

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

255<sup>TH</sup> MEETING

FULL COUNCIL SESSION

Hilton Riverside

New Orleans, Louisiana

AUGUST 12-13, 2015

August 12, 2015

**VOTING MEMBERS**

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

**NON-VOTING MEMBERS**

- Glenn Constant.....USFWS
- Dave Donaldson.....GSMFC
- Bob Perkins.....USCG

**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
- Emily Muehlstein.....Fisheries Outreach Specialist
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager

1 Charlotte Schiaffo.....Research & Human Resource Librarian  
2 Carrie Simmons.....Deputy Director  
3  
4 **OTHER PARTICIPANTS**  
5 Jerry Anderson.....Panama City, FL  
6 Pam Anderson.....Panama City Beach, FL  
7 Tom Ard.....Orange Beach, AL  
8 Colleen Arnondin.....Harvey, LA  
9 Dillian Atkins.....Galveston, TX  
10 Avery Bates.....AL  
11 Anna Beckwith.....SAFMC  
12 Kenny Begneaud.....LA  
13 Haley Bitterman.....New Orleans, LA  
14 Dean Blanchard.....Grand Isle, LA  
15 Randy Boggs.....Orange Beach, AL  
16 Theo Brainerd.....SEFSC  
17 Dick Brame.....CCA  
18 Steve Branstetter.....NMFS  
19 Eric Brazer.....Reef Fish Shareholder's Alliance  
20 Frank Brigsten.....New Orleans, LA  
21 Gary Bryant.....Gulf Shores, AL  
22 Harris Callais.....Lafourche Parish, LA  
23 Shane Cantrell.....Galveston Charter Fleet, TX  
24 David Carmedelle.....Grand Isle, LA  
25 Johnny Carradine.....Birmingham, AL  
26 Kim Chauvin.....LA  
27 Bubba Cochrane.....Galveston, TX  
28 H. Cooke.....LA  
29 James Cowan.....LSU, LA  
30 David Cresson.....CCA, LA  
31 Michael Currey.....Irvine, CA  
32 Ronald A. Dafryre.....LA  
33 Jason Delacruz.....Reef Fish Shareholders Alliance/Gulf Wild  
34 Dewey Destin.....Destin, FL  
35 Ashton Dettart.....Bayou du Large, LA  
36 Michael Drexler.....St. Petersburg, FL  
37 Chris Flocken.....Big Rock Sports  
38 Brad Gorst.....Palm Harbor, FL  
39 Ben Graham.....  
40 Jim Green.....Destin, FL  
41 Clint Guidry.....Louisiana Shrimp Association, LA  
42 Buddy Guindon.....  
43 Ken Haddad.....American Sportfishing Association, FL  
44 Stan Harris.....LA  
45 Walter Heathcock.....Venice, LA  
46 Julie Hebert.....LA  
47 Scott Hickman.....Galveston, TX  
48 Tim Hobbs.....Seattle, WA

- 1 Chris Horton.....Congressional Sportsmen’s Foundation
- 2 Gary Jarvis.....Destin, FL
- 3 Gary Jennings.....American Sportfishing Association
- 4 Mike Jennings.....Freeport, TX
- 5 Debbie Jones.....OSAA, Bayou LaBatre, AL
- 6 Bill Kelly.....Marathon, FL
- 7 Bobby Kelly.....Orange Beach, AL
- 8 David Krebs.....Destin, FL
- 9 Ed Landgraf.....Houma, LA
- 10 Brian Landry.....New Orleans, LA
- 11 Harold Liner.....
- 12 Kristen McConnell.....EDF
- 13 Tony Ricky Melerine.....St. Bernard Parish, LA
- 14 Joe Nash.....Gulf Shores, AL
- 15 George Niles.....FL
- 16 Bart Niquet.....Panama City, FL
- 17 Chris Niquet.....Panama City, FL
- 18 Chrystel Olander.....Franklin, LA
- 19 Douglas Olander.....Franklin, LA
- 20 Ryan Prewitt.....New Orleans, LA
- 21 Chad Rogers.....LA
- 22 Pam Rogers.....LA
- 23 Ronnie Roussez.....LA
- 24 Bob Spaeth.....Madeira Beach, FL
- 25 Will Spann.....Pensacola, FL
- 26 Tom Steber.....Orange Beach, AL
- 27 Jessica Stephen.....NMFS
- 28 Skipper Thierry.....Dauphin Island, AL
- 29 Steve Tomeny.....Fourchon, LA
- 30 Mark Tryon.....Gulf Breeze, FL
- 31 Bill Tucker.....Clearwater, FL
- 32 Russell Underwood.....Lynn Haven, FL
- 33 Louis Vallee.....Elton, LA
- 34 Jason Vicars.....Summerdale, AL
- 35 Gunner Waldmann.....LA
- 36 Wayne Werner.....Alachua, FL
- 37 Jillian Williams.....Galveston, TX
- 38 Johnny Williams.....Galveston, TX
- 39 Dale Woodruff.....Orange Beach, AL
- 40 Jim Zurbrick.....Steinhatchee, FL
- 41 Steel City Seafood.....Springville, AL

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45 The Full Council of the Gulf of Mexico Fishery Management  
46 Council convened at the Hilton Riverside, New Orleans,  
47 Louisiana, Wednesday morning, August 12, 2015, and was called to  
48 order at 8:30 a.m. by Chairman Kevin Anson.

1  
2 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**  
3

4 **CHAIRMAN KEVIN ANSON:** Good morning. Welcome to the 255<sup>th</sup> meeting  
5 of the Gulf Council. My name is Kevin Anson, Chairman of the  
6 Council. The Gulf Council is one of eight regional councils  
7 established in 1976 by the Fishery Conservation and Management  
8 Act, known today as the Magnuson-Stevens Act.  
9

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

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

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

26 Anyone wishing to speak during public comment should complete a  
27 public comment registration card and drop it in the box or give  
28 it to council staff. One card per person, please. A digital  
29 recording of the meeting is used for the public record.  
30 Therefore, for the purpose of voice identification, each member  
31 is requested to identify him or herself, starting on my left.  
32

33 **MR. ROY WILLIAMS:** Roy Williams, Florida.  
34

35 **MR. JOHNNY GREENE:** Johnny Greene, Alabama.  
36

37 **MR. DAVID WALKER:** David Walker, Alabama.  
38

39 **MR. ROBERT PERKINS:** Bob Perkins, 8<sup>th</sup> Coast Guard District.  
40

41 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine  
42 Fisheries Commission.  
43

44 **MS. KATIE SEMON:** Katie Semon, Louisiana.  
45

46 **MR. ED SWINDELL:** Ed Swindell, Louisiana.  
47

48 **MR. CAMPO MATENS:** Camp Matens, Louisiana.

1  
2 **MR. JOHN SANCHEZ:** John Sanchez, Florida.  
3  
4 **DR. PAMELA DANA:** Pam Dana, Florida.  
5  
6 **MS. MARTHA BADEMAN:** Martha Bademan, Florida.  
7  
8 **MS. ANNA BECKWITH:** Anna Beckwith, South Atlantic.  
9  
10 **MR. GLENN CONSTANT:** Glenn Constant, U.S. Fish and Wildlife  
11 Service.  
12  
13 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.  
14  
15 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.  
16  
17 **DR. STEVE BRANSTETTER:** Steve Branstetter, NOAA Fisheries.  
18  
19 **DR. THEO BRAINERD:** Theo Brainerd, NOAA Fisheries.  
20  
21 **MR. ROBIN RIECHERS:** Robin Riechers, Texas.  
22  
23 **MR. DOUG BOYD:** Doug Boyd, Texas.  
24  
25 **DR. GREG STUNZ:** Greg Stunz, Texas.  
26  
27 **MS. LEANN BOSARGE:** Leann Bosarge, Mississippi.  
28  
29 **DR. KELLY LUCAS:** Kelly Lucas, Mississippi.  
30  
31 **MR. DALE DIAZ:** Dale Diaz, Mississippi.  
32  
33 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** Doug Gregory, council  
34 staff.  
35  
36 **CHAIRMAN ANSON:** Thank you. We will continue with announcements  
37 and, Doug, do you have an announcement?  
38  
39 **EXECUTIVE DIRECTOR GREGORY:** I just wanted to remind the council  
40 that we're going to have a film crew here this afternoon during  
41 public testimony and tomorrow morning, again with the Discovery  
42 Channel. I have asked the lady in charge, Susan Froemke, to  
43 give us a three or four-minute introduction of what they're  
44 doing immediately after lunch.  
45  
46 They will be standing over there with the camera next to Glenn  
47 and they will be plugging into our speaker there to get the  
48 sound and we have distributed releases, but I have told them

1 that it's up to them to get their own releases from people and  
2 so we're going to be doing that and this is the second time  
3 we've had a film crew and I think it will go smoothly and it  
4 won't be disruptive to the council proceedings. If it is, I  
5 will do the best I can to help them to accommodate us.

6  
7 **CHAIRMAN ANSON:** Thank you, Doug. Any questions from anyone?  
8 That will take us to Induction of New Council Members and Dr.  
9 Crabtree.

10  
11 **INDUCTION OF NEW COUNCIL MEMBERS**

12  
13 **DR. CRABTREE:** As trustees of the nation's fishery resources,  
14 all voting members of the council who are appointed must take an  
15 oath as specified by the Secretary as follows.

16  
17 (Whereupon, new council members are sworn in.)

18  
19 **DR. CRABTREE:** Congratulations and thank you.

20  
21 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

22  
23 **CHAIRMAN ANSON:** Congratulations to all the members that were  
24 inducted. The next item, Item Number III, is Adoption of the  
25 Agenda and Approval of the Minutes. Do we have any changes to  
26 the agenda? Seeing none, is there a motion to adopt the agenda  
27 as written?

28  
29 **MR. RIECHERS:** Move to adopt as written.

30  
31 **CHAIRMAN ANSON:** It's been moved by Mr. Riechers and seconded by  
32 Mr. Greene. Any opposition to adopting the agenda as written?  
33 Seeing none, the agenda is adopted. Approval of the Minutes,  
34 does anyone have any comments or changes to the minutes from the  
35 last meeting? Is there a motion to accept the minutes? It's so  
36 moved by Mr. Diaz and seconded by Mr. Greene. Any opposition to  
37 accepting the minutes as written? Seeing none, the minutes are  
38 approved. The next item, Number IV, is Review of Exempted  
39 Fishing Permit Applications and Dr. Crabtree. Any EFP's, Dr.  
40 Crabtree?

41  
42 **REVIEW OF EXEMPTED FISHING PERMIT APPLICATIONS**

43  
44 **DR. CRABTREE:** Yes, we do have one EFP that's come in to use  
45 traps to capture lionfish and Steve can go through it. We are  
46 still looking at it and they are likely going to still have to  
47 be changes and negotiations. It does potentially have impacts  
48 on corals and protected resources that we would have to sort

1 through and once we work all of that, later in the process we'll  
2 be coming back to you, but Steve can go through a little bit of  
3 the gist of what we have if you would like.

4  
5 **DR. BRANSTETTER:** The Monroe County Fishermen's Association and  
6 the Gulf and South Atlantic Foundation have put this application  
7 in to fish various types of traps and see which are the most  
8 efficient at capturing lionfish.

9  
10 They want to use black sea bass pots and regular wooden lobster  
11 traps, wire lobster traps. They have got a special other wire  
12 trip they want to use. They were going to use chevron traps,  
13 but we have already asked them not to try to do that, because  
14 it's not even an identified legal fishing gear.

15  
16 They want to fish off South Carolina, the east coast of Florida,  
17 the Florida Keys, and then off the Tampa Bay area and they would  
18 be fishing about twenty-five of these traps each in four  
19 different traps and so they would be putting out about a hundred  
20 traps every time they set.

21  
22 I am going to let, and with your permission, Bill Kelly try to  
23 explain this a little better, because some of the details of  
24 what they're doing -- As Dr. Crabtree indicated, there are some  
25 issues with the corals especially in the Keys and there is also  
26 some issues with right whales on the east coast right now and so  
27 those are things that we have to work around and get agreements  
28 with Bill and the Foundation, but I will let Bill try to explain  
29 any additional things.

30  
31 The one thing that we did want to bring to the council today is  
32 are you interested in looking at fish traps in the Gulf of  
33 Mexico, because this will require quite a bit of effort on the  
34 part of our Protected Resources folks to do these additional  
35 analyses and if you don't want to look at fish traps in the  
36 Gulf, then before everybody has to go through a whole lot of  
37 work.

38  
39 **CHAIRMAN ANSON:** Bill, do you have any additional details that  
40 you could provide?

41  
42 **MR. BILL KELLY:** Yes, Mr. Chairman. Back in 2013, the State of  
43 Florida held a lionfish summit up in Cocoa Beach, Florida. The  
44 consensus opinion was the only way that we could effectively  
45 address lionfish with any hope of containment would be through a  
46 trap program. That kind of reflected what we already knew in  
47 the Florida Keys.

1 To give you an example, one of our high-liner fishermen, Gary  
2 Nichols, first encountered lionfish in 2009 as bycatch in his  
3 spiny lobster traps. In 2009, he had forty-nine pounds of  
4 lionfish. In 2013, he had 13,000 pounds of lionfish, all as  
5 bycatch in his spiny lobster traps. He became so good at it  
6 that he actually realized that he could go out and effectively  
7 target lionfish specifically because of the knowledge that he  
8 had gained over those four or five years of activity there.

9  
10 With that in mind, we put the plan together and we felt that we  
11 could effectively target lionfish specifically in deep water  
12 areas and when I say deep water, generally speaking, that's 100  
13 to 300 feet of water. What you're seeing in shallow that seems  
14 to be effectively controlled by lionfish derbies, that only  
15 pales in comparison to what we're seeing out deep.

16  
17 I know there's some issues that have been raised regarding  
18 interactions with corals and so forth, but the reality is the  
19 lionfish are having a greater effect on it, because of their  
20 voracious appetites for herbivores, for example parrotfish and  
21 so forth, that maintain our reefs.

22  
23 Our reefs in the Florida Keys right now are under heavy pressure  
24 from algal growth and so forth and the lionfish are eating the  
25 herbivores that would take care of those kinds of things and so  
26 while some terminology may be that we're doing a fish trap  
27 program, we prefer to call it a lionfish containment device.

28  
29 Our program highlights the use of observers and they will be  
30 very carefully monitored and we will comply with all area rules  
31 and regulations regarding the deployment of trap gear and the  
32 retrieval, so as not to interact or violate any other protocols  
33 in those areas.

34  
35 **CHAIRMAN ANSON:** Thank you, sir. We have a question from Dr.  
36 Stunz.

37  
38 **DR. STUNZ:** I just had a question for you, Bill, and obviously  
39 this is an important problem we want to address with creative  
40 ways to deal with the lionfish, but in the trapping and -- Maybe  
41 this is the purpose of the study and that's why I'm asking the  
42 question, because I know that Nassau groupers and other types of  
43 fish are getting caught in the fish traps that you're using and  
44 so it kind of brings up the issue of that bycatch as well as  
45 discard mortality.

46  
47 If you're bringing them up from a hundred or 300 feet, is there  
48 any information on how selective these traps are specifically



1 for lionfish or what other species interactions are occurring?  
2

3 **MR. KELLY:** There is a number of different things. One, we  
4 would control them by modifying the trap funnel size or throat  
5 size on these traps to prevent bigger fish or bycatch from  
6 getting in there. Bycatch is always the most important point  
7 and we could do it. We have some evidence from the work that  
8 we've done with reef.org and so forth, with their interns, where  
9 you put a lionfish in there, the live baiting techniques.  
10 Placement and so forth seems to be very effective, but also  
11 other methods work as well.

12  
13 The thing is that the lionfish are very structure oriented and  
14 even just the relief of just that two-foot high lobster trap has  
15 a great deal of appeal to them. They have high site fidelity  
16 and once you have a dominant male there, then you have the  
17 females around and, again, this would be very carefully  
18 controlled with observers. We've got to find out if one trap is  
19 more prone to harvesting them than another or more efficient at  
20 it and we've seen that just by the time of year and where you  
21 place the traps.

22  
23 For example, Gary Nichols feels that he could almost exclusively  
24 catch lionfish just because of the knowledge of their  
25 whereabouts and demographics and population density.

26  
27 **CHAIRMAN ANSON:** Mr. Constant.

28  
29 **MR. GLENN CONSTANT:** You mentioned that there was a better  
30 effect or a greater effect in the inland and shallower areas  
31 with diving and have you tried these traps or some modified  
32 version of these traps in the inland areas?  
33

34 **MR. KELLY:** What we're finding, for example, in our trap fishery  
35 in the Florida Keys is better than 90 percent of our trap  
36 placement is under a hundred feet of water or less and with only  
37 10 percent out deep, those 90 percent of those gear that's  
38 deployed in shallow water doesn't even harvest 1 percent of the  
39 lionfish that we're seeing.

40  
41 When you get into shallower water, they are, as I mentioned,  
42 very structure oriented, but they prefer to stay on natural  
43 habitat instead of the artificial gear.

44  
45 **CHAIRMAN ANSON:** Anything else? Yes, Mr. Diaz.

46  
47 **MR. DIAZ:** Just speaking for myself, I would like to go to the  
48 next step, Dr. Branstetter, and hear more about this and let

1 your folks do the work to look at it. Lionfish invasion is a  
2 very big problem and while some groups are trying to do some  
3 efforts that control, different dive groups and I know the State  
4 of Florida has done a lot of things, there are really not that  
5 many tools in the toolbox and so this study might actually come  
6 up with an effective mechanism for control and so I would like  
7 to hear more about it and ask your folks to do the work to get  
8 us more information. Thank you.

9  
10 **CHAIRMAN ANSON:** Dr. Stunz.

11  
12 **DR. STUNZ:** To that point, Dale, I agree as well. I think this  
13 is a good first step to see how it goes and what works to deal  
14 with this issue before it gets worse in other areas.

15  
16 **CHAIRMAN ANSON:** Seeing that, it looks like you've got some  
17 direction, Dr. Branstetter.

18  
19 **MR. KELLY:** I am sorry, Kevin, but I couldn't hear you.

20  
21 **CHAIRMAN ANSON:** I was just saying to Dr. Branstetter that he  
22 has got some marching orders. It looks like the council is  
23 interested in proceeding with at least them looking into what  
24 they need to look into to develop the EFP and bring it back to  
25 the council.

26  
27 **DR. CRABTREE:** This is not going to happen quickly. There will  
28 likely have to be -- I expect we would have to go through,  
29 particularly in the Keys, and identify all the areas where there  
30 may be listed corals and then they're going to be off limits to  
31 any of this.

32  
33 If it requires a biological opinion, those are taking close to a  
34 year to get to and so just it's not likely this is going to  
35 happen quickly, Bill, depending on the impacts and how well we  
36 can mitigate and make sure those aren't going to happen. We  
37 will continue to be in touch with you to try and work on how to  
38 make this as bycatch and protected resource friendly as we can.

39  
40 **MR. KELLY:** Thank you, Dr. Crabtree.

41  
42 **CHAIRMAN ANSON:** Thank you, Mr. Kelly.

43  
44 **MR. KELLY:** Thank you, Mr. Anson.

45  
46 **CHAIRMAN ANSON:** Next on the agenda, Item Number V, is Summary  
47 of the Council Coordinating Committee, and Dr. Simmons.

48

1                   **SUMMARY OF THE COUNCIL COORDINATING COMMITTEE**

2  
3 **DR. CARRIE SIMMONS:** Good morning and thank you. I am going to  
4 summarize Tab A, Number 6. I don't have a slideshow, but the  
5 Gulf Council hosted the Council Coordinating Committee meeting  
6 this year and I have to say that we got a lot of accolades from  
7 the other Executive Directors and Chairs and Vice Chairs about  
8 the meeting.

9  
10 It was about a two-and-a-half-day meeting and we had a very busy  
11 agenda and Charlene Ponce on our staff did a great job of  
12 putting together this summary and taking the outcome statements  
13 and recommendations by each agenda item and putting together  
14 what you see before you. She linked that to the verbatim  
15 minutes and so if you select -- Say you want to read the  
16 verbatim minutes on the National Observer Funding Allocation  
17 Discussion, you just click on that after you pull this up on our  
18 website and it will take you right to that discussion, the start  
19 of that discussion. I thought that was very helpful and she did  
20 a great job putting that together.

21  
22 I am just going to touch on the things that the CCC committee  
23 responded to and one of the things that we spent quite a bit of  
24 time talking about was the MSA Reauthorization and we received  
25 an update on the House 1335 Strengthening the Fisheries  
26 Communities and Increasing Flexibility in Fisheries Management  
27 Act as well as the Senate 1403 Florida Fisheries Improvement Act  
28 and some House appropriation bills.

29  
30 Basically, the Gulf was the focus. There was a lot of feedback  
31 in those bills about the Gulf, as Mr. Gregory has already  
32 mentioned, and so, from our standpoint, staff is planning to be  
33 much more active as far as that goes, but in the response from  
34 the CCC, one of the big discussion items or outcomes from that  
35 discussion that we got from NOAA General Counsel, which I think  
36 you guys have already discussed a little bit in the Admin  
37 Policy/Budget, was that they advise the councils that we should  
38 focus our comments instead of in support of or opposing the  
39 various changes to these bills and more focus on how they would  
40 impact us and impact our daily activities as well as how we're  
41 managing the resource.

