuilding plan, it's time to put this species on
32 the road to recovery. Thank you for this opportunity to provide
33 input on these three important Gulf of Mexico fisheries.

34
35 **CHAIRMAN ANSON:** Thank you, Holly. Martin Fisher, followed by
36 Gary Jarvis.

37
38 **MR. MARTIN FISHER:** Good afternoon, Mr. Chairman and council
39 members. Thank you for this opportunity to speak. My name is
40 Martin Fisher and I started commercial fishing in 1979 and I am
41 currently vertically integrated in the fishery, meaning I own
42 boats, I distribute in wholesale, and I also have a small retail
43 operation.

44
45 I am here to speak to you today about gag grouper. As good as
46 our scientists are, I cannot understand why they used the model
47 they did for the SEDAR-33 and using commonsense as science and
48 using the data that's available on page 59 of SEDAR-33, I would

1 just like to show you a few things, which is in 2002, the
2 commercial sector, which 90 percent of the commercially-caught
3 gag are from Cape San Blas east and south to the Dry Tortugas.

4
5 In 2002, the commercial sector landed 2.9 million pounds of gag
6 grouper. In 2013, we landed 575,000 pounds of gag grouper.
7 That's one-fifth of what we caught in 2001. From 2001 to 2004,
8 we were catching between 2.8 and 2.9 and in 2005, we caught 2.4.
9 That was the year that we had the bad red tide and the Piney
10 Point incident.

11
12 In 2006, it dropped precipitously, almost 50 percent. In 2009,
13 it went down another 50 percent. In 2010, it went down 50
14 percent from there. In 2014, the data on the IFQ website shows
15 that we caught 575,000 pounds, but I believe that's an error,
16 because 200,000 to 300,000 pounds of that is actually red
17 grouper multi that was caught as gag, because that's the only
18 way the computer can record it.

19
20 In other words, in the IFQ system, we have red grouper multi and
21 gag grouper multi and we can trade them off and so the point is
22 this is a trend. The trend does not support SEDAR-33 and I
23 believe that you should go for Action 1 in 2.1, Alternative 1,
24 no action.

25
26 I would support status quo for Amendment 28 and I would support
27 Amendment 39 if it -- I would support 39 if commercial and
28 charter headboat were not part of it and could never be part of
29 it. Thank you.

30
31 **CHAIRMAN ANSON:** Thank you, Martin. Mr. Walker.

32
33 **MR. WALKER:** Thank you, Martin. You were the Chairman or are
34 you still the Chairman of the Reef Fish?

35
36 **MR. FISHER:** For one more meeting anyway.

37
38 **MR. WALKER:** Could you kind of give us a summary on what they
39 felt in the gag grouper recommendations?

40
41 **MR. FISHER:** Off the top of my head?

42
43 **MR. WALKER:** Yes.

44
45 **MR. FISHER:** Thank you, David. Let's see. I think the vote was
46 kind of close on whether or not to recommend status quo or go
47 for a modest increase. I believe the vote was -- I'm going to
48 say something like fifteen to twelve. No, that's too many.

1 Twelve to ten or twelve to nine, something like that.

2
3 There wasn't a lot of disparity there, but as a general rule, it
4 seemed like everybody felt like the gags were not as abundant as
5 what SEDAR-33 was suggesting.

6
7 **MR. WALKER:** That answered my question.

8
9 **MR. FISHER:** Thank you very much.

10
11 **CHAIRMAN ANSON:** Gary Jarvis, followed by Steve Tomeny.

12
13 **MR. GARY JARVIS:** Captain Gary Jarvis, owner/operator of the
14 Charter Boat Back Down II. I'm a dual-permitted fisherman and a
15 commercial red snapper IFQ shareholder and partner in three
16 seafood restaurants.

17
18 In August of 2008, I stood before this council and introduced a
19 plan that would move the charter for-hire industry into a
20 twenty-first century management system. That plan would improve
21 recreational management of the red snapper fishery and preserve
22 a level of historical participation for millions of saltwater
23 anglers who access the EEZ on federally-permitted vessels.

24
25 Now, approximately 2,400 days later, I am standing here as this
26 management plan is about to become law. It's exciting that the
27 charter for-hire industry was committed to explore and initiate
28 ideas that will increase access for millions of anglers. We saw
29 an example of the effect of sound, good management systems with
30 the EFP headboat presentation yesterday and I know an industry-
31 led effort will be good for the fish, for the angling public,
32 and the charter for-hire industry.

33
34 Yet, as I stand here 2,400 days later, I marvel at the effort
35 and the resources used by the private boat lobby to stop,
36 thwart, and destroy any attempt to improve management in
37 recreational fisheries and they offer zero solutions to improve
38 their constituent's access issues.

39
40 In 2,400 days, there has not been one single plan that
41 specifically addresses many issues facing the private boat
42 sector and how to develop a system of management that can
43 identify actually who is fishing in that sector, what they
44 catch, how much, and how many.

45
46 Instead, from the private boat lobby, we get outright lies and
47 misrepresentation of the truth and political maneuvering and
48 zero focus on solving issues facing the private boat sector they

1 claim to represent. They pervert the management process by
2 promoting a scorched-earth policy that is now being implemented
3 by the state commissions and their directors.

4
5 The state-water loophole was a strategy designed to create a
6 level of chaos to generate a populous uprising to circumvent
7 reasonable debate, the public process, federal law, and any
8 attempt at sound scientific management ideas. Does the Florida
9 net ban ring a bell? This loophole reduces the EEZ fishery to
10 zero recreational fisheries and not allocation.

11
12 I thought I had seen it all the past 2,400 days from this lobby,
13 until I read the state directors' plan heading to Congress to
14 outright steal the EEZ fishery from the public process and hand
15 it to a five-person group who will answer only to the folks with
16 the biggest wallet in state politics. Talk about scorched-
17 earth. That's more like roasting a pig on a spit.

18
19 In closing, what this means to all professional fishermen,
20 charter and commercial alike, who represent 70 percent of the
21 access to the entire fishery, and that includes the consumer and
22 the public saltwater anglers who fish with us, is this simple
23 fact. I will still be coming to this meeting for the next 2,400
24 days to keep this immoral, greedy, and fish-hoarding lobby from
25 destroying the public access to hundreds of millions of citizens
26 and tourists that come to the Gulf Coast. Thank you very much.

27
28 **CHAIRMAN ANSON:** Gary, you are not done. David.

29
30 **MR. WALKER:** Hi, Gary. I know you've been working on a lot of
31 this for a long time and I know you were here yesterday and you
32 listened to the headboat presentation when they talked about the
33 discards were up and I think they said it was north of 50
34 percent.

35
36 I think the buffer was reduced and I would just ask you, what
37 makes sense to you if you're looking for a new fishery
38 management plan?

39
40 If you could find a way to take that 50 percent discards and
41 then the 20 percent buffer, you could take the 50 percent
42 discards and have it picked up in the assessment and you could
43 remove your buffer if you get an accountable plan and that's 70
44 percent and let's be conservative. Let's divide it by two and
45 so 35 percent increase and does that make more sense than just
46 Amendment 28?

47
48 **MR. JARVIS:** We're seeing Amendment 28 talking 3 or maybe 5

1 percent, depending on the alternative that you decide. When you
2 talk about the 20 percent buffer on seven-million pounds, that's
3 a lot of fish and so why don't we move, like the charter for-
4 hire industry is trying to do, in a management plan that will
5 prevent overfishing the annual allocations and account for what
6 is being caught and be able to reduce those buffers. In the
7 commercial fishery, they've got a 5 percent buffer.

8
9 If you want a true increase of access for the recreational
10 fishery, let's do it through sound management and not by gifting
11 bad behavior.

12
13 I am totally against the reallocation of the fishery, even
14 though as a charter fishermen I get some of those fish. It may
15 translate into a couple of days for me, but you know what it
16 doesn't translate in, it doesn't translate into sound management
17 in recreational fisheries. That's what it doesn't translate
18 into.

19
20 **DR. DANA:** Thank you, Captain Jarvis. I asked the question
21 earlier of Randy Boggs from Alabama in regards to the removal of
22 the decals on the federal for-hire charter boats. What is your
23 perspective? You represent the Destin Charter Boat Association.
24 You're the President and are you, on behalf of the fleet, in
25 favor of having the decals on the federal charter boats or
26 having them removed?

27
28 **MR. JARVIS:** I think Captain Eller spoke it best and actually
29 represented the fleet. As in the commercial fishery, the IFQ
30 system has allowed for self-policing, because now the fishermen
31 have a stake in the fishery. Under Amendment 40, as it's
32 passed, the same thing is taking place in the charter for-hire
33 industry.

34
35 We do have a problem with state-licensed guides fishing in the
36 EEZ and we do have a problem with people not even having charter
37 permits that are chartering totally illegally and having that
38 stamp allows us to walk our own docks and see who has a permit
39 and who doesn't.

40
41 It may not benefit the FWC, but you know what they always do
42 every year? They walk up and down the dock and see who has got
43 the right stickers on the side and they use that against the
44 Okaloosa County business license or the City of Destin business
45 license and make sure these guys are up to date in their
46 licensing and they are being legal charter operators.

47
48 As the President of the organization and a heavily-invested

1 member of the fishery, that's the kind of enforcement and kind
2 of policing that we need. We need everyone to play by the same
3 set of rules and if you want to be a state-licensed guide, good
4 for you. I hope you have much success, but don't participate in
5 our fishery and not meet the same type of requirements permit-
6 wise, expense-wise, safety-wise, inspection-wise.

7
8 **MR. PEARCE:** Real quick, how many members in your organization?
9

10 **MR. JARVIS:** I think Jim said we had seventy-eight, but, in
11 reality, we have over 130 charter boats in our community. We're
12 all close-knit and even though there are some members that
13 aren't active, paying members of the Charter Boat Association, I
14 confidently say that we represent over a hundred charter boats
15 in Destin, Florida.

16
17 **CHAIRMAN ANSON:** Steve Tomeny, followed by Dewey Destin.

18
19 **MR. STEVE TOMENY:** Good afternoon. I am Steve Tomeny and I'm a
20 charter operator out of Port Fourchon, Louisiana. I also
21 commercial fish and I'm a red snapper IFQ holder. I have a
22 dual-permitted charter vessel. I will go down the list and
23 there's nothing you haven't heard yet today.

24
25 Amendment 28, I don't see any use for it. I should be, just
26 like Gary just said, a beneficiary on the charter side. I
27 should be able to be fairly neutral on it, but I won't see I
28 don't think anything that will be significant to me by the time
29 it would make it to my charter vessel in a day or a half a day
30 or whatever it is. I just don't see it making any good and
31 there is no conservation measures in it. It doesn't save any
32 fish.

33
34 I am going to go to Amendment 39. I am okay with it for the
35 private boats. My federally-permitted charter boat and the
36 other boats that I have owned in the past, we fish in the EEZ
37 and we need to stay there. We are moving along with this
38 federal management and it's slow and it's painful and we've been
39 here a long time talking about sector separation and it turned
40 into Amendment 40 and thank you for passing it.

41
42 We are really looking forward to exploring and making it better
43 than the -- The derby we're going to have this year is a lot
44 better than what we had last year, but we're going to try to
45 take it and make a real management system out of it with good
46 intentions and good success for everybody that wants to
47 participate in it.

48

1 The electronic monitoring is key to it. VMS is on my boats
2 already and I have no problem with VMS requirements. The pilot
3 for VMS is out there and let's make that happen, but we will
4 continue on to make Amendment 40 successful.

5
6 Along with that, we need to roll into 41 and 42. We've got a
7 headboat pilot program out there that's been working really well
8 and going into its second year and it looks like we won't be
9 able to continue it into 2016 in time I think is kind of the
10 buzz I'm hearing. Let's make it happen and let's don't make
11 five more years before something like that takes place and just
12 throw more boats back into a derby. It doesn't do the fishery
13 any good.

14
15 Those things are things that we've just been working on and need
16 to see happen. There is a lot of distraction with Amendment 28
17 and even regional management. I am always up here saying tags
18 and I've got to say it every time I come up here.

19
20 If you want to get a tag system for the private recreational
21 boats, get some kind of tags on the charter boats, so we can
22 have a little more flexibility when we fish and all, that's what
23 we're looking for, stuff that would make a little more money
24 killing less fish.

25
26 The only other thing I will say is crew size in Amendment 36, we
27 don't need them. The VMS, you declare whether you're charter or
28 commercial and I don't see any need for it. Thank you.

29
30 **CHAIRMAN ANSON:** Thank you, Steve. Mr. Pearce.

31
32 **MR. PEARCE:** Thank you, Steve. A couple of quick questions.
33 Are the charter boats that you're in contact with in Louisiana
34 against reallocation?

35
36 **MR. TOMENY:** Everybody I have talked to. Once you explain to
37 them what they get and don't get and what it's about, I don't
38 have anybody that has any problems with it and they would go for
39 no action on Amendment 28.

40
41 **MR. PEARCE:** Are the charter boats you're in contact with in
42 Louisiana, do they want out of Amendment 39 and have it private
43 recreational only?

44
45 **MR. TOMENY:** Yes, most of them I talk to. I mean they've got
46 their federal permits and they see the value that that is. The
47 federal government offers us these protections under the
48 Magnuson-Stevens Act and as much as I like the guys from the

1 state, I just don't see anything -- We could be thrown to the
2 wolves.

3
4 I mean we've got a couple of good guys working there now and
5 they can say we're going to have all of this, but there is
6 nothing to protect me when one of them dies or goes away or
7 takes another job or gets hit by a car tomorrow.

8
9 All those good intentions just went down the drain and I'll take
10 my chances with the next guy. At least in the federal system,
11 we have protections. There is an access for our historical
12 presence and I want to see that continue.

13
14 **MR. PEARCE:** One last question. You talked about electronic
15 monitoring, electronic reporting, of VMS. Would you be opposed
16 to rolling the headboats into the electronic monitoring
17 amendment that we're working on right now as a council and have
18 it both headboats and charter boats?

19
20 **MR. TOMENY:** They are already reporting electronically and so if
21 would -- Pinging on a keypad is no difference, as long as they
22 just make it go where it needs to go. I mean we're already
23 doing it.

24
25 **MR. PEARCE:** But we're working on an amendment that doesn't have
26 you in it yet and would you like us to put you in it?

27
28 **MR. TOMENY:** Yes.

29
30 **CHAIRMAN ANSON:** All right. We have Dewey Destin, followed by
31 Scott Hickman.

32
33 **MR. DEWEY DESTIN:** Thanks for this opportunity to speak to you
34 again. I spoke to you in Mobile not too long ago and my family
35 has been involved in harvesting red snapper since the 1840s,
36 five generations worth. I fished on boats of all sorts for
37 forty years.

38
39 I am going to talk to you today as a restaurateur. The Florida
40 Restaurant and Lodging Association is against reallocation, as
41 am I, and for very good reason. Our past president spoke to a
42 Senate committee in the state legislature and I was present and
43 he testified that the restaurants on the Destin Harbor sell \$60
44 million worth of seafood dinners a year.

45
46 Now, that's an area about a mile long and it equates out to four
47 or five-million customers. They are not all eating red snapper,
48 but red snapper is our premiere local fish that's featured.

1
2 I was eating at one of the Brennan's restaurants in the French
3 Quarter last night and they had fresh Gulf snapper on their
4 menu. It was \$42 for about a five-ounce serving, as best I
5 could tell. That comes out to \$126 a pound.

6
7 I represent the 90 percent of the folks in this country who are
8 the common owners of the resource and we'll play the economic
9 benefits with anybody who wants to. If you're getting that much
10 money out of a place as small as Destin Harbor, just imagine
11 what the impact is throughout the Southeast or throughout the
12 entire Gulf of Mexico.

13
14 To reallocate the resource away from those 90 percent of the
15 owners defies logic and it's not fair. It has no conservation
16 element and it will not extend the fishing season for the
17 recreational fishermen any significant amount.

18
19 What we need to do, and being a lifelong fisherman and having
20 friends and family who are involved in charter fishing and every
21 type of fishing that exists in the United States, we need to
22 address the continuing disaster that is our recreational
23 management system.

24
25 We need to do more of the innovative pilot programs like the
26 headboats along the Gulf Coast used this year and we need to
27 move away from kill and release. My sons and I still go fishing
28 occasionally, because I just like to go do it.

29
30 The Gulf is full of dead red snappers floating around, any kind
31 of decent place where you can catch them. That's really an
32 awful thing to be doing and we can fix that problem with an
33 aggregate bag limit and a number of other innovative management
34 schemes.

35
36 If we don't fix those problems, there is no future for the
37 recreational, or the commercial fishing industries for that
38 matter. I urge you guys to work on those types of solutions and
39 don't reallocate a resource away that makes no sense at all from
40 one group to another.

41
42 It's an indictment of the system that's going here and all of
43 the good feelings that folks have talked about, about how they
44 trust you better than the state management. That's all going to
45 go away if you go forward with this or at least be severely
46 impacted. I appreciate the opportunity to speak.

47
48 **CHAIRMAN ANSON:** Thank you. Any questions? Thank you, Dewey.

1 Scott Hickman, followed by Bubba Cochrane.

2
3 **MR. SCOTT HICKMAN:** Good afternoon, Chairman and ladies and
4 gentlemen of the Gulf Council and esteemed guests at this
5 council meeting. You know I've got a bunch of stuff to read
6 here, but, first off, Corky had asked somebody earlier about
7 state directors or having trust in the states from a charter
8 boat standpoint or for a red snapper commercial standpoint.

9
10 This is just something I had dug out of the *Lone Star Outdoor*
11 *News* this last fall after Amendment 40 passed and we hear this
12 faith and trust issue and this was from the Director of
13 Fisheries from the State of Texas. He was quoted saying that
14 splitting the rec sector is a step in the wrong direction, as is
15 splitting private anglers in their fight against the commercial
16 red snapper fishery.

17
18 **MR. PERRET:** Who said that?

19
20 **MR. HICKMAN:** That was my State Director was quoted in the *Lone*
21 *Star Outdoor News* and it's a very large publication. You wonder
22 about faith and trust when our own officials are coming out
23 saying that we should be fighting, one group of fishermen or
24 another group of fishermen.

25
26 We should be working together, all of us, and coming up with
27 solutions and it took me a long time to just try to figure out
28 why everybody was so upset with one group or another group when
29 there is plenty -- We have done a great job rebuilding this
30 fishery.

31
32 We've got to find better ways to execute the way we catch these
33 fish, the way the fish are managed, the way the fish are
34 counted. We have tools to do all that. We have a lot of bright
35 people here and let's do that.

36
37 Amendment 39, private anglers only. Please expedite Amendment
38 41 and Amendment 42. Amendment 28, no action. It won't fix
39 anything. One day is a complete joke for the recreational
40 anglers. In Texas, we've got a year-round red snapper season.

41
42 Last Saturday, I was offshore in the EEZ doing a commercial
43 fishing trip. I'm a new red snapper IFQ entrant in that fishery
44 and I probably saw twenty different recreational boats
45 harvesting red snapper in the EEZ and we have a problem in
46 Texas. People just fish when they want. We have very little
47 law enforcement presence out past nine miles and granted, it's
48 hard to patrol something that's out past nine miles and so we

1 need to do a better job.

2
3 We need more law enforcement presence to stop the illegal
4 fishing that's going on. We don't have much for -- Most of the
5 Texas coast does not have a viable red snapper fishery in state
6 waters, but we have always had a state water season.

7
8 You look at our numbers and it says we don't catch much. We've
9 got a big fleet and we're catching something. Either the
10 numbers are wrong or we're really terrible fishermen in Texas.
11 I think we've got a great fishery and we've got good fishermen.
12 We've got to capture those numbers.

13
14 Amendment 36, the red snapper IFQ system is meeting all of its
15 goals and it works great. As a new participant, it's a great
16 system and I really like it. We need to move forward with a
17 loan program for new entrants. I know the council passed
18 something on that a few years ago. I sat on the AP that helped
19 design that system and we need to move that forward.

20
21 Do away with the dual-permitted vessel crew size limit. There
22 is no reason to have it. It discriminates against those
23 stakeholders. Approve the minimum thirty-four-inch size on
24 greater amberjack and keep the charter for-hire vessel permit
25 decals on our boats so we can self-police. Once again, I would
26 like to really, really see something done about all these
27 illegal fishing, especially off of Texas, both with federal
28 resources, state resources, and I would like to see a 45,000-
29 pound trip limit on the king mackerel gillnet fishery. It makes
30 sense for those guys.

31
32 **CHAIRMAN ANSON:** Scott, if you can wrap it up.

33
34 **MR. HICKMAN:** Thank you very much.

35
36 **MR. PERRET:** When you say you want law enforcement against the
37 illegal fishery off of Texas -- Well, everywhere, but off of
38 Texas, because that's your backyard, were you here at the last
39 meeting when the Coast Guard gave their presentation about --
40 When you talk about the illegal fishery, are you talking about
41 domestic illegal activity as well as the foreigners?

42
43 **MR. HICKMAN:** I guess you could look at it both ways. I don't
44 know who is catching more red snapper in our Texas waters
45 illegally, our recreational fishermen or the Mexicans. I think
46 if Texas numbers were correct and you counted the fish that were
47 being caught by our recreational fishermen, their year-round
48 season in the EEZ, and what the lancha fishermen are catching,

1 we are probably catching the whole ACL. No, I was talking about
2 recreational fishermen.

3
4 Our captains in south Texas see the illegal lancha fishermen a
5 lot. It's a big problem and the Coast Guard is maybe catching
6 less than 10 percent of those boats that are illegally fishing
7 out of Mexico. The boats that I am seeing, I know the boats.
8 They are my friends and neighbors.

9
10 To say that, these people want to go fish. We have got a really
11 robust big red snapper fishery and I keep hearing from the
12 recreational lobbies that they don't support a tag system, but
13 every recreational fisherman in my marina walks up to me all the
14 time and says, you go to those council meetings and tell them we
15 want tags. They are all telling me that so I don't know why
16 their leadership, the recreational lobby, is saying that they
17 don't want tags, when I hear from all the recreational guys that
18 they say they would be fine with that.

19
20 We have tags for red drum in Texas, oversized red drum. We've
21 got a stamp for everything in the state, from mockingbird
22 watching to spring turkey hunting. We've got like twenty-five
23 endorsements in the State of Texas and we can have a red snapper
24 endorsement through tags.

25
26 **MR. PERRET:** One more question, if I may. If indeed all this
27 illegal activity is going on by these recreational fishermen,
28 are these fish taken home and given to neighbors or are they
29 entering commerce?

30
31 **MR. HICKMAN:** Could you repeat that real quick?

32
33 **MR. PERRET:** Are the fish being sold?

34
35 **MR. HICKMAN:** Are they being sold?

36
37 **MR. PERRET:** The alleged illegal activity, are those fish
38 entering commerce or are they just taken home and given to
39 neighbors?

40
41 **MR. HICKMAN:** Those fish are being caught under the recreational
42 bag limit in Texas of four fish per person and if they do get
43 intercepted by Texas Parks and Wildlife on their creel survey at
44 a boat ramp, they are not going to say I caught them illegally.
45 They're going to say we caught them in state waters.

46
47 **DR. CRABTREE:** So the private recreational guys that you know
48 who are advocates of a tag system, are they going before the

1 Texas Parks and Wildlife Commission and telling the
2 commissioners there and asking them to support a program like
3 that? Really, for us to get to any kind of tag program, we're
4 going to need the states to be willing to participate in it.

5
6 **MR. HICKMAN:** That's kind of a Catch-22 deal, like the
7 recreational guy that came up first today and he was talking
8 about these people have jobs Monday through Friday. Texas got
9 kind of a unique situation with our commission, where other
10 people from other states say that they can speak at every
11 commission meeting.

12
13 In Texas, we've got an open comment one time per year, one day
14 per year, and it's on a weekday, mid-day. They would have to
15 drive most of the time to Austin. Sometimes they do it in other
16 places, but it's hard to -- You can't get ahold of the
17 commissioners email addresses or phone numbers and so you've got
18 one day per year and it's just very difficult to get that
19 message out.

20
21 **CHAIRMAN ANSON:** We have Bubba Cochrane, followed by John
22 Schmidt.

23
24 **MR. BUBBA COCHRANE:** I'm Bubba Cochrane from Galveston, Texas.
25 I'm a commercial fisherman and a charter boat fisherman and also
26 President of the Gulf of Mexico Reef Fish Shareholder's
27 Alliance.

28
29 I am part of the 70 percent of those with red snapper share
30 allocation and I do not support Amendment 28 to reallocate any
31 snapper from the commercial sector to the recreational. I also
32 represent 97 percent of the 300-million Americans that own this
33 resource, but do not have the means to catch their own red
34 snapper. I do not support reallocation.

35
36 Most of the charter for-hire sector is against reallocation as
37 well. Even though it would mean more quota, I think they
38 realize that at some point they too will be the crosshairs of
39 recreational fishing interests to grab quota from them. This is
40 not a management solution for the recreational fishery.

41
42 This council has made great strides in management by listening
43 to the stakeholders. Amendment 40 and the headboat pilot are
44 the kind of management options that are working to make those
45 fisheries more sustainable, accountable, and, most importantly,
46 profitable.

47
48 The council needs to put Amendment 28 to rest and continue to

1 work on real management options for the private recreational
2 anglers, like regional management. If that is what recreational
3 fishermen want, then the council should continue to work on it.
4 I have never heard a single commercial or for-hire fisherman ask
5 for regional management and so just leave us out of it.

6
7 The commercial management is not broken and the for-hire sector,
8 with the help of the council, is working to fix their management
9 system. Regional or state management should only pertain to
10 private anglers, because they seem to be the only ones asking
11 for it.

12
13 On Amendment 36, the red snapper IFQ is working to help rebuild
14 stocks and meeting the goals of the program. We do not want any
15 big changes that don't align with the goals of the program like
16 more caps, use-it-or-lose-it, increasing capacity, or quota
17 holdbacks.

18
19 I do support a full retention red snapper fishery, which would
20 eliminate discards. It would also support hail-in and hail-out
21 on all reef fish trips. Getting rid of crew size restrictions
22 on dual-permitted boats and the use of federally-backed quota
23 loan programs and industry quota banks, these options could only
24 improve upon an already greatly successful IFQ management that
25 we are currently under. Thank you.

26
27 **CHAIRMAN ANSON:** Thank you. John Schmidt, followed by Bill
28 Staff.

29
30 **MR. JOHN SCHMIDT:** Thanks, everybody. I am John Schmidt. I
31 have been fishing the Gulf of Mexico for close to thirty years
32 and roughly half of that as a recreational fisherman and the
33 other half in the commercial industry.

34
35 I feel that we are all very lucky that our country decided we
36 need to end overfishing and rebuild our fisheries and find ways
37 to make sure that they stay healthy going forward. If it
38 weren't for that, I don't think any of us would be here.

39
40 What I personally would like to see in the future is support
41 from our state to continue the improvements that we've made in
42 the federally-permitted fisheries. I think our country will be
43 very proud when they understand how well we've done to make
44 ourselves accountable and to make better use of that fishery and
45 make ourselves manageable and enforceable and still get better
46 product to America year-round. They will be very proud.

47
48 I would like to see the support of our state to do that with the

1 charter guys that worked for years to finally get their system
2 implemented. I would like to see the state support us to
3 continue the improvements in the commercial sector.

4
5 I would like to see something happen with regional management,
6 but maybe not just how everybody else sees it. Regional
7 management makes sense to me because fisheries in the Gulf are
8 not the same everywhere, but I think that there should be some
9 things that are essential, like compliance between state and
10 federal regulations.

11
12 I think that there needs to be a drastic improvement in
13 enforcement for the private recreational fishermen. The data,
14 the data from that fishing sector is the one that's in question.
15 The control of that fishing sector is the one that's in question
16 and the states and those licensed fishermen and the fishing
17 industry are the people that have control of that.

18
19 They are the ones that need to work with the federal government
20 to fix it, instead of trying to take from everybody else. They
21 talk about their sector growing, but I hope our state keeps in
22 mind that 97 percent of their citizens can't go catch their own
23 fish in federal waters and ninety-five-million visitors to our
24 state, there is a good portion of them that rely on high-
25 quality, fresh, domestic seafood too. That's all my comments
26 and thank you.

27
28 **CHAIRMAN ANSON:** Thank you. Bill Staff, followed by Derrick
29 Gutierrez.

30
31 **MR. BILL STAFF:** Guys, I am Bill Staff from the Charter Boat Sea
32 Spray, thirty-five years of charter fishing. I would like to
33 take the time to thank you all for letting me speak, but I
34 really want to thank my industry for showing up in such great
35 force. You all should know how we feel now.

36
37 I would really like to thank the council for voting Amendment 40
38 in. Hopefully the Secretary of Commerce will make it into law
39 and we will be able to show you all how well it will for us and
40 even with the sunset, maybe it will work so well this council
41 will want to keep it.

42
43 It would just like the commercial guys' program and basically
44 like the pilot headboat program. They both work so well that we
45 hope it will work. It would also make 75 percent of the fishery
46 accountable.

47
48 I am in favor of an electronic logbook and I am not in favor of

1 any reallocation unless the user group receiving fish is 100
2 percent accountable. Amendment 39, leave it only to the purely
3 recs.

4
5 The amberjack size limit, thirty-four inches and no opening in
6 June and July. Leave it closed when the user group months are
7 at its lowest. Gray triggerfish, I never had a year in thirty-
8 five that I didn't get to keep a triggerfish and that's pretty
9 sad, guys.

10
11 Hopefully Florida complying will straighten this out, but if
12 not, if we've got to go to a one fish bag limit or raise the
13 size limit -- I would probably rather go to a one fish bag
14 limit, but do whatever it takes to get us through the fall or at
15 least through the snapper season, when we're fishing the wrecks
16 that the triggers live on to try to keep the dead discards down.

17
18 Just lose the politics, guys, and do what's right. I would hope
19 and I would think if myself and sixteen of these fishermen were
20 up here looking at your livelihood and figuring out how you were
21 going to make a living that you would probably want us to listen
22 and that's all I've got to say and thanks.

23
24 **CHAIRMAN ANSON:** Bill, we have a question from Mr. Pearce.

25
26 **MR. PEARCE:** A real quick question, just for clarification. You
27 are from Alabama, right?

28
29 **MR. STAFF:** Yes, sir.

30
31 **CHAIRMAN ANSON:** All right. Derrick Gutierrez, followed by
32 Sonny Schindler.

33
34 **MR. DERRICK GUTIERREZ:** Good afternoon, council. My name is
35 Derrick Gutierrez and I am prior service military and I just got
36 into fishing pretty recently. I am working at my parents'
37 place, Katie's Seafood Market. I am distributing fish online.
38 This is my first time at a meeting and so thank you all for
39 having me.

40
41 I am a part of the -- I support the 70 percent of those who have
42 allocation who do not want to reallocate. I represent the 97
43 percent of Americans that would like to have access to the
44 seafood.

45
46 According to the MRIP, the recreational sector caught eighteen-
47 million pounds over the quota and it just seems irresponsible to
48 take away from the commercial side that has been working within

1 their parameters that you all have set and helping these
2 fisheries and giving it away to another section that isn't.

3
4 It seems like -- Like I said, I am new to the business and I am
5 just getting started, just trying to figure it all out, and
6 throwing money at a problem in your business never works and I
7 don't think that throwing more fish at a problem will work as
8 well. I think that they go hand-in-hand. You have to look
9 deeper into the issue and try to figure out how to manage the
10 problem and not just throw money at it.

11
12 I think the reallocation definitely hurts the Americans being
13 able to receive seafood. It seems like, to me, the recreational
14 fishermen have enough fish or have enough different types of
15 fish that they have 100 percent of that the American public
16 doesn't have access to already and now to throw another fish in
17 there, in that same boat, would hurt the American people,
18 because it's a high-quality fish and it's healthy and denying
19 the American public a healthy alternative to all the stuff that
20 we have out there to eat today, I mean which we obviously have a
21 problem with, because we're not -- I mean for lack of a better
22 word, we're not doing well with our health and what we choose to
23 eat and denying them a healthy alternative to eat is just
24 limiting our ability to get better as a country health-wise.
25 That's all I have to say and thank you.

26
27 **CHAIRMAN ANSON:** Thank you, Derrick. Mr. Pearce.

28
29 **MR. PEARCE:** Look, it's great to see young men get involved in
30 the fishing industry. I think part of our problem is we don't
31 have enough guys like you and it's good to see you step up here
32 and tell this council how you feel and what you feel. Whether
33 we agree or disagree with you, that doesn't really matter. It
34 matters that you're here and you give us your opinions and we
35 react on your opinions. Thanks for coming.

36
37 **CHAIRMAN ANSON:** Thank you, Derrick. Sonny Schindler, followed
38 by Mike Rowell.

39
40 **MR. SONNY SCHINDLER:** Thank you all for the opportunity. My
41 name is Sonny Schindler and I'm an owner and full-time guide for
42 Sure Thing Fishing Charters out of Bay St. Louis, Mississippi.
43 We are the largest inshore charter fishing company in
44 Mississippi. All of our boats and guides are licensed in
45 Mississippi waters and Louisiana and also four of them hold Gulf
46 Island Seashore permits.