42  
43 I think that's going to take a little bit more staff time in  
44 thinking through it and discussing it and so that is one change  
45 that we did spend quite a bit of time talking about and that  
46 will impact us and so that was good information that we received  
47 from the CCC meeting.

1 We also talked about the NEPA Working Group Report and after we  
2 discussed that and we heard a presentation about it, basically  
3 the CCC decided that until more progress has been made on the  
4 MSA Reauthorization that we wanted to wait to have any formal  
5 opinion or move forward with it any further, but we did form a  
6 legislative committee.

7  
8 These two items were combined and a legislative committee was  
9 formed that includes various Executive Directors and Chairs and  
10 Vice Chairs, and you can see the list in Tab A, Number 6, to  
11 address those items.

12  
13 We also heard a Recreational Fishery Policy Report, an update on  
14 the National Recreational Policy Report, from NMFS staff and the  
15 fishing implementation plan and several members expressed the  
16 following concerns after that presentation. They were worried  
17 about data-poor stocks and how that was going to come into play  
18 and promoting access, timing and council involvement, as well as  
19 collaboration with the Office of National Marine Sanctuaries.  
20 They were looking to see if that could be better integrated into  
21 the policy.

22  
23 Regarding National Standard 1, we received an update on the key  
24 provisions, again, as we have I think at each of the council  
25 meetings throughout the region as well as across the nation.

26  
27 We received a similar update of the key provisions of the  
28 proposed changes to the National Standard 1 Guidelines and  
29 because each council had essentially already drafted a letter,  
30 we took no action together to write one single letter, but each  
31 council submitted their own letter.

32  
33 We also discussed the Allocation Working Group Report and a  
34 briefing was provided on the work of that group and this was the  
35 only motion that was made by the Council Coordinating Committee,  
36 in response to that report. After discussing the issue at  
37 length, they made a motion to approve the criteria for  
38 initiating fishery reviews and they finally came up with a  
39 timeline to include a recommended timeframe of three years or as  
40 soon as practicable for triggers for allocation review.

41  
42 This would establish these criteria for the reviews and these  
43 are just recommendations for the councils in trying to be  
44 consistent across the nation.

45  
46 We also heard reports and discussion from the Habitat Working  
47 Group. The CCC received a report about their plans for an  
48 essential fish habitat summit. This is slated, I believe, for

1 May of 2016 and we had quite a bit of discussion about this.  
2 Several members were concerned about the number of people and  
3 the appropriate expertise for participation in this particular  
4 summit and what were the expected outcomes as far as the terms  
5 of reference and the scope of the conference and integration of  
6 the types of habitat and the level of information as well as how  
7 that would be integrated into ecosystem-based management as far  
8 as moving forward and its impacts on the size of the workshop.

9  
10 It was just really trying to focus on what the best practices  
11 would be before this summit and trying to nail that down a  
12 little bit better.

13  
14 There was also a discussion of a potential full-time employee to  
15 address these and integrating, again, of the ecosystem-based  
16 management into fisheries into this summit, the discussion of  
17 ecosystem-based management.

18  
19 Dr. John Froeschke and Dr. Morgan Kilgour on our staff have been  
20 actively involved in the conference calls and they have had one  
21 since the Council Coordinating Committee and they are addressing  
22 some of these concerns, it's my understanding, and so if you  
23 have any further questions regarding that, John is here and he  
24 can help me answer those.

25  
26 We also talked about the SSC meeting and the National SSC  
27 Meeting. We received a briefing from the Honolulu meeting that  
28 occurred February 23 through 25 in 2015 and the Council  
29 Coordinating Committee agreed that the National SSC should not  
30 meet every year and they suggested the next meeting should be  
31 2017 and the Pacific Council is planning on hosting that  
32 meeting.

33  
34 The next CCC meeting will be hosted by the Caribbean Council and  
35 the tentative dates are planned for May 23 through 27 in St.  
36 Thomas and I guess, in summary, the status of the working  
37 groups, we have the Legislative Working Group and Mr. Gregory is  
38 going to work on convening them and then the ongoing work with  
39 the Habitat Working Group. Mr. Chairman, that concludes my  
40 report, if we have any questions.

41  
42 **CHAIRMAN ANSON:** Thank you, Dr. Simmons. Any questions? I just  
43 want to say I attended the CCC Meeting and kudos to Mr. Gregory,  
44 Dr. Simmons, and the council staff. They did an excellent job  
45 and it went very smoothly during the meeting and at functions  
46 after the meeting as well. They went very nicely and so you add  
47 did a great job and I appreciate it. Thank you.

1 **EXECUTIVE DIRECTOR GREGORY:** Yes, I agree. Our entire staff  
2 jumped in and did this and we held the CCC Meeting two weeks  
3 after our June council meeting and it was pretty intense, but  
4 the technical staff and the administrative staff all pitched in  
5 and the people that normally don't come to meetings,  
6 particularly our Travel Coordinator, did a lot to help make this  
7 happen and the CCC were very appreciative of what we did. They  
8 had a good meeting and they had a good time in Key West. We  
9 showed them a little bit of the Cuban culture and also took them  
10 to the NOAA Eco-Discovery Center and they got to see what the  
11 Sanctuary Program Main Offices and their little educational  
12 museum was like.

13  
14 **CHAIRMAN ANSON:** Next on the agenda is Item Number VI, Review of  
15 White Paper Evaluating Potential Artificial Reef Sites in the  
16 Gulf of Mexico, Tab A, Number 7(a) and (b) and Dr. Froeschke.

17  
18 **REVIEW OF WHITE PAPER EVALUATING POTENTIAL ARTIFICIAL REEF SITES**  
19 **IN THE GULF OF MEXICO**

20  
21 **DR. JOHN FROESCHKE:** Good morning. I realize we're a little  
22 ahead of schedule, but I offered to talk more slowly and Doug  
23 didn't seem interested in that and so just a little bit of  
24 history on this.

25  
26 This is a long-standing project and it actually started about  
27 two years ago. We had a Joint Artificial Reef and Shrimp AP and  
28 they're interested in this ongoing problem of how to increase  
29 the rate of reefing of decommissioned platforms. The shrimp  
30 industry is obviously interested in not losing trawlable habitat  
31 and things like that and so we brought them together to have a  
32 meeting of the minds, which was a very productive meeting and  
33 they suggested sort of a framework of things that we could do to  
34 evaluate this process and so this is sort of the result of that.

35  
36 I am going to use the term "result" a little bit loosely, in  
37 that it's not a prescriptive process or recommendation, but more  
38 of a proof of concept on how things could be done if you chose  
39 to go down a path like this.

40  
41 Just a quick review, the problem that we're most interested in  
42 is the removal of the petroleum platforms, which is really  
43 outside of our scope of influence, per se. The permitting that  
44 is associated with these requires that they are removed or done  
45 something with as part of the initial permitting and what's  
46 typically not acceptable is just to leave them in place. There  
47 are liability and other issues and so something has to be done  
48 with them.

1  
2 One common solution is they're just brought and disposed of  
3 onshore, which, from a fishery perspective, we're a little  
4 concerned about loss of hard bottom habitat and opportunities  
5 for fishing associated with these structures. The purpose of  
6 this exercise was to evaluate some criteria to demonstrate  
7 perhaps how a decision making process could be used to inform  
8 individual reviews of particular platforms and things.

9  
10 I think this is interesting in that in this case I think there  
11 is an opportunity in which we could increase the number of  
12 structures that are converted to artificial reefs while avoiding  
13 increasing the footprint of hard bottom such that the shrimp  
14 fishery is impacted and so it seems a rare opportunity for us to  
15 have a win-win, which is fairly unusual in fisheries, I think.

16  
17 The purpose of the presentation and the white paper, again, is  
18 sort of we developed a suite of criteria to look at in  
19 conjunction from our staff and the APs and things. We put it  
20 together and what I'm calling this is a proof of concept or  
21 something.

22  
23 It's not a prescriptive recommendation, but just an example of  
24 how this could work, noting that these specific criteria or the  
25 weightings or something of actually how it was done would  
26 benefit from all kinds of input and individual platforms,  
27 perhaps, and so the idea though is it's something that could be  
28 done to meet the timing that would be necessary.

29  
30 The broad goals of this is trying to engage and balance the  
31 needs of the industry and stakeholders and our management  
32 objectives, in that one of the things that the shrimp industry  
33 is very concerned is they're not interested in losing trawlable  
34 area, for obvious reasons, and from a reef fish, we're  
35 interested in maintaining or increasing hard bottom habitat, to  
36 the extent possible, and this seems to be one way to do that.

37  
38 What we did, we gathered as much data as we could regarding  
39 things that are likely to influence the placement and the  
40 biology and the socioeconomic perspectives of how something  
41 might be used and so we had depth, how far -- We created  
42 buffers, essentially, and I will show you a map of this, but how  
43 far locations around individual platforms, from the data that we  
44 had -- Because there is a cost-driven limit to how far they can  
45 move a particular platform.

46  
47 We included distance from shore and so sort of a proxy to how  
48 frequently it might be used or how convenient as a fishing

1 structure or something it might be used and how many structures  
2 and where they're at is obviously important. We also did a  
3 little more of distance to shore and we included how many  
4 people, by cities and counties and things, looking at just how  
5 different areas of the Gulf it might be more or less effective  
6 as a fishing opportunity.

7  
8 Then the big thing we looked at was a portion of the shrimp  
9 effort from 2004 through 2013 and using the ELB data and when we  
10 originally did this, one of the things that they asked for at  
11 the last one was a very fine-scale resolution of all of this and  
12 it was tiny, 4,000-by-4,000-foot, grids. The reason for that  
13 was that's about the footprint that they would cover in a trawl  
14 and things.

15  
16 So we had that and so that was one reason this took so long to  
17 put together, besides prioritization, but it was just sort of a  
18 computing nightmare.

19  
20 This first graph -- I have several maps and then I will just  
21 sort of summarize and hopefully make sense of it all and so I  
22 won't spend a long time on these, but just a general of the  
23 things we were trying to do, this graph, the black dots are the  
24 locations of the rigs, as we understood, and this data is little  
25 bit old, because it's the process, and so we could update this.

26  
27 What we did is essentially created a halo around each platform  
28 and that's about thirty-five nautical miles and that's about the  
29 breakeven point, as we understand it. Then we stacked them all  
30 together, to where the areas of darker colors indicates areas  
31 that a lot of structures could be accommodated within a small  
32 area and the lighter ones are fewer and so this is one way to  
33 understand if you were to construct a particular area to do this  
34 that there might be some areas that you can accommodate a lot  
35 and other areas maybe only one or two or none.

36  
37 This map shows the number of tows in these 4,000-by-4,000-foot  
38 grids from the ELB dataset, which it's my understanding it's not  
39 everything, but it's a lot of them and I believe it's  
40 proportional to the patterns and, again, the coloration is such  
41 that the orange reds are areas of more intense shrimping effort  
42 and the greens are less and the areas that you don't see  
43 anything means that there was none.

44  
45 In terms of what we did here, we concentrated on the areas that  
46 there was zero or less than fifty tows, which is very minimal  
47 effort in terms of the total effort and effort in some areas and  
48 so this is sort of one of the inputs that we used.



1  
2 This one, you might have to squint to see it and I have a blow-  
3 up on the next slide, but this is a map and the green and the  
4 yellow areas primarily are just -- It's on these cells how many  
5 structures, rigs and reefs, that we know about or just in how  
6 they're distributed across the Gulf.

7  
8 I will zoom in a little bit. This is off the Louisiana coast  
9 and you can kind of see how they're structured. They are  
10 scattered about and one idea is that if something is already  
11 there that perhaps a rig could be placed in or near this area  
12 and, again, you would have a zone without losing trawlable  
13 habitat.

14  
15 What we did is we mapped all of these together and we developed  
16 some reasonable criteria on how these things would work. For  
17 example, depth, we selected seventy and 350 feet and we could  
18 modify these sorts of things, but if you did that and if you  
19 looked at how far you could move a particular platform, based on  
20 the ones we had and areas of the shrimp effort with fifty or  
21 fewer tows -- These are just three of many potential inputs.

22  
23 You map the resulting area that meets those three criteria alone  
24 and you get this purplish shaded area and originally when I  
25 started to do this, I had these more complex weighting schemes  
26 and things and how you could do that and it turns out when you  
27 just did this alone that you got something that was workable  
28 from a strawman perspective and it shows you what could be done  
29 and how it could be modified or improved based on different  
30 weighting schemes and things.

31  
32 What you see is there's a fairly narrow band, mostly dictated by  
33 the depth range. This is something that it may actually need to  
34 be deeper, because of the overhead clearance, but it also shows  
35 that if you could get an exception in certain cases that you  
36 could expand the areas inshore quite a bit.

37  
38 That's sort of how it works and if you look at things like more  
39 allowable shrimp effort or less or something, this area would  
40 contract. To the east, it's really limited by how far you can  
41 move it based on that thirty-five miles of towing. You could  
42 move a platform and it's very expensive.

43  
44 Obviously there are a whole suite of different things you could  
45 look at. The nice thing about the approach that we used is it's  
46 scalable and adaptable. The way that we approach this, I call  
47 it a mapping problem, but it's really just a spatial management  
48 kind of thing, where you have georeferenced variables and you

1 could include all kinds of things. We tried to develop a  
2 process.

3  
4 What's nice about this is that it could be used for any  
5 individual platform that you might be considering as a tool and  
6 so the council could use this as a prescriptive process, if you  
7 wanted to do something like this, to provide a general  
8 recommendation, but you could also use it as a tool to provide a  
9 specific recommendation for any one platform if you chose to do  
10 that.

11  
12 Once it's set up, it's fast and easy to do that and so it's  
13 something that could be done in the timeframe that's necessary  
14 and, again, what I've shown you here today is more of a process  
15 example than a particular result and there are lots of people  
16 with expertise in regulatory agencies and things and so a  
17 meeting of the minds is terms of the variables to be included  
18 and perhaps if weighting or something like that is necessary  
19 would obviously improve the quality of this product, but that's  
20 what we have and that's one of the things we've been up to and  
21 so are there any questions?

22  
23 **CHAIRMAN ANSON:** Any questions? Dr. Stunz.

24  
25 **DR. STUNZ:** I don't have a question, John, but just more of a  
26 comment. I was on that AP when it occurred, before my days here  
27 on the council, and when I went there, I expected it to be quite  
28 a contentious meeting, because it had very pro-artificial reef  
29 groups on it as well as shrimpers, and it turned out to be  
30 completely opposite.

31  
32 Maybe Leann might have a different perspective, but at least the  
33 shrimpers that were there really turned out -- It's kind of come  
34 full circle where they like these structures. In fact, as they  
35 towed near them, they had increased catch per unit effort and if  
36 you were to blow up some of John's graphs of those trawls, you  
37 can tell where they are, because it's all trawlable and then  
38 there's an empty circle and wherever that is is where one of  
39 these structures were.

40  
41 Something interesting, and I don't know that this has been  
42 analyzed, but they like the structures and the additional catch  
43 per unit effort was because they harbored a bank or a refuge of  
44 these relatively smaller snapper, which they were penalized for  
45 during shrimp trawl bycatch. That was another interesting  
46 outcome that has come out, but at least in my opinion, largely  
47 in our region of the western Gulf, this has gone away somewhat,  
48 because most of the rigs have been reefed, unfortunately, before

1 they got into these programs, but the ones that are left, there  
2 is larger reefing zones.

3  
4 I mean Robin could probably comment on his artificial reef  
5 program, but there is sort of, for lack of a better word,  
6 preapproved reefing areas, where the regulations are somewhat  
7 expedited if you reef in these areas. I think now this problem  
8 is somewhat under control and to get what's left back into the  
9 reefing programs and, of course, this is a passion area of mine  
10 and work that we do as well, but just to give you an example,  
11 and I may have brought this number up to this group to recognize  
12 the value of these structures in the Gulf.

13  
14 If we were to put these artificial habitats back into the Gulf  
15 of what's currently out there, and this was several years ago,  
16 it's something like \$18 billion worth of artificial habitat that  
17 exists and so it makes sense for us to take advantage of that  
18 structure that's there and, finally, while I'm on my soapbox  
19 here, the last thing is whether you fall on this attraction  
20 production or whether you like artificial reefs or not and some  
21 of the discussions we had at the last council meeting, they do  
22 in fact take fishing pressure away from more sensitive areas.

23  
24 That whole discussion about some of these -- That discussion we  
25 had last time about fishing on banks and that sort of thing and  
26 so whether they are good or bad or whatever, there is some  
27 strict advantages from looking at it from that standpoint of  
28 redirecting fishing effort and I don't really think fishermen  
29 care where they are catching the fish, whether it's the Flower  
30 Gardens Banks, which we care about in terms of sensitivity, or  
31 whether it's a nearby artificial reef. There is still a lot of  
32 potential here I think is my point.

33  
34 **MS. BOSARGE:** I actually listened in via webinar to that  
35 particular AP meeting and there were a good many shrimpers there  
36 and they did all work very well together I thought. I thought  
37 it was a very collaborative meeting.

38  
39 Now, I wouldn't go so far as to say we love rigs in the shrimp  
40 industry. We do shrimp -- Obviously, if you look at the tracks,  
41 we do shrimp right around them, but essentially before it was  
42 there, we shrimped right through the middle of it and now we  
43 have to go around it, but, having said that, we deal with it.

44  
45 I think what the shrimp fleet appreciated about this meeting was  
46 that someone was reaching out, because there is, like you said,  
47 a big effort to reef these. The problem a lot of times with  
48 reefing them is they are owned by the oil company and the

1 economics of taking it that far just are not worthwhile to them  
2 and so one other thing that this group looked at was, okay, well  
3 if we're going to reef these things, can we consolidate some  
4 things so that we could make it economically viable?

5  
6 In doing that, let's reach out to the shrimp fishery and make  
7 sure that we don't reef something in an area that's prime  
8 shrimping grounds for them. I thought it was a very productive  
9 exercise and I hope that someone will take this summary and the  
10 paper that we have and use it to their advantage in the future.

11  
12 **CHAIRMAN ANSON:** Mr. Riechers.

13  
14 **MR. RIECHERS:** John, you certainly have highlighted kind of the  
15 overall approach that one could take and I would suggest that  
16 most of the artificial reef programs are in some way using this  
17 kind of approach as we try to site those things and, as Greg  
18 suggested, obviously our goal is to put them in locations where  
19 we may already have material so that we reduce the impact to  
20 further shrimping grounds.

21  
22 Obviously in some situations, if the rig is too far away, we  
23 have been in a situation for a while where we couldn't move  
24 those or reef them nearby, but, at least for now, that seems to  
25 have changed again and they are willing to consider that, so  
26 we're not having to lose rigs because we can't move them far  
27 enough to other zones.

28  
29 We will see how that works out. Our friends with BOEM and BSSE,  
30 I don't know how much that has been tested across the five Gulf  
31 states yet, but they have indicated they have a change in  
32 philosophy yet again and so hopefully that will give us -- At  
33 least make us competitive in regards to being able to reef  
34 those. I mean it's still a business decision on those  
35 businesses' parts, but it will give us that advantage of instead  
36 of absolutely having to move them great distances in some  
37 situations we might be able to actually look at in place and  
38 that's where this becomes very, very important.

39  
40 **CHAIRMAN ANSON:** Just to continue on with that point, John, in  
41 the dataset that you have regarding the rigs actually, the black  
42 dots that were on the figures that you provided, do you have any  
43 sense as to how old they are and whether or not maybe you can  
44 find one area that might have older reefs that a state might  
45 want to look at and say we need to start planning to get a zone  
46 open and then maybe look at the concentrations, to kind of pick  
47 out, within that purple band that you had there, an actual spot.  
48 I mean have you got it down to that resolution?

1  
2 **DR. FROESCHKE:** I don't, but we could. The first thing that we  
3 would need to do is the dataset, if you will, changes all the  
4 time and so you want to get the most up-to-date and you could  
5 certainly look at that. We could probably also reach out to  
6 industry and see if they would share with us something that they  
7 thought might be suitable in the next X number of years.

8  
9 I am not sure that age is a perfect predictor, because it's  
10 really when they stop pumping and things, but we certainly could  
11 do that and if that's your prerogative to direct us to do that,  
12 we would be happy to do it and like I said, it could be made  
13 such that if you plug in a rig or a location and you could  
14 generate an area that was suitable based on the criteria as they  
15 were specified and as well overlay existing areas and see if one  
16 matched up.

17  
18 If not, you could sort of have a broad area that you could  
19 submit to BOEM and say, hey, for this platform, these are all  
20 the areas we've got to meet it and pick one and it would seem  
21 like it would provide a rapid way for us to provide a pretty  
22 specific recommendation.

23  
24 **CHAIRMAN ANSON:** Thank you. A couple more. Dr. Stunz.

25  
26 **DR. STUNZ:** I will just make it quick. John, that's exactly  
27 where I think a nice outcome of this would be, some decision  
28 support tool, like you're talking about.

29  
30 That would be much needed, but I think what I would add to this  
31 too, and I seem to recall reading it in your report, but I  
32 didn't hear you discuss it today when you talked about where  
33 that pink area and where that seventy to 300-foot realm and  
34 that's definitely where the science, I think, is converging in  
35 terms of red snapper productivity. It's really in that 150 to  
36 200 realm, but I would also add, sort of in this decision  
37 support concept, that we also consider as a council there is  
38 other reasons to put them outside of that, like opportunity and  
39 nearer shore waters.

40  
41 I think that's occurring in many areas, because there is other  
42 things than just what is in here in terms of diving  
43 opportunities and things like that. The problem had always been  
44 that ninety-foot clearance and many of these structures occur in  
45 water depth that's not even ninety feet, but I think the  
46 precedent has been set that in many cases you can make an  
47 argument to have that relaxed and I think, as Robin mentioned,  
48 the federal groups involved in that are having a little bit of

1 change of philosophy about doing that. In addition, you could  
2 also consider access, more near shore, in certain circumstances.

3  
4 **MS. BOSARGE:** I was just going to mention your question about  
5 the age of the platforms. I believe that when the oil companies  
6 get to the point where they are looking at removal that there's  
7 actually a permit that has to be filed and that's available  
8 publicly on the government's website, BSEE's website, and so I  
9 mean that's something that you could definitely use as a  
10 starting point if you're looking for things in Alabama that may  
11 be coming up or something like that.

12  
13 **CHAIRMAN ANSON:** Yes, sir, Mr. Swindell.

14  
15 **MR. SWINDELL:** It's been a long time since I've dealt with oil  
16 companies and artificial reefs and I assume oil companies have  
17 been involved in some of this discussion and, because I know for  
18 years and years that they were deeply involved about the  
19 liability issue that once they placed a reef and so are they  
20 being exonerated from liability once they place the reefs? I  
21 assume there is all kinds of criteria of what they do and how  
22 they do it and I just want to make certain that we've got it  
23 covered here about where you put them and so forth.

24  
25 One of the big things that I remember they were worried about  
26 was hurricanes, especially in the shallower waters. If you're  
27 going to get less than a hundred feet, there is times that  
28 hurricane-force winds and currents and everything will move the  
29 structures somewhat and we certainly don't want that to occur  
30 and have shrimp boats, et cetera, get all hung up in this stuff  
31 and they don't want to be responsible. I just want to make sure  
32 that we're all on the same page. It's been too many years since  
33 I've been involved.

34  
35 **MR. RIECHERS:** Ed, certainly every negotiation with an oil  
36 company regarding the removal of that platform is a different  
37 negotiation, but basically the states accept that responsibility  
38 when we take those, as far as the liability issues.

39  
40 We're the ones permitted with them at that point and obviously  
41 the siting criteria you mentioned, regarding both materials,  
42 because it's not just rigs to reef and there are other materials  
43 that are used, but those are the things we have to consider.  
44 Depth and distance to shore and all of those things come into  
45 play regarding that material and hurricane resiliency and so  
46 forth and so yes.

47  
48 **CHAIRMAN ANSON:** Thank you, John. I appreciate it. Next on the

1 agenda is the beginning of our committee reports and our first  
2 one here is the Joint Admin Policy/Budget/Personnel Committees  
3 and Mr. Riechers. Dr. Simmons, excuse me.

4  
5 **DR. SIMMONS:** Excuse me, Mr. Chairman, but I just want to sure  
6 and so from a staff perspective, we feel like we're done with  
7 this exercise for right now and we plan to write a letter,  
8 unless there is an opposition, and submit this to industry and  
9 several representatives were on the Ad Hoc Artificial Substrate  
10 Committee and it was a joint AP meeting back in March of 2014  
11 when we had the meeting.

12  
13 We sent this out electronically to them and we did get several  
14 comments and I think staff has addressed those. From our  
15 perspective, this product is done for now and we plan to put it  
16 on our website. I will say that we've had several members from  
17 states, staff members and other agencies, that have asked for a  
18 lot of different aspects of this information and so as time  
19 allows, staff plans to write up the analysis in how some of this  
20 was done. We've gotten a lot of good feedback from it and it  
21 did take us a long time, but it was a lot of work and so thank  
22 you.

23  
24 **CHAIRMAN ANSON:** Yes and that would be what my sense of it is,  
25 is that it appears to be complete, at least in my mind, of what  
26 the council could provide and maybe the next person down the  
27 road might look at something else and more specific, but yes, if  
28 you want to make plans to go ahead and kind of wrap things up  
29 and send the letters out and let industry know. I am sure  
30 federal and other agency partners, if they aren't aware, to let  
31 them know and I think that would be good. Mr. Riechers.

32  
33 **COMMITTEE REPORTS**

34 **JOINT ADMINISTRATIVE POLICY/BUDGET/PERSONNEL COMMITTEE REPORT**

35  
36 **MR. RIECHERS:** I am not recalling when this got sent out, Doug,  
37 but it was sent out yesterday afternoon, I think, from a  
38 committee report standpoint. Basically the report is Tab G and  
39 our meeting was held on August 10, 2015.

40  
41 Both Mr. Boyd and co-chaired the committee, the Joint Budget and  
42 Personnel Committee. Tab G, Number 4, we went into a discussion  
43 to combine the Administrative Policy and Budget/Personnel  
44 Committees. The committees discussed the staff proposal to  
45 merge the two existing committees and the potential efficiencies  
46 of combining administrative functions into a single committee  
47 and discussed the different charges of the committees.

1 It was noted that there may still be a need for a Personnel  
2 Committee to exist, even though personnel decisions had been  
3 delegated to the Executive Director. **With that, the committee**  
4 **recommends, and I so move, to merge the budget process into the**  
5 **Administrative Committee and leave the Personnel Committee as a**  
6 **stand-alone committee of the council.**

7  
8 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on  
9 the motion? **Any opposition to the motion? Seeing none, the**  
10 **motion carries.**

11  
12 **MR. RIECHERS:** Next, we moved into Tab G, Number 5 and basically  
13 it was a review of the historical performance of council  
14 scoping, public scoping meetings, versus public hearings and  
15 noting that only about half the number of people attended  
16 scoping hearings relative to public hearings.

17  
18 It was also noted that the full council process, including APs,  
19 SSC, council meetings, public hearings and council public  
20 testimony are all considered part of the National Marine  
21 Fisheries Service and Gulf Council scoping process.

22  
23 Given the time required to conduct scoping hearings and the need  
24 to conduct more frequent AP meetings, staff is asking the  
25 council to consider an increased emphasis on getting AP input  
26 rather than scoping meetings when we consider future amendments.  
27 No motion was needed or at least Mr. Gregory didn't indicate he  
28 wanted a motion on this. He was just wanting us to be more  
29 cognizant as we asked for scoping meetings. I will pause there  
30 in case someone wants to add anything or make motions. All  
31 right.

32  
33 We will move on to Tab G, Number 6. This was a review of the AP  
34 staggered terms that had been discussed at previous meetings and  
35 the whole notion was to create a procedure for reviewing a third  
36 of the APs each year.

37  
38 The relative benefits of staggering the committees rather than  
39 individual members of each committee was discussed. There was  
40 also extensive discussion regarding the establishment of multi-  
41 year terms for the ad hoc APs, since the council had decided  
42 earlier to review each ad hoc AP charge and need for  
43 continuation at each January meeting.

44  
45 **The committee recommends, and I so move, to have staff return**  
46 **with Tab G-6 with an ad hoc one-year review in January to decide**  
47 **whether to continue an ad hoc Committee and/or to reappoint**  
48 **members and keep staggered committee terms for the other**



1 committees.

2  
3 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the  
4 motion? **Any opposition to the motion? Seeing none, the motion**  
5 **carries.**

6  
7 **MR. RIECHERS:** Next, we turned to Tab G-7, which was Procedures  
8 for AP appointments with respect to the Council's Fishing  
9 Violation Policy. The committees extensively discussed the  
10 issues associated with the council's current policy on the AP  
11 appointments relative to fishing violations.

12  
13 The following four motions were passed and I will start with the  
14 first one. **The committee recommends, and I so move, to**  
15 **recommend that boat owners not be automatically held responsible**  
16 **for violations by a crew member when the owners is not present**  
17 **relative to our AP appointment process.**

18  
19 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the  
20 motion? Yes, sir.

21  
22 **MR. SWINDELL:** As I had listened to this, about the boat owners,  
23 I do think we should have somewhere that it is the  
24 responsibility of the boat owner to inform the captain and crew  
25 of the vessel of the importance of the laws and what laws they  
26 must follow and I think it needs to be somewhere that you give  
27 instruction.

28  
29 If you're not going to make the boat owner responsible, at least  
30 have them fully informed that they need to make certain that the  
31 crew of the vessel understands what is the responsibility as far  
32 as following all the rules and regulations that they have to  
33 follow.

34  
35 **MR. RIECHERS:** Following up on that, Doug, is there an  
36 appropriate place in our SOPPs or something like that as we kind  
37 of wrap our arms around how we're creating this now, to follow  
38 up on Ed's suggestion?

39  
40 **EXECUTIVE DIRECTOR GREGORY:** I don't know how. I would ask  
41 General Counsel if we can even do that. My immediate thought  
42 was we could require the boat owner to provide an affidavit or  
43 something that they have informed the crew of the regulations  
44 and they have been told not to violate them, but I don't know if  
45 we can do that.

46  
47 **MR. RIECHERS:** Ed, if I'm hearing you correctly, what you're  
48 saying is if we're going to absolve the boat owner, then we

1 ought to at least make sure that they are being instructive of  
2 their captain and crew and we would hope they're doing that  
3 without us telling them, but I think what you're asking for is  
4 for us to make sure somewhere in our general provisions or  
5 policies or guidelines or suggestions that we inform them that  
6 that's part of their responsibility.

7

8 **CHAIRMAN ANSON:** Mara.

9

10 **MS. MARA LEVY:** Just to clarify I guess the different roles,  
11 absolve -- I mean what we're talking about here is the decision  
12 to appoint or not appoint someone to your advisory panel and  
13 that's a very different decision than what's going to happen in  
14 the enforcement realm about whether or not to charge somebody.

15

16 Enforcement is very likely to charge both a captain or whoever  
17 is the actual violator and the boat owner, because the boat  
18 owner is legally responsible for what happens on the vessel.  
19 Whether or not that happens is very different than whether or  
20 not you decide to appoint that particular boat owner to one of  
21 your APs.

22

23 I don't know exactly what you would do in terms of telling them  
24 that they have this responsibility. I mean I think that's  
25 implicit that enforcement would enforce the provisions against  
26 them. I think it's just more of a decision of what you think  
27 the violation is and whether there is a pattern of violations by  
28 this particular boat owner. We could think about how you would  
29 include that, but I'm not sure exactly procedurally how you  
30 would get them to affirm that they're going to do this or have  
31 done it.

32

33 **DR. CRABTREE:** I don't view this that we're absolving the owner  
34 of responsibility. We are saying we're just not automatically  
35 going to remove them, but I think we would certainly look at  
36 patterns and if I saw a boat owner whose crew was repeatedly  
37 having problems, that signals to me that they're not doing -- As  
38 Ed said, they're not taking their responsibility as a vessel  
39 owner seriously, but if we have someone who hasn't had a  
40 violation in the last decade and has an issue like this, then I  
41 don't think we automatically ought to remove them and so there's  
42 going to be an element of judgment in here in looking at the  
43 past performance and those kinds of things.

44

45 We may well decide that a boat owner has a violation and we're  
46 not going to put him on our AP or we're going to remove them  
47 from the AP and we can do that, but I think the key here is  
48 we're going to exercise judgment here rather than just having

1 something automatically happen.

2  
3 **MR. DIAZ:** The motion probably takes care of my concern and Dr.  
4 Crabtree just mentioned the word "judgment" and we've got in  
5 here to not automatically hold them responsible, but it is in  
6 the back of my mind that a boat owner can profit from their crew  
7 doing something illegally and I don't know that we're ever going  
8 to have enough information or the correct information for us to  
9 make good decisions on that.

10  
11 I am probably going to support going forward as we have it,  
12 because it's probably as good as it can be, but it does bother  
13 me that boat owners can and do profit from illegal activities  
14 and these things are deterrents and it's important to make sure  
15 that we keep deterrents in place, but I just don't think we'll  
16 ever get to the point where we can have all the information we  
17 need to accurately figure those things out. Thank you.

18  
19 **DR. CRABTREE:** I think you make some good points, but, to me,  
20 the deterrent is the fine that they're going to pay, which can  
21 be substantial. I doubt us taking them off an AP is a very  
22 significant deterrent to someone who is engaging in a pattern of  
23 illegal activity anyway.

24  
25 **CHAIRMAN ANSON:** Any other discussion?

26  
27 **MS. BOSARGE:** This was my motion during committee and  
28 essentially what I was trying to ward against was a situation  
29 where that boat owner was not aboard the vessel when something  
30 happened and we automatically assumed that the man was guilty  
31 and took him off our AP, which is what has happened in the past  
32 when we have a black and white policy and we say, sorry, any  
33 violation, period, you can't be on an AP.

34  
35 I wanted to put this motion forward so that we could at least  
36 have a discussion about what was the violation? I mean was this  
37 man willfully telling his crew to break the law or what  
38 happened, because there is a gray area and I mentioned a  
39 particular case where there was a violation aboard a vessel and  
40 the crew had been informed and they knew what they were supposed  
41 to do and not do and the boat owner had made them aware.

42  
43 The violation occurred and when that boat got back to the dock,  
44 everyone was fired and so he didn't do it for his benefit, in  
45 other words, but we assumed him guilty and he has been removed  
46 and there was a huge expertise that we lost in removing that  
47 individual.

48

1 It's almost like saying if we were a group that managed  
2 transportation and we pulled in truck drivers on an AP and we  
3 said if you've ever had a speeding ticket that you can't be part  
4 of our AP. Well, that's a little extreme and every one of us  
5 around this table has probably had a speeding ticket and does  
6 that mean that we are willful violators of the law that are out  
7 to do something wrong? No, but sometimes things happen and  
8 especially in the case where the man was not aboard the vessel  
9 and it was not his violation and he had no part in it  
10 physically.

11  
12 That's a case where we don't need to automatically assume guilt  
13 and remove someone that could be of a benefit to our decision  
14 making process and so that's what I was hoping to accomplish  
15 with this motion.

16  
17 **CHAIRMAN ANSON:** Ms. Levy.

18  
19 **MS. LEVY:** I just want to be very clear about the terms that are  
20 being used. I know the intent behind it and part of the thing  
21 when I read this motion is that, based on this discussion, that  
22 comes out at me is "automatically held responsible" and "guilt".

23  
24 Those are adjudicatory terms that happen during the enforcement  
25 process and I don't think you would be -- We talked about it  
26 yesterday that you don't even consider it unless there is  
27 actually a determination either by settlement or some sort of  
28 finding that there was a violation and so there is, quote,  
29 unquote, guilt there in terms of an administrative violation,  
30 but that's a very different question than saying they are not  
31 allowed to serve on the AP, right?

32  
33 So just a very slight distinction, but I think it's important to  
34 keep separate the enforcement action and who or what is  
35 considered a violation under the law versus what that does to be  
36 able to serve on one of your APs.

37  
38 **CHAIRMAN ANSON:** So we have a motion on the board to recommend  
39 that boat owners not be automatically held responsible for  
40 violations by a crew member when the owner is not present  
41 relative to our AP appointment process. **Is there any opposition**  
42 **to this motion? Seeing none, the motion carries.** Mr. Riechers.

43  
44 **MR. RIECHERS:** The second motion passed by committee on this  
45 subject is the committee recommends, and I so move, that an  
46 individual not be eligible to serve on an AP within three years  
47 of the time that the violation was adjudicated.

48

1 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on  
2 the motion? **Is there any opposition to the motion?** Dr.  
3 Crabtree.

4  
5 **DR. CRABTREE:** But this isn't automatic and is that correct?  
6 This is only if, based on the prior motion -- I am a little  
7 confused, because we just said we weren't automatically going to  
8 hold them responsible, but this one says if they get a violation  
9 that they're off for three years and it sounds automatic and so  
10 how do we reconcile these two motions?

11  
12 **CHAIRMAN ANSON:** Mr. Riechers.

13  
14 **MR. RIECHERS:** Roy, I think that's why you see the three motions  
15 or four motions here and from a committee perspective, as we  
16 went through it, there were three or four questions we were  
17 trying to answer. The first was whether or not we're going to  
18 automatically do it and number two was the number of years and  
19 then number three -- Number three and four dealt with how we're  
20 going to interact with the state law enforcement agencies.

21  
22 Really, the motion, and maybe not worded as well as it should,  
23 but it really is just signaling that if we deem that they're not  
24 going to serve, we're deeming they will not serve for a period  
25 of three years from that final time, whatever the resolution of  
26 that case was. That was the intent anyhow.

27  
28 **DR. CRABTREE:** Okay and I just wanted to make sure the record  
29 was clear about what we're doing.

30  
31 **CHAIRMAN ANSON:** Doug.

32  
33 **EXECUTIVE DIRECTOR GREGORY:** One other thing is if someone  
34 actually received a violation, they stay on the AP until that  
35 case is settled, one way or the other.

36  
37 **MR. GREENE:** I think the intent was we're not a judge and jury,  
38 but we just want to make sure that there's not a pattern of  
39 things going on, as was brought up. This particular motion  
40 points out that the violation was adjudicated and that means  
41 that it went through all the proper stuff and I think that's  
42 where it's at.

43  
44 We're just trying to get the best information we can for our APs  
45 and we just don't want people to get carried away, but, Roy, to  
46 your question, I think the key to this motion are in the last  
47 two words of "was adjudicated".

48

1 **CHAIRMAN ANSON:** All right. Is there any opposition to this  
2 motion? Seeing none, the motion carries.

3  
4 **MR. RIECHERS:** That takes us to the next motion and that is the  
5 committee recommends, and I so move, the violations would be  
6 federal fishery violations or state violations of federally-  
7 managed species. In kind of context, Roy, that's basically the  
8 ones we're considering to look at regarding their applicable  
9 appointment here, their AP appointment.

10  
11 **CHAIRMAN ANSON:** I wanted to make that clear, that it's just for  
12 AP appointments. This bundle of motions is specific to the AP  
13 committees that we have and so the motion is that violations  
14 would be federal fishery violations or state violations of  
15 federally-managed species. Is there any discussion on the  
16 motion? Ed.

17  
18 **MR. SWINDELL:** When you say federally-managed, does that mean  
19 you have to have a management plan in effect at the time?

20  
21 **CHAIRMAN ANSON:** I believe that's the intent, yes, those are  
22 that are contained within the management plan. Doug.

23  
24 **EXECUTIVE DIRECTOR GREGORY:** This is something also -- I don't  
25 think what I want to do matters whether it passes or not today,  
26 but take this to the state law enforcement people, because this  
27 could be more complicated than just a blanket violation, marine  
28 fisheries violations, because now we're going to give them a  
29 list of species and they're going to have to cull through their  
30 violations and look for those specific species and so I don't  
31 know if that will be difficult or not, but it's just something  
32 that came to mind that will definitely go by our Law Enforcement  
33 Advisory Panel for their input.

34  
35 **CHAIRMAN ANSON:** Mr. Greene.

36  
37 **MR. GREENE:** I just have a question. I don't know anything  
38 about ducks, but aren't they federally managed? Would that  
39 apply here? Does this need to be federally-managed fishery  
40 species or something? I mean I'm just trying to make sure. We  
41 get criticized a lot.

42  
43 **CHAIRMAN ANSON:** It says violations would be federal fishery  
44 violations and so I guess it's implied that, but, Mara, I mean I  
45 guess it strengthens it to go ahead and include the federally-  
46 managed fish species, for clarification?

47  
48 **MS. LEVY:** I mean I think it's clear. I mean I think we deal

1 with fisheries and that we're not talking about anything other  
2 than that, but if you want to add it, you can do that.

3  
4 **CHAIRMAN ANSON:** I think we can leave it as it was stated  
5 originally. Any other discussion on the motion? **Is there any**  
6 **opposition to the motion? Seeing none, the motion carries.**

7  
8 **MR. RIECHERS:** The last committee motion was to read that after  
9 appointment of AP members we request NOAA Law Enforcement to ask  
10 state enforcement agencies if those appointees have violations  
11 of federally-managed species.

12  
13 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on  
14 the motion? Again, that's going back to the fish species and  
15 this would all be related to federally-managed fish species is  
16 the intent. Any discussion on the motion? **Is there any**  
17 **opposition to the motion? Seeing none, the motion carries.** Ms.  
18 Bosarge.

19  
20 **MS. BOSARGE:** I just wanted to mention that we also talked -- We  
21 don't have a motion and I don't think we need one, but we also  
22 talked about doing the same thing for the federal checks as well  
23 and, in other words, doing it after the AP process, so that we  
24 could be more efficient and expedient and not have to ask our  
25 federal law enforcement officers to do quite so much legwork and  
26 narrow it down for them, the same way we'll do on this side.

27  
28 **MR. RIECHERS:** Yes and as Doug just mentioned, not reflected  
29 necessarily in the minutes here, but we agreed to have a call  
30 regarding the LEAP and the LEC to get together and have a call  
31 and to run this by those law enforcement committees. Obviously  
32 this is a little bit of a work in progress and we wanted some of  
33 their feedback on some of these issues, but our next appointment  
34 process would be next June, but we were trying to answer some of  
35 these immediate questions that Doug brought to us based on some  
36 actions at the last meeting. Can I continue now, Mr. Chair?

37  
38 **CHAIRMAN ANSON:** I believe you can.