47
48 We also lease a 4,000-square-foot lodge on Cat Island, which is

1 somewhat of the reason I am here, regarding the Redfish EFP. We
2 don't really target our redfish in the waters in question, but
3 we do transit them and so if we were to come from -- We cover a
4 lot of ground where we fish and occasionally we do see the
5 redfish in the waters in question, but if we do have redfish in
6 our boxes, we can't stop.

7
8 Part of that is why we would like to see it allowed and also for
9 the fleet over here on the east side of the state. A big part
10 of their fishery is the redfish farther offshore, because the
11 snapper fishing over here is not in state waters and so they
12 need something to do.

13
14 Will they keep most of them? I doubt it, but it is nice to have
15 the freedom to do so. In doing that, if they were to keep a
16 redfish, and since it's not allowed and this would be an
17 instance where you're starting from scratch to allow them
18 keeping it, I would say go for the data aspect of it and if your
19 charter boat is going to keep a redfish, then you need to be
20 endorsed, licensed, stickered, permitted, whatever we're calling
21 it. Then we need to use those fish down the road for data and
22 to make sure we're not hurting the stock.

23
24 In regards to the stock, if this was a room full of charter boat
25 people, I would tell you I am that good at catching redfish in
26 regards to how many we're catching in the last two and three
27 years. I am not that good. There is just that many more
28 redfish in our waters.

29
30 When we are catching limits two and three miles off the beach
31 here, it's just that I firmly believe -- I average around 200
32 days a year and the redfish is just getting that much better and
33 I think the guys out there in that water need to be able to keep
34 a fish.

35
36 **MR. PEARCE:** Sonny, a couple of things. You are one of the
37 Mississippi candidates that is going to take Corky's place and
38 so maybe you will have a chance to change that redfish that he
39 and I haven't had the ability to do in the long time we were
40 here and so good luck to you. Good luck to you.

41
42 The second thing is that what is -- You have seven boats in
43 Mississippi and what is your position on Amendment 39? Do you
44 want to be a part of the state plan or do you want to be a part
45 of the federal plan?

46
47 **MR. SCHINDLER:** I would rather see the state do it, but it
48 doesn't really matter as long as -- In my opinion, as long as

1 the charter boats are kept separate. I would definitely -- Not
2 so much state or federal, but as long as the charter guys are on
3 their own.

4
5 I have to pay several thousand dollars a year in licenses to be
6 called a charter boat with endorsements and stickers and stuff
7 to put on my boat and so I just want to be kept together with
8 the charter boats.

9
10 **MR. PEARCE:** That's what Amendment 40 is doing for you. Thank
11 you.

12
13 **CHAIRMAN ANSON:** We have one more question for you, Sonny, from
14 Camp.

15
16 **MR. MATENS:** Mr. Schindler, I've got two questions. The first
17 is if Mississippi had a nine-mile limit, would you be okay? The
18 second is the fish that you are catching three miles off the
19 beach, about how big are they?

20
21 **MR. SCHINDLER:** The majority of the ones we got -- I am trying
22 to think the last day I fished. Tuesday. Most of them were
23 twenty-seven to thirty-one inches. Not many small ones. Just,
24 for whatever reason, they are really thick on our near-shore
25 reefs right now. The nine miles, I am not federally permitted
26 and so we'll take whatever we can get as far as far out as you
27 all want to go, but I don't know if I'm the guy for that
28 question.

29
30 **MR. MATENS:** Let me clarify my question. If Mississippi had a
31 state boundary that went out nine miles, would that solve your
32 charter issue? If you could catch state fish out to nine miles?

33
34 **MR. SCHINDLER:** Where I am at, in that corner of the state, I
35 think it would.

36
37 **CHAIRMAN ANSON:** All right. We have Mike Rowell and then
38 followed by Dick Brame and Mike is the tenth person left for
39 public testimony, for anyone keeping score.

40
41 **MR. MIKE ROWELL:** Do I get an award? Just for the record, Mike
42 Rowell, Charter Boat Annie Girl, Orange Beach, Alabama. I don't
43 have any inspiring speeches like some of the prior guests, but
44 with all seriousness, if you could take what Mike Eller and Gary
45 Jarvis said, you can just read back on your notes and we won't
46 go there.

47
48 I am so glad to see Amendment 40 passed here and I hope it's

1 signed into law. I have been involved for many years, many not
2 as many as some, but I have been very discouraged with the
3 process and I kind of have stepped to the side and I've got my
4 hopes up again and I thank you all for listening to us and I am
5 hoping that we're going to run our fisheries like a business.

6
7 There is so much waste in government and everything we see and
8 that's what has been so frustrating with me, is just the waste
9 that we see in our business. I am hoping that this is going to
10 be a more efficient way for us to fish and also take care of our
11 resources.

12
13 Also, just for the record again, as far as amberjack, I would
14 like to see the amberjack size limit go up and a June and July
15 closure, so we can have those fish in the spring. That's all
16 and thank you.

17
18 **CHAIRMAN ANSON:** Thank you, Mike. Dick Brame, followed by Brian
19 Swindle.

20
21 **MR. DICK BRAME:** Good afternoon. I am Dick Brame and I am the
22 Regional Fisheries Director for the Coastal Conservation
23 Association and I appreciate the opportunity to speak to you all
24 today.

25
26 I am here in support of Amendment 28, specifically Alternative
27 9, but I would like to offer a slightly different perspective.
28 The allocation between the commercial and the recreational
29 industry was set about twenty-five years ago at the 51/49 and we
30 think there were problems with the recreational data used in
31 setting that allocation.

32
33 The first one is that to use the years 1979 to 1983 from the old
34 MRFSS data system and that is the most unreliable data in the
35 dataset. The first three years are not even used in stock
36 assessments, but, more importantly, it was set at a time when
37 the population of red snapper was at or near its lowest level
38 and the recreational effort was at probably one of its lowest
39 levels at that time.

40
41 The recreational effort and stock size, in a free fishery, as it
42 was back then, is -- They tend to move around with each other
43 and so when you have a very, very low population, you tend to
44 have less effort. That was the data that was used to set the
45 allocation.

46
47 You have an opportunity now, with the new TAC you have, with the
48 increases, that are largely a result of changes in recreational

1 data, in calibrating the MRIP estimations and in the size
2 selectivity. You have a way to address this problem. We just
3 wanted to offer that as a potential reason to support
4 Alternative 28. Thank you.

5
6 **MR. PEARCE:** Real quick, would you -- I mentioned this to Ken
7 Haddad and I would like to ask you as the CCA. Would you be in
8 favor of us trying to begin the development of a private
9 recreational fishery management amendment to try to figure out
10 some different alternatives that might help you get away from a
11 derby fishery and move into the future in a different way?

12
13 **MR. BRAME:** Certainly, if it didn't impact the amendments
14 currently underway. Certainly we would be happy to work with
15 you on that.

16
17 **MR. PEARCE:** No, definitely independent of that. I mean I would
18 really like to start something so we could be looking at the
19 private recreational and just see if we can help him find a
20 better way to manage this fishery, whether it would be tags or
21 whether it would be -- I don't know what it would be, but it's
22 up to the private recs to let us know that and not up to us, but
23 I just think we need to really look at that to try and move you
24 past this derby days stuff.

25
26 **MR. WILLIAMS:** Dick, thanks for coming. Do you guys have a
27 position -- Does CCA have a position on a tagging system for the
28 private harvest of red snapper?

29
30 **MR. BRAME:** I don't believe we have a position on it. We would
31 have to see the specifics of any sort of program.

32
33 **MR. WILLIAMS:** Are you categorically opposed to it? I have
34 heard you are, any kind of tagging system.

35
36 **MR. BRAME:** I am not sure if we're categorically opposed to it
37 out of hand. We would have to see the specifics of it, but, in
38 our view, it would be problematic.

39
40 **CHAIRMAN ANSON:** Thank you, Dick. Brian Swindle, followed by
41 Johnny Williams.

42
43 **MR. BRIAN SWINDLE:** Thank you for having me, council. My name
44 is Brian Swindle and I'm a dual-permitted vessel. I am an IFQ
45 shareholder and a charter boat captain from Dauphin Island,
46 Alabama. I have been in the charter industry since 1999 and the
47 commercial fishery since 2001 and have been a recreational
48 fisherman even longer.

1
2 In the seventeen years that I've been fishing for a living, I
3 have seen many changes in both sectors, both good and bad. The
4 commercial IFQ fishery has been the only stable and accountable
5 sector since 2007. We have seen a six-month recreational season
6 go to just nine days last year.

7
8 I believe we are on the right track with Amendment 40 in
9 bringing stability and accountability to the for-hire industry.
10 I would love to see us one day to go a program similar to the
11 headboat pilot program. From what I'm seeing so far, it's been
12 a successful program.

13
14 In my opinion, Amendment 39, regional management, should only
15 apply to private recreational boats and leave the for-hire and
16 commercial IFQ out of it. This should only be aimed at the
17 private sector. The commercial sector has a successful program
18 and with 40 in effect, the charter will gain stability and
19 accountability.

20
21 As for 36, the current share cap is acceptable. I do not agree
22 with allocation caps. I think you should have to have a reef
23 permit for harvest. We should go back to the requirement of
24 having a reef permit to purchase shares. I am against any kind
25 of use-it-or-lose-it provisions as long as the fish are being
26 harvested.

27
28 Every commercial boat should be required to give a three-hour
29 landing notification. Who knows if they are really landing IFQ
30 fish illegally if no one checks them?

31
32 I am for moving the crew limits on dual-permitted vessels. I
33 should be able to man my boat as I see fit, due to safety. This
34 is an outdated rule to prevent commercial charters and should no
35 longer apply.

36
37 Now on to Amendment 28. This one really has me scratching my
38 head. You are going to punish the commercial IFQ fishermen by
39 taking fish and giving them to a sector that historically -- Has
40 historically overfished its quota. Until the recreational
41 sector, and by that, I mean the private boats, can prove they
42 can fish within their quota, I am against any recalibration at
43 this time. Maybe down the road, after we see how 39 and 40 are
44 working.

45
46 Also, by reallocating fish, you are taking fish away from the
47 consumers, like many fish markets and restaurants. You are
48 removing access from the non-boat-owning public. I am strictly

1 a snapper fisherman and with 28 on the table, it is hard for me
2 to invest in my business and know what the future holds.

3
4 The red snapper fishery is the best it's been in decades. The
5 commercial IFQ guys have been a big part of the rebuilding of
6 this stock and so don't punish the ones that have been
7 accountable.

8
9 I support the thirty-four-inch amberjack increase. As for the
10 commercial side of it, maybe go to a 1,000 or 1,500 trip limits.
11 Both sides should have to help with that fishery. Thank you.

12
13 **CHAIRMAN ANSON:** Brian, we have a question over here from
14 Johnny.

15
16 **MR. GREENE:** Brian, what about the closed season on amberjack?
17 I didn't hear you comment about that, if you preferred it to
18 stay June/July or if you would like to see it moved.

19
20 **MR. SWINDLE:** Me personally, I would love to have it open in
21 June and July. I have not run a twelve-hour charter in two or
22 three years just for that reason. Let some of the other guys
23 who need the fish during the spring and that would be fine. I
24 am used to it now. Just closed June and July.

25
26 **CHAIRMAN ANSON:** Thank you. Johnny Williams, followed by
27 Jillian Williams.

28
29 **MR. JOHNNY WILLIAMS:** Good afternoon. Johnny Williams from
30 Williams Partyboats Incorporated, a third-generation partyboat
31 operator out of Galveston, Texas. I am here today to speak
32 about a couple of things, basically addressing red snapper.

33
34 Number one, I'm in the pilot program, as you all probably know,
35 for the red snapper. It has worked great for us. It gives me
36 the opportunity to fish when I want to fish rather than when I'm
37 told to fish.

38
39 My competitor down the street, he chose not to be in the program
40 in 2014. However, after seeing the benefits that it had for me,
41 he chose to be in it in 2015 and so it's a very good program and
42 that's the good news. The bad news is it's going to end after
43 this year and so we need to make some progress here with
44 Amendment 41 and 42, so we can get a program similar to that for
45 the whole for-hire sector. I don't know if it will be identical
46 to what our program is, but ours is sure working great.

47
48 As far as the commercial fishermen, I think that their program

1 has met all the goals that they intended to meet or if they
2 haven't, they are real close to meeting all of them. I don't
3 think that we should be moving fish from a sector that's
4 accountable to one that's unaccountable at this time.

5
6 It seems like, to me, if you're going to be a good steward of
7 the resource that you don't want to move fish from something
8 that's accountable to something that's not accountable.

9
10 Also, these poor guys are looking over their shoulders all the
11 time. Hopefully we'll get some sort of program similar to them
12 with Amendments 41 and 42. I don't want to be looking over my
13 shoulder all the time. I mean we fought real hard. I fought
14 for sector separation since I first met Doug in Amendment 1 back
15 in 1989.

16
17 I was arguing for it then and I finally got it accomplished
18 twenty-five years later. You don't want to always have to be
19 fighting for everything that you get. Once you get it, it would
20 be nice to kind of hold on to it and cherish it a little bit.

21
22 As far as the regional management, I am completely against that.
23 Look what has happened so far. The states are basically
24 managing their state waters and they have pretty much put a real
25 hardship on the for-hire industry.

26
27 This last year, other than the boats that were in the program
28 that I'm in, they were only allowed to fish a total of nine days
29 out in federal waters because of state management. Why would I
30 want to entrust my fishery to the state when I can see the
31 results of what I've gotten so far? I am completely against the
32 state management at this point in time.

33
34 I have tried to talk to our Director to see what it would look
35 like. I mean if you want me to support something like that, at
36 least tell me what it would look like and they said whatever the
37 commission comes up with. How can you support something that
38 you don't even know what it's going to look like?

39
40 I am real happy with the program I have right now and I hope we
41 get rid of this 28 and forget about it. I mean the results are
42 going to be inconsequential anyway and don't take anything from
43 an accountable fishery and put it in one that's not accountable.
44 Thank you.

45
46 **CHAIRMAN ANSON:** Thank you, Mr. Williams. Jillian Williams,
47 followed by Mike Thierry.

48

1 **MS. JILLIAN WILLIAMS:** Good evening, everyone. My name is
2 Jillian Williams and I am a fourth-generation partyboat captain
3 out of Galveston, Texas. One of my boats is in the red snapper
4 pilot program and it has been working wonderfully for us and I
5 want to thank you all again for helping us get to the point
6 we're at now and hopefully we can get something going good like
7 this for everybody in the future. It really has been doing
8 great for us.

9
10 Our customers have really enjoyed it and it has helped them out
11 a lot and when we have to cancel a trip now, they can just go
12 red snapper fishing later, instead of how it's been the last
13 couple of years, where every single day in June is booked and if
14 your trip gets cancelled, you just don't go fishing and so it's
15 a lot better for our customers as well.

16
17 As far as reallocation goes, I don't see it solving anything
18 right now and so I think we're just kind of wasting our time a
19 little bit with sitting here arguing about it. I mean I don't
20 know as much about it, as in-depth as a lot of people, but to me
21 personally, it doesn't seem like it's going to help us do
22 anything right now.

23
24 State management sounds like an awful idea to me. Texas, I love
25 my state, but I have seen what they've done with the red snapper
26 in our state waters and how they have just opened it to people
27 poaching them offshore every single day of the year.

28
29 I see fish out there or I see boats out there when we're fishing
30 all the time on spots that I know that 99.9 percent of what they
31 are probably catching is red snapper. I hear people talk about
32 how they run out there and just come back in.

33
34 They don't have enough game wardens out there to stop them from
35 doing it and they do it every single day and so I am not really
36 in agreement with the state management, because I have kind of
37 seen what Texas has done as far as our red snapper fishery goes,
38 but thank you all so much again and I appreciate you all letting
39 me speak up here today.

40
41 **CHAIRMAN ANSON:** Ms. Williams, we have a couple of questions.

42
43 **MR. PEARCE:** Just real quick and no disrespect to your father,
44 but I want to be on your boat when I come fishing down there.

45
46 **CHAIRMAN ANSON:** Corky, did you have a question?

47
48 **MR. PERRET:** Yes and, Jillian, we keep hearing about poaching

1 every day off of Texas. Now, Captain Hickman says they're only
2 allowed to address the Parks and Wildlife Commission one day a
3 year, which that is unbelievable to me, but if that's the
4 system, that's the system.

5
6 The industry, the people that are all following the rules, do
7 you guys write letters to the commission or to the department
8 head trying to get some activity to combat this alleged
9 poaching?

10
11 **MS. WILLIAMS:** I have personally spoke with quite a few game
12 wardens and talked to them about the problem and basically they
13 told me that they do not have enough money to fund them to
14 actually go out and patrol that nine-mile line and so there's
15 just not really anything they can do about it until they get
16 more funding to where they can go out there and actually enforce
17 it.

18
19 They know it's going on and a lot of them just told me they
20 would love to go out there, but they don't give them enough
21 money to fuel up the boats to go out there and wait for the
22 people to come back in and catch them.

23
24 When the people come up to the dock, they are not allowed to
25 look at their GPS and see where they've been or anything like
26 that and so if the people say they caught them in state waters,
27 they caught them in state waters.

28
29 The whole system, like I said, is just basically set up to where
30 people get to mess with the system and go catch snapper. I mean
31 a lot of the guys that tell me that they do it, they always try
32 to justify it with, well, we only get so many days and blah,
33 blah, blah.

34
35 I am trying to make a living off of that. You know what I mean?
36 So I don't really see how that justifies them being able to go
37 catch these snapper, but I hear people talk about doing it all
38 the time and I see people doing it. Unfortunately, that's just
39 kind of how Texas has set it up for us.

40
41 **MR. PEARCE:** One follow-up. The Coast Guard is sitting right
42 here and you need to get his card before you leave and let him
43 know what your problems are, so he can help you.

44
45 **MS. WILLIAMS:** Thank you.

46
47 **CHAIRMAN ANSON:** Mike Thierry, followed by Skipper Thierry.

48

1 **MR. MIKE THIERRY:** Thank you. I am Captain Mike Thierry from
2 Dauphin Island, Alabama. I am the owner/operator of the Charter
3 Boat Lady Ann and I have been in the charter/headboat business
4 for over forty years.

5
6 As a charter boat owner, I have a significant investment in my
7 boat and related equipment, what it takes to run and maintain my
8 business. I hire around four people throughout a normal fishing
9 year. On my boat alone, I take around 1,150 people from all
10 over the United States fishing each year and this is how I make
11 my living and pay my bills and keep the lights on.

12
13 The charter industry is way overdue for stability and
14 accountability. We desperately need this stability so that we
15 can make some good sound business plans, something we have not
16 had the luxury of doing in the past.

17
18 I urge this council to move forward with a fishery management
19 plan for charter boats. This council has seen how well the
20 Headboat Collaborative has worked and a plan like this needs to
21 be implemented for the charter industry. Please, let's move
22 forward, folks. We have kicked this can and I can go on about
23 that.

24
25 There are many differences and needs between the sectors, the
26 for-hire sector and the recreational sector. We need to be
27 separated from the recreational sector, please.

28
29 I would like to say a one fish limit on redfish in federal
30 waters and on amberjack, an increase in the size limit to
31 thirty-four inches is fine, but the closure in June and July is
32 best for us. This does not need to be changed. Charter boats,
33 at this time, need to be left out of state management.

34
35 On Amendment 28, I think it needs to stay status quo and, in
36 closing, in a few minutes, you are going to hear from my son,
37 Skipper, who chose to be in the for-hire industry. My youngest
38 son would also like to be in the industry, but due to the many
39 uncertainties and lack of stability, chose not to do this for
40 his occupation.

41
42 I hope we can finally get some stability in the for-hire sector,
43 for as there can be a future for this industry in generations to
44 come. Thank you.

45
46 **CHAIRMAN ANSON:** Thank you, Mike. Skipper Thierry, followed by
47 Buddy Guindon.

48

1 **MR. SKIPPER THIERRY:** Good afternoon. I am Shipper Thierry and
2 I think Mr. Pearce said earlier he didn't see a lot of young
3 people up here and I think that's because they are mostly a lot
4 smarter than me.

5
6 Anyway, I have a headboat out of Dauphin Island, Alabama. I
7 fished with dad my whole life growing up and I've been in
8 business myself for the last eleven years and I have fished for
9 a living since 1999.

10
11 I am really excited about this upcoming season. It's the first
12 season I will possibly have an increase in our red snapper
13 season, thanks to Amendment 40, due to the hard work of this
14 council and many others. Let's stay the course.

15
16 Please continue to move ahead with fisheries management plans
17 for charter and headboats. Most of you all know I've been
18 fortunate enough to be in the collaborative last year and I'm
19 just getting started good this year. It's been nothing short of
20 phenomenal and you all have heard it all day. Everyone would
21 love to see all charter and headboats follow a similar plan. It
22 has worked with virtually no complications.

23
24 Please leave charter and headboats out of Amendment 39. I think
25 regional management is a great idea for the private recreational
26 angler. Let each sector choose the path that gives them the
27 most access.

28
29 I would like to see status quo on Amendment 28. I would like to
30 see this council explore a one fish bag limit for triggerfish,
31 to see if it could possibly give us a longer season. Closed
32 seasons are bad for business.

33
34 I definitely support a thirty-four-inch amberjack, as a longer
35 season is needed. If we must have a closure, let's keep it
36 during June and July and give us something to catch during the
37 rest of the year. Closures are bad for business.

38
39 Please continue the conversation about keeping one red drum in
40 federal waters. I was really excited to see the Mississippi
41 exempted permit and I fully support that. Closures are bad for
42 business.

43
44 Also, you all have heard all day that gag grouper are in really
45 bad shape and let's seriously consider a reduction in the catch
46 to save the fishery before it's too late. Thank you, all.

47
48 **CHAIRMAN ANSON:** Thank you. Harlon.

1
2 **MR. PEARCE:** It is good to see youth in this industry,
3 particularly because us old-timers don't -- We are very
4 electronically challenged and you guys can handle those
5 computers a whole lot better than we can and that's where we're
6 headed with this industry to do better electronic reporting and
7 better this and so it's important and it's a great industry to
8 be in.

9
10 I know we're scaring everybody away with a lot of stuff we have
11 here today, but trust me, all the industries in the seafood
12 business are great for kids to get in and they need to get in
13 now. Thank you.

14
15 **CHAIRMAN ANSON:** We have Buddy Guindon, followed by Shane
16 Cantrell.

17
18 **MR. BUDDY GUINDON:** Buddy Guindon and I'm a commercial fisherman
19 and fish house owner and I've got a charter boat and many other
20 things. I came up here and I was going to try to throw Roy
21 under the bus, but in listening to some of the talking that was
22 going on here, I realized that Roy needs to be congratulated.

23
24 In his tenure here on the council, he has implemented, with the
25 help of the council, many management plans that have worked and
26 that are working and he is still moving that forward with the
27 Headboat Collaborative and Amendment 40.

28
29 So, congratulations, Roy. I think you should preempt the states
30 in their fisheries management so that you can take full credit
31 for what you've done for this fishery and you should make the
32 states comply with the federal laws and then you would shine and
33 they wouldn't be up at Capitol Hill insulting you, because you
34 have done a great job.

35
36 I want to talk about my business. We have had, in seven years,
37 the most successful business that you could imagine. I had one
38 little rough spot when the council decided that we should have a
39 quota increase in the last quarter of the year, putting a
40 million pounds on top of the million pounds that was still
41 available. They put two-million pounds in the last quarter of
42 the year and made it very difficult for us to prosecute our
43 business and left a lot of fish on the table.

44
45 This year, we are moving towards doing that a little earlier,
46 which is great. I appreciate that. You're doing a good job
47 with that, but we should be doing this at the beginning of the
48 year and we shouldn't be looking for ways to hold fish back so

1 that maybe you can shift them over to another sector. If you
2 can't get it done by January 1, let's worry about it the next
3 year. It will help our businesses.

4
5 Now, when we come up here and say we represent 70 percent of the
6 allocation holders, what that means is 100 percent of the
7 commercial fishermen and of the 21 percent of the charter boats,
8 we represent 20 percent of them. Bob is not in that group and
9 he might have a couple of friends, but not very many.

10
11 We really would like to see the people in this industry that
12 represent the fishermen out here. We represent the consumers,
13 by virtue of giving them access to the fishery, and so you have
14 to look at us as a very large group and to try to shift
15 allocation over to the 1 percent, the 1 percenters that can own
16 their own boat and go out into the fishery, is just wrong.

17
18 It does not provide any economic benefit and we have proven that
19 in our economic study, King and Buck. It's not fair and
20 equitable to allow 1 percent of the people to have over 50
21 percent of a fishery. It's not fair and equitable and now we're
22 going to look at calibration.

23
24 It's a new thing and let's take the time to look at all aspects
25 of this calibration. There is no rush to do this. You are not
26 going to add anything but a day to the recreational fishery and
27 so I think, as we move forward here, I am against Amendment 28
28 and Amendment 36, status quo.

29
30 We can do some things to improve, but let's not limit the
31 viability of a system that we put in place to meet the goals and
32 we have met the goals and so thanks for your time. I am glad I
33 didn't throw you under the bus, Roy.

34
35 **MR. PEARCE:** Buddy, thanks for your comments. How much -- Give
36 me some of the different parts of this country that you send
37 your fish. It just doesn't all stay in the Gulf, does it?

38
39 **MR. GUINDON:** Well, most of it. I would say 85 percent of the
40 fish that I handle, which is a large amount of fish, stay right
41 in the State of Texas. I send a few to you, Harlon, and we send
42 them up the I-45 corridor with a distributor that has been in
43 business since the early 1970s in Texas. He runs all the way up
44 to Minnesota up the I-35 corridor.

45
46 We have fish that go into Seattle and into Las Vegas with our
47 Gulf Wild Program and any time Jason needs some fish over there,
48 some red snapper over there, in Florida to send up to his

1 customers, I send them that way and so we have a wide
2 distribution of fish.

3

4 **MR. PEARCE:** But is the demand bigger than that?

5

6 **MR. GUINDON:** Yes, it's to the point of ridiculousness with the
7 amount of people that are seeking out fresh red snapper, because
8 they can keep them on the menu year-round and they can put them
9 in their retail markets and the customers can depend on them.

10

11 Grocery store chains are begging to have these fish on a regular
12 basis, so their customers know it's going to be there and know
13 it's going to be fresh and know it's going to be certified.

14

15 **DR. DANA:** Thank you for your comments, Buddy, first of all.
16 You had noted about Amendment 36, that we should stop and there
17 is no need to go any further with that. I attended the scoping
18 or public hearing recently on Amendment 36 and with the
19 exception of one or two -- I think there was two recreational
20 anglers there, but it was -- The people attending were
21 participants in the fishery IFQ program at various levels, high-
22 liners as well as newer entrants and small operators.

23

24 I didn't hear that they did not want a -- That they thought
25 Amendment 36 needed to not be dealt with. In fact, they had
26 some pretty innovative ideas about how to use Amendment 36 to
27 accommodate the bycatch or accommodate new entrants or deal with
28 a -- What is it, the bank, the quota bank?

29

30 **MR. GUINDON:** Correct, yes. What I was talking about is the
31 restrictiveness, restricting businesses from growing. That's
32 the part of it I was talking about. The part where they suggest
33 to have a quota bank, we have already done that in the
34 Shareholder's Alliance. We have already built one and so you
35 know I'm in favor of that.

36

37 New entrants, we have talked about a loan program. It doesn't
38 have to be a government-sponsored loan program. Just give us a
39 place to register these quota shares so we can go to a bank and
40 set a young man up with a business plan. That's the way
41 businesses are done. That's the way McDonalds are done. You
42 don't know anybody that goes up there and get a McDonalds
43 because they didn't have one and so they should be given one.

44

45 We need to make this a business. It's become a business and
46 it's a very good business and there are a few tweaks we can do,
47 but that's not changing the IFQ system. That's assisting it and
48 that's helping it grow. That's not restricting it.

1
2 What I'm talking about by restricting it is when you limit the
3 amount of fish a boat can catch. When you take a man that has
4 worked all his life and now he is at home leasing his fish and
5 taking care of a bycatch problem in the Gulf of Mexico --
6 Without that guy, the eastern Gulf, which we are doing 900
7 percent better than we were in the beginning, and maybe better
8 than that, because we haven't looked at the statistics lately,
9 but if we remove those fish that are able to be leased into the
10 eastern Gulf, then we're going to create a bigger bycatch
11 problem.

12
13 As far as full retention fishery, I have been up here saying a
14 hundred times saying -- I probably do it every council meeting.
15 A full retention fishery with a quota bank and the rest of the
16 reef fish will fulfill the promise of an IFQ fishery of building
17 the stocks up and making it better for everybody. Anything
18 else?

19
20 **CHAIRMAN ANSON:** Thank you, Buddy. Shane Cantrell, followed by
21 Kim Chauvin.

22
23 **MR. SHANE CANTRELL:** Hello. I am Shane Cantrell and I'm the
24 Executive Director of the Charter Fishermen's Association. We
25 are primarily a charter boat organization and we also represent
26 some marina owners, private anglers, some members of the
27 environmental group.

28
29 We have a very diverse membership. As Mike Jennings said, we
30 are just over 700 members and we've got members from
31 Brownsville, Texas all the way down to Venice, Florida. We
32 represent a large portion of the Gulf and many of our members
33 are dual permit holders and I would say we have a very large
34 number of dual permit holders in our organization and so I will
35 start off with Amendment 36, something that really speaks to
36 them, is the over-restrictive crew size limit.

37
38 That's something that at one point was put into place to protect
39 the commercial industry and that's something that really was an
40 issue. At this point, they are under a VMS system. Every day
41 you hail out and under a VMS system, you have to declare
42 recreational, commercial, charter, research trip. There is no
43 wiggle room in there. Once you have declared that trip, you
44 know what the vessel is doing.

45
46 Additionally, in the Amendment 36, we would like to see, as our
47 commercial fishermen friends have said, we want a lot of that --
48 A lot of that stuff is an attempt to disrupt the IFQ system and

1 we don't want that. They are responsible for building a big
2 portion of this successful fishery.

3
4 We want to improve this program with a federally-backed loan
5 program for new entrants, people that want to get into this
6 fishery. I currently do a little bit of commercial fishing and
7 I lease all of my quota. I don't want to do that forever. I
8 want to be able to buy into this fishery and have a federally-
9 backed system to do that.

10
11 We want to move towards exploring a full-retention fishery and I
12 think that would be a great step in the right direction. We
13 would stop throwing dead fish back in the ocean. Those are not
14 good practices.

15
16 On the amberjack, a thirty-four-inch fork length works for
17 across the Gulf and we have heard that today. Give us a June
18 and July closure, just like we've had, and it will create some
19 stability and flexibility within the industry and it will also
20 allow more fish to reach sexual maturity.

21
22 On Amendment 39, Action 2, Alternative 2. I don't know how many
23 people you've heard today say the charter boats want to be in
24 that, but we will come up here and again and say, just for the
25 record, the charter boats don't want to be in Amendment 39. It
26 doesn't meet our needs.

27
28 Amendment 40 meets our needs. That was something from the
29 ground up and developed by the fishermen eight years ago. Gary
30 Jarvis came right here and he said that that's where we wanted
31 to go and we haven't waived off of that. That's what we have
32 wanted.

33
34 I have talked to a couple of state directors and one of them in
35 particular, from my home state in Texas, had said -- In his
36 defense of opposing that, he said I don't know what it gives me.
37 Well, I don't know what regional management gives me.

38
39 Amendment 40, from the beginning, was a simple allocation for
40 the charter boats and that's what we've gotten. We need to
41 select members for these APs and get these APs convened and move
42 forward with Amendment 41 and 42.

43
44 **MR. PEARCE:** You didn't say anything about Amendment 28.

45
46 **MR. CANTRELL:** Sorry. I forgot that.

47
48 **MR. PEARCE:** Where are you at on 28?

1
2 **MR. CANTRELL:** Amendment 28, our organization is adamantly
3 opposed to Amendment 28. I guess if we had to support it, it
4 would be Action 1, status quo. I understand that charter boats
5 would get part of that fishery, a percent or two, after sector
6 separation, if we get that in there and there isn't a hostile
7 movement to take all of those fish and move them to one portion
8 of the fishery. That would be good, but when you look at it,
9 you're moving say 500,000 pounds of fish.

10
11 That's a large number of fish off the commercial industry, these
12 hard-working commercial businesses. You are taking that and
13 putting it into a system that's not fully accountable for the
14 gain of possibly one day and that doesn't make sense. We can
15 cut 3 percent, as proposed, into a fishery we don't know
16 everything about.

17
18 If we want to really address this problem, we can cut into that
19 buffer. We have got a 20 percent buffer on the entire
20 recreational fishery and that's where you improve this fish.
21 Get management in place to add that and we can get everything.
22 Things like exploring the red drum, that really affects our
23 fisheries here.

24
25 **CHAIRMAN ANSON:** Thank you, Shane. Kim Chauvin and Dean Cox.

26
27 **MS. KIMBERLY CHAUVIN:** Kimberly Chauvin, twenty-eight years in
28 the shrimp fishery business. I own three Gulf boats and I also
29 have a processing house and an unloading facility and I am here
30 about the shrimp moratorium permits.