39  
40 **MR. RIECHERS:** Tab G, Number 8, we went into a review of the  
41 SOPPs revisions, based on recent council decisions regarding the  
42 AP and SSC appointment process and the difference between the  
43 SOPPs and the administrative handbook regarding who approves per  
44 diem and lodging costs above typical GSA rates.

45  
46 No motions were made, but the committee gave staff guidance to  
47 maintain the statement that allows the council to make interim  
48 AP/SSC appointments, where needed, and the committee also stated

1 that the desire was to continue to have the chair or vice-chair  
2 make the determination when GSA rates could be exceeded.

3  
4 We then moved into Tab G, Number 9, Review of MSA  
5 Reauthorization Bills and items included in 2015 bills that were  
6 not reviewed by the council in 2014. Those aspects of the bills  
7 that pertained directly to the Gulf were highlighted. There was  
8 some discussion as to the best approach to summarize the various  
9 reauthorization bills. Staff was instructed to focus primarily  
10 on those aspects of the bills that affected the council's  
11 activities or policies.

12  
13 Tab G, Number 10, then we went into the NOAA EFH Five-Year  
14 Review Budget Enhancement and basically staff indicated to us  
15 that they had recently received a \$100,000 increase in the  
16 council budget from NOAA which was provided to support  
17 additional resources to help the council achieve its goal to  
18 conduct a comprehensive EFH review by the end of 2016.

19  
20 The funds would be used to establish a temporary position to  
21 conduct the literature search and help to incorporate EFH into  
22 future amendments. Mr. Chairman, that concludes my report.

23  
24 **CHAIRMAN ANSON:** Thank you, Mr. Riechers. We are slightly ahead  
25 of schedule and so I've talked it over with Doug here briefly.  
26 There is the possibility that we can go ahead and do Mackerel.  
27 There is not any final action or anything relative to a document  
28 that we're seriously considering any alternatives or action  
29 items and so maybe, Dr. Dana, if you can go ahead and do that.

30  
31 **MACKEREL MANAGEMENT COMMITTEE REPORT**

32  
33 **DR. DANA:** Thank you, Chairman Anson. The Mackerel Committee  
34 met on August 10, 2015 and we first went into Coastal Migratory  
35 Pelagics Amendment 26. Staff reviewed CMP Amendment 26, Tab C,  
36 Number 4, which addresses Gulf and South Atlantic actions  
37 affecting the respective migratory groups of king mackerel.

38  
39 Actions include changes to annual catch limits, commercial zone  
40 management, stock boundaries, allocations, and the Gulf  
41 recreational bag limit. Staff highlighted the addition of two  
42 alternatives in Action 7.

43  
44 Proposed Alternative 4 would conditionally transfer some  
45 percentage of the recreational allocation to the commercial  
46 sector until such a time as the recreational sector lands some  
47 percent of its revised allocation. If said threshold is  
48 exceeded, then during the following fishing year, the sector



1 allocations in the Gulf would revert back to the allocations  
 2 described in the original CMP FMP. Proposed Alternative 5 would  
 3 apply a sunset provision to any change in sector allocations for  
 4 Gulf king mackerel.

5  
 6 **The committee recommends, and I so move, to recommend to the**  
 7 **council that proposed Alternatives 4 and 5 for Action 7 be added**  
 8 **to the document. Alternative 4 is conditionally transfer a**  
 9 **certain percentage, Options a through c, of the recreational**  
 10 **allocation to the commercial sector until such a time that**  
 11 **recreational landings reach a predetermined threshold, Options d**  
 12 **through f. If this threshold is met, the recreational and**  
 13 **commercial allocations will revert to 68 percent for the**  
 14 **recreational sector and 32 percent for the commercial sector.**  
 15 **Option a is transfer 5 percent of the recreational allocation to**  
 16 **the commercial sector and Option is transfer 10 percent of the**  
 17 **recreational allocation to the commercial sector and Option c is**  
 18 **transfer 20 percent of the recreational allocation to the**  
 19 **commercial sector. Option d is revert to the status quo sector**  
 20 **allocations if 80 percent of the adjusted recreational sector**  
 21 **ACL is landed. Option e is revert to the status quo sector**  
 22 **allocations if 90 percent of the adjusted recreational sector**  
 23 **ACL is landed. Option f is revert to the status quo sector**  
 24 **allocations if 100 percent of the adjusted recreational sector**  
 25 **ACL is landed. Alternative 5 is to establish a sunset provision**  
 26 **for any change in the status quo sector allocations for Gulf**  
 27 **migratory group king mackerel (68 percent for the recreational**  
 28 **sector and 32 percent for the commercial sector). After the**  
 29 **predetermined time period, any change in sector allocations**  
 30 **would revert back to the allocations specified in the original**  
 31 **Coastal Migratory Pelagics Fishery Management Plan for the Gulf**  
 32 **of Mexico. Option a is sunset any change in sector allocations**  
 33 **after a five-year period of 2016 through 2020. Option b is**  
 34 **sunset any change in sector allocations after a ten-year period**  
 35 **of 2016 through 2025. Option c is sunset any change in sector**  
 36 **allocations after a fifteen-year period of 2016 through 2030.**

37  
 38 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
 39 discussion on the motion? **Is there any opposition to the**  
 40 **motion? Seeing none, the motion carries.**

41  
 42 **DR. DANA:** Thank you, Chairman Anson. A committee member asked  
 43 whether changes in the recreational bag limit would affect the  
 44 outcomes of other actions in the document. Staff replied that  
 45 it was unlikely that any increase in landings due to a  
 46 recreational bag limit increase would appreciably affect the  
 47 outcomes of the other actions.

1 We then moved into Coastal Migratory Pelagics Amendment 28.  
2 Staff reviewed CMP Amendment 28, Tab C, Number 4, which  
3 addresses changes to the Joint CMP fishery management plan. The  
4 South Atlantic Council has discontinued work on this amendment  
5 and the Gulf Council has directed staff to continue developing  
6 alternatives for consideration.

7  
8 Once the Gulf Council has agreed on an initial suite of  
9 alternatives, they will submit the revised options paper to the  
10 South Atlantic Council for consideration.

11  
12 This amendment considers splitting the current joint FMP into a  
13 Gulf and Atlantic FMP, Action 1, respectively. Such a split  
14 will require the current joint commercial king and Spanish  
15 mackerel permits to also be divided by jurisdiction.

16  
17 Options for splitting the permits are outlined in Action 2. The  
18 committee expressed concern that using a hailing port as a tool  
19 for determining which current permit holders would qualify for a  
20 Gulf-specific permit may be in conflict with National Standard  
21 4, geographic discrimination against stakeholders.

22  
23 Adoption of a more recent control date was encouraged to more  
24 accurately apply proposed management measures. However, the  
25 committee did not recommend a new control date for either king  
26 or Spanish mackerel. The committee questioned allowing anyone  
27 with Gulf landings to qualify for the Gulf-specific permit as  
28 outlined in Option a of Alternative 3 in Action 2.

29  
30 Staff clarified that only current permit holders would qualify  
31 for a permit of any type and not simply anyone with landings of  
32 federally-managed Gulf species. Staff also clarified that  
33 multiple options could be selected for the alternatives in  
34 Action 2.

35  
36 Staff will apply the direction provided by the committee when  
37 editing the options paper, and will bring the document back to  
38 the council for consideration at the October meeting. Mr.  
39 Chairman, this concludes my report.

40  
41 **CHAIRMAN ANSON:** Thank you, Dr. Dana. Again, we're ahead of  
42 schedule and there isn't anything else on the agenda that we  
43 feel we can move forward on without waiting on public testimony  
44 and so unless there is someone else -- Again, it's not within  
45 the agenda, but does anyone else have any issues? Mr. Riechers.

46  
47 **MR. RIECHERS:** I would just ask -- I didn't hear any specific  
48 items called out, but is there any Other Business items that you

1 were going to bring to us or Doug? Okay.

2  
3 **CHAIRMAN ANSON:** All right and so I guess we will recess then  
4 and come back to begin our public testimony period at one  
5 o'clock.

6  
7 (Whereupon, the meeting recessed at 9:55 a.m., August 12, 2015.)

8  
9 - - -

10  
11 August 12, 2015

12  
13 WEDNESDAY AFTERNOON SESSION

14  
15 - - -

16  
17 The Full Council of the Gulf of Mexico Fishery Management  
18 Council reconvened at the Hilton Riverside, New Orleans,  
19 Louisiana, Wednesday afternoon, August 12, 2015, and was called  
20 to order at 1:00 p.m. by Chairman Kevin Anson.

21  
22 **EXECUTIVE DIRECTOR GREGORY:** Ms. Froemke, you're on deck. As I  
23 said this morning, we have a film crew here today and possibly  
24 tomorrow morning and Ms. Susan Froemke is going to give a brief  
25 introduction as to what they're doing.

26  
27 **MS. SUSAN FROEMKE:** My name is Susan Froemke and I'm an  
28 independent documentary filmmaker based in New York and I am  
29 here with my crew today to film this hearing. We are making a  
30 documentary for the Discovery Network and it's following stories  
31 from some of the great American working landscapes.

32  
33 The title of the documentary is "Rancher, Farmer, Fisherman" and  
34 we are following a story in Montana of ranchers who are trying  
35 to save the prairieland and make it sustainable for their large  
36 cattle ranches. We are following a fascinating story in Kansas  
37 with wheat farmers who are employing the no-till farming system  
38 to make the land that's been in their families for five  
39 generations sustainable for the future and in Louisiana, we have  
40 been working very closely with the CPRA and filming stories  
41 about how they are rebuilding the wetlands and the marshes of  
42 southern Louisiana and in the course of telling those stories,  
43 we are filming shrimpers and red snapper fishermen as well and  
44 that's what brings us here today and so we look very much  
45 forward to filming the hearing.

46  
47 Our style of filmmaking is called *cinéma vérité*, where we don't  
48 want to manipulate anything and we just want to follow the

1 natural course of events and see how things evolve, but if you  
2 have any questions, we will be here all afternoon and I will be  
3 very happy to answer any of them and thank you for letting us be  
4 here today.

5  
6 **CHAIRMAN ANSON:** Thank you. Okay. Public input is a vital part  
7 of the council's deliberative process and comments, both oral  
8 and written, are accepted and considered by the council  
9 throughout the process. The Sustainable Fisheries Act requires  
10 that all statements include a brief description of the  
11 background and interest of the persons of the subject of the  
12 statement. All written information shall include a statement of  
13 the source and date of such information.

14  
15 Oral or written communications provided to the council, its  
16 members, or its staff that relate to matters within the  
17 council's purview are public in nature. Please give any written  
18 comments to the staff, as all written comments will be posted on  
19 the council's website for viewing by council members and the  
20 public and will be maintained by the council as part of the  
21 permanent record.

22  
23 Knowingly and willfully submitting false information to the  
24 council is a violation of federal law. If you plan to speak and  
25 haven't already done so, please complete a public comment  
26 registration card and give to council staff. We accept only one  
27 card per person.

28  
29 Each speaker is allowed three minutes for their testimony.  
30 Please note the timer lights on the podium, as they will be  
31 green for the first two minutes and yellow for the final minute  
32 of testimony. At three minutes, the red light will blink and a  
33 buzzer may be enacted, if needed. Time allowed to dignitaries  
34 providing testimony is extended at the discretion of the Chair.

35  
36 I am going to call two names and the first name will be the  
37 person that will be on the podium and then the second name, if  
38 you wouldn't mind kind of coming up to the front, but standing  
39 off to the side so that you are ready to begin your testimony at  
40 the end of the person before you and so the first two  
41 individuals are Jim Zurbrick and Dr. James Cowen.

42  
43 **PUBLIC COMMENT**

44  
45 **MR. JIM ZURBRICK:** My name is Jim Zurbrick and I'm a commercial  
46 fisherman from Steinhatchee, Florida. I'm also a fish dealer  
47 and I am one of the directors of Fish for America USA and I want  
48 to thank you for allowing me to speak today.

1  
2 Fish for America USA is a group of folks who have dedicated  
3 themselves to educating the American public about their rights  
4 to consume domestic, wild-caught seafood and so we felt it was  
5 important to weigh in on the allocation issue, but I wanted to  
6 tell you a little bit about Fish for America.

7  
8 We are a soapbox kind of group. We're the folks that when we're  
9 unloading fish off of one of my boats or anywhere, I pull out  
10 the soapbox and we start talking about fishery issues. I wish  
11 that you all could see what happens at one of my offloads when  
12 the general public comes up and starts asking questions like,  
13 wow, you've got red snapper and how come we don't and I hear  
14 there's a closed season.

15  
16 Then we educate all these folks as to why and to beat to the  
17 chase here, what happens is when they leave the offload site or  
18 wherever we're at when we're talking about this, they're much  
19 more educated and they see our side of it and so as a commercial  
20 fisherman, I explain to all those folks that we count our fish  
21 fish-by-fish and so we can accurately prove what we caught and  
22 so I tell them that you could also, as a recreational fisherman,  
23 if you accurately count your fish, one-by-one or to the best of  
24 our ability to count those, you could get back 20 percent of  
25 what's being held just as a precaution.

26  
27 It's a holdout and it's like not getting all of your allowance  
28 because you don't know if you're really going to be good for all  
29 seven days until the allowance comes back around.

30  
31 On record, we want to speak that we want Alternative 1 for  
32 allocation, which is status quo, and, second, I want all the  
33 council members to search -- You've really got to search  
34 yourself here. You took an oath to uphold federal fishery law  
35 and this can't be about politics and this has to be about what  
36 is right and the American consumer is begging, begging you  
37 people, to search your souls and do the right thing and to come  
38 up with management measures that really do make a difference.  
39 Thank you very much.

40  
41 **CHAIRMAN ANSON:** Next we have Dr. James Cowen, followed by  
42 Michael Currey.

43  
44 **DR. JAMES COWEN:** Hello. I know many of you here and not all.  
45 I am a professor in the Department of Oceanography at LSU. I've  
46 been involved with red snapper for quite a while, both from a  
47 research side and a management side. I have served on panels  
48 for the council for almost twenty years, I guess.

1  
2 I watched the Reef Fish Committee yesterday vote to essentially  
3 keep the recreational red snapper fishery as an open access  
4 fishery for now and perhaps in perpetuity and the notion now  
5 that's before the council is this idea of reallocation of the  
6 commercial sector to the -- From the commercial sector to the  
7 recreational sector, which means that the commercial sector will  
8 be a very small group if they can persist at all.

9  
10 That means the whole fishery will be under an open access  
11 system. Most of the world's fisheries that are sustainable are  
12 operating under dedicated access, because open access is a  
13 policy that makes it almost impossible to constrain harvest and  
14 have everybody participate.

15  
16 I sent you guys earlier today an example from Bristol Bay  
17 sockeye salmon and due to a variety of conditions, the salmon  
18 stocks in Bristol Bay, Alaska, started to increase greatly  
19 around 1977, because of the good management and limited entry  
20 managed by a single institution, plus ocean conditions were  
21 favorable.

22  
23 However, the fishery, although biologically sustainable, is an  
24 economic disaster, because despite the fact that it was limited  
25 entry, the fishery started to decline again when conditions  
26 started to get less conducive and there was a race for fish and  
27 you will see in the images that I sent you that what they  
28 decided to do in order to halt overfishing was to limit the  
29 length of the boat.

30  
31 You will see a picture of two boats in there and they're both  
32 thirty-six feet long and you will see exactly what happens when  
33 the race for fish dominates a fishery and the larger boat -- Now  
34 that's what it is. It's exactly the same length as the small  
35 boat beside it and so keep that in mind, because as long as the  
36 fishery stays open access, we can face problems just like they  
37 faced in Bristol Bay. Thank you.

38  
39 **CHAIRMAN ANSON:** Thank you. We have Michael Currey, followed by  
40 Jerry Anderson.

41  
42 **MR. MICHAEL CURREY:** My name is Michael Currey and I'm with  
43 Shimano American and I'm here to support the independent fish  
44 dealers that sell tackle and the recreational angler. Shimano  
45 hired me to find out what is most important to independent  
46 dealers, the tackle store, the guy selling the stuff, and the  
47 struggles that they deal with are access to fish. The customers  
48 can't go fishing and so why buy tackle? Why buy boats? Why buy

1 fuel? Why buy a home on the water?

2  
3 The economics of it are crushing. It's very hard to manage a  
4 business if you don't know what you're going to be in business  
5 for. You just can't sell t-shirts and you just can't sell live  
6 bait. You've got to sell it all and the guys are struggling.

7  
8 The short seasons and no seasons really play a hard impact on  
9 the ability to hire employees and the ability to inventory what  
10 they need to stock and that also impacts the manufacturers and  
11 not just Shimano, but other manufacturers. We can't go to the  
12 factory and say this is what we need, because we don't know. We  
13 can't stock everything, because we can't build what may or may  
14 not be needed.

15  
16 In all of it, at the end of the day, the independent guy that  
17 has five or six employees, he is not here. You know why he's  
18 not here? Because he doesn't have enough people to cover the  
19 floor that he has. He has to be there to manage the store and  
20 he can't be here to fight for himself and he doesn't really have  
21 a voice and so, fortunately, I am here to speak on their behalf  
22 and, in short, Shimano supports Alternative 9 in Amendment 28 to  
23 the Reef Fish Fishery Management Plan. Thank you.

24  
25 **CHAIRMAN ANSON:** Mr. Currey, we have a question.

26  
27 **MR. WILLIAMS:** Mr. Currey, you represent Shimano and you sell  
28 rods and reels and other kinds of tackle, I guess. In the case  
29 of inshore species like red drum or snook, you can do a lot of  
30 catch and release and so you can continue to put more and more  
31 anglers on the water and be able to sell them a pole and a reel,  
32 but in the case of red snapper, they are not particularly  
33 releasable, the way a snook or a redfish is, and so there is  
34 going to be some fixed number -- I mean we can't just give --  
35 There is a limit as to how much you can have.

36  
37 If we give you everything -- If we gave you all the red snapper,  
38 it would only double your season, which is pretty short already.  
39 Is your industry talking about that? Do you guys have ideas  
40 about how to manage a fishery like a red snapper that's not  
41 particularly releasable that has its limits? It's totally  
42 different than inshore species like red drum and snook.

43  
44 **MR. CURREY:** I have two comments for that. The first would be  
45 absolutely. With modern technology and modern techniques and  
46 modern reels and modern rods and modern line and modern  
47 electronics and sonar, you can target what you're after. You  
48 can see where the snapper are at. They're going to be here and

1 amberjack are going to be here and triggerfish are going to be  
2 here and the grouper are going to be on the bottom.

3  
4 You know what you're doing and you just adjust your tackle  
5 accordingly. Sure, there is going to be an opportunity for  
6 something else that eats that bait that's hungry enough to swim  
7 up and get it, but you can target what you want and you can do  
8 best practices to put the fish back in the water so they can  
9 survive.

10  
11 The second part of that is you have to follow the marine  
12 industry and not the tackle industry, but the boat industry.  
13 What we have created is a false recreational fishery and so if  
14 you look at the major bay boat manufacturers, they are building  
15 giant bay boats and they're not really great for inshore fishing  
16 and they're okay for offshore fishing. They are building like  
17 this station wagon thing that they can sometimes go fish for the  
18 snook and the redfish on the inside and if the fishery is open  
19 and it's a nice day, they can take the family offshore to go  
20 catch grouper.

21  
22 In the boat business, they are doing what we're doing with our  
23 line and tackle and rods and reels. Electronics, people are  
24 getting more and more technical with what you can do and what  
25 you can see and so if the consumer is educated, which I think  
26 most consumers are very educated now, best practices -- The fish  
27 will get put back in if it's an accidental catch.

28  
29 **CHAIRMAN ANSON:** Thank you, Mr. Currey. We have Jerry Anderson,  
30 followed by Bill Kelly.

31  
32 **MR. JERRY ANDERSON:** Jerry Anderson from Panama City, Florida.  
33 I'm a reef fish shareholder and I've got a real good  
34 recreational business with two large partyboats and we run short  
35 trips, five and six-hour trips, mainly during the summer tourist  
36 season. We operate from March through October.

37  
38 Last year, 2014, with the shortest snapper season there has ever  
39 been, nine days, we had our biggest year. We carried over  
40 16,000 people taking family trips or they were mostly family  
41 trips, short trips, and I don't see how reallocation can help my  
42 business in the recreational sector anyway.

43  
44 The red snapper, we continue to run without them. My concern is  
45 for the reef fish complex and that's the only thing we need to  
46 survive, having something to catch. Of course, having snapper  
47 is nice and most people depend on it. It's not a breaker for  
48 me.



1  
2 Our bed tax in Panama City Beach is going up and up every year  
3 and we have more fishermen coming in and I see a lot of good  
4 activity in the years ahead. Thank you.

5  
6 **CHAIRMAN ANSON:** Thank you. Bill Kelly, followed by Gary  
7 Jennings.

8  
9 **MR. BILL KELLY:** Mr. Chairman and members of the council, my  
10 name is Bill Kelly and I'm the Executive Director of the Florida  
11 Keys Commercial Fishermen's Association and I just want to thank  
12 all of you on a number of issues here.

13  
14 Number one, first, for your support in moving forward on the  
15 lionfish containment program here. We certainly need a large-  
16 scale effort of this type to find out whether or not we've got a  
17 viable option to at least contain what may be one of the most  
18 problematic, invasive species issues that we will ever face in  
19 this nation.

20  
21 I also want to thank you again for your support on Framework  
22 Amendment 3 as we continue to move forward and streamline the  
23 gillnet fishery and increase productivity and provide for  
24 additional accountability.

25  
26 With regard to king mackerel, I also want to talk to you about  
27 allocation. We certainly like the concept that's been put  
28 before the council on 5, 10, and 20 percent increases and  
29 examining those on a yearly basis so that we can restore some of  
30 the fisheries that have been subject to artificially low quotas  
31 over the years. We would like to restore some of that  
32 credibility and accountability to the southern subzones in  
33 particular, the hook and line fishermen, and our gillnet  
34 fishermen as we take positive steps to improve those fisheries.

35  
36 You know when we look at a recreational sector that's leaving  
37 just thirty-million pounds on the table over the past ten years,  
38 that's significant and you've already heard it here today. It's  
39 unconscionable when we think about a great nation like this  
40 that's the model for sustainability, yet we're importing better  
41 than 90 percent of the seafood product that's consumed here and  
42 less than 2 percent of it is inspected annually.

43  
44 On that note, I would certainly like to thank and acknowledge  
45 Dr. Steve Branstetter, who has really been invaluable in his  
46 assistance in the development and improvements that we made in  
47 the king mackerel industry and assisting us in our efforts to  
48 move forward on lionfish issues. Thank you.

1  
2 **CHAIRMAN ANSON:** Gary Jennings, followed by Tom Steber.

3  
4 **MR. GARY JENNINGS:** I would like to say thank you to the council  
5 members for the opportunity to speak. My name is Gary Jennings  
6 and I work for the American Sportfishing Association, which is a  
7 trade association for the recreational tackle industry.

8  
9 I am the Keep Florida Fishing Manager and my role is to make  
10 sure that Florida anglers and visiting anglers to the state have  
11 clean water and abundant fisheries and access to both.

12  
13 Recreational fishing in Florida is big business. Each year,  
14 over three-million people go fishing in the state, supporting  
15 \$8.6 billion in economic activity and over 80,000 jobs. Keep  
16 Florida Fishing supports Alternative 9 in Amendment 28 to the  
17 Reef Fish Fishery Management Plan.

18  
19 This amendment would result in an average allocation of 57.5  
20 percent recreational and 42.5 percent commercial. Scientists  
21 found errors in the historic recreational data used to set the  
22 current allocation and quota that should have been allocated to  
23 the recreational sector was allocated to the commercial sector  
24 and Alternative 9 seeks to correct this error. It is resetting  
25 the baseline allocation due to better data.

26  
27 Several studies, including the Gulf Council's Socioeconomic  
28 Scientific and Statistical Committee, conclude that substantial  
29 economic benefits would be gained by shifting a greater share of  
30 the red snapper quota to the recreational sector. While  
31 reallocation discussions are inherently contentious and  
32 difficult, there is too much at stake for the Gulf Council to  
33 continue inaction on this issue. By moving forward with  
34 Alternative 9, the Gulf Council would make progress towards  
35 rectifying the flawed initial red snapper allocation.

36  
37 A huge part of why Florida is the number one fishing state in  
38 the country is because of the successful management of our  
39 marine resources by the Florida Fish and Wildlife Conservation  
40 Commission. Our coastal fisheries are not only healthy, but  
41 also accessible through regulations that allow for reasonable  
42 and responsible fishing opportunities.

43  
44 Not a single state-managed fish stock is undergoing overfishing.  
45 Keep Florida Fishing supports Amendment 39 moving forward and  
46 hopes that the council can help bring an equitable solution to  
47 the issue.

48

1 I would also like to comment on one of the things that was asked  
2 the gentleman from Shimano, which was about releasing mortality  
3 with red snapper. ASA is in the process of distributing over a  
4 thousand Seaqualizers to charter boat captains so that they can  
5 test them and show that they do work, like they do on the west  
6 coast, for releasing fish in deep water and we are hopeful that  
7 by proving that these are a viable alternative to the mortality  
8 issue to help increase recreational opportunities. Thank you.

9  
10 **CHAIRMAN ANSON:** Thank you. Tom Steber, followed by Ken Haddad.

11  
12 **MR. TOM STEBER:** Good afternoon. Tom Steber and I am wearing  
13 two hats today. One, I'm speaking as President of the Alabama  
14 Charter Fishing Association, formerly the Orange Beach  
15 Association. We would like to thank the council for moving  
16 forward with Amendment 42, Amendment 41. That's based on over  
17 twenty years of historical data.

18  
19 I would like to thank the council for passing 40 that got us to  
20 41 and we support Amendment 28, no action, because it's not  
21 going to help anything.

22  
23 We ask that you leave greater amberjack at thirty inches for a  
24 period of time until we can figure out how many it's going to  
25 kill when you go to thirty-four inches. We feel like when  
26 you're catching those bigger amberjacks that you're going to be  
27 killing more amberjack trying to get to the bigger amberjack.

28  
29 We would like for the Gulf Council -- You haven't gotten to this  
30 yet, but we would like you to evaluate triggerfish more and go  
31 to the maximum usage of triggerfish starting May 1 and end it  
32 for June and July and if there's available quota, extend it,  
33 using a sixteen-inch size limit and a one fish bag limit.

34  
35 I would also like to thank very much two men that are not here  
36 now, Corky Perret and Harlon Pearce, for doing such a great job  
37 for so many years. Thank you very much.

38  
39 On my second hat, I am talking as a recreational angler and I  
40 fished one time this year and I fished one time last year and it  
41 took me longer to get to the pass than it did to get out and  
42 catch the fish and get back to the pass. I have been coming to  
43 these council meetings for over ten years regularly and it seems  
44 to me that the private fishermen do not want a management plan.  
45 We need a management plan, just like ducks, doves, deer, or  
46 anything else.

47  
48 Great ideas have come out of seminars and panels that Ms. Emily

1 showed you the other day and I think there were a lot of great  
2 ideas and I would like to be involved in those panels. It seems  
3 to me that the only thing that's holding the council back is  
4 Texas, the state that has gone against all the federal closures  
5 and bag limits for years and the state that's against almost  
6 every management plan that's come up that I've seen in any one  
7 of these meetings.

8  
9 It has done nothing to help its own federally-permitted vessels  
10 fish and the true recreational anglers are going out and the  
11 federally-permitted guys are sitting at the dock. How can the  
12 five states come up with a management plan when you've got one  
13 that keeps trying to drag it down? Council, please be  
14 progressive and move forward with these management plans and  
15 help us recreational anglers have a plan. Thank you.

16  
17 **CHAIRMAN ANSON:** Tom, if you can come back, we've got a  
18 question.

19  
20 **MR. RIECHERS:** Tom, as always, I appreciate your comments.  
21 Associated with 30B, you understand that the reason that some  
22 boats are tied up and some boats are fishing is because of this  
23 council, correct?

24  
25 **MR. STEBER:** I do understand that, but I also don't understand  
26 why the true recreational guys get to go fish nine miles  
27 offshore.

28  
29 **MR. RIECHERS:** The other point I will add just on top of that,  
30 just so that you're fully aware, is there was a federal court  
31 decision that certainly gives each state the right to manage  
32 their inside waters the way they see fit and that's associated  
33 with red snapper as well as any other species and just so that  
34 you're aware.

35  
36 **CHAIRMAN ANSON:** We have Ken Haddad, followed by Randy Boggs.

37  
38 **MR. KEN HADDAD:** Thank you, Mr. Chairman and council members.  
39 My name is Ken Haddad with the American Sportfishing  
40 Association. I am speaking on Amendment 28. We ask that you  
41 reconsider Alternative 9 and discuss its merits in the council  
42 tomorrow. We believe both landing recalibration and the size  
43 selectivity should play a role in allocation, such as in  
44 Alternative 9.

45  
46 With that said, so much wrong information and logic and argument  
47 against 28 and even with Alternative 8 as preferred, it causes  
48 me to focus on this setting a little bit. We've heard it and I

1 am going to try to rephrase it, but based on the new and better  
2 data collection efforts that have taken place, it was found that  
3 the historical landings were not accurate. It's a simple piece  
4 of information and so even with Alternative 8 that addresses  
5 that very simple correction, we find significant opposition.

6  
7 Both Alternatives 8 and 9 reset the baseline allocation due to  
8 better recreational data and we just can't forget that. The  
9 argument that this does not fix the management problem for the  
10 recreational fishery is true. This is about fair allocation  
11 using the best scientific information vetted by the SSC and used  
12 by NOAA and this council.

13  
14 The argument that this will take fish off the table of millions  
15 of consumers is not really accurate. Because of the  
16 recalibration of the recreational landings and size selectivity,  
17 consumers are benefitting or at least not impacted by  
18 Alternatives 8 and 9.

19  
20 For those who argue that only one year of data from the new data  
21 system were used and thus, this should not be considered, we  
22 then logically argue that the several million pounds released  
23 for harvest due to the recreational landing and size  
24 recalibration should be rescinded.

25  
26 The economic information presented during this amendment process  
27 supports a change in allocation. Recreational fishing has a  
28 huge economic and social benefit to the Gulf and should not be  
29 ignored. We find the unprecedented opposition to Amendment 28,  
30 even with Alternative 8, which is truly a modest and totally  
31 justifiable change, to be disturbing.

32  
33 I may be stepping out on a limb, but I would like to challenge a  
34 unanimous vote tomorrow on Alternative 8, and preferably 9, by  
35 this council.

36  
37 Finally, we encourage the council to continue work on Amendment  
38 39. We see it as important and there's a lot of contentious  
39 issues in it, but we think if the council works hard at  
40 Amendment 39 that you will come up with some solutions that will  
41 ultimately benefit the recreational angler. Thank you, Mr.  
42 Chairman.

43  
44 **CHAIRMAN ANSON:** Thank you, Ken. Next we have Randy Boggs,  
45 followed by Gary Bryant.

46  
47 **MR. RANDY BOGGS:** Good afternoon. Everybody knows pretty much  
48 who I am. I'm Randy Boggs from Reel Surprise Charters in Orange

1 Beach, Alabama, and the Gulf Headboat Collaborative. A couple  
2 of things. The moratorium on the shrimp permits, I feel like it  
3 needs to be extended. Shrimp processors are at an all-time low.  
4

5 The harvesters, the guys that are actually on the water catching  
6 the shrimp, are not getting anything for their product and  
7 taking that moratorium off and putting more boats on the water,  
8 all that's going to do is further drive the price down. There's  
9 a lot of latent permits and a lot of boats tied to the dock in  
10 Bayou LaBatre and in Louisiana that are not fishing. There is  
11 permits available and just opening it up and putting more out  
12 there won't help.  
13

14 You know I'm here about the headboat plan. The headboat plan is  
15 in its final year and it's drawing to a close and it's worked  
16 good. You guys haven't seen the data from the second year, but  
17 it pretty much mirrors the first year. Bycatch is down and  
18 everything in the plan is working and we're fully accountable.  
19

20 We've got our buffer in place and our fish are a little bit  
21 bigger this year. We've seen about a quarter of a pound  
22 increase across the board with the fish. The fish in late July  
23 brought the overall averages down. The fishing looks good.  
24

25 We've got industry support for this. We've got almost half,  
26 actually over half, of the headboats that I've talked to along  
27 the Gulf Coast that want to be in the program and they are  
28 pushing me to get this thing moved forward and get it passed.  
29 We've got the commercial fishermen's support and we've got the  
30 recreational fishermen's support and we've got the environmental  
31 groups' support. It works, guys, and please help us move this  
32 thing forward and get it done so we can get this in place and  
33 that's one less group that you'll have to deal with. We'll be  
34 fully accountable and, guys, we've paid our own way.  
35

36 We haven't asked for any funding and we've paid for all of our  
37 VMS and we've paid for the monitoring and we're willing to put  
38 up whatever percentage that Magnuson allows to make sure that we  
39 pay our own way. We're not asking for handouts. We will pay  
40 our own way in the program, but all we're asking is to give us  
41 something that works and so far this has worked perfectly.  
42 Thank you.  
43

44 **CHAIRMAN ANSON:** Thank you, Randy. Gary Bryant, followed by  
45 Gary Jarvis.  
46

47 **MR. GARY BRYANT:** Good afternoon. Gary Bryant, owner and  
48 operator of Red Eye Charters in Fort Morgan, Alabama. The

1 comments today, Amendment 28, I don't support reallocation  
2 without accountability. I believe we're punishing people that  
3 have played by the rules and done a very good job managing their  
4 sector.

5  
6 Amendment 39, I would like to see the charter boat commercial  
7 fleet taken out of that. If the state wants to manage the  
8 recreational angler, that sounds like a great idea. Right now,  
9 I feel it's being used as a secondary attempt at reallocation.  
10 I support sector separation and encourage the council to move  
11 forward with Amendments 41 and 42.

12  
13 I would also like to encourage the recreational sector to take  
14 ownership of their fish. This year, they had a very short  
15 season and a lot of complaints about only one weekend. The  
16 recreational anglers now have their own fish and they don't have  
17 to do things the way they've always done it.

18  
19 You could have had a Saturday-only season and you could have  
20 fished Saturdays through June and July and basically there's a  
21 lot of options they can do now they're separated and they don't  
22 have to continue to do things the way they've been done and I  
23 would encourage the recreational sector to look at their  
24 options.

25  
26 Also, on some other issues, as triggerfish comes up, I would  
27 support a one-fish limit and I would like you to look at doing  
28 different things with the seasons, such as a May opening or a  
29 June/July closure and then let us catch the remainder of the  
30 fish starting in August. I support any actions -- There was  
31 some talk about invasive species and anything that will help  
32 eliminate invasive species, I would appreciate you looking at.

33  
34 As far as the shrimping, I would like for the council to keep in  
35 mind any bycatch issues that have been issues in the past.  
36 Please keep those in mind as you consider releasing more  
37 permits. Thank you for your time.

38  
39 **CHAIRMAN ANSON:** We have Gary Jarvis, followed by Dale Woodruff.  
40 Gary has previously supplied a video that he would like to go  
41 along with his public testimony.

42  
43 **MR. GARY JARVIS:** The Destin Charter Boat Association and our  
44 anglers want to say to this council thank you for Amendment 40.  
45 We ask that you continue with Amendment 40 and bring us to  
46 fruition with our own fishery management plan for their access.

47  
48 (Whereupon, a video was played.)

1  
2 **MR. JARVIS:** Thank you, council.

3  
4 **CHAIRMAN ANSON:** Thank you, Gary. We have Dale Woodruff,  
5 followed by Joe Nash.

6  
7 **MR. DALE WOODRUFF:** Dale Woodruff, Charter Boat Class Act and  
8 Bay Blue. I am now a two-boat owner in Orange Beach, Alabama.  
9 I don't know how to follow that up. Did you all see those real  
10 recreational anglers that got to go fishing on a charter-for-  
11 hire boat and they took those fish home. I don't think Gary or  
12 any of those guys took those fish home with them. Those are  
13 real, true recreational anglers and how do I back that? Tears  
14 are coming to my eyes right now.

15  
16 Thanks for passing Amendment 40. It was awesome and we had a  
17 forty-four-day season. Let's go ahead and get on 41 and let's  
18 get this ball rolling. We have a sunset clause coming up in a  
19 couple of years, three years or whatever, and let's get this  
20 pushed through. We want to make this a full FMP on 40.

21  
22 You know there is talk of the regional management and all of  
23 that and trying to pass and do the regional management plan and  
24 it's not going to work. We've got people over here on this side  
25 of the aisle right now that are just snowballing and throwing  
26 things up in the air. All they want to do is do away with the  
27 charter-for-hire industry.

28  
29 I mean why would you give up a 365-day season to go to sort of  
30 regional management plan? They're eating the cake and the  
31 whipped cream and got the cherry on top and all of that.  
32 They've got it all in non-compliance. Do the real recreational  
33 anglers that have their boats know that if everybody would have  
34 stayed compliant that we would have probably had a sixty-day  
35 season for everybody in the Gulf of Mexico, give or take that?  
36 I think those were the numbers that were passed around.

37  
38 Instead, Florida chose to do a seventy-day season and could you  
39 imagine the income for sixty days if Florida recreational  
40 fishermen knew that they could fish sixty days in federal  
41 waters? They would have probably given up those ten days. I  
42 mean there would be more people on the water for that.

43  
44 Triggerfish, I would like to see it go to one. Let's start  
45 talking about it. We've got a stock assessment coming up in  
46 October and you know years ago, you passed a moratorium on the  
47 shrimping industry and if you go after them again, if you lift  
48 the moratorium, you're talking about the bycatch and everything



1 else and the turtles and all of that.

2  
3 What's the moratorium for? It's to limit the access and if you  
4 increase the access in that industry -- These guys have already  
5 taken the hit and you are really going to put them down now.  
6 Leave them alone and let these guys work and let these guys do  
7 their job and let them try to make their money.

8  
9 If you lift that moratorium, these guys are -- I mean they're  
10 struggling already. I've spent my days in the bayou and I've  
11 spent my days in Louisiana and everywhere you see shrimp boats  
12 tied up and there is plenty of access. If you want more access,  
13 tell somebody to go buy a permit. That's what I have to do. If  
14 I want more access to the Gulf, I go buy a federal permit to  
15 fish the business, to do the business.

16  
17 Amendment 28, reallocation, I think the average is about 250,000  
18 pounds a day Gulf-wide is what we're catching and some people  
19 are flirting with allocating 350,000 pounds. Really? Did  
20 anybody get that? Reallocating 350,000 pounds and we are  
21 catching 250,000 pounds a day.

22  
23 **CHAIRMAN ANSON:** Dale, can you go ahead and wrap it up?

24  
25 **MR. WOODRUFF:** Thank you, all. God bless you and thank you,  
26 all.

27  
28 **CHAIRMAN ANSON:** We have Joe Nash, followed by Jason Vicars.

29  
30 **MR. JOE NASH:** Hello. My name is Joe Nash from Cool Change  
31 Charters in Orange Beach, Alabama. I've been charter fishing  
32 for twenty-eight years. Thank you for Amendment 40. It made  
33 for a very good year for us.

34  
35 Everybody covers just about everything in this. You know, the  
36 recreational anglers and the states taking over and doing non-  
37 compliance and I am the same way with Dale and what he just  
38 said. You know, if they would be compliant, and I know somebody  
39 had just mentioned that a federal judge said it's okay for the  
40 states to go ahead and manage their own state waters and what  
41 about federally-regulated fish like red snapper?

42  
43 To me, it's considered legalized poaching and you are taking  
44 away from the general public and the governors, they each should  
45 be accountable for that, because that is what it has done. If  
46 everybody was compliant, we would have a decent recreational  
47 fishing season for everyone. We definitely -- Regional  
48 management or state management or however you want to put it, we

1 would like to continue with the Amendment 40 and move on and 41  
2 and 42 and just look for ways to make our fishery just a little  
3 bit better.

4  
5 We want to tell you what we catch. We want the VMS onboard and  
6 we want the electronic logbooks and that's what we wanted and so  
7 we're going to get them and we're going to do it.

8  
9 We had a man from Shimano up here a little while ago and I'm a  
10 small-time operation, but guess what? There is nobody here to  
11 speak for me except me and so I don't have a representative like  
12 that. I am here and my boat is sitting at the dock today,  
13 because this is very important and we want to keep this going in  
14 the right direction.

15  
16 As far as Amendment 28, status quo, until we have an accountable  
17 plan and make sure that everything is going in the right  
18 direction. As far as the shrimpers, you know you don't need to  
19 open that up. That's opening up a can of worms right there.  
20 These guys do work hard for what they're doing and there is  
21 plenty of them sitting at the dock.

22  
23 Other than that, amberjacks, I would like to see thirty inches  
24 and if you have to increase it, do it in short segments, thirty-  
25 one, thirty-two, thirty-four, a couple of years apart.  
26 Triggerfish, we would like to see something with triggerfish as  
27 well, to where we can at least catch a couple of the triggerfish  
28 on occasion. We're not asking for much. We just want something  
29 to catch and that's all. Thank you.

30  
31 **CHAIRMAN ANSON:** Thank you, Joe. Jason Vickers, followed by Pam  
32 Anderson.

33  
34 **MR. JASON VICARS:** Hi, everybody. I am Jason Vickers and I own  
35 and operate the Charter Boat Legacy out of Orange Beach. First  
36 of all, I would like to thank you all for Amendment 40. It  
37 really made my summer nice and it was nice for my customers to  
38 be able to keep some snapper later on in the summer.

39  
40 Also, I would like to see the charter-for-hire left out of the  
41 regional management if that's going to happen. I would like to  
42 see the work for Amendment 41 and 42 continued, to try to beat  
43 the sunset clause.

44  
45 The amberjack, if they're going to go up, let's do it slowly, an  
46 inch a year or whatever, but a four-inch jump in one season is  
47 going to be tough. I would like to see the shrimping moratorium  
48 left as it is and as far as invasive species, the lionfish, any

1 kind of funding or support we can do to help fight that, I am  
2 all for it.

3  
4 If the charter-for-hire can assist in it, I would love to see  
5 that. That's something we've got to get under control for sure  
6 and that's basically all I've got to say. Thank you all again  
7 for Amendment 40.

8  
9 **CHAIRMAN ANSON:** Thank you, Jason. Pam Anderson, followed by  
10 Bob Spaeth.