31
32 In 2005, we started out with 2,600 permits and in 2014, we are
33 down to 1,482. We have lost 1,100 permits and this isn't
34 because people have chosen to just get out of the industry.
35 There was no leniency when Katrina and Rita hit. We lost 278
36 permits just in that year alone.

37
38 People lost homes and there was no way to reach them and there
39 was no way to obtain these permits and they were turned away and
40 for the BP spill, we lost 184 because people were told there
41 would be no industry. There was no way for these people to get
42 back in after the fact and so some of the issues that we have
43 with our permits is because of certain things that took place.

44
45 We have other years where we lost a great deal of them and that
46 had to do with major hurricanes. In the beginning, at the
47 public hearing meetings, we were told by NOAA Fisheries that we
48 would not lose these permits. We were lied to.

1
2 We need to work on the issues that have been brewing since the
3 first year of issuing permits. We need a round-table discussion
4 and we need decisions to be made, but we need the shrimp fishery
5 input and we have not had that.

6
7 At the AP meeting, we were thrown three options, but there is no
8 research behind these options of why we need to stay with the
9 status quo. There is no research to show any of this. You know
10 one of the things that I asked, because they said, well, you
11 have a red snapper issue and I said, okay, well, what are you
12 doing about the oil industry, when they are blowing up rigs and
13 killing all those fish and turtles and everything else?

14
15 This was what I was told. Oh, we can't do anything about them.
16 Well, what are you doing pointing fingers at the fisheries, when
17 you can't even deal with the real issue? We have issues that
18 are pertaining to our permits that we need more research on and
19 we need round-table discussions when it comes to these shrimp
20 permits. Thank you.

21
22 **CHAIRMAN ANSON:** We have several questions for you, Ms. Chauvin.

23
24 **MS. BOSARGE:** It's good to see you again, Kim. For those of you
25 that don't know, Kim is pretty -- She is kind of unique in the
26 shrimp industry. In the shrimp industry, we don't have
27 commercial and recreational. In the Gulf end of it anyway, it's
28 a commercial fishery and that's what it is.

29
30 If you had to divide the shrimp industry up into groups, which
31 we don't do, but if you did, you would have your boat
32 owner/harvester, the guy that goes out there and catches the
33 shrimp, and you would probably have the fish house/processor
34 side.

35
36 Kim is unique in that she does both. She owns boats and
37 operates boats and so she harvests and she also is in the fish
38 house/processing side, as she said, and she is also on our AP.
39 I was wondering, Kim, you know we saw the presentation yesterday
40 about what happened in the AP and the presentation that you all
41 saw where the production has pretty much remained flat or
42 stable, even though the fleet has decreased, which is good for
43 the boat owner side. Those guys can make a living again.

44
45 The unanimous vote in the AP to keep the permit moratorium where
46 it was and any permits that fall off from here forward go ahead
47 and make a pool, so that if those people decide they want to get
48 back in the -- Or if anybody wants to get into the industry,

1 there would be an avenue for them to do that and that was a
2 unanimous vote and things change. I would like to know what
3 changed your mind about that.

4
5 **MS. CHAUVIN:** Because after going to that meeting in which we
6 had -- I mean there was a presentation, but there was no real
7 meat to this presentation of why we needed to stay at a status
8 quo and in going back to our Wildlife and Fisheries and going
9 back to some of the docks and going back to the fishermen, they
10 were like, well, why are they picking this number and what did
11 they do, pick it out of the sky again?

12
13 That's where it comes from. We need to sit down and discuss and
14 have fisheries input aside from the shrimp panel and really get
15 down to which numbers we need to be at and why.

16
17 **MR. PEARCE:** Kim, I really appreciate you coming, because some
18 of the things you just said are part of the problems of this
19 council. We don't hear from the shrimp industry. If you look
20 in this audience, we've got charter boats and commercial boats,
21 but never do we hear from a shrimper at this panel here and that
22 hurts.

23
24 We need your voice. We need a shrimp voice here to make us
25 understand these issues, so that we can make a better judgment,
26 but clearly getting to people -- Especially in Louisiana, we
27 don't hear from you guys and you need to be here. Okay?

28
29 **MS. CHAUVIN:** Okay.

30
31 **MR. PERRET:** Thank you, Kim. We have had some different numbers
32 given to us during our Shrimp Committee meeting relative to the
33 value of these permits and I -- My memory is not great, but
34 about a month ago, when we were in Tampa for the Shrimp AP
35 meeting and I think it was you that made two phone calls asking
36 about price of shrimp permits and one person bought one for \$700
37 and one bought one for \$800 and is that what --

38
39 **MS. CHAUVIN:** No, \$7,000 and \$8,000 and the issue was that it
40 was a broker who had it. It wasn't even a boat owner and it was
41 because of the way the rules are written and how a boat owner
42 just cannot keep holding -- Like if I sell my boat, I only have
43 so much time to obtain another boat and so you're almost
44 scrambling to make a decision on a boat.

45
46 Listen, I am looking for another boat and when I go to do that,
47 I have to scramble to do this with the permit and so that makes
48 an issue for us in the way the rules are written, but it's

1 \$7,000 and \$8,000.

2
3 **MR. PERRET:** Well, I was only off by one zero, but, anyway, I
4 had the 7 and the 8 right. This is what I can't understand and
5 no one has been able to adequately explain it to me and maybe
6 you can help me out. If a permit is worth several thousand
7 dollars, why are we having twenty-five to thirty a year
8 expiring? They have got a year to renew and the agency sends
9 them letters that they haven't renewed their permit and why are
10 twenty-five or thirty people a year letting something go that's
11 worth several thousand dollars when it costs twenty-five dollars
12 to renew?

13
14 **MS. CHAUVIN:** Because if they have sold their boat and weren't
15 going to get back into the -- See we were told at the public
16 hearings in New Orleans and in our fishing communities that we
17 would not lose them. What happened was that changed on us.

18
19 They decided that they could pull these permits at the given
20 time. Like you have a year to decide on the boat, but you can
21 pull this permit.

22
23 For some, it was that they might as got as far as they sold the
24 boat and did not get another one, but was hoping to hold on to
25 it for their kids. Listen. I have two boys and they want to
26 get in this industry and so I am doing what I can to put them in
27 it. Are they crazy? I don't know. I have made an okay living
28 with it, but it's the struggle of the regulations.

29
30 It is stressful and the reason why Harlon and most of you
31 haven't seen us here is because this morning at seven o'clock I
32 am taking off to go to Wildlife and Fisheries because I have to
33 deal with trip ticket issues and a TED issue, because the state
34 has just decided they're going to enforce the TEDs. I guess
35 that's a good thing on the state side, but I had to do that and
36 then to come over here, driving from Baton Rouge to come here,
37 there's a lot of this going on with our industry.

38
39 There is so many meetings in the last two weeks, but anyway,
40 aside from that, my children want to get into the industry.
41 They are twenty-six and twenty-five and have boats and so I have
42 to go and look for actually a broker to find these permits,
43 because you have had people who lost them for Katrina and Rita
44 and you've had a number of different things that have happened
45 where people have lost households and ways to get their
46 communication and then you had the BP spill. Now, we have --
47 Some of them is that it's just not enough time.

48

1 **MR. PERRET:** Kim, thank you very much. It's not just fishermen
2 that have problems filling out these federal forms. Some of us
3 on the council screwed up filling up some forms too.

4

5 **CHAIRMAN ANSON:** Dean Cox.

6

7 **MR. DEAN COX:** Thank you, Mr. Chairman. I am Captain Dean Cox
8 and I'm a dually-permitted owner from Destin, Florida. A little
9 unorthodox testimony here, but if you will indulge me. If I can
10 get it to work. Darned technology.

11

12 Thank you, Mr. Chairman, Gulf Council, and staff. I hope this
13 rapping lightens you and I hope it makes you laugh. First, I
14 would like to thank you for Amendment 36. A step in the right
15 direction, this could be just the fix. To the few things that
16 are broken in the catch share IFQs, new entrants they need quota
17 and discarders they do too, but the ones I think that need the
18 most are fishermen like me.

19

20 Catch records show that I was fishing since 1993. I was fishing
21 years before that, commercial and for-hire. I qualified on the
22 permit so the owners could retire. I was working through heavy
23 conditions and facing market gluts while the owners of these
24 permits were sitting on their butts.

25

26 Now the snapper are rebuilding at a rate not seen for years.
27 All I want is what I've worked for and I don't want to take the
28 gears. I don't want Wayne Werner and Donnie Waters --. I don't
29 want David Walker's, but I just want --. I have been watching
30 while this fishery rebuilt and I have got to pat myself on the
31 back for the last one I just killed.

32

33 Amendment 28, now that's a slap in my face. Alternative 1, no
34 action. Anything else would be a disgrace. Bearing the brunt
35 of rebuilding, I have been taking it on the chin and now you're
36 trying to reallocate and this misery never ends.

37

38 The commercial sector is accountable and sustainable that's
39 true. The charter for-hire guys just want to follow suit. They
40 are offering the council this here and over there and not rely
41 on magic numbers. We can pull them from thin air.

42

43 I thought this was the land of the free and the home of the
44 brave. Magnuson and Stevens are rolling over in their graves.
45 Unused quota just sitting on the shelf. A fishermen needed them
46 and I needed them myself. I could have used these shares to
47 sustain my business plan, providing protein and nutrition for
48 the hungry in this land.

1
2 I am almost finished. Just a few more thoughts on how to make
3 things right. Give shares on remaining reef fish has always
4 been my sight. Commercial, the millions, they're a tragedy of
5 the commons. I used to enjoy a steak to eat and now all I eat
6 is hummus. By now the music is ending and so I may have to go a
7 capella. You might not like what I have to say, but you might
8 agree that I'm a -- fellow.

9
10 The last few lines, I've got to admit that I'm almost out of
11 breath. I would like for Amendment 28 to die a sudden death.
12 If you are on the fence, I hope I influenced your choice. The
13 non-boat-owning public, they're relying on my voice. With all
14 that said, I will bid you adieu and ask you to do what's right.
15 Peace to you and yours and good luck fishing and good night.

16
17 **MR. PEARCE:** Talk about finishing strong. At least that gave us
18 a little levity before we finish today and we got your comments
19 and we appreciate them. It was a good way to do it and it woke
20 us all up. Thank you for coming.

21
22 **DR. DANA:** Captain Cox, thank you. You were at that recent
23 public hearing that I referred to to Buddy Guindon regarding
24 Amendment 36. Again, he had said at one point that it didn't
25 need -- We didn't need to revise it or go forward.

26
27 I think that probably you have a different -- He clarified that,
28 but I think you have kind of a different perspective as a small
29 IFQ holder and at least you expressed that in the meeting. Do
30 you have any comments on Amendment 36?

31
32 **MR. COX:** No, I just think the historical -- You know I was
33 qualifying permits, even though I didn't own the boats. I
34 should have somehow qualified for some sort of IFQ, instead of
35 having to buy into the fishery.

36
37 **DR. DANA:** I guess my point was from your perspective and from
38 those at that particular hearing, is there room for some
39 revisions or is Amendment 36 a tool that can be used to refine
40 the IFQ program to better accommodate or include folks as
41 yourself, new entrants? What is your --

42
43 **MR. COX:** Absolutely. First of all, at the end of Amendment 36,
44 at the very end, they mention incorporating the rest of the reef
45 fish into IFQs. Historically, my main stay has been vermilion
46 snappers and so being they are not on catch shares, I don't have
47 leverage to buy into the fishery that I have been participating
48 in, where if I had catch shares on vermilion, I could trade the

1 for bycatch to others for snappers that are my bycatch. Thank
2 you.

3
4 **CHAIRMAN ANSON:** Thank you, Dean. That concludes our public
5 testimony. Dale, did you have a comment?
6

7 **MR. DIAZ:** Yes and I promise I won't be more than a minute or
8 two. I just wanted to say the first speaker's name was Mr. Roy
9 Howard and I believe I got that right. I did walk out and talk
10 to him in the hall for just a minute and I think what the
11 unfortunate thing was is he was hard of hearing and he was the
12 first speaker and so he didn't understand that it was a three-
13 minute limit, but I do want to take just a minute and get his
14 comments on the record.

15
16 He only had a couple and had he known that the three-minute
17 limit was in place, I think he could have got them in easily,
18 but he just didn't -- He couldn't hear.

19
20 He would like to see a closure for red snapper between May 15
21 and September 15. He said he thinks that would probably add
22 about 10 percent more fish per year. He is a big proponent of
23 having numbers of fish instead of pounds for fish. He thinks
24 that would be easier for everybody to track.

25
26 He also said that for consistency's sake he would like to see
27 for us -- If we could move in a direction where we had
28 consistent seasons over a number of years and he would like for
29 us to shoot for having at least a thirty-day season, where
30 people would know three years in advance that that thirty-day
31 season would be there.

32
33 That was the main comments that he had when I talked to him in
34 the hall and I do want to make a note that Dr. Crabtree did go
35 out and give him his card personally and he invited him to call
36 him with any other comments he might have. Thank you, Mr.
37 Chairman, and I appreciate your time.

38
39 **CHAIRMAN ANSON:** All right. With that, that will conclude
40 today's business and I will see everybody tomorrow morning.
41 Remember we have closed session first thing in the morning, at
42 8:30. It will last approximately an hour or maybe a little
43 over.

44
45 (Whereupon, the meeting recessed at 6:30 p.m., April 1, 2015.)

46
47 - - -

48

1 April 2, 2015

2
3 THURSDAY AFTERNOON SESSION

4
5 - - -

6
7 The Full Council of the Gulf of Mexico Fishery Management
8 Council reconvened at the Golden Nugget Casino Hotel, Biloxi,
9 Mississippi, Thursday afternoon, April 2, 2015, and was called
10 to order at 12:10 p.m. by Chairman Kevin Anson.

11
12 **CHAIRMAN ANSON:** We are going to reconvene the council.
13 Welcome, everyone. We are going to pick up where the schedule
14 has us and I apologize to everybody out in the audience that was
15 sitting out in the waiting room. Obviously it went a little
16 longer than we had anticipated, but thank you for your patience.

17
18 That will take us -- Next on the agenda, the first item for
19 today is the Review of and Vote on Exempted Fishing Permits,
20 EFPs, and so Dr. Crabtree or Steve.

21
22 **DR. BRANSTETTER:** I will turn that over to Mr. Joe Jewell.

23
24 **REVIEW OF AND VOTE ON EXEMPTED FISHING PERMITS**

25
26 **MR. JOE JEWELL:** Good morning, council members. For you all
27 that don't know me, I am Joe Jewell and I am the Director of
28 Marine Fisheries at the Department of Marine Resources, the
29 Mississippi Department of Marine Resources.

30
31 I will get started, in lieu of the presentation. It's just a
32 short presentation from the State of Mississippi, an application
33 for an exempted fish permit. The purpose of the proposed study
34 is to collection population data specific to the genetics, age
35 and growth, reproduction and food habitat, or diet, for adult
36 red drum in federal waters, where harvest has currently been
37 prohibited since 1988. The data would be used to support future
38 stock assessments and red drum state management decisions.

39
40 The Mississippi Department of Marine Resources will gather
41 scientific data that is currently limited on adult red drum in
42 the northern Gulf of Mexico. The exempted fish permit will
43 allow the Mississippi Department of Marine Resource to collect
44 red drum in federal waters using the State of Mississippi
45 licensed for-hire vessels possessing the federal permit.

46
47 I will give you a little background on the proposed exempted
48 fish permit proposal. The existing near-shore red drum dataset

1 represents only a small percent of the age classes for the red
2 drum. A more robust sample size is required to ensure
3 confidence in the results from the currently ongoing as well as
4 future stock assessments.

5
6 Since the federal moratorium in 1988, there has been a lack of
7 recent offshore assessments addressing vital life history traits
8 for the red drum in Mississippi coastal waters and adjacent
9 federal waters and these include things like population
10 genetics, age, growth rates, histology, and diet.

11
12 I will give you a few of background program specifics. The
13 timeframe will be about two years. Data collection will include
14 the same things I mentioned before of population genetics, age,
15 growth rates, histology, and diet. We are requesting 30,000
16 pounds, or approximately 2,000 fish. This would be split
17 annually for 15,000 pounds and 1,000 fish.

18
19 We are proposing to use Mississippi licensed for-hire vessels
20 possessing the federal permit. For-hire operators with fish-
21 related violations will be excluded from the program. Anglers
22 will be allowed to retain fish after the data has been collected
23 and removal of the tissues and hard parts that are needed for
24 the analysis in the program.

25
26 We are proposing to monitor the program actually quite closely
27 by using our existing fish app information. The proposed 30,000
28 quota will be enforced via a mandatory reporting process.
29 Vessel captains will be required to acquire a confirmation code
30 for each trip. Vessel captains will be required to report red
31 drum harvest for every fish while fishing under the exempted
32 fish permit.

33
34 A code will be provided for each trip and vessel captains must
35 report on the current trip and clear the code before the code
36 would be issued and even if the captain does not go out that
37 day, the code will have to be cleared.

38
39 The app reporting requirements are the number of anglers, the
40 number of fish harvested, the hours fished, and port of return.
41 If the captain doesn't have a smartphone, the other options are
42 to call in by phone or access via the website the DMR -- It will
43 be available on the DMR website.

44
45 In summary, the Mississippi Department of Marine Resources is
46 requesting an exempted fish permit to collect scientific data on
47 red drum. The data will be available to state and federal
48 partners.

1
2 Collection of specific red drum data include population
3 genetics, age, growth rates, histology, and diet. The timeframe
4 will be two years and the requested dataset quota is 30,000
5 pounds, approximately 2,000 fish, and it will be monitored via a
6 mandatory reporting fish app. With that, I will take any
7 questions.
8
9 **CHAIRMAN ANSON:** Any questions? Thank you, Joe, for the
10 presentation. Any questions?
11
12 **MR. PERRET:** Thank you, Mr. Jewell. I want to complement you
13 on, in my opinion, an excellent proposal forward and I've got a
14 couple of questions. Maximum number of boats will be twentyish,
15 twenty-five, somewhere in that number, that would participate if
16 this is approved?
17
18 **MR. JEWELL:** Correct. We are estimating around twenty-four or
19 twenty-five, but that doesn't take into account that we are
20 waiting for the violations report. That could be a little bit
21 lower.
22
23 **MR. PERRET:** Okay and my second question is you're estimating
24 the size, I think, at fifteen pounds and I assume if the size of
25 the fish are larger that you're going to be getting mandatory
26 reporting and you will adjust the numbers accordingly, whereas
27 if the fish are smaller average size, you would do the same
28 thing?
29
30 **MR. JEWELL:** Yes, absolutely.
31
32 **DR. BRANSTETTER:** Joe, you said that you're only going to use
33 federally-permitted vessels?
34
35 **MR. JEWELL:** That's correct, yes.
36
37 **DR. BRANSTETTER:** You're not going to just use Mississippi-
38 licensed vessels?
39
40 **MR. JEWELL:** Yes, that's correct.
41
42 **DR. BRANSTETTER:** Okay, because that's not what we had
43 discussed.
44
45 **MR. JEWELL:** Yes, we originally discussed using the for-hire
46 fleet, which is substantially larger, around just over seventy,
47 but in discussions, we talked about access by the reef permit
48 and the environmental surveys and so we're going to go with the

1 federal reef permit holders.

2
3 **MR. PEARCE:** Thanks for your presentation. Anything I can do to
4 help the great state of Mississippi, I will be glad to do,
5 especially with red drum. I think that, looking at your
6 numbers, if you've got twenty-five vessels and 15,000 pounds,
7 that's about 600 pounds per vessel over the year, which is not a
8 lot.

9
10 I mean divide that by your fifteen and it's not that many fish,
11 but anything we can do to get data, particularly on red drum, we
12 need to jump on it and this is a great way to start, to start
13 getting some of that data that we have to have to see where this
14 fishery stands.

15
16 I applaud you for what you're doing and I will back you 100
17 percent if I can. Anything the great state of Mississippi
18 wants, I will be there for you.

19
20 **MR. PERRET:** I would like to move that the council recommend
21 approval of the draft exempted fish permit for red drum that's
22 been submitted by the Department of Marine Resources from
23 Mississippi.

24
25 **CHAIRMAN ANSON:** We have a motion that's been seconded. We will
26 wait a second to get the motion on the board. Does anyone have
27 any discussion?

28
29 **MR. PERRET:** Two or three things. One, I think this main thing
30 is data. We are going to get some scientific information and
31 the department scientists will be collecting data from these
32 fish and this is something that's been sorely missed.

33
34 Additionally, no matter where we've met in the last I don't know
35 how many meetings, we have had support from the members of the
36 community to allow for some harvest in the EEZ, limited harvest,
37 for technical and scientific reasons. Additionally, some three
38 or four years ago, the Mississippi Commission on Marine
39 Resources unanimously voted asking this council and NMFS to
40 consider approval of some sort of fishery in the EEZ for data
41 collection purposes. Here we are three or four years later and
42 we are right at that step and so hopefully the council will
43 approve it.

44
45 As I understand it, we've got to get joint approval from the
46 South Atlantic for this, Mr. Gregory? Why does it have to go to
47 the South Atlantic Council? It does not?

48

1 **EXECUTIVE DIRECTOR GREGORY:** In my understanding, that's an
2 error in the letter.

3

4 **MR. PERRET:** The government made an error?

5

6 **DR. BRANSTETTER:** Seven people read that letter.

7

8 **MR. PERRET:** Okay and so that's some of the rationale why I
9 support this motion and hope the council will concur with my
10 opinion.

11

12 **DR. STUNZ:** I am certainly not speaking against this motion. I
13 would be the last person to stop the data collection you think
14 you guys need, but you know before I joined the council, we had
15 that red drum workshop that you guys I guess commissioned and I
16 am not real sure, but what came out of that workshop was the
17 real need wasn't so much for fishery-dependent, but fishery-
18 independent data.

19

20 I am not sure who is funding it. I am pretty sure it's the
21 Cooperative Research Program, but you guys should probably know
22 and be aware there are some pretty large purse seine research
23 things going on, where they are -- Basically what Clay Porch had
24 advised and we advised the council was that what was really
25 needed was a regional approach to gather ten fish from let's say
26 sixty different schools throughout the Gulf of Mexico.

27

28 I know quite a bit of research is underway right now, in fact
29 I'm pretty sure, right there to partner with menhaden purse
30 seines to get that fishery-independent data and so I don't know
31 how that plays into that, but it's certainly something to
32 consider. I mean we don't want to be duplicating the effort or
33 something like that.

34

35 **CHAIRMAN ANSON:** I will just comment on that. Dr. Powers
36 received a grant, a SK grant, I believe, to do the research as
37 you just described, with trying to sample various schools
38 throughout the upper northern Gulf and a little bit in the
39 Florida Panhandle to get a lot of the data that's been presented
40 here, but I too echo some of Corky's comments that I think it's
41 a good opportunity to get some additional information through a
42 fishery-dependent situation and it engages some of the
43 federally-permitted charter boats there in Mississippi and gets
44 them active in the data collection process and so that would be
45 very helpful, I think.

46

47 **MS. BADEMAN:** This may be what Greg was talking about, but we
48 got a presentation, I think it was back in April or August of

1 2013, where we were talking about the data needs for this
2 fishery. The recommendations that were put up to us were to do
3 some purse seine collections and then to do a scientific mark
4 and recovery. Those were the greatest data needs to get us to
5 an assessment.

6
7 I mean I definitely appreciate the effort and more data, but I
8 am just a little concerned that this isn't going to go all that
9 far in the long run.

10
11 **MR. BOYD:** That's why I asked to let Greg go first, because I
12 have a concern that this is not enough data to really give us
13 what we need, based on what the recommendations to the Red Drum
14 Committee was. If this is to augment data for studies within
15 the state, I have no problem with it, but if this is to be used
16 for the Gulf-wide scientific studies, then I don't think it
17 gives us enough.

18
19 **MR. PERRET:** Well, I certainly concur that it's an extremely
20 small study, small in geography as well as numbers of fish. You
21 know if Mississippi had a nine-mile territorial sea, this would
22 not be necessary. Florida and Texas are already getting data,
23 or should be getting data, between their shoreline and nine
24 miles.

25
26 This will provide some information for the north central Gulf.
27 Granted, it's extremely small in geography, but it's going to
28 give our scientists an opportunity to get information that we
29 have not been able to acquire since the closure in 1988, when I
30 was sitting on this council when it happened. Yes, it's small
31 in geographical as well as the number of fish involved, but the
32 data that can be obtained I think will be invaluable.

33
34 **MR. DIAZ:** I just want to add a few things to the discussion.
35 When we first started talking about doing this, we did have a
36 conference call with Dr. Clay Porch from the Science Center and
37 some of the recommendations that are in here are based off of
38 some discussions that we had with him.

39
40 I do agree the study is small. It is going to help in some
41 state management issues and it will contribute some to maybe
42 some future stock assessments. It's a piece of the puzzle and
43 it's not going to tell us how many fish are in the entire Gulf
44 of Mexico, but it is a piece of the puzzle that helps to add
45 some data on the federal side and it will help us with state
46 management and so thank you.

47
48 **MR. PEARCE:** A couple of things. I think if this was any other

1 fish but red drum, we wouldn't even be sitting here talking
2 about it. The second thing is it's time we forgot about that
3 and we started getting data on these fish and not worrying about
4 where the data is going to be used.

5
6 The second thing is that all of our working groups on red drum
7 that I've sat with say that we have an allowable take of fish
8 that we could take without even harming this fishery at all. I
9 think it was like 20,000 head or something like that. We're
10 talking about 2,000 fish in an area that's going to get us some
11 data that could add to some other data down the road.

12
13 I don't see any problem with this at all and I applaud
14 Mississippi for taking the steps and getting something done,
15 because it's time we got something done on red drum. Thank you.

16
17 **MS. BOSARGE:** I am in support of this. I think between your
18 purse seine data, which is more of a commercial fishery and
19 you're collecting some data there, but what Corky said, you are
20 obviously capturing some recreational data between three and
21 nine miles already off of Texas and Florida.

22
23 This will fill in the gap that we need, because when you're off
24 of Mississippi in federal waters, I guarantee you when these
25 guys have to report where they're fishing, it's very likely
26 you're going to capture data off of Mississippi, Alabama, and
27 Louisiana, because it's nothing for us to be in those waters or
28 off those states' waters when we go out.

29
30 **DR. PONWITH:** We have talked about the red drum data needs and
31 certainly the state are carrying the water on data availability
32 right now from the state water fisheries.

33
34 When Dr. Porch was consulted on what would it take to do a
35 really robust assessment on red drum considering their
36 distribution within the Gulf of Mexico EEZ, the two things he
37 did raise were fishery-independent data collections and it could
38 be strong collaborations among private, federal, and state
39 entities, but what he was interested in seeing is ten to twenty
40 fish pulled per school in about sixty schools across the
41 distribution of these animals in the Gulf of Mexico.

42
43 Then, secondarily, is the mark-recapture recovery experiments
44 that we were looking for to be able to look at the population
45 abundance and that would require marking about 20,000 fish and
46 recovering a certain percentage of those.

47
48 It's already been stated that this is a small geography relative

1 to the distribution in the EEZ and a small number of fish. My
2 view is that in a data-poor situation that incremental increases
3 in data availability are going to be informative. It's not as
4 informative as a large, methodical collection across the
5 geography, but the data will contribute.

6
7 **MR. RINDONE:** This is just a further clarification to what Mr.
8 Pearce and Dr. Ponwith had said. The 20,000 fish does not
9 represent a total allowable catch or a permissible kill quota,
10 if you will. Those fish were designated to be tagged and then a
11 subsequent 50,000 fish would be examined for those tags at a
12 later date and that would, according to the Southeast Fisheries
13 Science Center, provide reliable population estimates up to ten-
14 million pounds of biomass. That's not like a total allowable
15 catch or anything like that.

16
17 **MR. PERRET:** I appreciate Dr. Ponwith's comments, especially the
18 one about data-poor species. How do we get data unless we
19 provide for research? This has been a data-poor species that's
20 been closed since 1988.

21
22 I guess Mississippi could do what Louisiana has done. Louisiana
23 claims they've got nine miles and Mississippi is just trying to
24 follow the rules and we're going through the process to get a
25 scientific exempted permit to allow for biological information
26 on a data-poor species.

27
28 I would love to have it as a higher number of fish, but this is
29 very, very limited for research purposes, hopefully to help fill
30 some of the gaps that we need to fill about this species.

31
32 **MR. FISCHER:** I can't argue the need for research and we all
33 know that and we all know this is a species that desperately
34 needs research. I think it's the method. I would love to see
35 this removed and entered in one of any formats. It could be
36 even under the SEAMAP, which has a red drum working group.

37
38 It could be something under Gulf States, but any of the formats
39 that we could coast-to-coast, from Key West to Brownsville,
40 consistent data in a unified method of sampling with scientific
41 regimes and not allowing just charter boats to harvest for hard
42 parts. I know the data is necessary, but I think it's the
43 method.

44
45 It's nothing to do with the fact that Louisiana is not in this
46 program. It's more of we would love to engage in a Gulf-wide
47 program. I would like to see this expanded and we all bring it
48 back to the council using scientific methods under a scientific

1 program and let it either go through Gulf States, through their
2 committees -- There is a lot of platforms to do this rather than
3 each state trying to piecemeal something.

4
5 **MR. PERRET:** Myron, I went to see your boss three years ago
6 asking him to cooperate with us and obviously the interest was
7 not there at that time. You know, when this fishery was closed
8 in 1988, total recreational and commercial catch was in the
9 neighborhood of twelve or fourteen or fifteen-million pounds of
10 fish.

11
12 Now, I haven't looked at the numbers lately and so I won't be
13 exactly right, but I won't be far off. Today, the take is in
14 the neighborhood of twelve, fourteen, or fifteen-million pounds
15 of fish recreationally, except for I think Mississippi has got a
16 35,000 or a 40,000-pound quota commercially.

17
18 We are talking about 15,000 pounds of fish for two years, 30,000
19 pounds, for research, compared to a fishery in the Gulf of
20 Mexico that's taking teens of millions of pounds and this is
21 research. This is giving people an opportunity to catch a fish
22 to provide scientists with data for research.

23
24 I would love to see it Gulf-wide. I would love to see it. I
25 have to assume Florida and Texas are doing something, because
26 they've got nine miles. Louisiana has claimed nine miles,
27 Myron, and the last I heard, you guys were doing something with
28 red drum.

29
30 We have heard from fishermen in Alabama supportive of this and I
31 am sure Mr. Jewell and his people will be happy to make their
32 model program available to any state that wants to cooperate
33 with them, but let's not delay something when this group has
34 come forward with an excellent proposal to get data that's
35 sorely needed.

36
37 **MR. DIAZ:** I guess I am speaking to one of Myron's comments
38 first. The last conversation that I recall having at Gulf
39 States, approximately two years ago -- At that time, it didn't
40 seem like there was interest at Gulf States to move forward with
41 a unified data collection program, the best I can remember.

42
43 Right now, the Mississippi Department of Marine Resources is
44 willing to spend some resources to try to collect some data. We
45 would gladly enter into conversations at Gulf States or other
46 areas to look at working on future data collection programs. We
47 would be more than willing to do that.

1 I have to try to use a quote from my good friend, Larry Simpson,
2 to illustrate the point Corky was talking about. I believe
3 we're up around nineteen-million pounds on red drum and 30,000
4 pounds is a flea on an elephant and it's a -- In the grand
5 scheme of things, it's a small amount of fish and that will
6 provide a lot of valuable data. Thank you.

7

8 **CHAIRMAN ANSON:** Any other discussion on the motion?

9

10 **MR. GREENE:** I received an email earlier from the Alabama
11 Charter Fishing Association and the 125 members would like to
12 support the Mississippi EFP. I just thought I would like to
13 pass that along and I speak in favor of the motion.

14

15 **CHAIRMAN ANSON:** All right. We have a motion on the board to
16 recommend that NMFS approve the EFP request from Mississippi as
17 presented. **All in favor of the motion please raise your hand.**

18

19 **EXECUTIVE DIRECTOR GREGORY:** We've got one, two, three, four,
20 five, six, seven, eight, nine, ten, eleven, twelve.

21

22 **CHAIRMAN ANSON:** **The motion carries twelve to four.** Any other
23 EFP requests, Dr. Crabtree or Steve? Any other EFP requests?
24 That's it?

25

26 **MR. JEWELL:** Thank you, council members.

27

28 **CHAIRMAN ANSON:** Thank you, Joe. All right. That will take us
29 into the remainder of the committee reports which were not
30 finished yesterday and we have had some requests from some
31 council members to move up or move the remaining committees,
32 which are Mackerel, Shrimp, and Reef Fish, to move up Reef Fish
33 to be the first one to be discussed today and so I am going to
34 go ahead and do that. Johnny, are you ready?

35

36

COMMITTEE REPORTS (CONTINUED)
REEF FISH MANAGEMENT COMMITTEE

37

38
39 **MR. GREENE:** Yes, sir. The Reef Fish Committee report from
40 March 31, Recreational Red Snapper Season Projections, Andy
41 Strelcheck presented projections of the 2015 recreational red
42 snapper season length under various assumptions of catch rates,
43 average red snapper weights, and whether Amendment 40, sector
44 separation, is implemented, Tab B, Number 4.

45

46 If the states implement non-compatible seasons and if sector
47 separation is implemented, the for-hire sector season is
48 projected to be forty to forty-six days and the private

1 recreational angler season is projected to be seven to eleven
2 days. If sector separation is not implemented, the recreational
3 season is projected to be twelve to seventeen days.

4
5 If the states implement compatible seasons and if sector
6 separation is implemented, the for-hire sector season is
7 projected to be forty to forty-six days and the private
8 recreational angler season is projected to be nine to sixteen
9 days. If sector separation is not implemented, the recreational
10 season is projected to be fifteen to twenty-one days. A
11 decision on Amendment 40, sector separation, is expected by
12 April 16.

13
14 A proposed rule on the 2015 red snapper quota increase was
15 published on April 1 and a final rule will be published by May
16 1st. The final 2015 recreational red snapper season dates will
17 be announced in May, prior to the start of the season.

18
19 Headboat Collaborative Report, Andy Strelcheck gave a
20 presentation to review the data sampling methods and landings
21 estimates for the Headboat Collaborative EFP in 2014. The red
22 snapper and gag quotas were distributed to participating vessels
23 by a headboat collaborative manager with an initial 5 percent
24 holdback in case of overharvests. A tag system was used to
25 verify catches.

26
27 The quota allocations were transferrable between participating
28 vessels. There were three transfers of gag allocations and
29 twenty-eight transfers of red snapper allocations. Vessel trips
30 were made year-round, but were most frequent during the summer
31 months.

32
33 For red snapper, 98.9 percent of the EFP allocation was landed,
34 with most of the landings occurring by August. For gag, 50.3
35 percent of the EFP allocation was landed, with peak landings in
36 April and December. The average red snapper weight was slightly
37 lower than projected, while the average gag weight was about the
38 same as projected.

39
40 Dr. Josh Abbott followed up with a presentation describing the
41 distribution of trips, landings, and angler participation.
42 Headboat vessel owners were surveyed regarding price and cost
43 data and expectations about their business strategy. Customers
44 were also surveyed by the vessel crew. An online survey is
45 being developed as a follow-up for customers who provided an
46 email address.

47
48 Dr. Abbott noted that the number and overall seasonal

1 distribution of trips did not change much in 2014, but landings
2 and trips of red snapper and gag were much more evenly spread
3 across the year. Discards per unit of angler effort on Headboat
4 Collaborative vessels fell dramatically from 2013 levels.

5
6 Revised Draft, Amendment 39, Regional Management of Recreational
7 Red Snapper, Dr. Steve Branstetter reviewed National Marine
8 Fisheries Services' proposed timeline for the approval of
9 conservation equivalency plans, Tab B, Number 10(a). Committee
10 members inquired about the flexibility in the steps of the
11 timeline for approving CE plans.

12
13 Staff presented the new structure of actions and alternatives
14 for regional management, Tab B, Number 10(b). In Action 4,
15 modifying the federal minimum size limit, Dr. Crabtree pointed
16 out that the preferred alternative would lower the minimum size
17 limit, but the recent quota increase was a result of the
18 selectivity for larger fish by the recreational sector.

19
20 The new Action 5 includes alternatives to allow regions to
21 establish closed areas in the EEZ. The Law Enforcement AP
22 expressed concern that enforcement could be more complicated
23 with spatial closures. Dr. Crabtree noted that he does not
24 support this action.

25
26 In Action 6, Proposed Alternative 8 would apportion the
27 recreational quota among the regions such that each region's
28 allocation provides an equivalent amount of fishing days. Andy
29 Strelcheck provided preliminary estimates for each state's
30 resulting allocation as follows: Florida, 45 to 54 percent;
31 Alabama, 34 to 41 percent; Mississippi, 1 percent; Louisiana, 6
32 to 8 percent; and Texas, 4 to 5 percent.

33
34 **CHAIRMAN ANSON:** Johnny, hold on one second. We have a question
35 over here from Corky.

36
37 **MR. PERRET:** Thank you, Mr. Chairman. I have a got a question I
38 would like to ask the states. State directors, more than
39 anybody on this council, have spent the most time on this issue.
40 This council and its staff has spent a tremendous amount of time
41 on this issue.

42
43 Now, Andy gave us these figures Monday relative to allocation
44 and what states would get and so on and so forth and Mississippi
45 is down to 1 percent and is that right?

46
47 **MR. DIAZ:** Yes, but that's only for Alternative 8.

48

1 **MR. PERRET:** Okay, but my question is this. Myron, I am going
2 to ask you, since Louisiana started this when Joey Shepard
3 presented this to the council two or three years ago. With
4 these new percentages that are out, is Louisiana satisfied with
5 that percent and if we go to regional management, and it may be
6 just one state that wants it now and I don't know, but are you
7 satisfied or unsatisfied with the new percentage that Louisiana
8 would get?

9
10 **MR. FISCHER:** Of course we would have to look at the items in
11 Action 6 and we're not taking final action now.

12
13 **MR. PERRET:** I realize that, but I am just trying to figure out
14 how much more time are we going to spend on regional management
15 if none of the states want it anymore because of the -- That
16 sort of thing.

17
18 **MR. FISCHER:** Corky, I think that's what the final document is
19 going to look like. I think Texas, Louisiana, and Mississippi
20 are all wondering, where did the fish go?

21
22 **MR. PERRET:** Again, we've been on this for two or three years
23 now and hopefully -- Again, I was a state director and I know
24 how difficult it is to accept or not accept a certain
25 percentage, but hopefully, hopefully, we're getting to a point
26 where yes, we're going with regional management or no, we're not
27 going with regional management or which states want to be in and
28 which states want to be out.

29
30 **MR. FISCHER:** Corky, I was going to ask, were you talking about
31 the items in Action 6? Because that's an action item we're not
32 opposed to. We are in favor of the present percent that have
33 come about the table and not the ones in that Alternative 8 in
34 Action 6 that -- I am not exactly even sure what that
35 alternative is trying to accomplish.

36
37 **MR. PERRET:** No, I am just wondering if the states, whatever
38 their allocation would be under regional management at this
39 time, are satisfied or unsatisfied with it and there may be one
40 or more states that want it, but there's probably going to be
41 some that want out.

42
43 Two or three years, that's probably about the average time we
44 work on these documents, but we've been on this thing for a long
45 time and I hope that we can move it along, but if the states
46 don't want it, we need to say, hey, we've got a lot more
47 important things to work with. Thank you, Myron.

48

1 **DR. CRABTREE:** Corky, is what you're getting -- I mean we have a
2 preferred alternative to set the state-by-state allocations now
3 and that's Alternative 5 and 6. We gave estimates, Andy
4 Strelcheck did, of what the approximate days that would result
5 in and I am hearing your question as partly -- I think all of
6 the states, when this was agreed to, were in agreement to this
7 allocation and I think the question you're asking is are they
8 still in agreement to this, given the analysis and is that what
9 you're trying to --

10

11 **MR. PERRET:** Or are they satisfied with --

12

13 **MS. BADEMAN:** If you're talking about the current preferred
14 alternative, I think --

15

16 **MR. PERRET:** I am talking about Andy gave us percentages of what
17 each state would get. If those are the most recent numbers,
18 have you state directors who have been working on this for two
19 or three years had an opportunity to really digest it and get
20 together and say yes or no and what's the status?

21

22 **MS. BADEMAN:** I think there's two figures that we got last
23 Tuesday and so there was one that had days under the current
24 preferred alternative and then there were these percentages for
25 Proposed Alternative 8.

26

27 I think Proposed Alternative 8 should be added to this document
28 and I will make a motion to do so. I think our state probably
29 has a problem with the days projections that came in the current
30 preferred alternative.

31

32 **MR. PERRET:** Dr. Crabtree, do you have the numbers that Andy
33 gave of what's the percentage each state would get now?

34

35 **DR. CRABTREE:** Well, what I have -- With the current preferred
36 alternatives for the state-by-state allocations and if everyone
37 opened up on June 1, we estimate that Florida's season would be
38 somewhere from thirteen to nineteen days and Alabama would be
39 approximately seventeen days.

40

41 We are really unable to estimate a season for Mississippi and
42 Louisiana would be in the neighborhood of forty-six to forty-
43 seven days and Texas would be approximately fifty-five days.
44 Now, Proposed Alternative 8 would look at what allocation would
45 give each state the same number of days and that's in the Reef
46 Fish Committee Report that Johnny just read, but I think those
47 are all the numbers that we have at this time.

48

1 If I could, I guess with what Martha said, is it fair that we
2 don't really have general agreement among the states on the
3 preferred alternative at this point?

4

5 **MS. BADEMAN:** I think so.

6

7 **MR. PERRET:** Thank you, Mr. Chairman, for indulging me with my
8 question.

9

10 **CHAIRMAN ANSON:** Yes and to provide insight from my perspective
11 to your question to the state folks, yes, it's been a long time.
12 I mean it's a rather complicated issue and it's relatively new
13 to the council, inasmuch as giving some control to the states.
14 It took a while to flesh out all the details at the NOAA side of
15 things and for staff to get those translated into a document
16 that we can look at.

17

18 Although I understand and certainly recognize that it has taken
19 a long time, the potential here relative to where we've been
20 with red snapper here as of late, particularly for some states,
21 is that there might be some benefits in looking at this issue
22 and to continue to look at this issue, because it might put us
23 in a different place for management and that's certainly
24 desirable amongst most of the states, if not all of the states.

25

26 That issue of allocation is a difficult one. The other document
27 we're looking at, as Dale mentioned the other day, is allocation
28 and that's been five years and so I mean it just takes a while
29 to get through some of these issues.

30

31 I can certainly see at some point in the not too distant future
32 that your question would be, I think, much more appropriate, but
33 with the new information and the way it was analyzed and
34 interpreted for us, that is something I'm sure all the state
35 directors will digest here between now and the next meeting and
36 maybe the next meeting we'll have a little bit better idea as to
37 what path forward we take. With that, Johnny, if you can
38 continue.

39

40 **MR. GREENE:** Yes, sir, Mr. Chairman. Also in Action 6, Myron
41 Fischer proposed to add a new alternative that is a combination
42 of Preferred Alternative 5 and Alternative 7. He explained that
43 this allocation would incorporate both historical landings and
44 biological abundance in the allocation.

45

46 **By a voice vote, the committee recommends, and I so move, to add**
47 **an alternative to Action 6 to apportion the recreational quota**
48 **among the regions selected in Action 3, Alternative 2 and 3,**

1 based on 50 percent of the average historical landings formula
2 used in Reef Fish Amendment 40, 50 percent from 1986 to 2013 and
3 50 percent from 2006 to 2013, and 50 percent based on the
4 regional biogeographical differences in the stock used in the
5 stock assessments.

6
7 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
8 the motion?

9
10 **MR. PERRET:** Who makes that decision on the regional
11 biogeographical differences in the stock used in the stock
12 assessments? Is it our scientific committees or who makes that
13 decision?

14
15 **CHAIRMAN ANSON:** As I recall, I think it was based a little bit
16 on the east/west notion in the stock assessment process and that
17 is currently at the Mississippi River and so how it meshes up
18 with the regions that we've identified, at least in the regional
19 management amendment, I don't know. There was some discussion,
20 as I recall, during Reef Fish about that.

21
22 **MR. PERRET:** But is it the S&S that will make the final decision
23 and recommend to us?

24
25 **CHAIRMAN ANSON:** I would think so, through the assessment
26 process, yes.

27
28 **DR. CRABTREE:** But I don't think it's possible to do that unless
29 the only regions you choose are eastern and western Gulf with
30 the break at the River, which is not where we've been so far. I
31 think the way we've conceived of this all along has been state-
32 by-state and I don't believe it's possible to come up with those
33 types of estimates, because the assessment doesn't break them
34 down that way. I am not sure how this is workable, given the
35 way the amendment currently is set up and the current
36 preferreds.

37
38 **DR. AVA LASSETER:** This is just a detail in the motion. If it
39 would be acceptable to remove the "Alternative 2 and 3". That
40 decision would be made within Action 3, which you will select
41 your preferred there. Then this alternative would work with our
42 regional selection that would divide in an east and west and
43 there is two alternatives in that in Action 3, but that should
44 not be a part of the alternative. It's just a point of order.

45
46 **DR. PONWITH:** Just to reiterate, we had had some discussions way
47 back in the history on productivity across the waters adjacent
48 to individual states and, again, just to reiterate that right

1 now the hypothesis is it's either a Gulf-wide stock or the
2 counter is it's two stocks with its logical breaking point at
3 the River and the ability to assess productivity in any one
4 adjacent waters to a state is not possible right now.

5
6 What can be done is we can, as we always do, is look at taking
7 the productivity of the stock across its logical total and make
8 allocation decisions based on the productivity of this stock as
9 a whole.

10
11 **DR. CRABTREE:** Ava, correct me if I'm wrong, but I am looking at
12 Action 3 and there isn't an alternative there that divides the
13 Gulf into east and west with the break at the River and so I
14 don't see any alternative in the document or in Action 3 that
15 would enable us to apply this new proposal.

16
17 **DR. LASSETER:** There is text in the discussion for those
18 alternatives that addresses exactly that, that specifies that
19 the regional boundaries do not overlap with the boundaries in
20 the stock assessment and if you were to adopt this alternative,
21 you would be giving a little more quota one way or the other to
22 the regions.

23
24 **MR. DIAZ:** This is to Dr. Crabtree's point and the staff might
25 have to help me out with this, but at one point in time, the
26 question was asked of the SSC if it would be workable if
27 Mississippi went with either the east or the west and what I
28 remember is the SSC saying that it could be done where
29 Mississippi, if it was ever divided, went east or west. Now,
30 staff might be able to help me with that that was at that SSC
31 meeting.

32
33 **DR. PONWITH:** That's the very precise question that was asked
34 and my staff, who conduct the stock assessments, the answer was
35 no, that the -- If there is a breaking point at all between this
36 stock, it's at the Mississippi River.

37
38 **MR. FISCHER:** Also, if you look at the maps that we've had that
39 do have lines in them, the line does go right up the mouth of
40 the River that divides the Louisiana zone from any zone to the
41 east of us. The line runs right accordingly to what's used in
42 the stock assessment and what the SSC reviews.

43
44 **CHAIRMAN ANSON:** All right. We have a motion and I am not going
45 to read it. It's a little excessive, but we're going to go
46 ahead and vote. **All those in support of the motion please**
47 **signify by raising your hand.**

48

1 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six.
2
3 **CHAIRMAN ANSON:** All those opposed.
4
5 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six,
6 seven.
7
8 **CHAIRMAN ANSON:** The motion failed six to seven.
9
10 **MS. BADEMAN:** If I may, I would like to make a motion in Action
11 6 to formally add Proposed Alternative 8 to the document. It
12 just says "proposed" right now.
13
14 **CHAIRMAN ANSON:** The motion is in Action 6 to add Alternative 8
15 to the public hearing document, Amendment 39. Do we have a
16 second?
17
18 **MR. WILLIAMS:** I'll second it.
19
20 **CHAIRMAN ANSON:** It's seconded by Mr. Williams. Any discussion?
21
22 **MS. BADEMAN:** I am just asking to add it in and I am not saying
23 preferred, but this is the option that would essentially start
24 everybody on a level playing field in terms of a number of days.
25
26 **CHAIRMAN ANSON:** All right. Any other discussion? The motion
27 is in Action 6 to add Proposed Alternative 8 to Amendment 39.
28 **All those in favor raise your hand.**
29
30 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six,
31 seven, eight, nine, ten, eleven, twelve, thirteen, fourteen.
32
33 **CHAIRMAN ANSON:** All those opposed same sign.
34
35 **EXECUTIVE DIRECTOR GREGORY:** One, two.
36
37 **CHAIRMAN ANSON:** The motion carries. All right, Mr. Greene. If
38 you could continue.
39
40 **MR. GREENE:** The Committee addressed an action for the for-hire
41 vessels federal permit restrictions. Staff noted that the
42 preferred alternative was unnecessary for regions with approved
43 CE plans, but the provision would need to remain in the event a
44 region did not have an approved CE plan or was not participating
45 in regional management.
46
47 **By a voice vote, the committee recommends, and I so move, to**
48 **move the action for for-hire federal permit restrictions to**

1 considered but rejected.

2
3 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
4 the motion? Any opposition to the motion? The motion is
5 carried. Go ahead, Dale.

6
7 **MR. DIAZ:** Before we get too far away from the zones, I am going
8 to make a motion that in Action 3 that we change the preferred
9 alternative from Alternative 4 to Alternative 5.

10
11 To give enough information for people to decide if they want to
12 give me a second or not, Alternative 4 says establish five
13 regions representing each Gulf state, period. Alternative 5 has
14 that exact same sentence, establish five regions representing
15 each Gulf state, which may voluntarily form larger, multistate
16 regions with adjacent waters. If I get a second, I will give
17 some explanation.

18
19 **MR. PERRET:** I second.

20
21 **CHAIRMAN ANSON:** Seconded by Mr. Perret.

22
23 **MR. DIAZ:** My explanation is it's a voluntary thing that's added
24 that would give some flexibility. I could see where if --
25 Especially the way that the State of Mississippi and the State
26 of Louisiana boundaries are, it may at some point in the future
27 be something that we would want to consider, to maybe make it
28 easier on the public. It is a voluntary thing and so I think it
29 just makes sense, to me, to go ahead and do that.

30
31 It leaves in place what we've been talking about already, but it
32 just gives an option that's there, should we ever need to
33 exercise that in the future.

34
35 **CHAIRMAN ANSON:** Any other discussion on that?

36
37 **MR. SANCHEZ:** I guess if we put all five together that we're
38 back to a federal plan.

39
40 **MR. BOYD:** Dale, do you see that complicating the allocations
41 between those two states if they voluntarily decided to work
42 together? I am just thinking down the line.

43
44 **MR. DIAZ:** I think it could be worked out between those two
45 states. If the states decided to work together, they would have
46 to agree on combining their allocations and sharing their
47 allocations in that section and so I don't think it would be a
48 problem. I think states would have to volunteer to agree to

1 that.

2
3 **CHAIRMAN ANSON:** All right. The motion on the board is in
4 Action 3 to make Alternative 5 the preferred alternative. **All**
5 **those signify by saying aye that are for this motion; all those**
6 **opposed like sign. The motion carries.**

7
8 **MR. PEARCE:** Mr. Chairman, before we get too far, I would like
9 to -- Listening to the public testimony yesterday, I would like
10 to go back to Action 2 in the regional management sector
11 separation and pick a preferred.

12
13 All we heard yesterday from the charter boats was that they did
14 not want to be part of regional management. Almost to a man we
15 heard that yesterday. They wanted to stay within the federal
16 management system. **With all the testimony we had yesterday and**
17 **everything everybody said, what I would like to do is make a**
18 **motion that in Action 2 that Alternative 2 be the preferred**
19 **alternative.** I can read that if you want or they can put it on
20 the board, if I get a second.

21
22 **CHAIRMAN ANSON:** Is there a second?

23
24 **MR. SANCHEZ:** Second.

25
26 **CHAIRMAN ANSON:** It's seconded by Mr. Sanchez.

27
28 **MR. PEARCE:** I just believe we heard too much discussion
29 yesterday about it and so I would like to throw that out and
30 let's see if we can get that done.

31
32 **CHAIRMAN ANSON:** In lieu of having it typed out, we might be
33 able to copy and paste it into the motion, but just so everyone
34 understands, this would be to make Amendment 39 apply just to
35 the private angling component and not the for-hire.

36
37 **MR. PEARCE:** That's correct.

38
39 **CHAIRMAN ANSON:** Any other discussion on the motion? **All those**
40 **in favor of the motion please raise your hand; all those opposed**
41 **please raise your hand.**

42
43 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six.

44
45 **CHAIRMAN ANSON:** The motion fails.

46
47 **DR. CRABTREE:** You know though at some point we will have to
48 have a preferred alternative on this one or the amendment really

1 --

2

3 **MR. PERRET:** You may have to vote at some point.

4

5 **DR. CRABTREE:** I might, but that might not be until down the
6 road.

7

8 **CHAIRMAN ANSON:** All right, Johnny. Do you want to continue?

9

10 **MR. GREENE:** Staff provided comments from the Law Enforcement AP
11 relative to regional management. Enforcement concerns would be
12 expected to arise from establishing various closed areas in the
13 EEZ and could increase costs for offshore enforcement. Although
14 no sector-specific regulations are yet in place, the AP
15 expressed concern that different regulations would complicate
16 enforcement. Finally, the LEAP requested to review the document
17 again before final action is taken.

18

19 Options Paper on Joint South Florida Management, staff reviewed
20 the Joint Generic Amendment on South Florida Management Issues.
21 Staff noted that the document contained many actions and
22 alternatives, 133 options in total, and that the committee may
23 wish to consider streamlining the document where possible,
24 especially with respect to those options which may be outside
25 the scope of the document.

26

27 The council was presented with a flow chart which outlined the
28 types of choices which could be made to modify management of
29 yellowtail snapper, mutton snapper, and black grouper in the
30 south Florida region, which is casually identified as the area
31 off Florida south of 28 degrees North latitude.

32

33 The committee was also asked to consider those portions of the
34 document which examine delegation of some aspects of fisheries
35 management for the aforementioned species, while also examining
36 specific management changes.

37

38 Yellowtail snapper, staff reviewed those actions addressing
39 yellowtail snapper, noting which alternatives and options could
40 be selected in tandem with others. Yellowtail snapper
41 regulations are the same for the Gulf and South Atlantic
42 Councils.

43

44 The main concern with this species has been the closure of the
45 South Atlantic's jurisdictional waters when the Gulf's
46 jurisdictional waters were still open to fishing. It was noted
47 that a multijurisdictional ABC and ACL may address that concern.
48 Some concern was expressed about the effects of actions in the

1 document and their potential impact outside of the south Florida
2 region.

3
4 Mutton snapper are currently thought to be healthy. However,
5 fishermen have expressed concern with what they consider to be
6 excessively high bag limits, especially during the May to June
7 spawning season.

8
9 Concerns of overharvest seem to focus on the recreational
10 fishery. The commercial fishery typically targets mutton only
11 when the price is such that doing so is profitable, which
12 results in more sporadic commercial effort. The committee also
13 thought that changing the bag limits for mutton during the year
14 might create confusion for fishermen and that there should not
15 be a cap on the commercial trip limit.

16
17 **The committee unanimously recommends, and I so move, in Action**
18 **6, to add Options 5a, two fish per person per day, and 5b, five**
19 **fish per person per day, to Alternative 5.**

20
21 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
22 the motion? **Any opposition to the motion? Seeing none, the**
23 **motion is carried.**

24
25 **MR. GREENE:** Gulf commercial fishermen are thought to catch
26 mutton near the Tortugas. Law Enforcement AP members have
27 remarked that any modification to the commercial trip limit
28 should be done in numbers of fish as opposed to pounds to ease
29 enforceability.

30
31 Staff continued going through the actions in the document. When
32 discussing accountability measures, the committee queried
33 whether it was necessary to have AMs for species which are not
34 overfished or experiencing overfishing. NOAA General Counsel
35 advised that the Magnuson Act requires the establishment of
36 annual catch limits and AMs for all managed species, regardless
37 of stock status. However, the council does maintain flexibility
38 in determining just what those AMs should be.

39
40 The committee heard the South Atlantic Council's desire to use
41 language in Alternatives 3 and 4 of Action 9 which reflected
42 language in the South Atlantic Council's Generic AM Amendment.
43 However, the council elected not to change the current language
44 recommended by National Marine Fisheries Service for ease of
45 implementing necessary management measures.

46
47 **The committee unanimously recommends, and I so move, in Action**
48 **9, to add back in Options 5a and 5b in Alternative 5. Option 5a**

1 is if the species is overfished Suboption 5a(1) for yellowtail
2 snapper and Suboption 5a(2) for mutton snapper and Suboption
3 5a(3) for black grouper. Option 5b is regardless of stock
4 status Suboption 5b(1) for yellowtail snapper, Suboption 5b(2)
5 for mutton snapper, and Suboption 5b(3) for black grouper.

6
7 **CHAIRMAN ANSON:** All right. It's a committee motion. Is there
8 any discussion on the motion? **Any opposition to the motion?**
9 **The motion carries.**

10
11 **MR. GREENE:** Staff reviewed actions pertaining to black grouper.
12 The committee was concerned about the effects of some actions on
13 those waters in both councils' jurisdictions occurring outside
14 of the south Florida area.

15
16 **The committee unanimously recommends, and I so move, in Action**
17 **10, to remove Alternative 2b to the considered but rejected**
18 **appendix. Option 2b is throughout each council's jurisdiction.**

19
20 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
21 the motion? **Any opposition to the motion? Seeing none, the**
22 **motion carries.**

23
24 **MR. GREENE:** The committee unanimously recommends, and I so
25 move, that in Action 10 to remove Alternative 5, establish
26 identical regulations for the shallow-water grouper seasonal
27 closures throughout the Gulf and South Atlantic, to the
28 considered but rejected appendix.

29
30 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
31 the motion? **Any opposition to the motion? Seeing none, the**
32 **motion carries.**

33
34 **MR. GREENE:** The committee reviewed a motion by the South
35 Atlantic Council to add an alternative to Action 11 which would
36 modify the commercial seasonal closure for black grouper in the
37 Gulf of Mexico and the South Atlantic. However, the committee
38 elected not to include such an alternative in the document.

39
40 The committee noted that the main concern with groupers in the
41 south Florida region concerned conflicting regulations for gag,
42 red grouper, and black grouper. Attempting to add South
43 Atlantic shallow-water grouper species to the Gulf's shallow-
44 water grouper species composition was viewed as excessive work
45 for species which have little to no landings in the Gulf.

46
47 A committee member reminded the committee that the goal of this
48 amendment is to simplify management for those stakeholders in

1 south Florida and the current effort seemed to be
2 overcomplicating the issues. The committee agreed that
3 significant time was likely to be necessary to work on the
4 amendment at the joint council meeting in June in Key West.

5
6 Staff continued reviewing proposed actions pertaining to black
7 grouper. The committee acknowledged that the South Atlantic
8 shallow-water grouper closure was instituted primarily to
9 protect spawning aggregations of gag. The following two motions
10 were made because the committee thought they were outside of the
11 scope of the document.

12
13 **The committee unanimously recommends, and I so move, in Action**
14 **11 to remove Alternative 6 to the considered but rejected**
15 **appendix.**

16
17 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
18 the motion? **Any opposition to the motion? Seeing none, the**
19 **motion carries.**

20
21 **MR. GREENE:** The committee unanimously recommends, and I so
22 move, in Action 11, Alternative 8, to remove Suboption 8c to the
23 considered but rejected appendix. Suboption 8c is in federal
24 waters of the Gulf and South Atlantic.

25
26 **CHAIRMAN ANSON:** We have a committee motion. Any discussion?
27 **Any opposition? Seeing none, the motion carries.**

28
29 **MR. GREENE:** The committee asked that staff modify alternatives
30 in the document referring to Monroe County to adopt the
31 delineated area proposed by the Joint South Florida Committee
32 for other alternatives in the document, specifically "from the
33 Dade/Monroe County line on the east coast of Florida to Shark
34 Point on the west coast of Monroe County, Florida."

35
36 Concurrently, the committee heard feedback from the LEAP stating
37 that creating separate grouper regulations for a county or other
38 delineated area would cause enforcement problems. Committee
39 members remarked that establishing county-specific regulations
40 was not preferred and would further complicate management, as is
41 currently being considered under Action 12.

42
43 Additional LEAP comments indicated that education on when to use
44 circle hooks and when to use other hook types may be more
45 appropriate than establishing additional regulations.

46
47 Options Paper, Framework Action to Adjust Gag ACL and Season,
48 staff reviewed the actions and alternatives in an options paper

1 for a framework action to increase the gag ACL and ACT and
2 modify the recreational gag fishing season.

3
4 Action 1 contains alternatives to adjust the recreational ACL
5 and ACT through 2017 and to adjust the commercial ACL and
6 eliminate the commercial ACT. The committee had no comments on
7 the alternatives in Action 1.

8
9 Action 2 contains alternatives to eliminate the fixed December 3
10 through 31 recreational gag closed season, adjust the starting
11 date of the recreational gag season, or adopt a split season.
12 Mr. Atran noted that the framework amendment could not be
13 completed in time to change the opening date for 2015, but it
14 might be possible to eliminate the December closed season in
15 2015 and change the starting date for 2016.

16
17 Under Action 2, Alternative 3, committee members felt that there
18 would be insufficient time to back-calculate a starting date
19 that would allow the season to remain open through the end of
20 the year. They suggested it would be better to set a fixed
21 opening date, and, if possible, a fixed closing date.

22
23 For Action 2, Alternative 4, which is a split season, staff was
24 looking for guidance on how to split the season. A suggestion
25 was made to have the first season open in the spring, March and
26 April, and the second season in the fall.

27
28 The committee had no comment on whether the first season length
29 should be based on being open for a fixed number of day or for a
30 fixed percentage of the quota. Mr. Atran related that staff
31 would prepare a draft framework action for final action at the
32 June council meeting.

33
34 **CHAIRMAN ANSON:** Mr. Greene, we have a couple of questions.

35
36 **MS. BADEMAN:** I guess -- I don't know if I need to make this in
37 the form of a motion or not, but I just wanted to throw some
38 ideas out there for Steven as he is putting this document
39 together.

40
41 In terms of opening days, I think one option would be to open
42 January 1 or potentially even closing during February and March,
43 since we know that's the spawning season for gag. We have the
44 twenty-fathom closure and we could do with or without that.

45
46 One option I think would be opening April 1. If we wanted to do
47 an early in the year and late in the year split season
48 situation, maybe closing for around August 15 or September 1 and

1 then being open again on October 1 and running through the end
2 of the year.

3
4 Just some ideas, again, and I don't know how this is going to
5 play out in terms of how much quota we'll have and how many days
6 that will translate into, but I just wanted to throw some dates
7 out there. Thanks.

8
9 **MR. WALKER:** Under Action 1, a motion to add a new alternative
10 that sets the ACL at 3.8 million pounds, sets the recreational
11 ACT buffer at 8 percent, based on the ACL/ACT control rule, and
12 does not use the commercial ACT. I have already sent the motion
13 in.

14
15 **CHAIRMAN ANSON:** I think we're trying to find it here. Going
16 back to Martha's comments, before, I think, Steve, you were just
17 looking for some guidance and so we don't need a formal motion
18 and you can just incorporate that into the document and is that
19 correct?

20
21 **MR. ATRAN:** I think guidance is fine, unless there is some
22 actual specific alternative. As I said yesterday, if we're
23 going to go with a split season, it would be advantageous to try
24 to make sure we have enough separation to be able to get
25 estimated landings for the first season, so we can calculate
26 what's left for the second season.

27
28 **CHAIRMAN ANSON:** What is that length of time, Steve? Is it four
29 months is the minimum you need to kind of look at preliminary or
30 is it longer? Steve Branstetter, you might know.

31
32 **DR. BRANSTETTER:** I'm sorry. I was jotting something down.

33
34 **CHAIRMAN ANSON:** What's the length of time that we would need to
35 kind of look at landings, the minimum length of time, if we had
36 a split season? Would we need four months for it to kind of go
37 through that process to look at landings or is it six months or
38 do you have an idea?

39
40 **MR. ATRAN:** It would be forty-five days after the end of the
41 wave in which it closes.

42
43 **CHAIRMAN ANSON:** Okay and so depending on when that month
44 closes, you might have to wait for the end of that wave and then
45 an additional wave. We are good then or, Steve, you are good
46 with Martha's dates? Okay. So now, David, we have your motion,
47 I believe, on the board, if you can review that real quick and
48 make sure that's it or let me know.

1
2 **MR. WALKER:** Yes, that's the motion.
3
4 **MR. WILLIAMS:** I will second.
5
6 **CHAIRMAN ANSON:** We have a motion and it's been seconded in
7 Action 1 to add a new alternative that sets the ACL at 3.8
8 million pounds and set the recreational ACT buffer at 8 percent
9 based on the ACL/ACT control rule and do not use a commercial
10 ACT. Any discussion on the motion?
11
12 **MR. WILLIAMS:** For the record, David, would you tell us how you
13 got that number? Is that simply the average between status quo
14 and --
15
16 **MR. WALKER:** Right. 3.8 million is the median of the status quo
17 and the next lowest, Alternative 4. It's setting the catch
18 level at an amount that allows for a more conservative approach
19 that attempts to take into account the huge scientific
20 uncertainties in the assessment, management uncertainty
21 pertaining to a lack of catching quotas, the fact that there may
22 be too few males remaining and on-the-water fishermen
23 observations, as in the Reef Fish AP.
24
25 They were worried about seeing the -- The fish just aren't there
26 and they're concerned about the stock. We heard a lot of
27 testimony yesterday of people -- I heard them even say don't
28 even give us anything, as low as that. That was in testimony.
29
30 **MS. BADEMAN:** Could we scroll back to the motion? So we're just
31 adding this alternative, right? Okay.
32
33 **CHAIRMAN ANSON:** Any other discussion on the motion? **Any**
34 **opposition to the motion? Seeing none, the motion is carried.**
35 All right, Mr. Greene.
36
37 **MR. GREENE:** Framework Action for Modifications to Greater
38 Amberjack Allowable Harvest and Management, the committee
39 reviewed the framework action considering changes to greater
40 amberjack management measures, Tab B, Number 7)a). Three
41 actions were considered and preferred alternatives were
42 selected.
43
44 Action 1 considers modifications to greater amberjack ABC, ACL,
45 and ACT values. The committee discussed that the stock is
46 overfished and overfishing is occurring as of the most recent
47 stock assessment. **The committee recommends, and I so move, that**
48 **in Action 1, to have Alternative 3, Option a be the preferred**

1 alternative.