11  
12 **MS. PAM ANDERSON:** Mr. Chairman and Dr. Crabtree and council  
13 members, I am Pam Anderson, 1<sup>st</sup> Vice President of the Panama City  
14 Boatmen's Association and fishery rep on the Bay County Chamber  
15 of Commerce Government Affairs Committee and Operations Manager  
16 for Captain Anderson's Marina, home to five headboats, twenty-  
17 four charter boats, and four dive boats in Panama City Beach.

18  
19 Our family has been taking anglers fishing on headboats since  
20 1935. Over the years, more and more folks have realized the joy  
21 and fun they can have with their families on a fishing excursion  
22 and this is why you see more and more recreational anglers.  
23 This is a good thing and not just good for our businesses, but  
24 good for wholesome family fun.

25  
26 As you go forward with regulations, please remember that the  
27 fishing experience is good for the health of our families and  
28 not just about the fish. As we provide these opportunities to  
29 fish, families are strengthened. They appreciate the  
30 environment around us more and they learn what diversity we have  
31 in our bays and in the Gulf and they learn to appreciate it more  
32 and more.

33  
34 Red snapper and other reef fish are what motivates the public to  
35 enjoy this activity in our area. Without familiar quality  
36 species being available, the public is less likely to  
37 participate. These are not just trophy fish, but they are food.  
38 They lead to backyard or church fish fries or a hook-and-cook at  
39 a restaurant and more quality family time.

40  
41 I say this on behalf of thousands of consumers that come to our  
42 coast each year to enjoy the bounty of the Gulf. They cannot be  
43 here, but they do not want their fishing opportunities taken  
44 away. More families will take part as allocations are increased  
45 and more heads in beds and seats in restaurants and participants  
46 in other coastal activities.

47  
48 Opportunities to fish are important to our coastal economies.

1 Our customers have been held back for eight years now from  
2 having acceptable access to their fishery. It's time for  
3 reallocation of red snapper.

4  
5 With all the evidence pointing to the fairness of Alternative 9  
6 in Amendment 28, we ask that you seriously consider this  
7 alternative as your preferred and final action.

8  
9 The reasons for the many of the prior reported overages in  
10 harvest have been due to lack of accurate harvest data. As more  
11 of the proposed regulations are put on all the recreational  
12 sector, this harvest data is going to improve further and it is  
13 time to give back to those who have waited out this excessive  
14 regulatory storm.

15  
16 For the headboat operators, they deserve to have all their  
17 options explained thoroughly and each need to have a vote on  
18 what they think is best for managing their sector. Please go  
19 forward with a referendum plan that will be fair to all. We are  
20 still in favor of regional management for all the reasons I've  
21 stated before. Mainly, our FWC knows how to balance the needs  
22 of conservation with the economic needs of our communities.

23  
24 Their management, while sometimes imposing, does not eliminate  
25 jobs in businesses and headboats need to stay with regional  
26 management. I appreciate your consideration of these comments.  
27 Thank you.

28  
29 **CHAIRMAN ANSON:** Thank you, Pam. Bob Spaeth, followed by Harris  
30 Callais.

31  
32 **MR. BOB SPAETH:** My name is Bob Spaeth, Executive Director of  
33 the Southern Offshore Fishing Association. I attended the first  
34 Gulf Council meeting there ever was and have been to over 200 of  
35 them.

36  
37 First, this amendment is not fair and equitable and does nothing  
38 for the conservation of the fish. In fact, to the contrary. We  
39 are now going to use the least precautionary approach and I have  
40 had the precautionary approach in fisheries run down our throat  
41 about taking the best path and it doesn't seem like that is.

42  
43 The other thing is who is catching the fish? Most of the fish  
44 are caught -- Let me go through this. 100 percent of the  
45 redfish go to the recreational and 68 percent of the kingfish  
46 and 74 percent of the amberjack and 100 percent of the billfish  
47 and 90 percent of the mahi and 65 percent of the gag grouper.  
48 What is left for the consumer here?

1  
2 The largest group is the consumer. The commercial and the  
3 charter-for-hire sectors are the only voice that the non-fishing  
4 consumer has here. If you were a consumer, the question would  
5 be who is stealing the fish? Would you think that this is fair  
6 and equitable? I can assure you that the commercial consumer  
7 sector is going to every avenue to alert the consumer of what is  
8 happening.

9  
10 I recommend that we stay status quo and I also hope you support  
11 invasive species and trying to get rid of the lionfish. I think  
12 it's a very big problem and as far as the shrimpers, there is  
13 enough permits out there and you don't need to open it up.  
14 Thank you very much.

15  
16 **CHAIRMAN ANSON:** Thank you, Bob. Harris Callais, followed by  
17 Ronnie Roussez.

18  
19 **MR. HARRIS CALLAIS:** Good afternoon, ladies and gentlemen. Mr.  
20 Chairman, I appreciate the time. My name is Harris Callais and  
21 I'm thirty-seven years old from Lafourche Parish and I'm an  
22 offshore recreational fisherman. I fish between fifty to  
23 seventy days per year.

24  
25 At an early age fishing the Gulf of Mexico out of Louisiana, for  
26 each species it was kind of a gamble. You didn't know if you  
27 were playing the lottery when you dropped the bait down. You  
28 didn't know if you were catching amberjack, snapper, red  
29 snapper, mangrove, or a grouper. Nowadays, every single drop is  
30 the endangered red snapper.

31  
32 We have more red snapper in the Gulf of Mexico these days than  
33 we ever had in my whole time fishing out here. Limiting red  
34 snapper season to ten days this past year and the year before  
35 was unfair to the normal working man. If you work a normal five  
36 and two job, you had two days to fish both years and last year  
37 was more you had two days or three days to fish, because of due  
38 to weather. I mean it's unfair that the sector of people that  
39 provide the most in economic boost to the small towns along the  
40 Gulf Coast.

41  
42 Federal stock data was flawed and states should be responsible  
43 for their residents' allocations and assessments. I challenge  
44 any of you to accompany me on a snapper assessment trip, just to  
45 see how much red snapper there is actually out there. We  
46 believe that Alternative 9 is our best alternative. Thank you  
47 very much.

1 **CHAIRMAN ANSON:** Thank you, Harris. Ronnie Roussez and followed  
2 by Bart Niquet.

3  
4 **MR. RONNIE ROUSSEZ:** Thank you. My name is Ronnie Roussez.  
5 I've been fishing the Gulf of Mexico for over forty-five years  
6 now, both spearfishing and fishing from topside and Harris kind  
7 of stole my thunder, because the fishing now is better than when  
8 I was a kid.

9  
10 I mean we're catching quality red snapper on artificial lures  
11 when before you drop a live bait down and you couldn't catch one  
12 and trying to target big amberjack just this past weekend, using  
13 the biggest hardtails we had, we were catching twenty-five-pound  
14 red snappers coming up to the surface and having to put them  
15 back.

16  
17 I've been underwater and I've seen the schools of fish that are  
18 down there and during these short seasons, we go to one rig and  
19 can limit out in probably an hour-and-a-half's time, catching  
20 snappers at any depth, because there is so much competition  
21 between these snappers down there that they're actually eating  
22 their young and coming up and eating artificial baits that I've  
23 never seen when I was a kid. I think there needs to be more  
24 days for the recreational fishermen and I appreciate the time to  
25 speak. Thank you.

26  
27 **CHAIRMAN ANSON:** Thank you. Bart Niquet, followed by Jason  
28 Delacruz.

29  
30 **MR. BART NIQUET:** I'm glad I could be here. I wish everybody  
31 else could, too. We are speaking of recreational fishermen for  
32 red snapper and check your audience and see how many  
33 recreational fishermen you have. I am talking about pure  
34 recreational. I will guarantee you there's not a half a dozen  
35 in there.

36  
37 If it's so important to them, why aren't there more of them  
38 here? Even if there's only one-tenth of 1 percent of the  
39 licensed permitted recreational fishermen, this hotel couldn't  
40 carry them. They absolutely don't care. They are out there to  
41 make enjoyment of a day and if they go, they really don't care  
42 if they catch a whole lot of fish and the council is blowing it  
43 all out of portion to what it's worth to us.

44  
45 If you stop and go to the welcome stations in my state and most  
46 other states, they have a questionnaire of why people are coming  
47 to the state and what's your reason for coming down here and  
48 what are you going to do and 8 percent of them out of the total

1 say they came down here to enjoy the fishing.

2  
3 Most of them list bass as the number one fish, followed by red  
4 drum. Very few of them ever mention a red snapper and even more  
5 of them say catfish than they do red snapper and so there is  
6 something wrong with our approach.

7  
8 The majority of the recreational fish, red snapper, are caught  
9 between Apalachicola, Florida and around Corpus Christi and then  
10 there's another group down around Brownsville. This council has  
11 been exaggerating their importance.

12  
13 However, if we do have a red snapper fishery for recreational,  
14 it should be a limited access fishery and we shouldn't have  
15 anybody that wants to come down and go fishing be able to go  
16 without paying for the privilege. It's a privilege and it's not  
17 a right and I don't know why everything else in the country --  
18 You go alligator hunting and you've got to get a permit and you  
19 go freshwater fishing and you get a permit and you go saltwater  
20 fishing, you should have to get a permit and it's just simple.  
21 It's simple and maybe that's why we don't do it. It's too  
22 simple.

23  
24 Yesterday, they said something about the wreck fishery and if  
25 you will remember, the wreck fishery was doing well until the  
26 Atlantic coast tried to manage it. Soon after, all the  
27 participants in that fishery went broke and most of them had to  
28 shift to another fishery to make a living.

29  
30 For the past couple of years, I have said something about  
31 snapper running in cycles and everybody laughed at me. We're  
32 started down again, but you won't believe it. I know the  
33 scientists don't say so, but remember it takes them ten or  
34 twelve years to decide if they're going to have an opinion and  
35 so you can't do nothing. Leave the TAC alone.

36  
37 **CHAIRMAN ANSON:** Mr. Niquet, if you can wrap up your comments,  
38 please.

39  
40 **MR. NIQUET:** That's all I've got. Thank you.

41  
42 **CHAIRMAN ANSON:** All right. Thank you. Jason Delacruz,  
43 followed by Bill Tucker.

44  
45 **MR. JASON DELACRUZ:** Good afternoon and thank you for giving me  
46 the opportunity to speak with you. I am Jason Delacruz and I'm  
47 the owner and operator of Wild Seafood Company and Don's Dock, a  
48 retail marina, and also Vice President of the Reef Fish

1 Shareholder's Alliance.

2  
3 I am going to take a couple of minutes to talk about Amendment  
4 28, obviously, and the concept of fair and equitable. If I  
5 understand the standard well, which I've tried to keep up on it,  
6 I think one of the clear points in the standard is that  
7 allocation decisions can be made from one to another as long as  
8 it doesn't cause undue harm on one and benefits the other.

9  
10 Well, in this particular situation, that's exactly not what  
11 we're doing. We are causing harm to one and no benefit to the  
12 other and so it doesn't make any logical sense to me to move  
13 forward with anything other than status quo and the political  
14 arena that's doing this and, again, I've said at this podium  
15 many times, it's just doing it for the feather in their cap and  
16 it's really accomplishing nothing.

17  
18 We need a management plan for the recreational fishery to  
19 actually help it and the recreational fishermen up here that  
20 were up here a minute ago, they made a point to say the fishery  
21 is better than ever, but I think everybody needs to understand  
22 that the only thing that us in this room can control is fishing.

23  
24 If we've done our jobs, which clearly we've done something,  
25 we're in a better position than we ever have been and so that  
26 means that good, sound management that we're practicing in this  
27 room is actually starting to make a real change and a difference  
28 and so I don't want to undermine it by doing things that we  
29 clearly know won't solve problems and don't really fix the  
30 issues.

31  
32 It really is just -- I am kind of starting to run out of words,  
33 because I've had so many conversations about this issue and I've  
34 been to this podium so many times about it, but yet we seem to  
35 be on a train running at a wall that I don't understand.

36  
37 The only other thing I would like to say is that as far as the  
38 shrimp permit issue, I don't see how a shrimp permit is a  
39 barrier for anybody to get into that business when a good boat  
40 is going to cost you at least a hundred grand and so a \$2,000 to  
41 \$4,000 permit is a waste. We need to extend that moratorium at  
42 least another ten years and give these guys a chance to find the  
43 niche in their market and build themselves a business that is  
44 worth having. Thank you.

45  
46 **CHAIRMAN ANSON:** Thank you, Jason. Bill Tucker, followed by  
47 Bubba Cochrane.

48



1 **MR. BILL TUCKER:** Hi there. Bill Tucker and I'm a commercial  
2 fisherman out of Clearwater, Florida and I'm here today to talk  
3 about Amendment 28. The ostensible rationale in Amendment 28,  
4 reallocating to the recreational sector, is to lengthen the  
5 season and help the recreational sector out.

6  
7 You know I think we need to question the logic of that, because  
8 it really doesn't lengthen the season. I mean if we look at  
9 adding quota and adding fish to the recreational sector, we've  
10 doubled the quota and that hasn't extended the season. I don't  
11 know why this amendment has gotten the legs it's gotten when  
12 we've already doubled the quota and it hasn't helped and now we  
13 want to take from the restaurant and fish market fish to say  
14 that we're going to lengthen the season and it's not going to  
15 work. I think our logic is faulty there. I don't know why you  
16 want to do the same thing and expect a different result.

17  
18 There's really nothing either fair or equitable about this  
19 reallocation idea. The costs exceed the benefits and it costs  
20 the consumer sector and it costs the commercial fishermen and  
21 the fishing public and we're taking fish literally off the  
22 plates of the American consumer to lengthen the fishing season  
23 that we know is not going to work. I mean conservation is even  
24 compromised.

25  
26 It's going to increase effort in the eastern Gulf and it's going  
27 to lower the SPR and why are we even considering this? You know  
28 the fish belong to all Americans, even the people in the middle  
29 of the country, people that don't go fishing. There are a lot  
30 more people, far more people, that get their fish on a plate  
31 than do on a hook.

32  
33 We've got about 330 million Americans in this country and out of  
34 that 330 million, there may be one to five-million red snapper  
35 fishermen and so you've got 330 million people that get half of  
36 the fish and you've got one to five-million people that get the  
37 other half of the fish and that's not enough? You've got 98  
38 percent of the population that gets half and 1 to 2 percent of  
39 the population that gets the other half and they want more and  
40 it's not going to lengthen the season? It's not logical.

41  
42 Yes, there are things that can be done to lengthen the  
43 recreational season. Reallocating from the commercial sector is  
44 not the answer. It's not going to do it.

45  
46 They say the rising tide rises all boats and a falling tide is  
47 going to lower all boats. We don't need more effort in the  
48 eastern Gulf. We need to preserve this fish stock and we need

1 to promote conservation. Thank you.

2

3 **CHAIRMAN ANSON:** Bill, we have a question.

4

5 **MR. WILLIAMS:** Bill, thanks for your testimony. I thought you  
6 were going to talk a little bit about king mackerel too, because  
7 you had come up to me after the Mackerel Committee meeting the  
8 other day and you were real concerned about the 5,000-pound  
9 qualifier that they were talking about and you're not a king  
10 mackerel fisherman, but your boat catches some and could you  
11 just give us just a short premise on what your problem is?

12

13 **MR. TUCKER:** Thank you, Roy. Thank you very much for that  
14 question. Yes, I was so -- I came to the Mackerel Committee and  
15 I heard the discussion and I read the alternatives for the  
16 permit consolidation alternatives that were in there and they  
17 had some pretty high qualifiers and I understand that you're  
18 trying to reduce capacity in the fishery or prevent overcapacity  
19 or overcapitalization.

20

21 You don't want somebody like me who has got a king mackerel  
22 permit who may not catch 500 or 1,000 pounds a year catching  
23 50,000 pounds a year and I can understand that. I've got a king  
24 mackerel permit and I'm a reef fish fisherman and the king  
25 mackerel permit deals with my bycatch in king mackerel. If we  
26 run into a few of them, we can catch them and we can -- That can  
27 help out our trip.

28

29 The alternative in there said that if you don't hit a certain  
30 threshold that we can still get a permit, but it will be a non-  
31 transferable permit. My recommendation would be if you're going  
32 to do something like that and take my transferable permit and  
33 consider it non-transferable, keep in mind what we do.

34

35 We use that permit and if it's non-transferable, that really  
36 affects my ability to allow my captain to purchase my operation.  
37 If he were to buy my operation and move up, if the permit  
38 weren't transferable to him, he actually would be unable to do  
39 that and so my suggestion is if you're going to consider  
40 something like a non-transferable mackerel permit, king mackerel  
41 permit, for people like me that you would consider linking that  
42 permit with the reef fish permit that we use in our primary  
43 fishery.

44

45 That would allow -- If my captain decides to buy the operation,  
46 he would have the same opportunities that we have right now and  
47 that's something I would like you to consider.

48

1 **MR. WILLIAMS:** Just to follow up real quickly, that's what I  
2 thought was sort of unique about your idea, is that you were  
3 suggesting something, a king mackerel permit, that was linked to  
4 your reef fish permit, which you need that bycatch. You need  
5 some bycatch, because you catch some, a few, all the time and  
6 you don't want to become a king mackerel fisherman, but you  
7 don't want to waste the ones that you catch while you're red  
8 snapper fishing and so you had suggested some small amount -- A  
9 permit allowing you to have a small amount of king mackerel, but  
10 that would be linked to that red snapper permit or your reef  
11 fish permit and you couldn't separate them so that that permit  
12 went out and became another king mackerel fisherman at some  
13 time. It was a unique idea, at least unique to me, and so I  
14 thought you were going to talk about it and then when you  
15 didn't, I wanted to get it on the record.

16  
17 **MR. TUCKER:** Thank you. I was kind of -- My focus is on my  
18 primary business, which is reef fish, but this is a part of it  
19 and thank you for remembering it and that's one of the things  
20 that makes you such a good council member. Thank you.

21  
22 **CHAIRMAN ANSON:** Bubba Cochran, followed by Haley Bitterman.

23  
24 **MR. BUBBA COCHRANE:** Bubba Cochran from Galveston, Texas, a  
25 commercial fisherman and also President of the Gulf  
26 Shareholder's Alliance. Of course, I'm going to start, as  
27 always, with Amendment 28.

28  
29 It's easy to overlook the fact that reallocation not only hurts  
30 my business, but it takes fish away from the people who want to  
31 eat red snapper at restaurants or buy it at supermarkets. These  
32 consumers have just as much of a right to access fresh seafood  
33 as those who own their own boats and live on the coast and go  
34 catch red snapper themselves.

35  
36 Giving private anglers more of the red snapper quota will not  
37 solve the problem. It will not give them any more access than  
38 they have now. Reallocation is not management. This council  
39 needs to continue working on management options that give  
40 anglers the access they deserve.

41  
42 Amendment 40 is a perfect example. It actually worked to give  
43 recreational fishermen on charter boats more days to fish and  
44 the charter-for-hire sector the accountability they need to run  
45 their businesses. This council has wasted enough time on  
46 reallocation and it's time to put it to rest once and for all  
47 and vote Alternative 1, no action, and start looking at  
48 management solutions like regional management that will get

1 recreational fishermen more fishing days.

2  
3 I believe right now one of the biggest hurdles this council has  
4 in achieving this is the Gulf states not being compatible with  
5 federal regulations. The council needs to address this problem.  
6 Having the states open and close red snapper in state waters  
7 whenever they want to is only making the situation worse. I'm  
8 not sure if there is anything the council can do about this, but  
9 it is worth discussing.

10  
11 I also support the shrimpers here today on extending the shrimp  
12 permit moratorium. From what I understand, it is currently  
13 serving its purpose and should be allowed to continue to do its  
14 job. Thank you.

15  
16 **CHAIRMAN ANSON:** Thank you, Bubba. Haley Bitterman, followed by  
17 Brian Landry.

18  
19 **MS. HALEY BITTERMAN:** Good afternoon. My name is Haley  
20 Bitterman and I am the Executive Chef of the Ralph Brennan  
21 Restaurant Group based here in New Orleans. We employ  
22 approximately 500 people in our eight restaurants in Louisiana.  
23 Our restaurants serve a half-million tourists and locals every  
24 year. In other words, the Ralph Brennan Restaurant Group  
25 generates tens of millions of dollars in economic impact on our  
26 region every year.

27  
28 After twenty-three years as a chef with the Ralph Brennan Group,  
29 I can tell you that seafood lovers come to New Orleans for our  
30 signature preparations as well as the unique array of Gulf  
31 seafood that we offer. We are proud to serve local and  
32 sustainably-caught fish like the iconic red snapper whenever  
33 it's available.

34  
35 It is an important part of our food heritage and as a  
36 recreational fisherman myself, I want to ensure it's available  
37 for generations to come. With that said, I am here today to  
38 speak against the proposed reallocation of hundreds of thousands  
39 or maybe even millions of pounds of red snapper away from  
40 restaurants like ours and seafood markets, grocery stores, and  
41 American consumers.

42  
43 The red snapper fishery has been rebuilding for the last several  
44 years and upsetting that balance would jeopardize the fish that  
45 we all enjoy. In the New Orleans restaurant business, many  
46 popular Gulf fish are already off limits to our chefs. We can  
47 no longer serve many local favorites and we don't want to see  
48 red snapper follow the same path and become off limits to our

1 industry and the diners that we serve.