2
3 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
4 the motion? **Any opposition to the motion? Seeing none, the**
5 **motion carries.**

6
7 **MR. GREENE:** Next, the committee considered changes to the
8 recreational minimum size limit. There is concern that the
9 current minimum size limit allows harvest of immature females
10 and increasing the size limit would allow more individuals to
11 reach reproductive maturity before entering the fishery. **The**
12 **committee recommends, and I so move, that in Action 2.1, that**
13 **Alternative 3 be the preferred alternative.**

14
15 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the
16 motion? **Any opposition to the motion? Seeing none, the motion**
17 **carries.**

18
19 **MR. GREENE:** The committee also considered changing the current
20 recreational closed season for Greater Amberjack. The current
21 June 1 to July 31 closed season was enacted in Reef Fish
22 Amendment 35 to extend the season.

23
24 However, this prevented harvest during summer, the period of
25 historically peak effort, and it could be preferable to close
26 from March through May coinciding with the spawning season. **The**
27 **committee recommends and I so move that in Action 2.2, that**
28 **Alternative 3 be the preferred alternative.**

29
30 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
31 the motion?

32
33 **MR. FISCHER:** I think we heard considerable testimony on this.
34 I think this merits some discussion before we move forward and I
35 would like to hear what others have to say, but I think we had
36 quite a few people at the podium expressing a desire to stay
37 open in the spring and closed in the summer.

38
39 **MR. GREENE:** I was going to move a substitute motion that in
40 **Action 2.2 that Alternative 1 be the preferred alternative.**
41 That would be the closed season remains June 1 through July 31.

42
43 **CHAIRMAN ANSON:** We have a motion to make in Action 2.2
44 Alternative 1 be the preferred alternative and that's status
45 quo. It's been seconded by Myron. Is there any discussion on
46 the motion?

47
48 **DR. DANA:** I would support the substitute motion. I received a

1 large number of emails and texts from everything from bait and
2 tackle shops to folks from Panama City, Destin, and other areas.
3 All were in support of a summer closure versus the spring, just
4 because of the impact it would have on a spring tourism season.
5 Thank you.

6
7 **CHAIRMAN ANSON:** Does anyone else want to talk or speak to the
8 motion?

9
10 **MS. BADEMAN:** I was just going to say when we talked about this
11 a couple of years ago, I think we considered something close to
12 this. I support the June through July closure. I think when we
13 arrived at this decision a few years ago we did because it was a
14 pretty good bang for our buck and that there was peak landings
15 during that time. I support Johnny's motion.

16
17 **MR. MATENS:** This is kind of a tough one for me. I understand
18 the problems in Florida and I certainly have a lot of empathy
19 for the problems of the charter industry and it points out to
20 me, about regional management, that this is a Florida problem or
21 maybe an Alabama problem, but it's certainly not a problem in
22 Louisiana.

23
24 Here we have a fishery that's being overfished and it's
25 overfished and being overfished and it's been this way for quite
26 some time. I talked to a lot of people about this and one of
27 the consensus was that we have to do something. Well, I don't
28 know what that is and I was hoping that I would hear some of the
29 biologists tell me that going to a thirty-four-inch minimum
30 length would be that solution and I didn't get any firm yes on
31 that. Accordingly, I have to speak in favor of the spring
32 closure. Thank you.

33
34 **MR. DIAZ:** I am going to echo some of what Camp just said. It's
35 a tough one for me too and I did make the motion in committee to
36 have the March 1 through May 31 closure for two reasons. One is
37 that's peak spawning time and a lot of times we talk about
38 trying to protect fish during peak spawning times and in our
39 area, I polled several people and in my area, they would prefer
40 to have the closure during this time.

41
42 I did hear the public testimony loud and clear yesterday and I
43 do understand the business concerns from the people in the
44 Panhandle and Alabama and so thank you, Mr. Chairman.

45
46 **MR. FISCHER:** To answer some of Camp's question he had, I did
47 speak with leading biologists on this, that being Daryl Parkyn.
48 Him and Debra Murie are the Gulf's leading amberjack biologists

1 and he mentioned to me -- This was a short while back and not
2 during this meeting, but that until you raise the size limit and
3 protect the spawning period, you are not going to get out of the
4 box.

5
6 We raised the size limit, but the folks who came to the mic
7 spoke loud and clear and I think we could go with the size limit
8 to constrain harvest during the two summer months, as we have
9 been status quo, and see how this moves us forward and give it
10 time. Let's see what happens and see if the size limit alone is
11 enough.

12
13 We may have some closures in November or December. I don't know
14 whether that is going to happen, but I did speak with the
15 biologists and I wanted to relay that to Camp.

16
17 **MR. DIAZ:** Just to put this on the record, I mean I think
18 somebody said earlier that we have to do something, because this
19 fish has got some problems. Just to say, no matter how this
20 vote comes out, some other things have been done. We did pick a
21 fairly conservative annual catch limit out of the range of
22 alternatives that we were given and so it would be size limit is
23 already taken care of and we are fairly conservative on annual
24 catch limit.

25
26 **MR. BOYD:** I was wondering if Bonnie might be -- Can you speak
27 to how quickly we could have data based on the new size limit
28 next year, so we can see what it's done?

29
30 **DR. PONWITH:** I guess I need clarification on what you mean by
31 that.

32
33 **MR. BOYD:** If we did not do the spring closure, with what Myron
34 said, in talking to some biologists that there may be
35 significant gains by going to the thirty-four inches, how
36 quickly will we know whether we did get gains from the thirty-
37 four-inch limit?

38
39 **DR. PONWITH:** We can simulate what happens to the stock with an
40 increase in minimum size limit to thirty-four inches. The fact
41 that it allows a higher percentage of those animals to reach
42 sexual maturity before they are harvested gives us sort of an
43 intuitive sense that there is going to be a stock benefit from
44 it.

45
46 If your question is how long would we have to wait before we
47 could actually detect a change in response to that management
48 measure in the population, that would be a while. I mean it

1 would take a while for that stock to actually respond and it
2 would be very difficult to attribute a change in a stock
3 specifically to that portion of your collection of management
4 measures as a stand-alone.

5

6 **MR. BOYD:** Thank you. That was my question.

7

8 **MR. MATENS:** I would like to make another substitute motion that
9 in the recreational greater amberjack fishery that we increase
10 the minimum size limit to thirty-six inches and that we open the
11 season the first of the year and let it continue until we have
12 to close the season.

13

14 **CHAIRMAN ANSON:** Go ahead, Dr. Crabtree.

15

16 **DR. CRABTREE:** One, that's a wholly different issue and not a
17 substitute, but didn't we already approve the committee motion
18 to set the size limit? That would take a motion to reconsider
19 and everything to go back and change it now, I think.

20

21 **CHAIRMAN ANSON:** Yes and so, Camp, I think we just have to deal
22 with the season.

23

24 **MR. MATENS:** Let's withdraw this. That's fine.

25

26 **CHAIRMAN ANSON:** You will withdraw it? Okay. Thank you. That
27 leaves us with the substitute motion.

28

29 **MR. FISCHER:** I would like to commend Camp for looking at other
30 alternatives, other ways, things out of the box that we didn't
31 think of. It was an alternative in the briefing book, but we've
32 been focused on either summer or spring and there were other
33 choices.

34

35 **MR. GREENE:** I appreciate the science portion of it and always
36 have. You know we just passed a deal to get the annual harvest
37 at a constant rate for the next three years, I believe at about
38 1.7 million pounds. We have also increased the size of the fish
39 considerably.

40

41 There is a big weight difference between a thirty-inch amberjack
42 and a thirty-four-inch amberjack and I really don't want to go
43 any bigger than that, because I have some other concerns, but,
44 from a practical standpoint of a fisherman, when you close
45 amberjack in the spring, I don't care where you fish in the Gulf
46 of Mexico, you're not going to be allowed to catch a triggerfish
47 -- If it was this year, you couldn't keep a triggerfish,
48 shallow-water grouper, a gag grouper, an amberjack, or a red

1 snapper.

2
3 Now, I am a pretty good fisherman and that don't leave too many
4 options for anybody to catch, whether you have a for-hire
5 vessel, a recreational vessel or whatever. I just strictly
6 bring this to your purview, because this is a big deal.

7
8 **CHAIRMAN ANSON:** I think we're ready to vote on the substitute
9 motion and it is in Action 2.2 that Alternative 1, the status
10 quo alternative, be the preferred alternative. **All those in**
11 **favor of the substitute motion please raise your hand.**

12
13 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six,
14 seven, eight, nine, ten, eleven, twelve, thirteen.

15
16 **CHAIRMAN ANSON:** All those opposed like sign. Raise your hand,
17 please.

18
19 **EXECUTIVE DIRECTOR GREGORY:** One, two, three. I have three.

20
21 **CHAIRMAN ANSON:** The motion carried thirteen to three. Mr.
22 Greene.

23
24 **MR. GREENE:** Finally, the committee considered commercial
25 management measures. A 1,923-pound gutted weight trip limit was
26 established in Reef Fish Amendment 35 to reduce the rate of
27 commercial harvest for this species and extend the commercial
28 season.

29
30 The committee discussed that overages have historically occurred
31 for this fishery, but the current trip limit is working well for
32 the industry and no large overages have occurred as a result.
33 **The committee recommends and I so move that in Action 3, to**
34 **select Alternative 1 as the preferred alternative.**

35
36 **CHAIRMAN ANSON:** We have a committee motion.

37
38 **MR. WALKER:** Listening to the testimony yesterday and I heard
39 everyone say 1,500 pounds and I would like to make a second
40 substitute motion to make Alternative 1, no action, the
41 preferred alternative. It's a substitute motion.

42
43 **CHAIRMAN ANSON:** David, could you repeat that? We already have
44 Alternative 1 up there and do you mean Alternative 2? Do you
45 want to make the substitute motion Alternative 2, which would be
46 the 1,500 pounds?

47
48 **MR. WALKER:** Yes, the 1,500 pounds, yes. Gutted weight.

1
2 **CHAIRMAN ANSON:** We have a substitute motion to make Alternative
3 2 in Action 3 the preferred alternative and it's been seconded
4 by Mr. Diaz. Any discussion on the motion?
5
6 **MR. PEARCE:** I understand what's going on and I mean we've gone
7 over on amberjack every year and my guys are very comfortable
8 with the 2,000-pound limit. There is no doubt about that. They
9 can go in and catch it and come back in one day, but in the
10 spirit of trying to do a better job, I agree with this motion.
11 I will catch hell for it, but I agree with this motion, so we
12 can try and get this thing back on track.
13
14 **CHAIRMAN ANSON:** The motion is 1,560 whole weight. Anyone else
15 want to talk?
16
17 **MR. WALKER:** I would just say it's going to help to extend the
18 season and help address some discards.
19
20 **CHAIRMAN ANSON:** All right and so all those in favor of the
21 substitute motion to make Alternative 2 in Action 3, 1,560
22 pounds of whole weight trip limit, be the preferred alternative,
23 please raise your hand in favor of this.
24
25 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six,
26 seven, eight, nine, ten, eleven, twelve, thirteen, fourteen,
27 fifteen.
28
29 **CHAIRMAN ANSON:** All those opposed raise your hand. It's
30 fifteen to zero. All right, Mr. Greene.
31
32 **MR. GREENE:** Scoping Summaries, Amendment 36, Red Snapper IFQ
33 Modifications --
34
35 **CHAIRMAN ANSON:** Johnny, one second. We have some hands waving
36 frantically. I think we might have to do something with this to
37 dispense of it.
38
39 **MS. LEVY:** Yes, you need to have a motion to approve and submit
40 it to the Secretary and deem the codified text and I will just
41 note that you were sent updated codified text yesterday based on
42 the preferreds that happened in committee.
43
44 Obviously that changed, because we put the season back to status
45 quo and we changed the trip limit and so that codified text is
46 going to be changed again to reflect what you just did now.
47
48 **CHAIRMAN ANSON:** Okay and so does everyone understand what Mara

1 said? This is to approve the amendment, the framework action,
2 to send this on to the Secretary. We will need to do a roll
3 call vote on this. Doug, whenever you are ready.

4

5 **MR. WILLIAMS:** We need the motion.

6

7 **CHAIRMAN ANSON:** That's right. We need to make a motion, yes.

8

9 **MR. GREENE:** I will make the motion.

10

11 **CHAIRMAN ANSON:** The motion has been made by Johnny to approve
12 the Greater Amberjack Framework Action to Modify Allowable
13 Harvest and Management and that it be forwarded to the Secretary
14 of Commerce for review and implementation and deem the codified
15 text as modified in discussion as necessary and appropriate,
16 giving staff editorial license to make the necessary changes in
17 the document. The Council Chair is given the authority to deem
18 any changes to the codified text as necessary and appropriate.
19 We have a second. Any further discussion on the motion? All
20 right, Mr. Gregory.

21

22 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.

23

24 **MR. WALKER:** Yes.

25

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

27

28 **DR. CRABTREE:** Yes.

29

30 **EXECUTIVE DIRECTOR GREGORY:** Mr. Robinson.

31

32 **MR. ROBINSON:** Yes.

33

34 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.

35

36 **MR. MATENS:** Yes.

37

38 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.

39

40 **MR. WILLIAMS:** Yes.

41

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

43

44 **MR. BOYD:** Yes.

45

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

47

48 **MS. BOSARGE:** Yes.

1
2 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
3
4 **MR. SANCHEZ:** Yes.
5
6 **EXECUTIVE DIRECTOR GREGORY:** Mr. Greene.
7
8 **MR. GREENE:** Yes.
9
10 **EXECUTIVE DIRECTOR GREGORY:** Mr. Perret.
11
12 **MR. PERRET:** Yes.
13
14 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.
15
16 **MS. BADEMAN:** Yes.
17
18 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.
19
20 **MR. FISCHER:** Yes.
21
22 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.
23
24 **DR. STUNZ:** Yes.
25
26 **EXECUTIVE DIRECTOR GREGORY:** Mr. Pearce.
27
28 **MR. PEARCE:** Yes.
29
30 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.
31
32 **DR. DANA:** Yes.
33
34 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
35
36 **MR. DIAZ:** Yes.
37
38 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
39
40 **CHAIRMAN ANSON:** Yes.
41
42 **EXECUTIVE DIRECTOR GREGORY:** **It's unanimous yes.**
43
44 **CHAIRMAN ANSON:** All right. I think we can go ahead then, Mr.
45 Greene.
46
47 **MR. GREENE:** Scoping Summaries, Amendment 36, Red Snapper IFQ
48 Modification, staff reviewed the scoping document, Tab B, Number

1 8(a), and provided a summary of the comments received for each
2 of the items for potential modification. Due to time
3 constraints, the committee deferred further discussion on the
4 list of items under consideration and document timeline until
5 full council. Now we're going to reach out to Dr. Lasseter for
6 an update.

7
8 **DR. LASSETER:** Thank you, Mr. Greene. It's unfortunate that we
9 seem to have run into some time constraints in full council as
10 well. This morning, I did distribute a list of just the items,
11 just kind of consolidated, that have been under consideration
12 and I would suggest that may if there are some -- If there is
13 some discussion people are already prepared with, we could
14 entertain that, but I would suggest putting this back on the
15 Reef Fish agenda for the next meeting and continuing this
16 thoroughly when we have more time.

17
18 **EXECUTIVE DIRECTOR GREGORY:** As an options paper.

19
20 **DR. LASSETER:** No, we planned to bring an options paper back in
21 August. We would bring -- The scoping summaries, we didn't even
22 finish scoping until after final briefing book and so you have
23 had very little time to look at and consider I think the
24 summaries as well and so perhaps this will give you some more
25 time.

26
27 We will still get the options paper back in August, but we could
28 work on refining this list and be a little more prepared or have
29 more time at the next meeting in June.

30
31 **CHAIRMAN ANSON:** Dr. Lasseter, would it be your plan then to
32 kind of work with what you have already identified and set it up
33 as kind of an options paper with some of the details fleshed out
34 or are you going to wait until everything is supplied in June
35 and then come back in August or how do you propose that?

36
37 **DR. LASSETER:** I would put in the next briefing book for June
38 the scoping summaries again, the scoping document again, with
39 this list in the front and then behind the scenes, the IPT will
40 be considering how we're going to be moving it from scoping to
41 options and so we'll be ready to go between June and August to
42 get you the options paper.

43
44 **CHAIRMAN ANSON:** All right. Thank you. No questions? All
45 right, Mr. Greene.

46
47 **MR. GREENE:** Revised Draft, Amendment 28, Red Snapper
48 Allocation, staff presented the management alternatives and

1 discussed methods used to compute the recreational and
2 commercial allocations for each alternative. Committee members
3 discussed the effects of the MRIP recalibration of catch
4 estimates and selectivity changes in the recreational sector.
5

6 **The committee approved the following motion. By a vote of five**
7 **to three, the committee recommends, and I so move, to make**
8 **Alternative 9 the preferred alternative.**
9

10 **CHAIRMAN ANSON:** We have a committee motion.
11

12 **DR. STUNZ:** Do you need a second on this motion? I wanted to
13 comment.
14

15 **CHAIRMAN ANSON:** No, it just comes from the committee as a
16 motion.
17

18 **DR. STUNZ:** I want to speak in favor of Alternative 9 as the
19 preferred. I guess, first, the last meeting we got the update
20 assessment and everything was looking positive in terms of our
21 key benchmarks and it was pretty apparent, I think, that that
22 was due to MRIP recalibrations, but we also had some questions
23 about how the selectivity or how the recreational anglers in
24 that larger catch rate might factor into what was driving those
25 positive numbers.
26

27 Of course, in the last report that we just got for this meeting,
28 it was pretty apparent -- The no-brainer was in fact that the
29 MRIP calibration did in fact drive those numbers up, but what
30 was surprising, at least a little to me, was how much the
31 selectivity did in fact drive those numbers and, in fact, in
32 most cases it was just as much, if not more, than those MRIP
33 calibrations.
34

35 That kind of led me to two things in terms of while Alternative
36 8 is good, when we begin to look at -- One, there is really two
37 alternatives when you look at what is the most scientifically
38 valid and that's 8 and 9, but it's kind of hard to look at 8
39 when you consider what effect these selectivities are having and
40 so it makes sense that from the best scientific perspective that
41 we're looking at Alternative 9 that specifically incorporates
42 those MRIP and selectivity calibrations. I would speak in
43 favor.
44

45 In addition to that, not only does it increase all the
46 benchmarks, but it increases the allocation for everyone as well
47 and so we're getting the most bang for our buck from that
48 alternative.

1
2 **CHAIRMAN ANSON:** I would concur with your statement, Dr. Stunz.
3 Those fish -- It's fishermen behavior, but working within the
4 system that we have set up for them, they are harvesting larger
5 fish and the time between a sixteen-inch fish, which they could
6 harvest, and the fish they are is providing some benefit and as
7 we've seen that in the stock increase.

8
9 **MR. PEARCE:** I understand what Dr. Stunz says and I understand
10 the recalibration, but I did listen to the public testimony
11 yesterday and I listened to an almost overwhelming support for
12 no allocation, Alternative 1.

13
14 I listened to some support for Alternative 8 as well and so I
15 believe that, because of what I heard yesterday and because of
16 what I feel, I think that we need to not vote this up and vote
17 this down and consider these other two alternatives and see
18 which one is better for us, but the audience almost
19 overwhelmingly wanted no allocation at all, with some wanting
20 Alternative 8. I would have to speak in opposition to this
21 motion and hope we don't pass this one, so we can discuss the
22 other two. Thank you.

23
24 **MR. WILLIAMS:** I have had a mixed opinion on this one. Coming
25 into the meeting, I was probably in favor of Alternative 9 and I
26 had convinced myself that the recreational fishery had increased
27 their yield per recruit by targeting a larger fish, but whether
28 they actually did or not is really dependent upon what you
29 believe about discards.

30
31 If they were high-grading and if there are a lot of discards,
32 then maybe yield per recruit did not increase and enough people
33 have spoken to me that I am now uncertain about that aspect of
34 it.

35
36 I do remain convinced that we need to give the recreational
37 fishery whatever increase came from the recalibration of the old
38 MRFSS data after the change in MRIP and so I am prepared to
39 offer a substitute motion. **My substitute motion would be that**
40 **Alternative 8 be our preferred motion.**

41
42 **CHAIRMAN ANSON:** We have a substitute motion and is there a
43 second? It's seconded by Corky. Any discussion?

44
45 **MR. WALKER:** I would like to offer a second substitute motion to
46 make Alternative 1, no action, the preferred alternative.

47
48 **CHAIRMAN ANSON:** There is a second substitute motion to make

1 Alternative 1 the preferred alternative. Is there a second for
2 that motion? It's seconded by Ms. Bosarge.

3
4 **DR. DANA:** If we voted on Alternative 1, which is status quo, it
5 still doesn't account for the recalibration, which is the new
6 scientific method that we're looking at. Essentially,
7 Alternative 8 is status quo, but using the new scientific method
8 that we are using going forward. Is that correct, Dr. Crabtree?

9
10 **DR. CRABTREE:** No, status quo would be Alternative 1.
11 Alternative 8 would adjust the allocation in a manner that
12 accounts for the MRIP calibration impact on the historical time
13 series.

14
15 **CHAIRMAN ANSON:** Dr. Crabtree, you had your hand up earlier.

16
17 **DR. CRABTREE:** Yes and just a couple of points. One thing you
18 ought to think about is both Alternative 8 and 9 you can see
19 that the allocation isn't one number and it changes a little bit
20 with the TAC.

21
22 You ought to think about, if you're going to select either one
23 of these, do you want to use the average of sixteen or seventeen
24 and you're setting it such that that's then the allocation until
25 you revisit it and change it or is it your intent that the
26 allocation change over time? I think you ought to address that.

27
28 Then I think you need to be aware that there's been another set
29 of analyses done that -- They went over to the council and I
30 think Mr. Gregory can correct me if I'm wrong, but I think the
31 council's intent is to have these go before the SSC and bring
32 them before the council in June.

33
34 There is a set of analyses that looked at what impact does
35 reallocation have on future TACs and the analysis shows that the
36 recreational allocation and the TAC are correlated, meaning the
37 more you allocate to the recreational fishery, the higher the
38 TAC can be. That seems kind of odd at first, but it's tied back
39 into the issue that has come up here and that Dr. Stunz brought
40 up, which is yield per recruit.

41
42 As you allocate more fish to the recreational sector, you're
43 shifting more fish into that larger selectivity and you are
44 picking up extra yield per recruit and that means the yield from
45 the fishery can be higher.

46
47 Now, at the levels you're talking about in Alternative 8, it's
48 probably not much. Alternative 9, it's probably a few hundred

1 thousand pounds, but if you go to even greater shifts in the
2 allocation, I think one of the analyses shows that it's over a
3 million pounds, but these analyses also show a down side to
4 this, which is one of the effects of reallocation is you're
5 shifting more of the harvest into the eastern Gulf, because
6 that's where the majority of the recreational fishery is.

7
8 You have seen these projections that show declines in the
9 eastern Gulf and to the extent that you shift more fishing
10 pressure into the eastern Gulf, those declines get somewhat
11 steeper.

12
13 Probably Alternative 8 is not too much of an impact and even 9
14 is not that much of a shift in allocation, but if you look at
15 some of the larger shifts in allocation, they are there, but I
16 wanted you all to be aware of this before you vote on this and
17 it's something that we'll need to look at some time, because I
18 think it does have implications that will need to be discussed
19 in the document and it probably has implications for the
20 economic analysis and those things.

21
22 I just wanted to bring that up to you, but I think you do need
23 to clarify to staff whether your intent is to set the allocation
24 based on some average here and that's going to stay in place
25 until you revisit it or do you want to have the allocation
26 changing, because I've been asked that from staff, to get some
27 clarification on it.

28
29 **CHAIRMAN ANSON:** All right. We will be thinking about that. I
30 have Corky and Roy Williams and then Harlon.

31
32 **MR. PERRET:** Thank you, Mr. Chairman. Relative to the second
33 substitute motion, Alternative 1, no action, I think, David, you
34 made that motion and is that right? I would normally support
35 your motion, for a lot of reasons. You all have heard me all
36 along about I can't see providing additional fish to a user
37 group that has consistently, other than last year, gone over
38 their allocation by four-million-plus pounds in 2013, as an
39 example.

40
41 But I said all along that if indeed this recalibration shows
42 that we've been making errors in the past and the percentage
43 should change based on that allocation -- If that's what the
44 data shows, I am going to support that and so I cannot support
45 your motion at this time.

46
47 **MR. WILLIAMS:** Corky was the seconder for my motion and if he
48 would agree, I would like to withdraw it and then just go ahead

1 and vote on the original committee motion.

2
3 **CHAIRMAN ANSON:** We've got a second substitute motion we've got
4 to deal with first.

5
6 **MR. WILLIAMS:** I thought we had already defeated that. Sorry.

7
8 **MR. PEARCE:** Yesterday that's all we heard, was no allocation,
9 no allocation, no allocation, and so I've got to support this
10 amendment. I understand the recalibration and I understand
11 what's going on, but I also understand what I heard yesterday
12 very resoundingly and it was that both the harvesting component
13 and the for-hire component didn't want any reallocation.

14
15 Because of that, that's the stand I'm going to take on this
16 particular motion. I think that they told me pretty clearly
17 what they want me to do. Thank you.

18
19 **CHAIRMAN ANSON:** I will just -- Something that Mr. Perret said
20 and I've said it I think before. Yes, it's been mentioned that
21 the recreational sector has gone over its quota allocation in
22 the past and that was because of what the council set up and the
23 mechanisms that we had to measure that and it was a failure, I
24 think, on the council's part to constrain the recreational
25 fishermen and not necessarily the recreational fishermen and so
26 I don't think necessarily we should penalize that particular
27 sector for actions for which the council could have corrected,
28 but that's my comment.

29
30 **MR. WALKER:** I have some concerns about what it means to change
31 allocation between sectors that have different size selectivity.
32 The point is that it's just another set of alternatives that
33 doesn't make any sense when you think about them and it may have
34 some really negative consequences, just like Roy mentioned the
35 other day.

36
37 The assessment and the ABC projections are based on the 51/49
38 allocation and changing the allocation in any way that would
39 shift the balance of selectivity targeting this stock, that
40 could distort the mix of ages and sizes and meaning the current
41 ABCs are off. That means red snapper could miss its 2032
42 rebuilding deadline.

43
44 When selectivity is different, the size and age of a dead
45 recreational fish is not the same as the size and age of a dead
46 commercial fish. This is especially important for a fish in a
47 rebuilding plan based on the amount of mature fish.

48

1 At a minimum, the Science Center needs to rerun the ABC
2 projections with all of these proposed allocation changes. The
3 calibration approach shouldn't be used, because the methodology
4 is still being worked up.

5
6 The report for the calibration says at the point in time a
7 different calibration model may be determined to better fit and
8 so it's too early to use it to change allocations.

9
10 **CHAIRMAN ANSON:** Dr. Ponwith, to that point?

11
12 **DR. PONWITH:** Yes, precisely to that point. We have done
13 analyses, per the council's request, on the reallocation
14 schedule that the council asked us to look at. When we ran
15 those numbers, what it showed was the reallocation itself does
16 not end the ability for the stock to rebuild according to the
17 schedule that you've set up, the rebuilding schedule.

18
19 The more you reallocate to the recreational side, as Dr.
20 Crabtree just said, the more you reallocate to the recreational
21 side, the more pressure it puts on the portion of the stock
22 that's in eastern Gulf, but when you look Gulf-wide across the
23 stock, it's still possibly to meet that rebuilding schedule with
24 the reallocation.

25
26 **DR. CRABTREE:** David's point that changing the allocation might
27 affect the ABCs, that's correct, but the analyses all show that
28 if you shift the allocation more to the recreational that the
29 ABCs could in fact be increased and you will see that.

30
31 The other thing is in terms of it being too early to use the
32 calibrated landings, we've already used them. They're what are
33 used in the stock assessment and they are the basis for the TAC
34 increase and so clearly that has been accepted as the best
35 available science and we are already using it.

36
37 **MS. BOSARGE:** I guess I am a little confused about the
38 calibration, because I do remember seeing three different
39 methods. They were able to give us specifics on one of the
40 three and they had to do some research or whatever on the
41 numbers, what it was, on the other two and they were going to
42 get back to us with that.

43
44 In that whole discussion on that -- If you remember at the last
45 meeting, I wanted to pull this recalibration out and have it in
46 a separate amendment, because there were some variables involved
47 in it and we needed to dig deeper into it.

48

1 Just for Pam and Corky, who have an issue voting, I am sure for
2 Alternative 1, status quo, because then we're leaving this MRIP
3 recalibration just sitting there and doing nothing with it, I
4 would fully support starting a new amendment to deal with that.
5 Status quo on this and then let's get down to the nuts and bolts
6 of that MRIP calibration and see what that shift needs to be. I
7 would support that if we can go ahead and get done with this and
8 go status quo on this and then start something new for that
9 calibration.

10
11 **MR. BOYD:** I would speak against this motion for several reasons
12 and they have already been stated. Dr. Ponwith stated the
13 science and Dr. Crabtree stated that the ABC could be increased
14 and Dr. Stunz talked from a scientific point of view about the
15 selectivity and the fact that the MRIP calibrations were not --
16 The recalibration showed that we had wrong data and so I think
17 that those fish need to go back to the recreational sector and
18 the reallocation is necessary and so I speak against this
19 motion.

20
21 **MR. WALKER:** I would just like to say that for every action
22 there is a reaction. Have you fully evaluated what this does to
23 the commercial industry? I mean you know you look at -- This is
24 going to shift the allocation and a shift in allocation is going
25 to increase the discards in the eastern Gulf.

26
27 It's going to increase the discards significantly on my fishing
28 vessel alone. It's going to increase safety at sea issues and
29 redirects and intensifies efforts on other species and we talked
30 about the best available science.

31
32 The best available science, the socioeconomic, has said that you
33 need to be working on your fishery management plan and not
34 allocations. I don't know how many times you have to tell it
35 and I know you dissolved them, but that's the best science, in
36 my opinion.

37
38 I think it's time for the recreational fishery to get to work on
39 its own fishery management plan and I'm talking about the
40 private anglers. The charters and the headboats, they've all
41 got to work and they are wanting something different. They are
42 tired of listening to beating the same old drum of what is. All
43 it's going to create is more of what is.

44
45 You just keep -- If you could plan where you could find
46 something to address your discards and reduce your buffers -- I
47 spoke about that yesterday to Gary Jarvis and you know if you've
48 got an FMP that's accountable, you can remove a 20 percent

1 buffer and that's a 20 percent increase in allocation.

2
3 So if Randy Boggs and the pilot program we had, the thing the
4 other morning, and it was talking about the discards being
5 reduced north of 50 percent. Well, you know it seems to me if
6 you make it sector-specific in a stock assessment and you take
7 those 50 percent of discards and give them back to the
8 recreational industry, so they've showed that they're
9 accountable, it seems to me that would be 50 percent.

10
11 That's why I took the two, the 20 percent buffer you get back as
12 an allocation and the 50 percent decrease in your discards.
13 That's 70 percent and I was being conservative. Take that and
14 divide it by two and you have 35 percent and you know that's a
15 pretty substantial increase and that's what the SESSC has asked
16 you to do, to work on your fishery management plan. It's not an
17 allocation issue.

18
19 **DR. STUNZ:** Just briefly to Harlon's point and like you, Harlon,
20 I too heard loud and clear for the charter captains, but just as
21 loud and clear from my state, and particularly my home port, I
22 hear charter for-hire captains and others that do support
23 reallocation and so I just wanted to get that on the record.

24
25 **MR. FISCHER:** I was going to wait until we finished with this
26 motion before I asked a few questions, but I think the
27 conversation is discussing all the various motions at one time
28 and so I will go forward.

29
30 I have just a couple of questions and I really need these
31 answered, because this is difficult and I have to be straight.
32 I want to make sure there is no error in what I'm thinking,
33 whether it's Greg or Bonnie or Roy or maybe from that side of
34 the room.

35
36 2014 was the highest quota we had in red snapper and this does
37 not take anything -- I am asking. This does not take anything
38 away from either sector from 2014's quota and it has to do with
39 just the adjustment that came out of the stock assessment,
40 moving from that time forward, and so it's not taking fish away
41 from someone and am I correct, from the 2014 quota?

42
43 **DR. CRABTREE:** The 2014 quota was eleven-million pounds and so
44 if you look at the commercial share of that, unless I
45 miscalculated, it's 5,610,000 pounds. With the quota increase,
46 regardless of whether you choose Alternative 8 or Alternative 9,
47 they still have more fish than they had in 2014 and so if we're
48 really focusing on 8 or 9, everybody is going to have more fish

1 with the quota increase than they had in 2014 under either one
2 of those scenarios.

3
4 **MR. FISCHER:** Okay and whether it comes out of the next stock
5 assessment, but at some time in the future if we find the
6 selectivity went down in size, then there would be negative
7 benefits to the recreational fishery and that would be a fair
8 assessment? If the size selectivity went down and the
9 recreational was catching a smaller fish, that would have a
10 negative benefit for that fishery?

11
12 **DR. CRABTREE:** That seems to be the case, that if we shift
13 everything towards smaller fish that we're going to lose yield
14 per recruit and that means the TACs would go down.

15
16 **MR. FISCHER:** Okay and so I will sum it up in my mind that this
17 is -- These numbers that we're discussing is derived from the
18 recreational side and that's the cause of this increase and if
19 that's the case, then I think that's where the excess of fish
20 belong.

21
22 **MR. PERRET:** The quota may have been the highest at -- What did
23 you say, eleven-million pounds, Roy?

24
25 **DR. CRABTREE:** It was eleven-million pounds in 2014.

26
27 **MR. PERRET:** Okay. Fine. Because of the size of the fish
28 being taken by the recreational community and so on and so
29 forth, we should have a heck of a lot more fish now, because
30 while the quota was eleven-million pounds in 2013, because of a
31 recreational override of 4,249,000 pounds of fish, the actual
32 landings were 15,038,0000 pounds. With all those fish being
33 caught, if we are using your and Bonnie's scenario on
34 selectivity of size, we should have even a greater quota this
35 year, because we took over fifteen-million pounds in 2013.
36 There is no question, but I'm just saying we took a lot of fish
37 in 2013.

38
39 **CHAIRMAN ANSON:** We have a second substitute motion on the board
40 to make Alternative 1, no action, the preferred alternative. Is
41 there any other discussion on this second substitute motion?
42 **All in favor of this motion please raise your hand.**

43
44 **EXECUTIVE DIRECTOR GREGORY:** Hold them high and keep them up.

45
46 **CHAIRMAN ANSON:** **All opposed to this motion please raise your**
47 **hand. The motion failed five to ten.** That will take us to our
48 first substitute motion, which I believe was offered by Mr.

1 Williams.

2

3 **MR. WILLIAMS:** Is it possible that I could withdraw it and we
4 just go ahead and vote on 9, up or down?

5

6 **EXECUTIVE DIRECTOR GREGORY:** I would advise just voting this up
7 or down and doing it formally.

8

9 **CHAIRMAN ANSON:** If he wants to withdraw, that's a regular
10 procedure.

11

12 **EXECUTIVE DIRECTOR GREGORY:** No, it's not.

13

14 **CHAIRMAN ANSON:** It's not? You can't withdraw your motion?

15

16 **MR. PERRET:** We can withdraw motions. We've been doing it all
17 meeting long.

18

19 **EXECUTIVE DIRECTOR GREGORY:** Okay.

20

21 **CHAIRMAN ANSON:** Mara, unless you see differently, I think
22 that's a standard.

23

24 **EXECUTIVE DIRECTOR GREGORY:** It's not. It's not under Roberts -
25 - Okay.

26

27 **MR. PEARCE:** Just real quick, I don't have a problem with him
28 withdrawing, but if we go back to the original motion and it
29 fails, I would like to revisit 8.

30

31 **CHAIRMAN ANSON:** Certainly. **The motion is withdrawn. The first**
32 **substitute motion is withdrawn.** We are back to the committee
33 motion and the committee motion is to make Alternative 9 the
34 preferred alternative. Do we have any other discussion on this?

35

36 **MR. PERRET:** This is one, Alternative 9, that I cannot support.
37 I can support the recalibration, because supposedly we've been
38 having all this wrong information for all these years and I can
39 see if indeed recalibration data shows we should have been
40 having a different split all along, so be it, but I cannot see
41 adding additional quota to the sector that has consistently gone
42 over, other than last year and in two of the last years since
43 1991.

44

45 Now, we've got the buffer and we didn't go over this past year
46 and hopefully we are going to have a lot better data system and
47 so on and so forth, but 9 is not -- It's not supported by me,
48 because of the past efforts that they've gone over just about

1 every year other than with the buffer. Thank you.

2
3 **MS. BOSARGE:** Alternative 9 shifts allocation because fish were
4 allowed to live and reproduce and we have said we can show
5 scientifically that this particular group of fishermen were the
6 ones that let those fish live and reproduce and that contributed
7 this much to the stock being able to rebuild and, therefore, we
8 are going to take those rebuilding rewards and give them only to
9 the people that fished in that manner and let those fish live.

10
11 If this is supported, I will fight like hell to go back and do
12 the same thing. If you want to set this precedent, then the
13 same thing has to be done for what happened to get this stock to
14 where it is today and the people that put that IFQ program in
15 place and let those fish swim and didn't kill them and let them
16 contribute to the rebuilding, then all of that rebuilding,
17 whatever that rebuilding percentage is, should have gone direct
18 to them.

19
20 It didn't and they shared it. It went to both groups and now
21 we're saying we're going to change how we do that and it's only
22 going to go to one group and in my mind, that's just not fair.
23 That's not the way we've done it. We've thought it was fair to
24 share in the past and so why is it not fair to share now,
25 regardless of who let the fish swim and reproduce?

26
27 **CHAIRMAN ANSON:** Dr. Crabtree, to that point.

28
29 **DR. CRABTREE:** Yes, to a couple of them. Certainly no one is
30 defending overruns, but remember when we had the large overrun
31 in 2013, that was the year that the new methodology went in
32 place in MRIP that we're now calibrating to correct for and so a
33 big part of why we had such an overrun, at least in 2013, was
34 because of the methodology change that then led to the
35 calibration.

36
37 I don't think you should think of this TAC increase so much as a
38 product of rebuilding. It's really not. Part of this is a
39 function of changing a data collection system. That part of the
40 TAC increase had nothing to do with rebuilding. That's just
41 because we have calibrated the time series and changed the data
42 collection.

43
44 The part with the selectivity increase really isn't so much a
45 function of rebuilding, but it's just that if you let these fish
46 get bigger before you catch them, there is more yield per
47 recruit and so you can take more of them. This isn't so much
48 about rewards of rebuilding.

1
2 We have had lots of TAC increases that have been because of
3 rebuilding, but this is more a function of a change in a data
4 estimation methodology and then a shift in the recreational
5 fishery in terms of their catching bigger fish than they have in
6 the past. It's kind of a subtle difference, but it's a little
7 different now when you think of it, because most of our other
8 TAC increases have been based on rebuilding and this is more in
9 changes.

10
11 We are not getting more fish because they reproduced more.
12 Remember in red snapper the assumption is there's no correlation
13 between spawning stock biomass and recruitment. Steepness is
14 one and remember those arguments.

15
16 The fact that we have more big fish out here, at least the way
17 the assessment is laid out, doesn't lead to more recruits and so
18 a large part is just driven by letting the fish grow more and if
19 you let them grow more, you get more yield per recruit and so
20 it's more simple than that.

21
22 **MR. PEARCE:** I am going to speak in opposition to this
23 alternative as well. Leann made some very good points and Corky
24 made some excellent points and we heard so much in testimony
25 yesterday and I really prefer no action at all, but if we're not
26 at that juncture right now, I understand that.

27
28 I can't support this, but in the ability to maybe compromise, I
29 could support 8 if this one fails, but at this stage, I will not
30 support Alternative 9, but if it does fail, I will bring 8 back
31 up and we will vote on that. Thank you.

32
33 **MR. PERRET:** Roy, the only reason I used 2013 is it's the most
34 recent year and that's the year you say the data methodology
35 changed. Fine and if it were a one-year thing, that would be
36 fine, but twenty-one of the last twenty-three years, a
37 substantial overage, every year except two years.

38
39 I mean 2012 was 3.5 million pounds and, hell, I remember the
40 years we fought for a total of three-million pounds for
41 everybody and, hey, the fishery is coming back and things are
42 better and I am glad that we're going up to a much higher
43 allocation for both groups, but reallocating any fish at this
44 time I think is totally premature, other than based on the
45 recalibration methodology that's being used.

46
47 **MR. WALKER:** During this time -- You know in 2007, the
48 commercial industry was constrained by an FMP that kept them

1 accountable. They carried the heaviest burden of this
2 rebuilding program and they worked hard and we did what we were
3 asked to do.

4
5 You look at this calibration and it seems to me like it's just
6 like taking cash out of the cash register and then demanding a
7 raise. It's just not fair and I will tell you if you look at
8 this country, there's a lot of people here besides us. When you
9 hear 97 percent, I think it's close to like 99 percent of the
10 country is not a saltwater angler.

11
12 There's a lot of people in this country that deserve access to
13 this fishery and why should you take it away from the people who
14 are managing it, a sustainable, renewable resource, when it's
15 properly managed? You don't go out and reward someone for doing
16 something wrong. It's just not right.

17
18 I just do not see how you can justify doing this when you've got
19 the men, women, children, elderly, incapacitated, people of all
20 disabilities, and you want to take the fish away from them
21 because less than 1 percent of this country wants to think they
22 deserve it more than someone else?

23
24 **CHAIRMAN ANSON:** I've just got a few more people and we've been
25 talking about this for a while now. Harlon, Dr. Stunz, and then
26 Dr. Dana.

27
28 **MR. PEARCE:** I just want to let the states sitting at this table
29 remember -- I don't disagree with MRIP, but I think a lot of the
30 states have already disagreed with the data that MRIP has come
31 out with.

32
33 They either overestimated for your state or underestimated for
34 your state and so remember that a lot of these numbers that
35 we're talking about right here, you're not happy with and you're
36 going to talk about not being happy with these numbers.
37 Reallocating based on these numbers, to me, and you're a state
38 that knows that your numbers are wrong, you need to really think
39 long and hard about it.

40
41 **DR. STUNZ:** I just briefly want to offer the argument that
42 keeping the selectivity in this Alternative 9 is just as
43 important as the MRIP calibration. In my mind, they are not
44 that independent of one another and it works against increasing
45 the total allowable catch if we don't keep the selectivity
46 there.

47
48 **DR. DANA:** I think Corky had made some very good points about

1 the size selectivity and just the uncertainties surrounding it.
2 I didn't vote for the status quo in Action 1 because it did not
3 deal with the recalibration, which is the science that we are
4 going to be dealing with going forward.

5
6 I am somewhat uncomfortable with Alternative 9. I am
7 comfortable with Alternative 8, based on the recalibration and
8 the fact that it's dealing with what we know is real numbers --
9 Well, it's -- Thank you.

10
11 **MR. SANCHEZ:** This just seems, calibration set aside, like a
12 slap in the face. You've got one group that worked hard over
13 many years to become accountable and there is that word again,
14 "accountable", but that's what they are. They are staying
15 within their allotment, their allocation.

16
17 They are addressing all their issues that were there of
18 overcapitalization, et cetera, et cetera. Then they've come to
19 these meetings, literally hundreds of them, the same folks again
20 and again and again and again and here they are again, and they
21 are trying to preserve the things that they've been working hard
22 at.

23
24 We looked at Amendment 30B and shot it down when we were trying
25 to address the state and federal permit and the state fishermen
26 fishing days while the federal guy was shut down and then we get
27 Amendment 40 to address this inequity and them wanting not to
28 lose their place, their historical significance, in this fishery
29 and we throw a sunset monkey wrench into it and we got that
30 going.

31
32 We are trying to work within that and now here we are with 39
33 and we're saying, all right, look, this group did what they
34 needed to do to have their fishery and to try to take care of it
35 and manage it the best they could. The other group now, the
36 for-hire, is trying to do the same thing.

37
38 If the private recreational sector wants to do something
39 meaningful with their fish, I would love it. I wish to God
40 there was a bigger quota and we wouldn't be all at each other's
41 throats with all this, but that's just not the case, but then we
42 try to go here and have your opportunity to do your own fishery
43 and manage it the way you want it and no, we need to rope the
44 charter boat people back into it.

45
46 To me, this is just wrong for wrong's sake and if we want to do
47 something reasonable, let's do it, but you should not be
48 rewarding someone who keeps overrunning it and is not offering a

1 viable solution on how they're going to fix and manage their
2 fishery.

3
4 **MR. BOYD:** I would just like to point out that not one group in
5 this fishery rebuilt this fishery, rebuilt the red snapper. The
6 recreational fishermen contributed and contributed a lot to the
7 rebuilding and so it didn't just settle on one group's
8 shoulders.

9
10 I would also like to point out that the selectivity also, in the
11 calculations over the years, decreased the number of days of
12 fishing for the recreational fisherman and this gives that back
13 to him.

14
15 **MR. PERRET:** I wasn't going to say anything, but since Doug
16 brought that up, I agree with you. Everyone involved in the
17 fishery has helped to rebuild it, but unfortunately one sector
18 has consistently gone over their quota and that didn't do a lot
19 of help for the resource, but be that as it may, that's the way
20 it was.

21
22 Kevin says it's our fault as much as anybody and the data system
23 wasn't good and fine. I will take my share of the blame. If I
24 am the last hand up, I would like to call the question.

25
26 **CHAIRMAN ANSON:** You are the last person on the list.

27
28 **MR. PERRET:** Okay. Call the question.

29
30 **CHAIRMAN ANSON:** David, you will be the last person.

31
32 **MR. WALKER:** Just what are you doing to -- What are we going to
33 do for the commercial? Are we going to recalibrate? Are we
34 going to look at that and evaluate? What are you going to do
35 for the commercial industry and the seafood supply chain and all
36 of these other Americans? The citizens of this country deserve
37 -- I would like to know what's administration think about taking
38 away fish from the supermajority of the constituents and giving
39 it to a few. That's just not right and I will let it go right
40 now.

41
42 **CHAIRMAN ANSON:** Corky, you still call the question?

43
44 **MR. PERRET:** I think everybody knows what they're going to do.
45 I am ready to vote.

46
47 **CHAIRMAN ANSON:** We are ready to vote then. Let's go. We have
48 a motion, the original committee motion, which is to make

1 Alternative 9 the preferred alternative in Amendment 28. **We're**
2 **going to do a raised hands on this one again as well and so all**
3 **those in favor of the motion please raise your hand.**
4
5 **EXECUTIVE DIRECTOR GREGORY:** Keep them up. One, two, three,
6 four, five, six, seven, eight.
7
8 **CHAIRMAN ANSON:** All those opposed please raise your hand. It's
9 eight to eight. The motion fails.
10
11 **MR. PEARCE:** Since that one fails, I will make a motion that we
12 **make Alternative 8 our preferred alternative.** I don't think we
13 need discussion and I think we all know what we're going to do.
14
15 **CHAIRMAN ANSON:** We have a motion to make Alternative 8 the
16 preferred alternative and it's been seconded. The same thing.
17 We will raise our hands on this one. **All those in favor please**
18 **raise your hand.**
19
20 **EXECUTIVE DIRECTOR GREGORY:** One, two, three, four, five, six,
21 seven, eight, nine, ten, eleven, twelve, thirteen.
22
23 **CHAIRMAN ANSON:** All those opposed please raise your hand.
24
25 **EXECUTIVE DIRECTOR GREGORY:** One, two. I have two.
26
27 **CHAIRMAN ANSON:** It was fourteen to two and the motion carries.
28
29 **DR. CRABTREE:** Before you move on though, I think you still need
30 to give some guidance to staff about whether -- I guess with
31 Alternative 8, you would want to just set the average, which
32 years, or do you want it to be a floating or what do you want to
33 do with that?
34
35 **MS. BADEMAN:** I think setting it as the average is fine. I mean
36 it's only a difference of a tenth of a percent and so doing the
37 average is fine and if you need to do it for 9 also, just for
38 the analysis. I'm not sure, but it's the same situation.
39
40 **CHAIRMAN ANSON:** Dr. Diagne, do you have any comments or
41 questions?
42
43 **DR. DIAGNE:** Yes, Mr. Chair. So you would want the average for
44 the three years and essentially for Alternative 8, that would be
45 51.5 to the recreational and the difference, 48.5, to the
46 commercial and we will do the same thing for Alternative 9, for
47 consistency. The three years, 2015 to 2017, or you would want
48 another average?

1
2 **CHAIRMAN ANSON:** Any pleasure of the council to stick with the
3 2015 to 2017? Yes? Okay. I think, Dr. Diagne, I think 2015 to
4 2017.
5
6 **DR. CRABTREE:** Given that, based on that, it seems like, and
7 like all things we're kind of divided on it, but it seems like
8 we've honed down on Alternatives 8 and 9.
9
10 I would recommend that we ask staff and the IPT to go back and
11 revisit the purpose and need, to kind of focus in on what we're
12 looking at now, and have it reflect, just in general language,
13 but the purpose should reflect that the allocation is based on
14 the best scientific information available and that the recovery
15 benefits are fairly and equitably allocated between the two
16 sectors to achieve OY.
17
18 Then I think in the need it ought to reflect that in addition to
19 evaluating new commercial and recreational data to 2013, the
20 2015 red snapper assessment update revised the historical
21 recreational catch data.
22
23 Those historical catch data were recalibrated to account for
24 changes in catch statistics that are attributed to the
25 improvements in MRIP and that the recalibrated catch data, as
26 well as changes in selectivity, caused the assessment update to
27 estimate higher yields than past assessments and so the need is
28 to determine how to fairly allocate those resulting TAC
29 increases or something along those lines.
30
31 I think that's more specific to what we're doing and we've gone
32 round and round with the purpose and need and so I think if they
33 could work on that and we could take another look at that at the
34 June meeting that we would be well served by that.
35
36 **MS. BADEMAN:** Just a timing question, so that we're all clear
37 about where we are with this. It sounds like there's some
38 additional information that we're going to see maybe in June and
39 does that push final action to August or are we potentially
40 doing that in June?
41
42 **CHAIRMAN ANSON:** I see counsel shaking her head no and so at the
43 earliest it would be August, Dr. Crabtree?
44
45 **DR. CRABTREE:** Yes, we still haven't published a draft
46 environmental impact statement and so we will need to go back
47 and get this done and incorporate all this information, but I
48 think we're looking at August and that leads us to the framework

1 that I guess comes up next in the committee report.

2
3 **CHAIRMAN ANSON:** All right and so no further questions or
4 comments? Mr. Greene, if you can continue.

5
6 **MR. GREENE:** Committee members noted that Amendment 28 could be
7 implemented in early 2016. The committee indicated that,
8 because of the IFQ program, the authority to hold back a portion
9 of the commercial quota was necessary to make allocation
10 adjustments after January 1.

11
12 **The committee approved the following motion. By a vote of seven**
13 **to one, the committee recommends, and I so move, to direct staff**
14 **to develop a framework action to allow National Marine Fisheries**
15 **Service to hold back a portion of the commercial quota in**
16 **anticipation of future regulatory changes.**

17
18 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
19 the motion?

20
21 **MR. WILLIAMS:** How much would they be holding back and how long
22 would they hold it forward, because I've gotten a lot of static
23 about this out in the hall. Do you have any idea, Roy?

24
25 **DR. CRABTREE:** My guess would be, if we voted this up in August,
26 we would get to an effective final rule in February, somewhere
27 in that timeframe, February or March. With the current
28 reallocation, I think my calculation was it was a little over
29 350,000 pounds, something like that. We wouldn't be holding
30 very much back.

31
32 Then assuming the reallocation was approved, it just wouldn't be
33 released to them, because that would then go into the
34 recreational quota. If you change the preferreds, then it's
35 more held back, but we would only hold back what was necessary
36 to adjust the allocation.

37
38 **CHAIRMAN ANSON:** Any other discussion? **Any opposition to the**
39 **motion? I see one person and so the motion carries.**

40
41 **MR. GREENE:** Charge to the Reef Fish Headboat AP, staff reviewed
42 a draft charge to the Reef Fish Headboat AP. After reviewing
43 the charge, the committee passed the following motion. **By a**
44 **vote of eight to zero, the committee recommends, and I so move,**
45 **that the council accept the charge of the Reef Fish Headboat AP**
46 **as written.**

47
48 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on

1 the motion? **Any opposition to the motion? Seeing none, the**
2 **motion carries.**

3

4 **MR. GREENE:** I have a question, Mr. Chairman, if I may before I
5 proceed?

6

7 **CHAIRMAN ANSON:** Yes, sir.

8

9 **MR. GREENE:** What is the timing for the first meeting? I know
10 we've had a charter boat meeting and they had requested a second
11 one and we weren't able to accommodate that. If you could maybe
12 provide an update of when the next charter boat meeting might be
13 and, accordingly, when we may have the first headboat meeting.

14

15 **CHAIRMAN ANSON:** I will have to consult with Doug and while he
16 is over there conversing with Dr. Lasseter -- Dr. Diagne, do you
17 have some input?

18

19 **DR. DIAGNE:** We will try our best to hold the meeting before the
20 June council. I will say try, because we have to make sure we
21 can contact all of the newly-appointed members and essentially
22 have a poll to see their time availability, but our intent is to
23 try to have the meeting before the June council.

24

25 **MS. BADEMAN:** Just a comment. I realize that the charge is in
26 B-12, but it's really short and I think it would be helpful to
27 have it in the Reef Fish Report, just for the future, so that
28 when I'm going through this again that I can find it easily.
29 Thanks.

30

31 **CHAIRMAN ANSON:** All right. You can make that happen, Mr.
32 Greene, if you can amend your report. All right and so
33 continue on.

34

35 **MR. GREENE:** Other Reef Fish SSC Summary, Dr. Will Patterson
36 noted that the hogfish and mutton snapper ABC will be set at the
37 next SSC meeting. He also noted that the SSC accepted the
38 update assessment on mutton snapper as the best available
39 science and suitable for the development of management advice,
40 but could not vote on the ABC, due to a lack of a quorum.

41

42 The SSC reviewed an options paper prepared by council staff and
43 the IPT for an amendment to adjust the minimum stock size
44 threshold for selected low natural mortality stocks. A detailed
45 summary of the SSC's comments is provided in the full Reef Fish
46 Committee Report. Mr. Chairman, this concludes my report.

47

48 **CHAIRMAN ANSON:** Thank you, Mr. Greene. Let's take a five-

1 minute break and after that, we will come into the Mackerel
2 Committee Report.

3
4 (Whereupon, a brief recess was taken.)
5

6 **CHAIRMAN ANSON:** If we can start. I think David will work as a
7 good substitute for Harlon and so he is coming back. I think we
8 have thirteen folks who are at the table or right immediately
9 around the table, Dr. Dana.

10
11 **MACKEREL MANAGEMENT COMMITTEE**
12

13 **DR. DANA:** Thank you, Chairman Anson. The Mackerel Committee
14 convened and after handling committee business, introduced
15 Martin Fisher, Chair of the Coastal Migratory Pelagics, CMP,
16 Advisory Panel to summarize the AP discussions on Amendments 26
17 and 28, Framework Amendment 3, as well as other issues from
18 their March 2015 meeting, Tab C, Number 4.

19
20 Under the CMP AP Summary, the staff reviewed the overall health
21 of the king mackerel fishery and then discussed the revised
22 winter mixing zones between the Gulf and South Atlantic.
23 Covering CMP Amendment 26, the AP endorsed an annual catch limit
24 for Gulf king mackerel equal to the acceptable biological catch,
25 with the committee having some objection to an annual review of
26 projections by the Gulf SSC.

27
28 The AP accepted the new winter mixing zone recognized in SEDAR-
29 38 and expressed a preference that the Gulf Council manage king
30 mackerel from the Dade/Monroe county line to the Texas/Mexico
31 border.

32
33 The AP proffered Gulf commercial zone quotas of 40 percent for
34 the Western Zone, 18 percent for the Northern Zone, and 21
35 percent each for the Southern Zone hand line and gillnet
36 components. Reallocation of king mackerel from the recreational
37 to the commercial sector was not favored. Instead, an increased
38 recreational bag limit of three fish per person per day was
39 supported.

40
41 The AP recommended allowing South Atlantic small coastal shark
42 gillnetters to sell bag limits of king mackerel caught in drift
43 gillnets, but agreed the issue would be best addressed by the
44 South Atlantic Council.

45
46 **MR. DIAZ:** At this point, I wanted to stop and have a little bit
47 of discussion and maybe make a motion. There was a
48 recommendation to move from two fish to three fish. So far, the

1 people I've talked to, I haven't got a lot of positive feedback,
2 but I don't think we really understand exactly where we're at or
3 where that could put us.

4
5 Dr. Crabtree, would it be possible to get your staff to conduct
6 a bag limit analysis on raising the king mackerel bag limit from
7 two fish to three fish and then tell us where we're at, what
8 folks are actually catching right now?

9
10 **DR. CRABTREE:** Yes, the council could request some sort of
11 analysis.

12
13 **MR. DIAZ:** In the case, I would like to make a motion. **The**
14 **motion would be to have Southeast Regional Office staff conduct**
15 **a bag limit analysis on raising the king mackerel bag limit from**
16 **two fish to three fish.** That's as far as I would like to go
17 with it right now. I would just like to get some information in
18 front of us.

19
20 **CHAIRMAN ANSON:** We have a motion to have the Southeast
21 Fisheries Science Center staff conduct a bag fish analysis to
22 increase the limit from two fish to three fish and do I have a
23 second? We have a second from Mr. Boyd.

24
25 **DR. CRABTREE:** It's probably going to be the Regional Office
26 staff that does that, but I can tell you that bag limit analyses
27 that look at increasing bag limits are inherently difficult to
28 do, because you have to make an assumption about how many people
29 will bring in that third fish and I don't think there is any
30 data to base that on.

31
32 It's a lot easier to do a bag limit analysis that looks at
33 lowering bag limits, because then you can say, okay, all these
34 people that caught the extra fish won't catch it, but we can see
35 if we can do something.

36
37 **MS. BADEMAN:** I think there's a typo in the motion. It's to
38 conduct a "bag limit analysis" and not a "bag fish analysis".

39
40 **CHAIRMAN ANSON:** Good catch, thank you.

41
42 **MR. DIAZ:** Did I get a second?

43
44 **CHAIRMAN ANSON:** Yes, you did, from Mr. Boyd.

45
46 **MR. DIAZ:** For Dr. Crabtree, I would like some analysis on
47 what's being caught now also.

48

1 **CHAIRMAN ANSON:** Maybe average catch per person and maybe
2 average number of folks per vessel trip maybe and kind of see if
3 it's a full complement of anglers on that particular vessel that
4 are partaking in the bag limit or not. That might be helpful.
5 Anyone else have any comments or questions about the motion?
6

7 **MR. FISCHER:** Mine doesn't affect the vote, but it was just to
8 ask Mr. Perret -- He is the body of knowledge today and wasn't
9 there one time when the recreational bag limit was three?
10

11 **MR. PERRET:** Yes.
12

13 **MR. FISCHER:** That was a long time ago, I think.
14

15 **MR. PERRET:** Not that I was around back then, but --
16

17 **MS. BOSARGE:** I am still confused. Will this tell us how likely
18 they are -- Will this analysis, since we know that they're not
19 catching the quota, is this going to give us any indication --
20 Because I think that's the major issue here, is to get them to
21 go ahead and fish their entire quota and is this going to give
22 us any indication of how likely they are to fish that entire
23 quota or is it just going to give us statistics that we already
24 have, that we know what they're catching now?
25

26 **MR. RYAN RINDONE:** Ms. Bosarge, it will tell us the proportion
27 of anglers that are keeping zero fish, one fish, or two fish,
28 which will give us some indication, at least conceptually, of
29 how likely some of the crowd might be to keep three fish,
30 assuming they're already out on the water keeping either one or
31 two fish. We will be able to draw some inferences from that and
32 it won't be perfect, but it will give us some idea of whether
33 folks are going out and directly targeting kingfish and how many
34 fish they have a desire to keep.
35

36 Just a point of clarification for the motion. If we could -- If
37 you guys would consider adding "king" in front of "mackerel",
38 that will make it a little bit more explicit.
39

40 **CHAIRMAN ANSON:** I think to answer your question, Leann, is from
41 that analysis, with some assumptions that you make about how you
42 get the zero catch, one, and two fish per person, you can then
43 kind of make some inferences of those anglers and then throw in
44 the additional fish and then you could come up with an estimate
45 as to what that catch would be if it were three, but, again, it
46 would be an estimate and it would be based on some assumptions
47 that presently there isn't much information, if any at all, that
48 would really provide a very good number as to where that would

1 go.

2
3 **DR. CRABTREE:** Take the "SEFSC" out of that and put "Regional
4 Office staff".

5
6 **CHAIRMAN ANSON:** Any other discussion on the motion? **Is there**
7 **any opposition to this motion? Seeing none, the motion carries.**

8
9 **MS. BOSARGE:** I don't need to have any motions for this, but I
10 would like to have a discussion around this table. We just
11 reallocated, for whatever reason, on red snapper and Pam just
12 went over the reallocation portion of her report for mackerel.

13
14 We are having a discussion here and that last motion was -- The
15 reason that we were looking at increasing the bag limit is
16 because we're not getting all the fish out of -- We are not
17 getting all the yield out of this fishery that we need to and so
18 we're trying to infer if some people would like to catch more.
19 That's what we're going to do, is do more work to infer if some
20 people would like to catch more when we already know that we
21 have another group that wants to catch more, because it exceeded
22 its quota several times.

23
24 I guess the reason this is an issue to me is because in our area
25 we have a lot of fishermen that are not red snapper shareholders
26 and this is a big deal for them. Mackerel is a lot of their
27 bread and butter and if they could catch more mackerel,
28 obviously that would be a wonderful thing. They've been begging
29 me for it.

30
31 Well, sometimes they lease red snapper and the price of that
32 just went up, based on what we did just a minute ago, because we
33 shifted allocation. The price of that is going to go up and now
34 we have fish that are out there unused by the recreational
35 sector and we took fish away that were being used that everybody
36 wanted and decided it was better to go here with them.

37
38 Now we've got fish that we aren't even using and we can't allow
39 the commercial people to catch those and we've got to see if
40 maybe we can infer if the recreational sector wants it if we
41 make some management changes? I don't want to shift a huge
42 portion of that quota over, but I would like to at least have
43 some discussion about why we can't do something.

44
45 **CHAIRMAN ANSON:** My take on that is that, to the extent that we
46 would have some data or be able to use the data that's available
47 that would help guide us to that decision, I think that's part
48 of the process, is to see what the desire or capacity of the

1 recreational fishery is to try to increase and whether or not
2 it's an increase in the bag limit that's preventing them from
3 meeting that. To the extent that the data can tell us and infer
4 that, that's where I think we would like to go.

5
6 That might be, I think, part of the process of reevaluating the
7 commercial and recreational allocation and I would just add that
8 -- I am recalling, Dr. Crabtree, that -- I believe there's been
9 some economic studies that have been had in the Gulf here as of
10 late and they asked specifically about angler preferences as it
11 relates to what their desire is to pay for certain assemblages
12 of fish and I think king mackerel is one of those that they said
13 if management were to increase the bag limit what would be your
14 willingness to pay type situation and so that might be able to
15 help with identifying a range of anglers or number of anglers
16 that might be interested in an increase.

17
18 **MS. BOSARGE:** Leann, just to -- I think that's a discussion that
19 we should have as a council, but I want to remind folks that
20 Amendment 26 and 28 are currently in public scoping and those
21 ideas we're trying to float up from the public, recreational and
22 commercial, as to what they would like to see done in both
23 amendments and the AP at this point, being some of the most
24 recognized king mackerel fishermen out there, they were not in
25 favor at this point of taking from the recreational and giving
26 to the commercial and the majority of the AP are commercial. I
27 think probably it would be in our best interests, if we're going
28 to have a lengthy discussion, to wait until the scoping
29 concludes.

30
31 **EXECUTIVE DIRECTOR GREGORY:** If we don't already have the data
32 on preferences, Ryan will certainly get it and include it in the
33 documents. I will be real quick, but the history of this is in
34 the 1990s -- Throughout the 1990s and the 1980s, the
35 recreational sector was overrunning their quotas dramatically,
36 similar to what you've seen recently in red snapper.

37
38 Then in 1997, MRFSS did a pilot study of how to get fishing
39 effort from charter boats separately from their regular MRFSS
40 study and they implemented it fully in the year 2000.

41
42 With that pilot study, the recreational fishing effort reduced
43 tremendously and due to the reduction in charter boat effort,
44 that's when the numbers, the recalibrated numbers, showed that
45 the recreational fishery all along was not catching their quota,
46 much less not overrunning their quota as much as it appeared to
47 be in the 1990s. That was a recalibration of charter boat
48 fishing effort done in 1997 that caused that to happen.

1
2 **CHAIRMAN ANSON:** It also, I think, coincided with some new
3 information on health advisories related to that fish with
4 mercury.