2  
3 As I understand it, the current preferred alternative is likely  
4 to give anglers only one extra day of fishing and even the more  
5 drastic reallocation alternatives would only result in a handful  
6 of extra days and so I beg you to abandon the reallocation  
7 distraction and instead focus your energy on fixing the broken  
8 recreational system that is failing everybody.

9  
10 In particular, I am looking at our Louisiana representatives on  
11 the council today, Mr. Fischer, Mr. Matens, and Mr. Swindell, on  
12 behalf of Mr. Brennan and myself and our 500 employees, please  
13 do not do this. Louisiana can be the sportsmen's paradise and  
14 the culinary treasure of the United States at the same time.  
15 You don't have to pick winners or losers.

16  
17 Do not give false hope to anglers at the expense of the largest  
18 economic industry in the state. Keep the current balance and I  
19 promise you that some of the most successful entrepreneurs and  
20 chefs in Louisiana will give their full support in helping craft  
21 a management solution that actually helps private anglers get  
22 the access they deserve. Please work with us to make sure that  
23 everybody has equitable access, whether it's on the water for a  
24 day of fishing or at the Redfish Grill for lunch after spending  
25 the day exploring the French Quarter. Thank you very much for  
26 your time.

27  
28 **CHAIRMAN ANSON:** Thank you, Haley. Brian Landry, followed by  
29 Mark Tryon.

30  
31 **MR. BRIAN LANDRY:** Good afternoon. Hi and I'm Brian Landry, the  
32 chef at Borgne Restaurant in New Orleans, part of the John Besh  
33 Restaurant Group. I am born and raised in New Orleans and I've  
34 been fishing out of New Orleans and Venice my entire life and  
35 I'm a chef and so I get to wear both hats, because I  
36 recreationally fish and I have access to fish commercially that  
37 I sell in my restaurants.

38  
39 I am proud to be part of one the most unique restaurant  
40 industries in the United States and the fact that we serve one  
41 of the only indigenous cuisines in North America. Creole  
42 cuisine is special and that's why so many tourists come to our  
43 restaurants and that's why our restaurant industry is absolutely  
44 booming right now.

45  
46 We have 1,406 restaurants now. Ten years ago, right before  
47 Katrina, we had 809 and we are a growing industry and we are  
48 growing in a very responsible way. We have access to some of

1 the best seafood on Planet Earth and that's why people come down  
2 here to eat.

3  
4 What we serve in our restaurants is wildly important to us. The  
5 fact that we have access to premium fish like red snapper makes  
6 New Orleans a draw unlike anywhere else. About 80 percent of  
7 the popular Gulf fish currently goes to the recreational side  
8 anyway and so that last 20 percent that's coming commercially  
9 gives access to people that don't have their own boat access to  
10 premium fish that you can't catch anywhere else.

11  
12 I proudly serve that on my menu. I proudly serve wild-caught  
13 sustainable fish. The menu at Borgne is about 80 percent Gulf  
14 seafood driven and we are a very popular, pretty busy  
15 restaurant. If I didn't have access to those wild-caught  
16 sustainable fish from the Gulf, I don't know where my restaurant  
17 might be.

18  
19 I can blacken tilapia or blacken swai, but that's not living.  
20 Living is eating the fish that come out of the waters at my  
21 backdoor and I serve a pretty intelligent customer base. I am  
22 able to serve Gulf oysters right next to a premium Gulf oyster,  
23 like a Murder Point coming out of Alabama or a New Caminata Bay  
24 oyster at a premium price and red snapper is a premium fish that  
25 people are more than willing to pay for because it's so  
26 delicious.

27  
28 I beg you not to reallocate this fish away from our restaurants.  
29 I think our customers would be quite upset and I would too and  
30 while I do enjoy catching them recreationally, it is a very  
31 important part of my business as well. Thank you very much.

32  
33 **CHAIRMAN ANSON:** Mark Tryon, followed by Frank Brigsten.

34  
35 **MR. MARK TRYON:** Mark Tryon, a commercial fisherman and  
36 recreational fishermen from Gulf Breeze, Florida. I also have a  
37 king mackerel permit, by the way, which, similar to the  
38 gentleman who was up here a few moments ago, I use it as a  
39 bycatch mechanism. I am not a king mackerel fisherman, but I do  
40 catch several hundred pounds, maybe 500 pounds, a year.

41  
42 I think the reallocation situation has been going on for some  
43 time now and I've spoken a bunch of times and every time I get  
44 up here I basically say the same thing and I mean it just  
45 occurred to me that if this council spent half the effort that  
46 it has expended on reallocation or attempting to reallocate the  
47 commercial fish to the recreational sector into developing an  
48 accountable, flexible system for the recreational angler, we

1 wouldn't be having this perpetual dispute regarding reallocation  
2 and so I urge you to use the status quo and then please work to  
3 come up with some sort of a plan to help these people.  
4

5 I do a little bit of it myself and I took two trips this year  
6 and we caught our fish no problem, but, anyway, in Florida, the  
7 State of Florida issued licenses this year where it was  
8 mandatory to have a reef fish endorsement in order to possess  
9 red snapper and I am wondering what kind of data is coming out  
10 of that so far, because it should be very interesting in  
11 determining what type of effort at least we have in the State of  
12 Florida regarding the red snapper fishery. I have a feeling  
13 it's going to be more of an effort than what you people are  
14 factoring in.  
15

16 For instance, if, and I'm talking about Gulf-wide right now, if  
17 anglers catch two seven-pound fish and you had 500,000 anglers,  
18 right there you're at your seven-million-pound quota. Okay?  
19 You know I know myself we were in the two trips and everybody  
20 caught their limit quite easily of good-sized fish and there's  
21 certainly people that went more than I did.  
22

23 Going back to reallocation, you know we've been through this  
24 before and there's a lot of pain for the commercial sector with  
25 little gain for the recreational sector. Perhaps one day, maybe  
26 two days, for private individual anglers and it's not really  
27 that helpful.  
28

29 As far as private recreational anglers, they need to attend some  
30 of these meetings. We had a meeting last year in Pensacola and  
31 I've lived there for twenty-three years and I didn't see anybody  
32 that I know who was a private recreational angler and so I would  
33 urge them to come out to these meetings and participate. Thank  
34 you.  
35

36 **CHAIRMAN ANSON:** Thank you, Mark. We have a question for you.  
37

38 **MR. WILLIAMS:** Right here, Mr. Tryon. Thank you for coming. I  
39 want to follow up with a king mackerel question, because we may  
40 not get to ask this of -- Bill Tucker brought up kind of a  
41 unique situation, but it sounds maybe like it's not unique and  
42 that you've got the same problem. You have a king mackerel  
43 permit now, I guess.  
44

45 **MR. TRYON:** Right.  
46

47 **MR. WILLIAMS:** Do you catch 5,000 pounds a year?  
48

1 **MR. TRYON:** No, no way.

2  
3 **MR. WILLIAMS:** If we did a 5,000-pound threshold, would you  
4 qualify?

5  
6 **MR. TRYON:** That would be way, way, way below what I catch.

7  
8 **MR. WILLIAMS:** You catch a few hundred, like him?

9  
10 **MR. TRYON:** Yes, maybe 500 pounds a year and that's it. I've  
11 had a permit since its inception.

12  
13 **MR. WILLIAMS:** It's a bycatch though and you're not targeting  
14 and you're not chasing?

15  
16 **MR. TRYON:** Yes and I think there's quite a few people like us  
17 who are in this situation where we're targeting snapper and  
18 grouper and then if king mackerel season is open and we happen  
19 to land them, then we're thankful that we have the ability to  
20 sell them and yes, regarding that, I think it was -- You know  
21 with all this reallocation business going on, I haven't really  
22 focused on all of these proposals you have for king mackerel,  
23 because we're kind of trying to deal with the biggest problem  
24 right now, but just looking at it briefly, I thought Alternative  
25 4a or b would fit my situation and I'm just talking about me and  
26 not other people, but I've got to study it some more.

27  
28 **CHAIRMAN ANSON:** Frank Brigsten, followed by David Cresson.

29  
30 **MR. FRANK BRIGSTEN:** Thank you. My name is Frank Brigsten and  
31 my wife and I have Brigsten's Restaurant here in New Orleans. I  
32 am also a culinary educator and I teach Creole and Arcadian  
33 cuisine to the public, to culinary arts students at the high  
34 school and university level. I was born and raised here in New  
35 Orleans and I've been fishing most of my life and I'm in love  
36 with what I do, but I am not here today to talk about me.

37  
38 I am here to talk on behalf of two other entities, the first of  
39 which is Louisiana cuisine itself. Like all of the world's  
40 great cuisines, it's based on great local ingredients and that  
41 includes Gulf finfish.

42  
43 The most alarming and disturbing trend I've seen in my thirty  
44 years in business is the reduction in availability of wild-  
45 caught Gulf fish and the abundance of imported fish that has  
46 taken its place, farm-raised fish, to some extent, but to give  
47 you an idea of the market report I got from one distributor this  
48 Tuesday, there were four local fish available, wild-caught fish,



1 tuna, sheepshead, bull drum, and red snapper. Which would you  
2 choose?

3  
4 The import fish included eight different fish, a few different  
5 kinds of grouper and a few different kinds of snapper. If there  
6 is a void that's going to get filled by something else, the  
7 abundance of imported fish coming from Central America and  
8 Mexico fills that void and I am happy to have it, but the  
9 ramifications on that on our cuisine, our culture, and  
10 Louisiana's economy are pretty strong and none of those  
11 ramifications are good ones.

12  
13 I am here to speak in favor of Alternative 1 on Amendment 28 for  
14 fair and equitable allotment of the managed catch of red  
15 snapper, the status quo.

16  
17 The other entity I want to speak on behalf of is the thousands,  
18 hundreds of thousands, millions of consumers who love red  
19 snapper, whose eyes light up when they see red snapper, but  
20 don't go catch it themselves. We have to think about them and I  
21 was thinking about my mom, because that was her favorite fish,  
22 but if you're a home cook to go buy red snapper in a grocery or  
23 market, that's a very good alternative and in restaurants too  
24 with a family going out to eat to see red snapper, it's a  
25 win/win/win for everybody. I urge you to do the fair thing and  
26 keep the status quo on the allotment and thank you for your time  
27 today.

28  
29 **CHAIRMAN ANSON:** David Cresson, followed by Clint Guidry.

30  
31 **MR. DAVID CRESSON:** Good afternoon, council members. My name is  
32 David Cresson and I'm the Executive Director of the Coastal  
33 Conservation Association here in Louisiana. In that role, I  
34 have the pleasure of serving more than 23,000 conservationists  
35 across Louisiana in our organization.

36  
37 I am also an avid angler and my family and I are frequent  
38 participants in the snapper fishery. Over the past couple of  
39 years, we've been much more frequent participants in the  
40 Louisiana state snapper season, because of the short federal  
41 season, but, nonetheless, we're out there and we love it and my  
42 kids go crazy over catching a few snapper.

43  
44 I'm here to talk today about reallocation of red snapper,  
45 Amendment 28. We appreciate the efforts by this council to  
46 revisit this difficult issue and we hope that tomorrow's vote  
47 will produce a result that begins to correct decades of improper  
48 allocation, based on your own self-admitted faulty data, and

1 provide just a glimmer of hope to recreational anglers.

2  
3 It would also be a best for the long-term viability of the  
4 fishery and what I'm talking about is Alternative 9. I am in  
5 favor of Alternative 9 as the best option to help reallocate  
6 this fishery.

7  
8 I also want to mention that we hear a lot in these presentations  
9 about accountability of the recreational sector and I would like  
10 to remind the council that last year anglers in Louisiana asked  
11 for and were granted an increase to their saltwater license fee  
12 to create the LA Creel program here in Louisiana, whose sole  
13 purpose is to create and gather better data for our fisheries.

14  
15 That program is working wonders so far and, in fact, the LA  
16 Creel program has found that in the hundred-plus days of the  
17 Louisiana season this year that we still did not reach the  
18 threshold that was used to create the nine-day federal season.

19  
20 With that in mind, we are accountable. We put our money where  
21 our mouth is when it comes to better data and better science and  
22 we believe Alternative 9 is the best way to reallocate this  
23 fishery. With that, I would like to thank you for your time and  
24 I hope you will consider Alternative 9 during your vote  
25 tomorrow. Thank you.

26  
27 **CHAIRMAN ANSON:** David, we have a question.

28  
29 **MR. DIAZ:** Mr. Cresson, just a quick question. At the last  
30 council meeting, we had discussed creating a recreational  
31 advisory panel to look at all recreational fisheries and to try  
32 to give us some input on how we can do a better job on managing  
33 recreational fisheries. Have you all had any discussions  
34 whether you all are supportive of that type of idea or not?

35  
36 **MR. CRESSON:** We've had some discussions on it and, of course,  
37 it depends, Mr. Diaz, on how it is ultimately put together, but  
38 certainly if there were a panel in place that you could lead to  
39 better management of this fishery and others from the  
40 recreational side, we would be all over it and we would love to  
41 participate, but if it were put together in a way that doesn't  
42 help anybody, and certainly that's something we have to be  
43 concerned about, then no, we probably wouldn't be too interested  
44 in that and so it all just depends on what the final look of  
45 that panel might be. Thank you.

46  
47 **CHAIRMAN ANSON:** Clint Guidry, followed by Brad Gorst.

48

1 **MR. CLINT GUIDRY:** Good afternoon and thanks for having me. My  
2 name is Clint Guidry and I'm the President and CEO of the  
3 Louisiana Shrimp Association, the largest shrimp association in  
4 Louisiana, and I also sit as Vice Chairman on the Louisiana  
5 Shrimp Task Force, one of the boards and commissions appointed  
6 by the Governor and approved by our Senate Committee on  
7 Governmental Affairs. I kind of wear two hats. I keep losing  
8 my hat and I might have to wear three.

9  
10 The issue I would like to speak on is the federal shrimp permit  
11 moratorium. We sent, the Shrimp Task Force, a letter in and  
12 dated March 23 of this year. I think that was after a lot of  
13 discussion. I am not going to try to read the letter. You  
14 should have it. We sent it to the Chairman and I'm sure he can  
15 get it to you if you don't. It's the Shrimp Task Force and the  
16 shrimp industry's position about the permits, coming from the  
17 Shrimp Task Force.

18  
19 Basically, what it is, it's 2008 levels of 1,933 permits. You  
20 know we gave this argument and I see some familiar faces and I  
21 don't recognize many of you, but nine years ago or ten years  
22 ago, we were having these discussions and my friend A.J. and I,  
23 on behalf of the association, traveled all around the Gulf Coast  
24 chasing you guys in these five-star hotels and spent many  
25 thousands of dollars and at the end of it, we did wind up with a  
26 moratorium.

27  
28 We were against it and one of the things that we said, I can  
29 remember back then, and I think Ms. Wilma Anderson, who passed  
30 away, pretty much agreed that the shrimp industry is self-  
31 regulating. You could have 10,000 permits open right now and  
32 what you're going to see in the industry is what you've got.

33  
34 Basically, what the industry wants is enough people in it to  
35 sustain the industry and to maintain our market share and be  
36 able to have those permits that we can have a little expansion  
37 and that we can move forward.

38  
39 Right now, we are at 1,400 and you've got about maybe 300 or 400  
40 state-registered permits that are probably not even being used.  
41 You've got, in my estimation, right around a thousand people  
42 actively fishing and that's it. That's all we can sustain right  
43 now and until we do something about these unregulated imports,  
44 we're going to be facing that problem.

45  
46 One of the issues that came up nine years ago was the red  
47 snapper and the bycatch and the turtles and all that. Through  
48 the years, this industry has done everything, everything, that

1 we could do to cooperate and try to be sustainable and in that  
2 definition of sustainability, we have endured TEDs and we've  
3 worked on them and one of the smartest moves you guys ever made  
4 was to let fishermen work on the equipment and then have it  
5 tested.

6  
7 When you first started with TEDs, we would up with this is what  
8 you've got to use and it was developed on the east coast and  
9 it's going to work down here and we don't care what you lose and  
10 that's it and if you ain't got this, you know you're not right.

11  
12 You need to get the fishermen. You need to get the fishermen  
13 involved in all of this, all of these equipment changes, because  
14 every time you do something here, it costs us money. It costs  
15 us fishermen and it costs us docks and that's another  
16 consideration.

17  
18 **CHAIRMAN ANSON:** Mr. Guidry, if you could wrap up your comments,  
19 please.

20  
21 **MR. GUIDRY:** I can't believe I waited all day and I get two  
22 minutes to talk. My suggestion is what we submitted and the  
23 pool -- We have a pool that we don't lose them. I have seen  
24 other limited-entry programs and moratoriums or whatever where  
25 you just keep getting smaller and smaller and you just go away  
26 and that shouldn't be the charge of this committee.

27  
28 The charge of this committee is sustainability and if you guys  
29 ever settle on what sustainability actually means --  
30 Sustainability used to be the resource when Dr. Bill Hogarth was  
31 running the show and it seems like every year, every six months,  
32 you change the definition of sustainability.

33  
34 **CHAIRMAN ANSON:** Mr. Guidry, if you can wrap up, your time is  
35 up.

36  
37 **MR. GUIDRY:** Thank you very much.

38  
39 **CHAIRMAN ANSON:** Thank you. Brad Gorst, followed by David  
40 Krebs.

41  
42 **MR. BRAD GORST:** Hello. My name is Brad Gorst and I am here  
43 from Clearwater, Florida and I represent the Clearwater Marine  
44 Association. I would like to thank the council members who made  
45 so many peoples' lives happier and the days, providing access  
46 for the forty-four days, to tourists, boat owners, and non-boat  
47 owners alike.

48

1 So many have expressed their gratitude that I felt I needed to  
2 convey to the council here and their gratitude that they got  
3 extra time or days on the water or retention of fish when we  
4 would go anyhow and so I would like to thank those that voted  
5 for it.

6  
7 Amendment 28, reallocation, I support Alternative 1, status quo,  
8 the rationale being that the science just does not support  
9 reallocation for several reasons, being that if you reallocate  
10 you're going to be moving -- You're going to end up with a high-  
11 grading situation, because the private recreational angler wants  
12 larger fish and the commercial wants smaller fish, because  
13 that's what sells and that's what is on the plate.

14  
15 In high-grading, you're going to lose a lot of your larger, ten-  
16 year-old-plus fish, or egg-bearing females in this situation,  
17 that will be removed, which are necessary for recruitment for  
18 further stock recovery and the commercial fishery doesn't do  
19 that and so that's one aspect to look at.

20  
21 The private recreational angler's benefit of reallocation in  
22 additional fishing days is non-existent in comparison to the  
23 setbacks that would be achieved in high-grading and so if you  
24 look at it that -- Let's just say if you totally did away with  
25 all the allocation for the IFQ, they wouldn't get eighteen days,  
26 nine this year and nine from the commercial, being that it's a  
27 fifty-fifty split, almost, and so it doesn't make any sense.

28  
29 By opening the door to reallocation, the slippery slope of  
30 privatization of the fishery is set in motion by the elitist  
31 organizations to further destroy the access to the resource for  
32 the Aunt Mary's and Uncle Bob's in the American Heartland and so  
33 there is absolutely zero conservation associated with  
34 reallocation.

35  
36 Is it fair and equitable that the private recreational angler  
37 has a total access of almost a full calendar year? You don't  
38 hear that from anybody in any one of the states. You can go in  
39 any state all year long and catch a red snapper in state waters,  
40 except south Florida, because they don't have any in state  
41 waters there, which is an issue we had with the State of  
42 Florida.

43  
44 But anyhow, Amendment 39, Action 2, Alternative 2, applies to  
45 the private angling component only and leave Amendment 40 alone  
46 and move forward with 41 and 42, as they are true conservation  
47 actions.

1 One last quick note to the state directors. I have seen people  
2 from the Louisiana restaurant industry and you want them to  
3 start showing up in Florida and other states? You're starting  
4 to get people that are a little bit irritated about this and so  
5 take some notes. Thank you.

6

7 **CHAIRMAN ANSON:** David Krebs, followed by Scott Hickman.

8

9 **MR. DAVID KREBS:** Good afternoon, council. My name is David  
10 Krebs and I own Ariel Seafoods in Destin, Florida and Sebastian,  
11 Florida. Here we are again. Robin Riechers said to me several  
12 years ago this isn't personal and if I was a state director  
13 getting paid and I was a recreational fisherman, it wouldn't be  
14 personal, but I make my living from the sea. If I don't catch  
15 fish, I don't pay my bills and so it's very personal to me.

16

17 We have led the charge for over twenty-five years, we the  
18 commercial industry, in asking for things that we knew were  
19 right and it took forever to get it. We knew the size limits in  
20 1997 was the wrong thing to do and that we were killing more  
21 fish than we were keeping and we came here and how many years  
22 did it take to fix that?

23

24 During this whole ride, we keep saying how can you have a  
25 recreational fishery that you don't limit access or effort?  
26 That's the reality and yet, we're sitting here today listening  
27 to the new rhetoric that, oh, we're fixing a historical wrong.

28

29 The original allocation was set from 1979 to 1987 and Loran-C  
30 came online somewhere in 1980 or 1981 and just started hitting  
31 boats. The Gulf of Mexico fishery production peaked somewhere  
32 around 1987 and declined right after that.