5
6 **MS. BOSARGE:** When we did that recalibration, did we go back and
7 adjust the allocation for it, when we saw they were catching
8 less fish than we thought they were catching? That's what we
9 just did and we can't use unused fish and we can't catch them?
10 You can see my frustration.

11
12 **CHAIRMAN ANSON:** Dr. Dana, if you can continue.

13
14 **DR. DANA:** Thank you, Chairman Anson. Moving next into CMP
15 Amendment 28, the AP favored splitting the federal commercial
16 king mackerel permit in the Gulf and developed a motion defining
17 which vessels would receive either a fully or non-transferable
18 Gulf permit if such a split did occur. Division of the federal
19 commercial Spanish mackerel fishing permit was also supported.

20
21 On CMP Framework Amendment 3, the AP recommended an increase in
22 the daily trip limit for commercial king mackerel gillnet
23 fishermen from 25,000 pounds to 35,000 pounds. A 5 percent
24 buffer was recommended for the commercial king mackerel gillnet
25 component between the annual catch target and ACL, with any
26 annual underage below the ACT added to the following year's ACT
27 up to an amount equal to the ACL.

28
29 A modification to the seafood dealer reporting process was
30 endorsed to allow faster reporting between gillnet fishermen and
31 fishery managers. The elimination of latent gillnet
32 endorsements was not supported.

33
34 Lastly, while a quorum was still present, the AP recommended
35 decreasing the recreational bag limit of cobia in federal waters
36 to one fish per person per day. After a quorum was lost, the
37 remaining AP members recommended exploring an IFQ system for the
38 hand line component for the commercial king mackerel sector.
39 Input from the Mackerel Committee and the CMP AP with respect to
40 Amendments 26 and 28 will be shared with the public during
41 scoping.

42
43 **CHAIRMAN ANSON:** Dr. Dana, we have a few questions from Harlon
44 and Steve Branstetter and Mr. Diaz.

45
46 **MR. PEARCE:** I was going to make a motion, but I see you're
47 going to go into Framework Amendment 3 after this and I will do
48 it when you do that, unless you want me to do it now, either

1 way. Basically, I'm going to try to get the gillnet daily trip
2 limit to 45,000 and so I can do it now or I can wait, whichever
3 you would prefer.

4
5 **CHAIRMAN ANSON:** Let's wait, I think. Dr. Branstetter? Same
6 thing? Go ahead, Mr. Diaz.

7
8 **MR. DIAZ:** I guess this is a question for Ryan. I notice that
9 the AP, and in an effort to just try to explore what they're
10 talking about as recommending reducing the cobia bag limit from
11 two to one and I just was going to ask Ryan, is there any
12 current recent science that would make us want to look into
13 that? I may also want to ask Dr. Dana what her real-life
14 experience has been lately and so Ryan and Dr. Dana.

15
16 **MR. RINDONE:** Thank you, Dale. The last stock assessment for
17 cobia was SEDAR-28 and it indicated that the cobia fishery in
18 the Gulf was not overfished and was not experiencing overfishing
19 and so it was healthy.

20
21 The push to see the bag limit for cobia reduced has largely come
22 from the western Gulf, where some recreational and some charter
23 fishermen over there have indicated that they're just not seeing
24 cobia as often as they're used to seeing them and so out of
25 concern that something might be wrong, they have requested what
26 they have. Dr. Dana can probably speak more to what's happening
27 up by the Panhandle.

28
29 **DR. DANA:** The cobia fishery in the Gulf is managed state-by-
30 state, as you know, and so we're specifically talking about the
31 federal waters. In Florida, it's already one per person and so
32 for us, it would not be of impact.

33
34 However, it's my understanding that the other states have a
35 higher number per person, to a maximum of six. Now, if this
36 council decided to move forward with a one fish one person bag
37 limit in the federal waters, it would still equal to a six-fish
38 maximum, as I understand it. I am not familiar with the extent
39 to which cobia are caught in let's say Texas and Louisiana, in
40 their federal waters. Our fishery for cobia in Florida is a
41 near-shore activity and it's not really a federal fishery anyway
42 and so --

43
44 **MS. BOSARGE:** I will reserve mine until the very end of the
45 report.

46
47 **CHAIRMAN ANSON:** Any other comments? All right, Dr. Dana.

48

1 **DR. DANA:** Moving on from the AP, our staff began presenting the
2 options paper for CMP Framework Amendment 3, Tab C, Number 5(a),
3 which addresses the commercial king mackerel gillnet fishery,
4 and expressed the need for the committee to select preferred
5 alternatives before the options paper could go forward.

6
7 However, with the allotted time for the Mackerel Committee
8 meeting running short, the committee deferred the selection of
9 preferred alternatives to be addressed at and by full council.

10
11 The committee chair then recognized the presence of two
12 commercial king mackerel gillnet fishermen, George Niles and
13 Daniel Padron, and invited them to approach the podium to make
14 any clarifying remarks on the fishery and field committee
15 questions.

16
17 The gillnetters discussed elements of their fishery, including
18 the turnaround time differences for different trip limits,
19 twenty-four hours, for example, for 25,000 to 35,000 pounds,
20 versus forty-eight hours turnaround time for 45,000 pounds, as
21 well as the manner in which they self-police their fishing
22 effort to prevent quota overruns.

23
24 It was acknowledged that many of the desires of the gillnetters
25 were also those supported by the AP, with the exception of a
26 payback provision for any ACL overages and an increase in the
27 trip limit to 45,000 pounds. The gillnetters also expressed
28 their desire to fish on weekends, which would give them greater
29 flexibility on when to fish. Mr. Chairman, this concludes my
30 report.

31
32 **CHAIRMAN ANSON:** Thank you, Dr. Dana. We have Harlon.

33
34 **MR. PEARCE:** Thanks, Mr. Chairman. In public testimony and
35 discussions with a lot of my friends from Florida, there is a
36 define desire to increase the trip limit to 45,000 pounds among
37 some of the gillnetters. **With that, what I would like to do is**
38 **in the Framework Amendment 3, Action 1, make Alternative 2b the**
39 **preferred alternative.** If I can get a second.

40
41 **CHAIRMAN ANSON:** We have a motion and it's been seconded by Mr.
42 Sanchez. We're trying to get it on the board. Harlon, it was
43 in Action 1 to have Alternative 2b?

44
45 **MR. PEARCE:** Action 1, Alternative 2b, yes, to increase the trip
46 limit to 45,000 pounds.

47
48 **DR. CRABTREE:** A couple of points. One, the advisory panel I

1 think recommended 35,000 pounds and I would probably be okay
2 with that. We're at 25,000 now and I am worried that we jump it
3 too high too fast.

4
5 You know if every boat went out and caught that 45,000 pounds,
6 that's over the quota in one day and so I would rather see us go
7 to 35,000 and see if that works and if that works out fine, we
8 can come back after a few seasons and potentially go up to
9 45,000.

10
11 The other thing is I think if we're going to do this that we
12 need to, when we get to the next action, we need to put a
13 payback in there so that if they bust their quota that it comes
14 off the top of the next year. They've been pretty good working
15 with us and they do help in deciding when to close the fishery,
16 but I think if there was a payback on it that that would be
17 helpful.

18
19 To me, part of the deal for raising the trip limit ought to be
20 okay, but there needs to be a payback, in case it doesn't work
21 out, but I think we would be better off to do this more
22 gradually and go to 35,000 and then come back and revisit it and
23 consider going up to 45,000.

24
25 **CHAIRMAN ANSON:** Mr. Gregory, to that point?

26
27 **EXECUTIVE DIRECTOR GREGORY:** Yes and early in the process, in
28 talking with Dr. Branstetter about that potential for all the
29 boats filling their trip limit and filling the quota, we looked
30 at what happens now with the 25,000-pound trip limit.

31
32 I forgot the exact percentages, but it's not even near 80 or 90
33 percent of the boats catch their trip limit on the first day or
34 the season or the first two days. For whatever reason and I
35 don't know, but -- You would think they would, but they don't.

36
37 **DR. CRABTREE:** If I could, I don't think they will either, but
38 it's just that you could in the first day. Even if everybody
39 doesn't go and everybody doesn't catch their trip limit, you can
40 catch a significant fraction of the quota up in one day at that
41 and it just gets back to my original point.

42
43 We've been doing okay with this fishery in the last few years
44 and instead of making such a big jump in the trip limit, I would
45 rather see us do it more incrementally and see how it works
46 before we go all the way up to 45,000.

47
48 **CHAIRMAN ANSON:** Dr. Branstetter, did you have any specific

1 information relative to the catch?

2
3 **DR. BRANSTETTER:** Specific to Mr. Gregory's point, he is correct
4 for say back in 2007 and 2008. The number of trips during a
5 season that were greater than 20,000 pounds were about 25 to 33
6 percent of the trips. In the last five years, it has gone up to
7 where it's now over 50 percent of the trips are greater than
8 20,000-pound trips during the season and so there has been an
9 increase.

10
11 If you go to 45,000 pounds, right now there's boats that are --
12 They cut the net and they share the net and those boats won't be
13 sharing a net anymore at 45,000 pounds.

14
15 **MR. SANCHEZ:** This fishery has been going on for quite a while
16 and it's pretty much the same core group of people and maybe
17 some of their sons stepping into it. They have worked together
18 and they have tried to work closely with National Marine
19 Fisheries Service, with law enforcement.

20
21 The practical matter here is what started these hearings and
22 meetings with us together -- I will remind everyone until -- It
23 has not even happened yet, but until we just appointed George to
24 the Mackerel AP, there wasn't even a gillnetter on it as of
25 late. A lot of the discussions and recommendations that came
26 from there were void of any gillnetter input of somebody who
27 really knew the fishery.

28
29 We did have a hearing, a workshop, if you will, with all, pretty
30 much, the entire industry and maybe somebody couldn't make it,
31 but it was fairly representative by the active fishermen. There
32 was at least sixteen or seventeen people there and collectively
33 speaking, this group -- It's their fishery and they said we
34 would like 45,000.

35
36 The reason is they are getting these penalties, some of them
37 upwards of \$17,000 for saying, hey, I caught this many fish and
38 I was honest and I brought them back to the dock and I reported
39 them as such and now they are getting penalties and fines back
40 from 2011 and there is probably going to be some more from 2012
41 and from 2013 and that's why we're here addressing this.

42
43 We are trying to get some relief and I think there's a sincere
44 effort demonstrated to work with you and to answer your
45 question, I am all for supporting a buffer, a little bit of a
46 buffer, to give you some peace of mind up front and a payback
47 provision on the backend, but I think the industry, and that's a
48 small group of people, has asked for this.

1
2 They have pretty much pleaded for it or there's going to
3 continue to be overruns and fines and so if you will work with
4 us, we promise to work with you to have the things that you need
5 to give you your level of comfort in this in working with you
6 together, payback and a buffer.

7
8 **MS. BADEMAN:** I mean this one is a tough call. I share a lot of
9 Roy's concerns. I mean I understand where the industry is
10 coming from and they're in a tough spot and it can be difficult
11 for them to stay within that 25,000 pounds, depending on how
12 their strikes are going, but I am a little bit leery about the
13 45,000-pound limit.

14
15 **CHAIRMAN ANSON:** Any other discussion? We have a motion in
16 Framework Amendment 3, Action 1, to have Alternative 2b to be
17 the preferred alternative, to increase the trip limit to 45,000
18 pounds. Dr. Crabtree, do you have one more --

19
20 **DR. CRABTREE:** I was going to offer a substitute motion to set
21 the trip limit at 35,000 pounds, which would be 2a, which is the
22 AP preferred, as you see in your document.

23
24 **CHAIRMAN ANSON:** There is a substitute motion and it's been
25 seconded in Framework Amendment 3, Action 1, to have Alternative
26 2a be the preferred alternative. I believe it was seconded by
27 Myron. Any discussion on this motion?

28
29 **MR. SANCHEZ:** Again, I appreciate the spirit of trying to find
30 that middle ground sweet spot, but I was told, in speaking to
31 these folks, that's just not going to get it done. There is
32 still going to be fines and overages at this amount. Again,
33 it's their fishery and it's a small group of guys.

34
35 The whole fishery, if the weather is right, transpires just that
36 quick and in the history of this, they -- Believe me, when they
37 go out that first day, they try to catch the entire quota and it
38 has never happened. It's just not going to happen and we will
39 work with you. 45,000 is really what this group is asking for
40 and what they need and if we can't get that, at least when the
41 fines come out, make them in payment books so they can pay it
42 over time.

43
44 **MR. FISCHER:** I may side with you on 45,000 once the proper
45 accountability measures are installed and there is paybacks. I
46 think right now that's a lot of poundage, even if it's just a
47 handful of boats, but I do support Roy's substitute motion and I
48 would side with him, at least -- It should give them some

1 relief, getting the 10,000-pound trip limit added.
2
3 **DR. CRABTREE:** I would like to help these guys out and I have
4 met with them myself and talked about some of this, but I am
5 looking in the Tab C, Number 7(a), the gillnet workshop summary,
6 John, and it's got -- I guess there were thirteen people there
7 and when I'm looking at 45,000, there were eight for it and five
8 against it and so I mean they weren't all on the same page on
9 this, at least based on what I am seeing. Maybe that's changed
10 since this happened and I don't know.
11
12 **MR. SANCHEZ:** It has changed to the extent that if -- Again, my
13 memory isn't what it was. George was one of those walking the
14 fence at 35,000 and he came here and he's for 45,000 and so I
15 mean they've had their internal deliberations, like they do, of
16 when to start and when to stop and what days not to fish. They
17 try to honor that and work together and that's kind of where
18 they're at and I'm not misrepresenting that. That's not in my
19 interest. That's kind of what they wanted.
20
21 **MR. MATENS:** This certainly is not a Louisiana issue, but
22 refresh my memory. Can all of these boats accommodate 45,000
23 pounds or are we disadvantaging someone with this?
24
25 **DR. BRANSTETTER:** It's my understanding that most can get 45,000
26 pounds, but not all.
27
28 **MR. MATENS:** Steve, do you have any idea how many could not?
29
30 **DR. BRANSTETTER:** No, sir, I don't. It's a few. It's not that
31 many.
32
33 **MS. BADEMAN:** I have the handout that Bill Kelly passed out a
34 couple of meetings ago and I think some of these have changed.
35 I think some people were getting bigger boats, but there is a
36 few that are under 45,000 and then there's a couple of N/A and
37 so -- At least, according to this, there is three that are less
38 than 45,000, their hold capacity. There's one mystery boat.
39
40 **MR. MATENS:** Would it be appropriate to ask Mr. Kelly?
41
42 **CHAIRMAN ANSON:** Bill, do you have that information or, Ryan, do
43 you have it?
44
45 **MR. RINDONE:** Yes, Mr. Chairman. Bill, is that October survey
46 still valid, because I have that one.
47
48 **MR. KELLY:** Yes, it is. There were two surveys that were taken.

1 There was the October 14 that was taken by industry and we have
2 fifteen respondents. Actually, out of the fifteen, there was
3 one non-respondent. The other thirteen, there was one that was
4 absolutely a no action on any issues and refused to join the
5 other stakeholders. Then out of the other thirteen, there were
6 -- On that vote, there were eleven that were in favor of the
7 45,000 pounds. I have those signed affidavits upstairs in my
8 room supporting that position.

9
10 There were three that wanted 35,000 pounds, but what we also
11 need to put in perspective is that out of the fourteen
12 respondents, six of them wanted unlimited trip limits and then,
13 of course, naturally you would compromise to the 45,000, if that
14 was the group consensus.

15
16 At the workshop summary, there were thirteen people there and I
17 would like to point out the no action proponent -- At that time,
18 nobody brought it to the workshop's attention that that one
19 individual that was against everything actually had already
20 relinquished his permit and had signed it over to his son and he
21 should have been recused from being at the table.

22
23 There we now have twelve people who could be voting and the
24 reality is that it was -- While it was an eight to five on
25 45,000 pounds, four of those were for 35,000 and one had changed
26 his vote arbitrarily there and then the other one, again, he
27 should have been recusing himself, because he was no longer a
28 permit holder.

29
30 The question was never called of how many people would go
31 unlimited and there would have been, I know, at least six people
32 at that table that would have voted for unlimited versus the
33 35,000.

34
35 **CHAIRMAN ANSON:** The question may not have been posed in such a
36 manner, but of those that indicated 35,000 pounds, what's the
37 sense that that's what their vessel capacity was?

38
39 **MR. KELLY:** I am sorry, Kevin, but I --

40
41 **CHAIRMAN ANSON:** What was the sense of those three that
42 indicated 35,000 pounds that that was actually their maximum
43 vessel capacity or they just wanted 35,000 because 35,000 was
44 better management-wise or --

45
46 **MR. KELLY:** The concern of the three that voted for the 35,000
47 was that if it went to 45,000 that those other vessels would do
48 a twenty-four-hour turnaround and be back in competition against

1 them and that is not the reality.
2
3 **MS. BADEMAN:** Let me ask this question another way. How many of
4 those boats have a vessel capacity less than 45,000 pounds?
5
6 **MR. KELLY:** I am sorry, but I am not hearing you.
7
8 **MS. BADEMAN:** How many of the vessels have a vessel capacity
9 less than 45,000 pounds?
10
11 **MR. KELLY:** I believe it's three and it should be indicated on
12 that survey that you have.
13
14 **CHAIRMAN ANSON:** Thank you, Bill. Any other questions or
15 comments? We have a substitute motion in Framework Amendment 3,
16 Action 1, to have Alternative 2a be the preferred alternative,
17 increase the trip limit to 35,000 pounds. **By a show of hands,**
18 **all those in favor of the substitute motion please raise them;**
19 **all those opposed. The substitute motion carries nine to eight.**
20 Is there any other thing that we needed to address in the
21 framework?
22
23 **MR. BOYD:** Just a question. When would this go into effect if
24 it gets final approval? Next year?
25
26 **DR. BRANSTETTER:** 2016.
27
28 **MR. RINDONE:** There are three other actions in the framework.
29
30 **CHAIRMAN ANSON:** All right and I don't -- Ryan, would it be
31 better maybe if you were to take over, kind of like you would
32 have done in the Mackerel Committee anyway?
33
34 **MR. RINDONE:** We can do that, Mr. Chairman.
35
36 **CHAIRMAN ANSON:** All right. Thank you.
37
38 **MR. RINDONE:** I am going to be operating off of Tab C, Number
39 5(b), just for the sake of simplicity. This just has the
40 actions and alternatives in it. If you guys have any specific
41 questions about other items, in terms of any sort of analyses we
42 might have done, just let me know and I can work with Charlotte
43 to get those brought up for you.
44
45 In Action 1, you guys have made a motion for Preferred
46 Alternative 2, Option 2. Alternative 3 would establish a buffer
47 to the trip limit to account for landings uncertainty and this
48 buffer would be in addition to the trip limit and fishermen --

1 The intent would be for fishermen to be able to profit from the
2 sale of all king mackerel landed up to the trip limit, but would
3 not be considered to have exceeded the trip limit unless the
4 selected buffer had also been exceeded. Fishermen may not
5 profit from the sale of any fish in excess of the trip limit.

6
7 All king mackerel landed by vessels with gillnet endorsements,
8 regardless of whether the trip limit has been exceeded, would
9 count against that year's Gulf southern zone gillnet quota.
10 Then there were three options there for buffers.

11
12 Just a note there at the bottom is the CMP Advisory Panel
13 recommended moving Alternative 2 of Action 1 to considered but
14 rejected and so I will pause there.

15
16 **CHAIRMAN ANSON:** All right. Anyone have any comments?

17
18 **MS. BADEMAN:** I think this was one of the things that the
19 industry was interested in and I think it's not a terrible idea,
20 but I am kind of wondering how this actually would work. I mean
21 is the fish house still making money off of these fish? Are
22 they just paying the fishermen more per pound that they can pay
23 them? Ryan, please explain.

24
25 **MR. RINDONE:** Thank you, Ms. Bademan. When we were at that
26 meeting in early January with the gillnetters, there was kind of
27 a split decision on this. Several of them were concerned that
28 this was just raising the trip limit by 5, 10, or 20 percent.

29
30 We have scratched our heads a little bit on how we would prevent
31 them from being able to profit from the sale of fish between the
32 trip limit and the top of the buffer and so if it was 10,000
33 pounds with a 10 percent limit, how do we stop them from
34 profiting on the sale between 10,000 and 11,000 pounds?

35
36 The big thing that they all agreed on was that they were trying
37 to look for ways to avoid being fined and by having that buffer
38 on there and by saying that as long as you don't exceed the trip
39 limit plus the buffer then you're not considered to be exceeding
40 the trip limit, that would give them a little bit of a cushion.

41
42 Then again, so should an increased trip limit altogether and so,
43 like I said, we've scratched our heads a little bit on how you
44 would prevent the sale and any input from Mara on that would be
45 wonderful, but I don't have an answer to that right now.

46
47 **MS. LEVY:** The part I will comment on is the idea of somehow
48 preventing people from profiting from what they land between the

1 buffer and I have consulted some other folks in my office and we
2 don't see any mechanism to actually do that.

3
4 We don't have a mechanism as an agency to require that people
5 give up their profits or their money outside of a seizure, a
6 forfeiture, or some sort of enforcement action, but what they're
7 looking for is for there not to be an enforcement action and so
8 they just -- There is just no mechanism that we can see under
9 the Magnuson Act to do this and I agree that putting a buffer on
10 it is raising the trip limit and so it just doesn't seem that
11 it's going to be super effective.

12
13 **MR. WILLIAMS:** Given that advice, I think we should also take
14 the Gulf Council's Advisory Panel's advice. **I move that we move**
15 **Alternative 3 in Action 1 to considered but rejected.**

16
17 **CHAIRMAN ANSON:** We have a motion and it's been seconded by Mr.
18 Sanchez. Any discussion on the motion? **Any opposition to the**
19 **motion? Seeing none, the motion carries.**

20
21 **MR. RINDONE:** All right, folks. We will move on to Action 2,
22 which is to modify the accountability measures for the gillnet
23 component of the commercial king mackerel fishery. Alternative
24 1 would leave things as they are. Alternative 2 would establish
25 a payback provision for the gillnet component, whereby the
26 weight of any fish landed by a vessel with a gillnet endorsement
27 in excess of the trip limit is deducted from the following
28 year's southern zone gillnet ACL.

29
30 National Marine Fisheries Service would monitor the landings and
31 make any necessary adjustments to the subsequent year's southern
32 zone ACL. The ACT, if established, and you will see that's in
33 Alternative 3, would be adjusted to reflect the previously
34 established percent buffer. Since there is not going to be a
35 buffer, then that would be taken care of.

36
37 Alternative 3 would establish an annual catch target for the
38 gillnet component that's below the annual catch limit. The
39 gillnet component would be closed when the ACT is met or
40 projected to be met and there are five options here for a 5
41 percent buffer in Option 3a, 10 percent buffer in 3b, and a 20
42 percent buffer in 3c. Option 3d would base the ACT on the Gulf
43 Council's ACL/ACT control rule, which currently comes out to 5
44 percent also. Option 3e states that if the gillnet component of
45 the commercial kingfish fishery does not land its quota in a
46 given year or doesn't land the ACT, then the amount of any
47 landings under that ACT will be added to the following year's
48 quota, up to, but not exceeding, the ACL.

1
2 The reason why the AP preferred Option 3a with a hard 5 percent
3 buffer instead of Option 3d was for exactly that reason, because
4 as we get -- If we were to get a new stock assessment which
5 suggested something else in terms of uncertainty, then that
6 could change how the council's ACL/ACT control rule determined a
7 buffer and they thought 5 percent was adequate. The we'll call
8 it pay-it-forward provision in Option 3e was something that the
9 gillnetters had requested.

10
11 **CHAIRMAN ANSON:** Mr. Gregory, did you have a comment?

12
13 **EXECUTIVE DIRECTOR GREGORY:** Yes and I think we should change
14 the wording in Option 3e to match the recommendations that are
15 coming out in the National Standard 1 Guidelines, which is -- In
16 those guidelines, they are talking about the flexibility of
17 allowing quota underages to be added to the following year, but
18 they say minus any fish that died from natural mortality causes
19 and so you don't -- If you had a 100,000-pound underage, you
20 don't add 100,000 pounds to the next year.

21
22 You reduce the fish that might have died from natural causes. I
23 would say if we could modify this option to be more equivalent
24 to what's in the recommended National Standard 1 Guidelines,
25 that might be better.

26
27 **MR. PERRET:** So moved that staff be given editorial license to
28 modify 3e so that it fits with the new National Standard 1
29 Guidelines.

30
31 **DR. CRABTREE:** I guess the most straightforward -- It seems to
32 me that Alternative 2 is contingent on selecting the alternative
33 we just moved to the considered but rejected and so I don't see
34 that as a viable one. It seems to me that --

35
36 **MS. LEVY:** Did someone make a motion?

37
38 **CHAIRMAN ANSON:** Yes, someone did make a motion. Thank you,
39 Mara. That motion was to amend 3e to match the National
40 Standard 1 Guideline language.

41
42 **DR. CRABTREE:** Can the motion be more specific about what
43 exactly that is doing? I know Mr. Gregory just said it, but --

44
45 **EXECUTIVE DIRECTOR GREGORY:** I explained it.

46
47 **MR. RINDONE:** To give staff editorial license to make
48 Alternative 3e reflect guidance in National Standard 1.

1
2 **DR. CRABTREE:** Are you talking about the proposed guidelines?
3
4 **MR. RINDONE:** To incorporate natural mortality in determining
5 any quota to be added to the following year's ACT. How does
6 that taste?
7
8 **DR. CRABTREE:** I don't know, but can you point us to exactly
9 where in the National Standard Guidelines the language you are
10 talking about is, so I can look at it?
11
12 **EXECUTIVE DIRECTOR GREGORY:** It's in the presentation that we
13 were given earlier this week. I mean I can't find it right this
14 minute.
15
16 **DR. CRABTREE:** That presentation was on proposed revisions to
17 the National Standard Guidelines.
18
19 **EXECUTIVE DIRECTOR GREGORY:** Right and what I'm saying is let's
20 make this alternative equivalent to that.
21
22 **DR. CRABTREE:** To the proposed guidelines?
23
24 **CHAIRMAN ANSON:** Proposed guidelines.
25
26 **MR. RINDONE:** So reflect proposed guidance.
27
28 **CHAIRMAN ANSON:** All right and so, Corky, is that your motion?
29
30 **MR. PERRET:** That is exactly the motion, yes.
31
32 **CHAIRMAN ANSON:** All right. Very good.
33
34 **MS. BADEMAN:** The only problem I have with this is it's not
35 clear to me that we can do this yet. We have these proposed
36 guidelines and the public comment for those is open until like
37 the end of June and I am assuming that this is going to be
38 faster.
39
40 **MR. RINDONE:** In the absence of these proposed guidelines
41 becoming the real guidelines, this is still something that you
42 guys could do if you just wanted to say that you wanted natural
43 mortality taken into account.
44
45 Like Mr. Gregory said, if the natural mortality of kingfish is
46 18 percent or whatever it happens to be and you had a 100,000-
47 pound underage, then you would just take 18 percent of that out
48 and then whatever is left goes to the following year, as long as

1 it's under the ACL. Let's just say staff understands that
2 direction.

3
4 **EXECUTIVE DIRECTOR GREGORY:** Roy, under current regulations
5 then, is it possible to -- I mean is it possible for an underage
6 in one year to be added to the quota in the following year as
7 long as that quota is below ACL, equal to or below ACL? I know
8 you personally have always been opposed to that, but I don't
9 know if that's something that can't be done or if it's just
10 something you're not comfortable with.

11
12 **DR. CRABTREE:** Well, I haven't been comfortable with it with
13 stocks that are in rebuilding plans, but in this case, I don't
14 see anything that precludes us from doing this. The legal
15 issues we've had with carryover have had to do with having the
16 carryover exceed the ABC in the following year and that's been
17 the problem that we've had with it, but I don't see anything
18 that would preclude us from doing this in our current
19 guidelines.

20
21 **MS. BADEMAN:** If we -- Whatever we do with this, if we don't I
22 guess go forward with this language, I think with Alternative 3e
23 -- I think we need to replace "quota" with "ACT" throughout that
24 alternative. I am trying to understand this. If they do not
25 land their ACT in a given year, the amount of landings under the
26 ACT would be added to the following year's ACT under the ACL? I
27 am trying to understand all of this, because what is the quota
28 in here?

29
30 **MR. RINDONE:** There is no ACT. It's a quota, because the ACL
31 for the commercial sector is divided amongst the commercial
32 zones and in the southern zone, it's divided between the hand
33 liners and the gillnetters. It's referred to as a quota because
34 there is no ACT, but it's not an individual ACL either. That's
35 where the quota comes from.

36
37 **MS. BADEMAN:** Okay. I guess I was looking at it as if let's
38 just pretend we did the Gulf AP's preferreds and we did 3a,
39 where we put an ACT in, but okay. I see what you're saying now
40 and I am good.

41
42 **MR. RINDONE:** Just to be clear, if you don't pick Option 3a, 3b,
43 3c, or 3d, you cannot pick Option 3e.

44
45 **CHAIRMAN ANSON:** All right and so we have a motion on the board.
46 **All those in favor of the motion signify by saying aye; all**
47 **those opposed like sign. The motion carries.** Go ahead, Ryan.

48

1 **MR. RINDONE:** Thank you, Mr. Chair. This is one more
2 alternative in Action 2 that we haven't talked about yet and
3 Alternative 4 says that if the southern zone gillnet ACL is
4 exceeded in a given year that NMFS would reduce the southern
5 zone gillnet ACL or quota in the following year by the amount of
6 the overage. The ACT, if established, will be adjusted to
7 reflect any previously established buffer.

8
9 Any references to buffers obviously would be addressed, since
10 you guys removed that alternative and so there are two options
11 for Alternative 4 that you would have a payback regardless of
12 stock status if the quota is exceeded or the payback would only
13 be implemented if Gulf kingfish are overfished.

14
15 **DR. CRABTREE:** Just from a simplistic point of view, it seems to
16 me that Alternative 4a would be the simplest to put in place. I
17 see that the AP recommended the 95 percent and so a 5 percent
18 buffer, but with the uncertainties of monitoring on this, that's
19 really not very much.

20
21 If you set much more of a buffer than that, then they're
22 starting to give up fish and I don't know that they would want
23 to do that. I guess you could do Alternative 3 and one of those
24 combinations, but it seems complicated, to me, and I think my
25 preference -- I am not making a motion at this point, but what
26 seems simplest and makes sense to me is Alternative 4a, which is
27 let them catch their quota, the whole ACL, but if they go over,
28 it comes off the top for the next year.

29
30 **MS. BOSARGE:** Dr. Crabtree, when we were looking at the 35,000
31 or 45,000 pounds, you mentioned that you were a little
32 uncomfortable with the 45,000 because there was no payback
33 involved at this point if they went over in the accountability
34 measures and would you be okay with the 45,000 if we have the
35 payback in there? I only ask because it was obviously a very
36 close vote.

37
38 **DR. CRABTREE:** Well, my worry then is we get some really big
39 overruns and really big paybacks and it destabilizes the
40 fishery, to where we end up with a very small quota one year
41 because they went over.

42
43 I still would rather see it track -- See how this works at
44 35,000 and if we don't have problems, then we can talk about
45 45,000, but I have -- You know we have had, in the past, some
46 pretty significant overruns and I have always thought this is a
47 fishery where we really ought to have a payback in it.

1 **DR. BRANSTETTER:** To the point on the ACT, as Dr. Crabtree
2 mentioned, the 95 percent ACT is right now just about -- It's a
3 27,000-pound trip. That's one trip and the fishery right now is
4 voluntarily trying to shut itself down somewhere around 75 or 80
5 percent, which is over 140,000 pounds.

6
7 These ACTs are not very much. I mean even an ACT of 90 percent
8 is 55,000 pounds. That's two boats staying out or not and so
9 they are not very big buffers to actually try and have a chance
10 to close the fishery.

11
12 **MR. SANCHEZ:** Just for discussion, if we were to give you a
13 buffer with the amount that you're comfortable with -- Now,
14 again, this isn't a perfect world and this is a leap of faith on
15 both parts, but some kind of degree of comfort, a large enough
16 buffer and agree to the payback and then if it goes way south
17 bad wrong, then we know next year or the following year, the
18 next opportunity, we've got to really address this and I won't
19 be coming at you obviously either with the same zeal as I'm
20 coming based on what I've heard from the guys down south. If we
21 could do that, is there some room to work with us to do
22 something there, to give them some relief in this?

23
24 **DR. CRABTREE:** Yes, I think we could do that. It's just would
25 they rather have the buffer and have to deal with that or just
26 put the payback on and let them catch their quota? I mean if I
27 said yes, but we would want to see the 20 percent buffer, would
28 they really prefer that as opposed to just having a payback and
29 catching the quota?

30
31 **MR. SANCHEZ:** I guess I will be working from here to June and
32 figure out the answers to all these interesting questions and
33 see what we can come up with in June.

34
35 **DR. CRABTREE:** I think the answer to your question is yes, we
36 could probably find a buffer in there that we could give a try
37 and see how it goes. It's just when the buffer gets too big, I
38 am not sure that that's what they're going to want.

39
40 **CHAIRMAN ANSON:** Any other discussion?

41
42 **MS. LEVY:** I was just wondering if you would want to consider
43 taking Alternative 2 and putting it in considered but rejected,
44 because it seems to rely on the buffer, the trip limit buffer,
45 that we just got rid of in Action 1, because it says the payback
46 is based on the weight of any fish landed by a vessel in excess
47 of the trip limit is deducted from the following year's ACL and
48 so it seems to contemplate that there is some ability to have a

1 buffer and land over the trip limit, but what you landed would
2 somehow be paid back.

3
4 I don't know if that was what was intended, but that's what it
5 seems to say and since we got rid of that other alternative, it
6 might fit to get rid of this one.

7
8 **DR. CRABTREE:** That was what the AP recommended. **I would move**
9 **that we move Action 2, Alternative 2 to the considered but**
10 **rejected.**

11
12 **MS. BADEMAN:** Second.

13
14 **CHAIRMAN ANSON:** All right. We have a motion and it's been
15 seconded to move in Action 2, Alternative 2, to move it to
16 considered but rejected. Any discussion on the motion? **Any**
17 **objections to the motion? Seeing none, the motion carries.** I
18 guess we will leave it until June then to talk about Action 2 a
19 little bit more in depth and make preferreds at that time.
20 Ryan, if you can continue.

21
22 **MR. RINDONE:** Thank you, Mr. Chair. Moving on to Action 3,
23 these are some lengthy alternatives and so bear with me. Action
24 3 will modify electronic reporting requirements for dealers
25 receiving king mackerel harvested by gillnet in the Gulf
26 southern zone.

27
28 Alternative 1 is no action and so currently dealers reporting
29 purchases of king mackerel landed by the gillnet sector for the
30 Gulf southern zone must submit forms daily through the
31 electronic monitoring system supported by the Science Center by
32 6:00 A.M. local time. If no king mackerel were landed by
33 gillnet on the previous day, then a no landings report must
34 still be submitted by the same deadline.

35
36 The issue with this is that it takes about forty-eight hours to
37 get the information from the seafood dealers through the Science
38 Center and get it QA and QC'd and then back up to St. Pete to
39 the Southeast Regional Office before anything actionable can be
40 done on those landings which have been received.

41
42 To rectify this, Alternatives 2 and 3 have been proposed for
43 your consideration. Alternative 2 would remove the requirement
44 for daily electronic reporting by commercial king mackerel
45 gillnet dealers. Dealers reporting purchases of king mackerel
46 landed by the gillnet sector for the Gulf southern zone must
47 submit forms weekly for trip limits landing between Sunday and
48 Saturday to the electronic reporting system supported by the

1 Science Center by 11:59 P.M. local time on the following
2 Tuesday. If no king mackerel landed by gillnet were received on
3 the previous date, then a no landings report still has to be
4 submitted by the same deadline.

5
6 Basically, this just shifts them from going daily to weekly and
7 then they go to submitting forms and these forms, again, are
8 still part of the electronic reporting system.

9
10 Alternative 3, which is preferred by the AP, would remove the
11 requirement for daily electronic reporting by the king mackerel
12 gillnet dealers and dealers reporting purchases of kingfishes
13 landed by the gillnetters for the Gulf southern zone must report
14 daily still, but via means determined by NMFS during the open
15 fishing season.

16
17 Reporting frequency, methods, and deadlines may be modified upon
18 notification by NMFS and if no king mackerel landed by gillnet
19 were received the previous day, then a no landings report still
20 has to be submitted by the same deadline.

21
22 In addition, however, dealers reporting purchases of king
23 mackerel landed by the gillnet sector must submit forms weekly
24 from trips landed between Sunday and Saturday to the electronic
25 reporting system supported by the Science Center by 11:59 P.M.
26 on the following Tuesday.

27
28 What Alternative 3 does is it allows flexibility to be created
29 between NMFS and the industry to facilitate fast reporting in a
30 manner that gets the landings information to NMFS with enough
31 time for them to take action to close the fishery if it's
32 necessary to do so to prevent overruns.

33
34 **MS. BADEMAN:** I would like to make a motion for Action 3 to make
35 **Alternative 3 the preferred alternative.**

36
37 **DR. DANA:** Second.

38
39 **CHAIRMAN ANSON:** We have a motion and it's been seconded in
40 Action 3 to make Alternative 3 the preferred alternative.

41
42 **MS. LEVY:** The one concern I have with Alternative 3 is the
43 daily via means determined by NMFS and that the reporting
44 frequency deadlines may be modified upon notification. I am not
45 quite sure what that means and how people will be notified and
46 so I think maybe the IPT or NMFS -- We can get together and talk
47 about exactly how they want the reporting to be, because I think
48 it's important to put that in the rulemaking and not it just

1 sort of be an arbitrary we're going to call people. We want
2 people to be on notice about how they actually have to report.

3
4 **CHAIRMAN ANSON:** All right.

5
6 **DR. DANA:** I think Mara's comments are right on, but I think the
7 -- I will vote for this motion. It provides flexibility to a
8 very finite fishery to make most expedient their reporting.
9 Obviously we want to move as much as possible to electronic
10 reporting, but, at present, it's not working the way it can best
11 to efficiently and expediently get the information to NMFS.
12 With clarification from the IPT and such, as you outlined, I
13 think that 3 is the way I will vote.

14
15 **MS. BADEMAN:** I was just going to say if we have that
16 information by June that we will be in Key West and we can
17 certainly get feedback from the fishermen there.

18
19 **MR. RINDONE:** This is just from the full document, which is Tab
20 C, Number 5(a), but it says that allowing daily reporting by
21 some other means as developed by NMFS could involve reverting to
22 port agent reports or some other direct method of reporting to
23 managers and NMFS would work with dealers to establish a system
24 that will minimize the burden to the dealers as well as the time
25 for landings to reach managers.

26
27 Dealers would still be required to report king mackerel landings
28 to the electronic monitoring system weekly when they report
29 other species and the weekly reporting would ensure the king
30 mackerel reports are included in the commercial landings
31 monitoring database maintained by the Science Center. That's
32 just a little extra background info.

33
34 **CHAIRMAN ANSON:** All right and so we still have a motion on the
35 board. Is there any other discussion for the motion? **Any**
36 **opposition to the motion? Seeing none, the motion carries.**

37
38 **MR. RINDONE:** Moving on to Action 4, in Action 4 we don't have
39 poundages listed for this yet, but this talks about the
40 elimination of inactive commercial king mackerel gillnet
41 endorsements.

42
43 Action 1 would maintain all current requirements for renewing
44 commercial king mackerel gillnet endorsements. Alternative 2
45 would allow those endorsements to be renewed only if average
46 landings during 2006 to 2015 were greater than a certain number
47 of pound and gillnet endorsements that do not qualify would be
48 non-renewable and non-transferable. Currently, those gillnet

1 endorsements are not transferable except to immediate family
2 members.

3
4 Alternative 3 would allow commercial king mackerel gillnet
5 endorsements to be renewed only if landings for a single year
6 during that ten-year time period were greater than a certain
7 number of pounds. Again, gillnet endorsements that do not
8 qualify will be non-renewable and non-transferable.

9
10 The AP had selected to move this action to considered but
11 rejected because, at the time, they had heard from the industry
12 that they did want to eliminate any permits, which was contrary
13 to what we had heard in early January when we went and spoke to
14 them and also contrary to what we heard yesterday from Mr.
15 Kelly.

16
17 **CHAIRMAN ANSON:** There were some IPT notes as well down there
18 below the alternatives, but go ahead, Mr. Sanchez.

19
20 **MR. SANCHEZ:** I would move that we make Alternative 2 the
21 preferred alternative and putting 2,000 pounds in the "X" after
22 "2016 to 2015" or greater than 2,000 pounds.

23
24 **CHAIRMAN ANSON:** We have a motion and is there a second to the
25 motion? It's seconded by Martha.

26
27 **DR. CRABTREE:** One, I think it's problematic how this is
28 structured. It seems to me there should be suboptions under
29 Alternatives 2 and 3 with different pounds on it, so that we can
30 analyze it.

31
32 Secondly, both options make the inactive permits that don't meet
33 whatever this poundage is -- They don't go away and it just
34 makes them non-transferable and why wouldn't we have an option
35 in here to -- Isn't that right?

36
37 **MS. LEVY:** It says non-renewable or non-transferable.

38
39 **DR. CRABTREE:** Okay and so if they're non-renewable, I don't
40 know that it needs to say non-transferable, because they are
41 going to be gone and so that's what it means, that these permits
42 go away?

43
44 **CHAIRMAN ANSON:** Ryan, do you have specific comments?

45
46 **MR. RINDONE:** Yes, Mr. Chair. Charlotte, can you go to the full
47 document and pull up Table 2.4.1? It's on page 21. This table
48 will show you how many endorsements would be eliminated

1 effectively, as Dr. Crabtree said, based on the landings
2 thresholds that you guys might elect to choose.

3
4 Whether you chose one pound, 2,000 pounds, or 10,000 pounds,
5 Alternatives 2 and 3 would have the same effect. It's not until
6 you get up to 25,000 pounds that you start to see differences in
7 the number of permits that might be eliminated under Action 4.

8
9 **CHAIRMAN ANSON:** That was on page 21?

10
11 **EXECUTIVE DIRECTOR GREGORY:** It's page 19.

12
13 **MR. RINDONE:** It's page 19.

14
15 **MR. PERRET:** While we're looking at that table, can somebody --
16 Can John or somebody tell me why we are going against the
17 recommendation of our advisory panel?

18
19 **EXECUTIVE DIRECTOR GREGORY:** Because the message from industry
20 to the advisory panel was incorrect and so we've since gotten a
21 letter from the industry and testimony that they did want to
22 remove latent permits and it's the four permits that have not
23 been used since the beginning of the gillnet endorsement.

24
25 They are from the east coast, again, but the concern is I think
26 that with an increase in poundage from either reallocation from
27 the recreational sector, from an increase in quota because of
28 the stock assessment, from the increase in trip limit, it might
29 make the Gulf gillnet fishery more attractive to these people
30 that haven't participated and they are less likely to
31 participate in the gentlemen's agreement that now goes on to
32 close the fishery when the quota is near.

33
34 There is a real concern that they haven't participated and
35 obviously even a one-pound threshold would eliminate them,
36 whether you look at averages or any one year, and it would be
37 disruptive to the future of the fishery.

38
39 **MS. BADEMAN:** At that workshop that we had in January, we heard
40 loud and clear from everybody that was there that they want to
41 get these latent permits out of the fishery.

42
43 **MR. SANCHEZ:** Would it be more appropriate then, given that
44 there is some analysis already done, that gives staff --
45 Withdraw my motion and give staff editorial license to create
46 just a few alternatives in this, so that we can go forward with
47 them, that kind of reflect some of these options and then we can
48 kind of select these in June?

1
2 **CHAIRMAN ANSON:** Ryan, that could be accomplished, do you think,
3 no problem?
4
5 **MR. RINDONE:** That's fine.
6
7 **MR. SANCHEZ:** I will withdraw if the seconder agrees.
8
9 **CHAIRMAN ANSON:** All right and so the motion is withdrawn. Does
10 that finish up everything, Ryan?
11
12 **MR. RINDONE:** Yes, sir, Mr. Chair. We will take the notes back
13 that we have from you guys and we'll make the necessary changes
14 and add in notations for your preferreds and then we will bring
15 a draft for final action to you in June.
16
17 **CHAIRMAN ANSON:** Very good. Thank you.
18
19 **MS. BOSARGE:** Going back to the CMP Amendment 26, before we
20 finish up with this committee, in CMP Amendment 26, we are
21 addressing allocation and we're looking at some ways of possibly
22 increasing the recreational willingness to go out and meet their
23 allocation. I would like staff to bring us back some
24 information in the next version that addresses the original
25 historical landings that that allocation was based on, as well
26 as what those historical landings looked like after they were
27 recalibrated.
28
29 **CHAIRMAN ANSON:** All right. Ryan, did you catch all of that?
30
31 **MR. RINDONE:** No, sir, not all of it.
32
33 **MS. BOSARGE:** We had some landings information in -- Dr.
34 Gregory, you might have to tell me what the years were, but
35 whatever the year range was that this allocation split was
36 originally based on for these king mackerel, I would like to see
37 the original historical landings that they were based off of and
38 then what those landings looked like for those years after they
39 were recalibrated.
40
41 **EXECUTIVE DIRECTOR GREGORY:** We can get from the stock
42 assessment the landings from 1986 to the present and that for-
43 hire survey was piloted in 1997 and implemented in the year 2000
44 and so we can get that.
45
46 **CHAIRMAN ANSON:** All right. Anything else? Does that cover
47 everything for Mackerel, Dr. Dana or Ryan? Have we got
48 everything accomplished that we needed to for this? We did?

1 Okay. That will take us to Shrimp and Mr. Perret.

2
3 **SHRIMP MANAGEMENT COMMITTEE**
4

5 **MR. PERRET:** Thank you, Mr. Chairman. All members were present
6 and the first thing we had was a Biological Review of the Texas
7 Closure, which was presented to us by Dr. Hart from the
8 Galveston Facility.

9
10 NMFS staff reviewed the 2014 Texas closure. Environmental
11 factors were important for the growth and abundance of shrimp.
12 Shrimp catch for white and brown shrimp was below average for
13 2014. There was also a change in the shrimp landings
14 distribution in Texas ports. Landings by port may be an
15 indication of where fishing occurs, but this would need to be
16 verified with catch information.

17
18 **The committee recommends, and I so move, to recommend to have**
19 **the Texas closure concurrent with the date Texas recommends, out**
20 **to 200 miles, for the 2015 season.**

21
22 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the
23 motion? **Any opposition to the motion? Seeing none, the motion**
24 **carries.**

25
26 **MR. PERRET:** We had a Summary of the Shrimp Advisory Panel that
27 met in February. The AP made two recommendations for options to
28 include in the Shrimp Permit Moratorium Amendment, and that's
29 Shrimp Amendment 17, and one recommendation about moving to MSY
30 based benchmarks for Shrimp Amendment 15.

31
32 The AP also recommended to have a federal closure off Texas
33 concurrent with the Texas closure, the action we've just taken.
34 Lastly, the AP made a recommendation to include the Shrimp
35 Advisory Panel and the Special Shrimp SSC in the upcoming Coral
36 AP/SSC meeting regarding deep-sea coral areas.

37
38 Insofar as the Report on the Penaeid Shrimp MSY-ABC Control Rule
39 Workshop, the staff presented the committee with the outcomes of
40 the workshop. The working group recommended specific MSY and
41 FMSY values for browns, whites, and pinks and the working group
42 also recommended setting the ABC equal to MSY. The SSC approved
43 these recommendations.

44
45 The annual pounds of tails for pink shrimp is 17,300,000 plus
46 and annual FMSY of 1.35. White shrimp is 89,400,000 plus and
47 the annual FMSY is 3.48 and for brown shrimp, 146,900,000 plus
48 and an annual FMSY of 9.12.

1
2 **CHAIRMAN ANSON:** Mr. Perret, hold on one second, please. Dr.
3 Ponwith, did you want to talk to anything about this table?
4
5 **MR. PERRET:** Bonnie, I am getting to that next, if you want to
6 hold off for a minute.
7
8 **CHAIRMAN ANSON:** Okay. I am sorry.
9
10 **MR. PERRET:** Thank you. For the Update on Shrimp Amendment 15,
11 staff presented the committee with a proposed new action
12 addressing MSY in Shrimp Amendment 15. Staff also presented an
13 MSY-based overfishing threshold of FMSY.
14
15 Unfortunately, an MSY-based overfished threshold was not
16 presented to the committee. Thus, for Action 1.3, the preferred
17 alternative did not change. Now, with Dr. Ponwith, Dr.
18 Patterson, Dr. Hart, and others, Dr. Kilgour on staff, they
19 requested that we put the following language in. Staff requests
20 editorial license to add a new alternative for Action 1.3 that
21 addresses an MSY-based overfished threshold to maintain
22 consistency with the MSY-based overfishing threshold for the
23 council to review at the June council Meeting. Bonnie, do you
24 want to offer any comments at this time?
25
26 **DR. PONWITH:** Yes and thank you, Mr. Chairman. That's exactly
27 right and the notion is that we've got an MSY-based overfishing
28 threshold and having an overfished threshold as well and what
29 we're looking at is using spawning stock biomass at MSY as that
30 threshold.
31
32 That would require generating a new set of numbers to be able to
33 put in as that other alternative and this comports with sort of
34 the standard that we use for many of the other stocks that we
35 manage this way.
36
37 **MR. PERRET:** Thank you, Dr. Ponwith. **With that, the committee**
38 **recommends, and I so move, to add a new Action 1.1 to the Shrimp**
39 **Amendment 15 and to make Alternative 2 the preferred. Action**
40 **1.1 is Modify the Maximum Sustainable Yield for Penaeid Shrimp.**
41 **Alternative 1 is no action. The MSY values for the penaeid**
42 **shrimp stocks fall within the range of values defined by the**
43 **lowest and highest landings taken annually from 1990 to 2000**
44 **that does not result in recruitment overfishing as defined**
45 **herein. Brown shrimp MSY is between 67 and 104 million pounds**
46 **of tails and white shrimp MSY is between 35 and 71 million**
47 **pounds of tails and pink shrimp MSY is between 6 and 19 million**
48 **pounds of tails.**

1
2 Preferred alternative 2 is the MSY values for the penaeid
3 shrimp stocks are values produced by the Stock Synthesis model
4 approved by the SSC. Species-specific MSY values will be
5 recomputed during updated assessments, but only among the years
6 1984 through 2012. The values for each species will be updated
7 every five years through the framework procedure, unless changed
8 earlier by the Gulf of Mexico Fishery Management Council.
9 Currently, the stock synthesis model produces the following
10 values: Brown shrimp, MSY is 146,923,100 pounds of tails; white
11 shrimp, MSY is 89,436,907 pounds of tails; and pink shrimp, MSY
12 is 17,345,130 pounds of tails. Okay. That's a motion.

13
14 **CHAIRMAN ANSON:** That is a motion, you're right. We have the
15 motion on the board and it's been read. Is there any
16 discussion?

17
18 **MR. PEARCE:** I didn't really understand it and can Corky do it
19 again?

20
21 **MR. PERRET:** I would be happy to, but I'm old.

22
23 **CHAIRMAN ANSON:** No, he cannot. Any other comments or
24 discussion? Any opposition to adding this motion into the
25 document? Seeing none, the motion carries.

26
27 **MR. PERRET:** Thank you, Mr. Chairman. The committee recommends,
28 and I so move, in Action 1.2 to add an Alternative 4 and make
29 that the preferred alternative. Alternative 4 is the maximum
30 fishing mortality threshold (MFMT) for each penaeid shrimp stock
31 is defined as the FMSY.

32
33 Species-specific FMSY values will be recomputed during the
34 updated assessments, but only among the fishing years 1984
35 through 2012. The values for each species will be updated every
36 five years through the framework procedure, unless changed
37 earlier by the Gulf of Mexico Fishery Management Council.
38 Editorial license is approved and currently, the values are:
39 brown shrimp, 9.12; white shrimp, 3.48; and pink shrimp, 1.35.
40 That's the motion, Mr. Chairman.

41
42 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
43 the motion? Was this -- Dr. Ponwith, are you going to talk at
44 this point or some other point relative to the SSC? Is that
45 later too?

46
47 **MR. PERRET:** Did you have something else, Bonnie?

48

1 **DR. PONWITH:** I have some values associated with that spawning
2 stock biomass at MSY for the overfished level as well and I
3 guess that would be part of giving them license to be able to
4 incorporate that in to look at in June.

5
6 **CHAIRMAN ANSON:** We have a motion on the board. Any discussion
7 on the motion? **Any opposition to the motion? Seeing none, the**
8 **motion carries.**

9
10 **MR. PERRET:** Thank you. Scoping document for Shrimp Amendment
11 17, staff presented the scoping document addressing the
12 expiration of the shrimp permit moratorium. The committee
13 reviewed the recommendations from the AP as well as
14 recommendations that had been submitted by the State of
15 Louisiana and the Louisiana Shrimp Task Force.

16
17 Several items to include in an options paper were discussed and
18 suggested by the committee. One action would need to address
19 the option of extending the moratorium, allowing the moratorium
20 to expire, or making the moratorium permanent. Another action
21 would include creating a permit pool and deciding what the
22 appropriate the number of permits would be capped at, such as
23 fishing year.

24
25 Other items that staff will need to provide options for are
26 qualifications for permits such as landings, vessel length,
27 citizenship, et cetera, and the royal red shrimp endorsement,
28 because that's a separate endorsement in the shrimp fishery. It
29 was noted that increasing the number of permits may cause other
30 biological triggers because of turtle bycatch or red snapper
31 bycatch.

32
33 Additionally, if there is a permit pool created for this
34 fishery, there may have to be justification for why such a pool
35 does not exist for other fisheries. Staff also presented a
36 brief summary of the Shrimp Permit Moratorium Working Group
37 analyses.

38
39 Under Other Business, the committee briefly discussed the TED
40 compliance enforcement workshop and a letter from the Port
41 Arthur Shrimp Association relative to possible closures of state
42 as well as federal waters. That concludes my report, Mr.
43 Chairman, and thank you.

44
45 **OTHER BUSINESS (CONTINUED)**

46
47 **CHAIRMAN ANSON:** Thank you, Mr. Perret. That concludes all of
48 the committee reports and we had covered yesterday the state

1 directors' reports discussion and the dress code for the June
2 meeting and so the only other business that was not added, but I
3 wanted to make sure that people understood is that the APs,
4 advisory panels, the ad hoc as well, the information has been
5 posted.

6
7 It's been sent out, except for Reef Fish and Red Snapper. The
8 council has decided to look at combining those two APs into one
9 AP and that will be voted on in the June meeting. The council
10 will not accept any additional applications and we will take
11 those that were submitted within the deadline for the call for
12 APs. Doug, do you want to talk about one other item?

13
14 **EXECUTIVE DIRECTOR GREGORY:** If you are finished, sir.

15
16 **CHAIRMAN ANSON:** Yes, I am.

17
18 **EXECUTIVE DIRECTOR GREGORY:** I just wanted to remind you that
19 this year we are the host council for the Council Coordinating
20 Committee. They have two meetings a year and the first one is
21 in February. The second one is going to be in June, the week of
22 June 22, in Key West. We are hosting it and we will be getting
23 an agenda out very shortly to everybody.

24
25 I know that last time they came here in 2007 that Harlon and
26 Corky really put on a show for everybody, but we won't do quite
27 that well in Key West, but we will try to make them comfortable.
28 I am really eager to see how those Alaskans handle Key West
29 summers.

30
31 **MR. PERRET:** I don't remember Harlon having anything to do with
32 it. The State of Mississippi hosted it and we put on swamp
33 tours and seafood feeds and all of that kind of stuff. Where is
34 Harlon? He helped a little.

35
36 **DR. CRABTREE:** Doug, in Key West, we are having simultaneous
37 South Atlantic and Gulf Council meetings and so I would like to
38 do one Q&A at one hotel or the other for the fishermen down
39 there and I was wondering if you could have Charlene or someone
40 talk to Kim Iverson and figure out how you all would like to
41 handle that and where and what night.

42
43 **EXECUTIVE DIRECTOR GREGORY:** Sure. On that joint meeting, we
44 are having the joint meeting on Thursday and some obvious things
45 on the agenda will be Mackerel, Lobster, South Florida issues,
46 but we are working that out.

47
48 It's going to be a full five-day meeting for us, Monday through

1 Friday, that time. We are still working on whether committees
2 are going to meet jointly or the full councils.

3

4 **CHAIRMAN ANSON:** With that, if no one else has any other
5 business or comments, I am going to adjourn the meeting. Thank
6 you, everyone.

7

8 (Whereupon, the meeting adjourned at 4:00 p.m., April 2, 2015.)

9

10

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3 PAGE 8: Motion that the council, starting in 2015, increase
4 liaison funding by \$10,000 to a total of \$45,000 annually to
5 each of the Gulf States and the Gulf States Commission for the
6 liaison contracts. The motion carried on page 8.
7
8 PAGE 9: Motion that the council implement an early retirement
9 plan for employees with twenty years of tenure and at an age of
10 55 or older, with a 75 percent subsidy for health care premiums
11 up to Medicare eligibility age for staff. The motion carried on
12 page 9.
13
14 PAGE 9: Motion to recommend that the AP and SSC members serve
15 three-year terms without term limits. The AP will have
16 staggered terms but the SSC will not. The motion carried on
17 page 9.
18
19 PAGE 10: Motion to retitle the following APs as technical
20 committees, with appointments to the SEDAR, Outreach and
21 Education, and the Aquaculture Technical Committees made jointly
22 by the Executive Director and Council Chair. The motion carried
23 on page 10.
24
25 PAGE 10: Motion to discontinue the SMZ monitoring group and
26 reinstitute it as a working group, on an as needed basis. The
27 motion carried on page 10.
28
29 PAGE 11: Motion to amend the administrative handbook language
30 by adding the highlighted language below and that highlighted
31 language is "or due to a medical condition that extends beyond
32 the Family Medical Leave period." The motion carried on page
33 11.
34
35 PAGE 17: Motion that the council send a letter to the RA
36 requesting that spiny lobster not be subject to an ACL, with the
37 reasons outlined by the Spiny Lobster Review Panel. The motion
38 carried on page 18.
39
40 PAGE 19: Motion to change the language in in the document that
41 reads "via computer or internet" to "via National Marine
42 Fisheries Service approved hardware and/or software". The
43 motion carried on page 20.
44
45 PAGE 22: Motion to do away with the requirement for directors'
46 reports. The motion carried on page 23.
47
48 PAGE 47: Motion that the council stop work on the document to

1 eliminate the decals for federally-permitted for-hire vessels.
2 The motion carried on page 47.
3
4 PAGE 48: Motion that the council give staff editorial license
5 and approve the draft letter on Climate Change Strategy for
6 submission to the NMFS Office of Science and Technology. The
7 motion carried on page 48.
8
9 PAGE 139: Motion to recommend that NMFS approve the EFP request
10 from Mississippi as presented. The motion carried on page 145.
11
12 PAGE 150: Motion to add an alternative to Action 6 to apportion
13 the recreational quota among the regions selected in Action 3,
14 Alternative 2 and 3, based on 50 percent of the average
15 historical landings formula used in Reef Fish Amendment 40, 50
16 percent from 1986 to 2013 and 50 percent from 2006 to 2013, and
17 50 percent based on the regional biogeographical differences in
18 the stock used in the stock assessments. The motion failed on
19 page 153.
20
21 PAGE 153: Motion in Action 6 to add Proposed Alternative 8 to
22 Amendment 39. The motion carried on page 153.
23
24 PAGE 153: Motion to move the action for for-hire federal permit
25 restrictions to considered but rejected. The motion carried on
26 page 154.
27
28 PAGE 154: Motion in Action 3 to make Alternative 5 the
29 preferred alternative. The motion carried on page 155.
30
31 PAGE 155: Motion in Action 2 that Alternative 2 be the
32 preferred alternative. The motion failed on page 155.
33
34 PAGE 157: Motion to add Options 5a, two fish per person per
35 day, and 5b, five fish per person per day, to Alternative 5.
36 The motion carried on page 157.
37
38 PAGE 157: Motion to add back in Options 5a and 5b in
39 Alternative 5. The motion carried on page 158.
40
41 PAGE 158: Motion in Action 10 to remove Alternative 2b to the
42 considered but rejected appendix. The motion carried on page
43 158.
44
45 PAGE 158: Motion in Action 10 to remove Alternative 5,
46 establish identical regulations for the shallow-water grouper
47 seasonal closures throughout the Gulf and South Atlantic, to the
48 considered but rejected appendix. The motion carried on page

1 158.
2
3 PAGE 159: Motion in Action 11 to remove Alternative 6 to the
4 considered but rejected appendix. The motion carried on page
5 159.
6
7 PAGE 159: Motion in Action 11, Alternative 8, to remove
8 Suboption 8c to the considered but rejected appendix. Suboption
9 8c is in federal waters of the Gulf and South Atlantic. The
10 motion carried on page 159.
11
12 PAGE 161: Motion in Action 1 to add a new alternative that sets
13 the ACL at 3.8 million pounds and set the recreational ACT
14 buffer at 8 percent based on the ACL/ACT control rule and do not
15 use a commercial ACT. The motion carried on page 162.
16
17 PAGE 162: Motion in Action 1, to have Alternative 3, Option a
18 be the preferred alternative. The motion carried on page 163.
19
20 PAGE 163: Motion that in Action 2.1, that Alternative 3 be the
21 preferred alternative. The motion carried on page 163.
22
23 PAGE 163: Motion in Action 2.2 that Alternative 1, the status
24 quo alternative, be the preferred alternative. The motion
25 carried on page 167.
26
27 PAGE 167: Motion to make Alternative 2 in Action 3, 1,560
28 pounds of whole weight trip limit, be the preferred alternative.
29 The motion carried on page 168.
30
31 PAGE 169: Motion to approve the Greater Amberjack Framework
32 Action to Modify Allowable Harvest and Management and that it be
33 forwarded to the Secretary of Commerce for review and
34 implementation and deem the codified text as modified in
35 discussion as necessary and appropriate, giving staff editorial
36 license to make the necessary changes in the document. The
37 Council Chair is given the authority to deem any changes to the
38 codified text as necessary and appropriate. The motion carried
39 on page 170.
40
41 PAGE 172: Motion to make Alternative 8 the preferred
42 alternative in Amendment 28. The motion carried on page 187.
43
44 PAGE 189: Motion to direct staff to develop a framework action
45 to allow National Marine Fisheries Service to hold back a
46 portion of the commercial quota in anticipation of future
47 regulatory changes. The motion carried on page 189.
48

1 PAGE 189: Motion that the council accept the charge of the Reef
2 Fish Headboat AP as written. The motion carried on page 190.
3
4 PAGE 192: Motion to have Southeast Regional Office staff
5 conduct a bag limit analysis on raising the king mackerel bag
6 limit from two fish to three fish. The motion carried on page
7 194.
8
9 PAGE 198: Motion in Framework Amendment 3, Action 1, to have
10 Alternative 2a be the preferred alternative, increase the trip
11 limit to 35,000 pounds. The motion carried on page 204.
12
13 PAGE 206: Motion to move Alternative 3 in Action 1 to
14 considered but rejected. The motion carried on page 206.
15
16 PAGE 207: Motion that staff be given editorial license to
17 modify 3e so that it fits with the new National Standard 1
18 Guidelines.
19
20 PAGE 207: Motion to give staff editorial license to make
21 Alternative 3e reflect proposed guidance in National Standard 1
22 to incorporate natural mortality in determining any quota to be
23 added to the following year's ACT. The motion carried on page
24 209.
25
26 PAGE 212: Motion to move Action 2, Alternative 2 to the
27 considered but rejected. The motion carried on page 212.
28
29 PAGE 213: Motion for Action 3 to make Alternative 3 the
30 preferred alternative. The motion carried on page 214.
31
32 PAGE 218: Motion to recommend to have the Texas closure
33 concurrent with the date Texas recommends, out to 200 miles, for
34 the 2015 season. The motion carried on page 218.
35
36 PAGE 219: Motion to add a new Action 1.1 to the Shrimp
37 Amendment 15 and to make Alternative 2 the preferred. Action
38 1.1 is Modify the Maximum Sustainable Yield for Penaeid Shrimp.
39 Alternative 1 is no action. The MSY values for the penaeid
40 shrimp stocks fall within the range of values defined by the
41 lowest and highest landings taken annually from 1990 to 2000
42 that does not result in recruitment overfishing as defined
43 herein. Brown shrimp MSY is between 67 and 104 million pounds
44 of tails and white shrimp MSY is between 35 and 71 million
45 pounds of tails and pink shrimp MSY is between 6 and 19 million
46 pounds of tails. Preferred alternative 2 is the MSY values for
47 the penaeid shrimp stocks are values produced by the Stock
48 Synthesis model approved by the SSC. Species-specific MSY

1 values will be recomputed during updated assessments, but only
2 among the years 1984 through 2012. The values for each species
3 will be updated every five years through the framework
4 procedure, unless changed earlier by the Gulf of Mexico Fishery
5 Management Council. Currently, the stock synthesis model
6 produces the following values: Brown shrimp, MSY is 146,923,100
7 pounds of tails; white shrimp, MSY is 89,436,907 pounds of
8 tails; and pink shrimp, MSY is 17,345,130 pounds of tails. The
9 motion carried on page 220.

10

11 PAGE 220: Motion in Action 1.2 to add an Alternative 4 and make
12 that the preferred alternative. Alternative 4 is the maximum
13 fishing mortality threshold (MFMT) for each penaeid shrimp stock
14 is defined as the FMSY. Species-specific FMSY values will be
15 recomputed during the updated assessments, but only among the
16 fishing years 1984 through 2012. The values for each species
17 will be updated every five years through the framework
18 procedure, unless changed earlier by the Gulf of Mexico Fishery
19 Management Council. Editorial license is approved and
20 currently, the values are: brown shrimp, 9.12; white shrimp,
21 3.48; and pink shrimp, 1.35. The motion carried on page 221.

22

23

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