33

34 If you can sit here and honestly look me in the eye, who have  
35 never done anything but this for my entire life, since 1969 when  
36 I stepped on Dewey Destin's seine boat as a little kid to get a  
37 dollar a day to pick a cigar man and a herring apart, that the  
38 recreational industry caught more fish during that time than the  
39 commercial and that we're righting a wrong -- All we've ever  
40 done as a commercial industry is give in. We have never sat  
41 here and said to give us the recreational catch.

42

43 Dr. Shipp said you will never get reallocation because you have  
44 a balanced council, but even when we had an unbalanced council  
45 on the commercial side, did the commercial industry come after  
46 the recreational industry? Never. We have shared these  
47 fisheries and we've tried to be a good neighbor.

48

1 Thank you for Amendment 40. It saved the charter industry. We  
2 talk about the state water fisheries and the non-compliance and  
3 if they're going to continue to be non-compliant, at least they  
4 should enforce how many boats are crossing the line, because  
5 that's all we hear from Texas, is the charter-for-hire industry  
6 talking about all the private anglers that are outside the line  
7 and that there's not adequate enforcement for it.

8  
9 Let's all play by the same rules and let's fix this recreational  
10 problem once and for all. You can't keep dumping people into a  
11 fishery and expect it to be sustainable. Thank you.

12  
13 **CHAIRMAN ANSON:** Thank you, David. David, we have a question  
14 from Mr. Boyd.

15  
16 **MR. BOYD:** David, thank you for your testimony. Just one  
17 question. You own a fish house and do you export any of the  
18 fish that are caught here in the United States?

19  
20 **MR. KREBS:** Export as into?

21  
22 **MR. BOYD:** Export.

23  
24 **MR. KREBS:** We sell fish and we sell approximately 1,500 pounds  
25 a week to Canada and everything else stays in the U.S.

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

28  
29 **CHAIRMAN ANSON:** Mr. Walker.

30  
31 **MR. WALKER:** Thank you, David. I was just going to ask your  
32 thoughts about the king mackerel permits.

33  
34 **MR. KREBS:** Thank you, David. I was on the King Mackerel  
35 Advisory Panel and, of course, the issue at stake is lots of  
36 permits and how do we fairly limit how those permits are  
37 utilized in the future and it comes from the traveling fleet.

38  
39 Councilman Sanchez is well aware of this problem that we had  
40 back in the 1990s and a lot of people didn't want to travel and  
41 a lot of people had historically always traveled and so the  
42 advisory panel said that we didn't want to penalize people that  
43 weren't catching fish and I will be honest that I haven't looked  
44 at the whole document that's out right now with the amendments  
45 that are in there, the alternatives, but I can tell you the  
46 intent of the AP was that we would stop allowing boats to keep  
47 moving into zones that they had not historically been in, but  
48 yet if you had a limited or a latent permit, it would be zone-

1 specific to where your address was and so certain permits  
2 wouldn't be able to be sold, because they were never being used,  
3 but you could still, while you had them, keep them on your boat.  
4

5 It was all about keeping people or giving people the opportunity  
6 to participate in the future without infringing and causing  
7 overcapitalization in another zone. That was the intent of what  
8 the AP was looking at. It was how do you stop a derby fishery  
9 from existing in this fishery, realizing that as fish stocks  
10 change that you might have to utilize this fishery more than you  
11 had historically before and so we didn't want to penalize  
12 anybody that had a permit and was catching some fish and might  
13 need to catch more in the future. Thank you.  
14

15 **CHAIRMAN ANSON:** Roy Williams.  
16

17 **MR. WILLIAMS:** David, did you hear Bill Tucker talk about his  
18 problem with king mackerel and Mr. Tryon, where they're reef  
19 fish fishermen, but they catch a few hundred to a few thousand  
20 pounds of king mackerel every year? Are there many of those?  
21 Maybe you didn't hear that testimony.  
22

23 **MR. KREBS:** I did hear it and we did not discuss that at the AP,  
24 because they all have king mackerel permits. I mean it's not  
25 like they don't have a permit. They were worried that they  
26 wouldn't make a landing threshold and so we weren't even  
27 concerned at the AP specifically about landing thresholds,  
28 because we thought if you had a permit that you had a permit,  
29 but it shouldn't be able to be sold. You shouldn't take a  
30 permit that had always been in Clearwater and then sell it to  
31 somebody who wants to fish in the western Gulf, because that's  
32 the problem. The western Gulf is getting saturated.  
33

34 **MR. WILLIAMS:** What we're talking about is perhaps creating a  
35 threshold for that king mackerel permit and so if we created a  
36 5,000-pound threshold, say, are we going to affect a lot of  
37 fishermen that you buy from?  
38

39 Mr. Tucker had suggested that he be given some kind of permit  
40 for his few thousand pounds that he catches every year. He  
41 didn't want to sell it and he doesn't want to travel, but he's a  
42 reef fish fisherman and he catches some and he wants us to try  
43 to provide for him. Are there a lot of people out there like  
44 him or not?  
45

46 **MR. KREBS:** I think he is unique in his area, but the problem in  
47 the history of the fishery has been it's been closed because the  
48 fish travel from the northern Gulf to Key West and while they're



1 on their way, the time that they're off Clearwater and St.  
2 Petersburg is very limited and if the season was closed, they  
3 don't even get a shot at the fish.

4  
5 To say that they're only catching 500 pounds today where when  
6 management changes in the future that that's all they will  
7 catch, I think that's premature and so that's why I would be  
8 weary, if I was Bill Tucker, of asking for something like that.  
9 I would want to keep my options open and say, you know what,  
10 I've got a zone-specific permit and if there becomes a time that  
11 I need to catch king mackerel, that's what I will do.

12  
13 It's a moving target, because we haven't had fish in those areas  
14 before and at the AP, that was -- I think Ed, and I can't  
15 remember Ed's last name, but Ed brought that up, because he was  
16 a resident there and he said, I don't have landings, because the  
17 fishery is never open when the fish migrate through. That was  
18 the issue there. Thank you.

19  
20 **CHAIRMAN ANSON:** Thank you, Mr. Krebs. We have Scott Hickman,  
21 followed by Dewey Destin.

22  
23 **MR. SCOTT HICKMAN:** Good afternoon, ladies and gentlemen of the  
24 Gulf Council. Thanks for hearing us today or hearing me. I'm  
25 Captain Scott Hickman, a professional fisherman from Galveston,  
26 Texas. I hold federal permits for commercial reef, charter-for-  
27 hire, and commercial king mackerel.

28  
29 I would like the council to leave in place and renew the shrimp  
30 boat permit moratorium. I would like Amendment 41 and 42 to  
31 move forward and not so much in scoping hearings. I think the  
32 APs and the public comment and everything we've been doing on  
33 charter-for-hire is more than scoping enough already and I would  
34 like the council to reconvene both the charter-for-hire APs for  
35 Amendments 41 and 42 and let these guys get back to work and get  
36 something in place.

37  
38 Amendment 39, I would say we support, especially the guys back  
39 at home, Alternative 2, Action 2, leave the charter boats out of  
40 regional management. That's why we've been showing up at these  
41 meetings for seven years asking for sector separation. That's  
42 just flat out what our guys want.

43  
44 Amendment 28, I would say Alternative 1, no action. We have  
45 beat this dead horse over and over and over. I am a shareholder  
46 in the red snapper fishery and it's a great management system  
47 and until we get a good system on the recreational side, and I  
48 don't even know why we're still having this discussion, it's not

1 going to help these guys that much.

2  
3 I operate one of the large marinas on the Texas coast and I have  
4 many, many friends in the recreational fishery and they deserve  
5 a good management system, something that's accountable and it's  
6 sustainable and it's highly flexible. They go fishing on their  
7 terms and not when the government tells them to go fishing.  
8 They deserve it. On that note, everybody have a great day.

9  
10 **CHAIRMAN ANSON:** Scott, we have a question from Mr. Riechers.

11  
12 **MR. RIECHERS:** Scott, obviously there would be much ground to  
13 plow, but if we went to a tag type of system, where each  
14 recreational angler had a tag, then we wouldn't really need  
15 sector separation anymore and so would you support that kind of  
16 notion, because if you had that same flexibility to go anytime  
17 and the private recreational could choose who he or she were to  
18 go to, would that be a supportive kind of program for you?

19  
20 **MR. HICKMAN:** As far as the program for recreational folks, one,  
21 you would shrink the buffer, which would mean more access for  
22 the recreational fishermen. More access is good. That means  
23 flexibility. As far as lumping in the charter-for-hire guys in  
24 a system like that, I think that you have to take that state-by-  
25 state.

26  
27 Overall, there is -- All the processes and everything we've done  
28 over the last five years, my industry has a lot of heartache and  
29 a lack of faith and trust in our state agencies right now and  
30 I'm not saying that that can't be amended, but there is a lack  
31 of trust in the charter boats getting a fair shake on a system  
32 like that with their states and so we feel, especially my fleet  
33 at home, which is the largest fleet in Texas, that we would be  
34 better off developing our own system and being managed under the  
35 federal system as federally-permitted charter boats.

36  
37 **MR. RIECHERS:** Yes and maybe you misunderstood. I wasn't  
38 necessarily saying a state-managed system. I am saying in this  
39 kind of venue even, and I am not saying I necessarily support  
40 this even, but if we were to do away with -- If we were to go to  
41 a tag system, then the recreational angler could choose to board  
42 whatever vessel at any time and that's the management strategy  
43 even under a federal system. I mean would you support that?

44  
45 **MR. HICKMAN:** I would probably reiterate what Mr. Cresson from  
46 Louisiana said about developing a recreational advisory panel to  
47 develop something and I think he was probably going in this  
48 direction. As long as we, the charter-for-hire industry, were

1 well represented on that and it's like any fishery management  
2 plan and the devil is in the details, but we would have to  
3 really look at it and weigh our options.

4  
5 **CHAIRMAN ANSON:** Thank you. Dewey Destin, followed by Gunner  
6 Waldmann.

7  
8 **MR. DEWEY DESTIN:** Thank you for this opportunity to speak to  
9 you again. I feel like I'm stuck in Groundhog Day here  
10 occasionally. I have been here so many times. As most of you  
11 know, my family has been involved in the snapper fishery since  
12 the 1840s. My grandmother used to use a hand line and said  
13 those rods and reels would never catch on, but I am here today  
14 representing the restaurant business and I am proudly  
15 representing the 40,000 people who had a seafood dinner in my  
16 restaurant last year on the Destin Harbor.

17  
18 According to the folks who try to keep track of things in  
19 Destin, the restaurants in just the harbor area of Destin, which  
20 is less than a mile long, served \$50 million worth of seafood  
21 last year.

22  
23 The fairness of allocating away from those folks and the  
24 consumers who go to those restaurants escapes me totally and to  
25 allocate that towards the very small percentage of folks who go  
26 out on their own boats and catch fish, although I strongly  
27 support measures to put some kind of realistic management scheme  
28 together for them, because they want to catch fish, too.

29  
30 From the point of view of regulatory discards, we're going to  
31 allocate away from the group who has almost zero discards over  
32 to the group that, and I have been a recreational fisherman off  
33 and on, who has more or less a 90 percent death rate.

34  
35 I have looked at the rule that says we're only counting a 10  
36 percent regulatory discard for those fishing opportunities and  
37 that's not realistic in the first place, in any instance, and as  
38 someone who has been fishing out there and watched red snappers  
39 floating behind the boat that have been pulled out of deep  
40 water, 10 percent, that's the part that lives and not the part  
41 that dies.

42  
43 I would urge you to stay away from this reallocation issue.  
44 It's unfair and it makes no rational basis. It's not supported  
45 by the science and it doesn't fix the problem in recreational  
46 fishing. What we need to do is try to get a plan together for  
47 them, whether it's tags, and I've spoken before, or reef fish  
48 aggregate limits or a closed area. We can manage the

1 recreational fishery side of this equation, but we can't do it  
2 if we continue to try to reallocate and you've spent enough time  
3 on that. Thank you very much.

4  
5 **CHAIRMAN ANSON:** Thank you. Gunner Waldmann, followed by Dick  
6 Brame.

7  
8 **MR. GUNNER WALDMANN:** Good afternoon, ladies and gentlemen and  
9 thank you for the time that you're here. I'm a Cajun boy from  
10 Louisiana, south Louisiana that is. As most of you know, Cajuns  
11 are very unique and I have a very deep connection to the water,  
12 the Gulf of Mexico.

13  
14 I have been fishing probably since I was six years old in the  
15 Gulf of Mexico for various species. With that said, I've seen  
16 the fisheries go up and down for various species of fish. I am  
17 a recreational angler and I'm a scuba diver and spear fisherman.  
18 It's a wonderful world out there.

19  
20 I have seen the effects of the BP oil spill and so I'm here  
21 today as a recreational angler to ask that with the reallocation  
22 and the alternatives to Amendment 28 that you would vote  
23 tomorrow for Alternative 9.

24  
25 I am here as a voice for my grandchildren. Some of my favorite  
26 memories as a boy growing up was fishing with my dad and now  
27 that I have grandchildren that want to come fishing, and they're  
28 getting to that age in a couple of years, I want to be able to  
29 take them to catch their first red snapper or their first king  
30 mackerel or any other species in the Gulf of Mexico.

31  
32 I think, looking back at the years that I have fished, Magnuson-  
33 Stevens and the way the fisheries have been allocated for the  
34 total catch shares is very antiquated. I applaud the council  
35 for revisiting this and I ask again that you all vote for  
36 Alternative 9 for Amendment 28. Thank you so very much.

37  
38 **CHAIRMAN ANSON:** Thank you. Sir, we have a question.

39  
40 **MR. DIAZ:** Mr. Waldmann, thank you for coming. I appreciate  
41 your testimony. I am going to ask you a similar question. The  
42 last meeting, we talked about developing a recreational advisory  
43 panel to give us some input on things that we could do a better  
44 job on or different ways to manage recreational fishermen and  
45 would you be in favor of something like that?

46  
47 **MR. WALDMANN:** Absolutely, sir. I think that would be very --  
48 It would be very advantageous that we did. Again, according to

1 Mr. Cresson, and I am a member of CCA, we would have to look at  
2 the makeup of the advisory panel.

3  
4 I have known Mr. Camp for many years and I have actually  
5 volunteered to be on some of the advisory councils that we have  
6 now, because I do want to be fair and I want it to be fair and  
7 equitable for everyone. I mean the Gulf of Mexico is a  
8 beautiful place and I want to see my grandchildren and my great-  
9 grandchildren be able to fish recreational for all species in  
10 the Gulf of Mexico. Thank you very much for your time.

11  
12 **CHAIRMAN ANSON:** Thank you. Dick Brame, followed by Steve  
13 Tomeny.

14  
15 **MR. RICHARD BRAME:** Good afternoon and thank you for having me.  
16 I am Richard Brame, the Fisheries Director for the Coastal  
17 Conservation Association. I am here to speak in support of  
18 Alternative 9 in Amendment 28.

19  
20 You know Alternative 8 and Alternative 9 in Amendment 28, the  
21 rationale for them was brought about by a change in the last  
22 stock assessment, the recalibration and the change in size  
23 selectivity.

24  
25 The recalibration came about because of changes in the  
26 recreational data catch estimation methods, which produced a  
27 higher catch estimate. When fed into a stock assessment, they  
28 produced a larger ACL and the same with the size selectivity.  
29 The recreational fish, they saw that the fish caught by the  
30 recreational fishery were larger and they changed the  
31 selectivity in the stock assessment.

32  
33 Both of those two together brought about a change in the stock  
34 assessment that raised the ACL and it's solely due to the change  
35 in the recreational data and so, in our view, the increase in  
36 the ACL ought to be allocated to the recreational fishery, but  
37 fundamentally in Alternative 8, the recalibration ought not be  
38 thought of as a reallocation, the change brought about by  
39 recalibration, but it really should be a reset.

40  
41 That was a fundamental change in the recreational catch  
42 estimation method and it changed the catch string back to 1979  
43 and so that was a fundamental change and so, in closing, I would  
44 like to urge you to support Alternative 9 in Amendment 28  
45 tomorrow. Thank you.

46  
47 **CHAIRMAN ANSON:** Thank you. Steve Tomeny, followed by Skipper  
48 Thierry.

1  
2 **MR. STEVE TOMENY:** Good afternoon, council. I'm Steve Tomeny  
3 and I'm from Port Fourchon, Louisiana. I run a charter fishing  
4 business and I'm also a commercial shareholder and a commercial  
5 fisherman. I have been here several times, every time Amendment  
6 28 has been up, and I will still and have not changed my opinion  
7 that it's not necessary. I am going to speak for Action 1, no  
8 action, actually.

9  
10 Just like the gentleman before me just said, selectivity, this  
11 is something that came up -- I never heard of it until about two  
12 council meetings ago and all of a sudden we went back forty  
13 years in the data and over a new thought process that somehow  
14 they were landing bigger fish, but it might be that they hacked  
15 through fifteen or twenty little fish and killed them to get the  
16 big one. You know I don't know.

17  
18 I also am not really understanding some of the logic where there  
19 is no particular benefit for the recreational fishery. I am a  
20 part of it and I've been a part of the problem. We had de facto  
21 reallocation just from the overfishing that we did in the last  
22 twenty years.

23  
24 Eighteen out of the twenty years, we overfished the quota  
25 tremendously. I mean that was -- So you're talking about the  
26 selectivity is a reason to go back and change things after we  
27 banged away at the fish over our quota for twenty years while  
28 the commercial group was set in their quotas and stayed within  
29 them since the IFQs, for sure.

30  
31 A lot of the burden was put on the commercial to have some of  
32 the bounty that we're seeing in the Gulf right now and I too  
33 have some grandkids and one is old enough to fish and two of  
34 them are still babies and I want to see this abundance and this  
35 plentiful red snapper stock that we have now not gone away from  
36 this open-ended access that we have in the recreational fishery.  
37 My kids or grandkids are going to have to take their turn, if  
38 that's what it takes. So thank you.

39  
40 **CHAIRMAN ANSON:** Thank you. Skipper Thierry, followed by Eric  
41 Brazer.

42  
43 **MR. SKIPPER THIERRY:** Good afternoon. I am Skipper Thierry and  
44 I have a headboat out of Dauphin Island, Alabama, the Escape. I  
45 have had it there for eleven years, believe it or not. The last  
46 two years, I have had the incredible good fortune of being part  
47 of the Headboat Collaborative. It's been an unbelievable  
48 blessing. Everybody here knows what a success it's been.

1  
2 Honestly, I am terrified of this year ending and no permanent  
3 plan being in place to replace it and it going back into the  
4 derby fishery. I was able to catch red snapper up until last  
5 week by catching only one per person on most of my trips. It's  
6 been amazing and it's given so many more people the opportunity  
7 to have a nice little trip. We're not out there catching  
8 thousands of pounds of snapper every day.

9  
10 It's given our little business a tiny bit of stability the last  
11 couple of years and, personally, it's given me a little bit of  
12 dignity and sanity back. It's not easy to go fishing day after  
13 day and have just about everything closed when you could easily  
14 go catch a few fish for the people and do a good job.

15  
16 I would love to see every charter and headboat be able to  
17 permanently enjoy what the boats in the Collaborative have had a  
18 taste of the last couple of years. Please move forward with the  
19 charter and headboat management plans without delay.

20  
21 I am against reallocation. It does nothing to solve our  
22 problem. Two or three more days for the recreational sector at  
23 the expense of the commercial sector solves nothing. Shortly  
24 after you reallocate a few points to the recreational sector,  
25 they will need a few more and instead of focusing on  
26 reallocation, I would focus on solutions, like a tag system  
27 that's been brought up for recreational anglers, or any other  
28 system over the drama of a short derby season.

29  
30 I would also love to see every recreational angler enjoy a split  
31 season or a tag system or anything besides the disaster that  
32 that nine-day season has been.

33  
34 Please leave charter and headboats out of Amendment 39. We have  
35 come too far in this process with Amendment 40 to throw it all  
36 out and start over. I would also love to see you all look at a  
37 one fish bag limit or any other option that would give us a  
38 longer season for triggerfish. It would be very helpful.  
39 Closed seasons are rough on us. Thank you for your time.

40  
41 **CHAIRMAN ANSON:** Thank you, Skipper. Eric Brazer, followed by  
42 Avery Bates.

43  
44 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman. My name is  
45 Eric Brazer and I'm the Deputy Director of the Gulf of Mexico  
46 Reef Fish Shareholder's Alliance. Thank you for the opportunity  
47 to speak today.

48

1 Before I jump into reallocation, I do want to note that we  
2 support Amendment 39, regional management, for private anglers  
3 only. That's Alternative 2, Action 2. We support extending the  
4 shrimp permit moratorium at this time.

5  
6 Now reallocation. The council has been provided with a lot of  
7 information this week. We trust you've read it all and you will  
8 use what you've learned to make an informed decision tomorrow.  
9 If you do this, you will know that in your head and in your  
10 heart the only viable option in front of you this week is  
11 Alternative 1.

12  
13 Three credible independent scientists have confirmed what we've  
14 been telling you for years, that reallocation is not justified  
15 from a biological, social, or economic perspective.

16  
17 You know I'm glad that Dick Brame mentioned recalibration and  
18 selectivity and I'm going to take this ball and run with it.  
19 The very people who came up with the recalibration methodology  
20 concluded that it's preliminary and it may not be defensible  
21 from a scientific point of view and that the two other  
22 methodologies should be continued to be investigated, because  
23 it's possible that one of them may be determined to be better in  
24 the future. Those are their words. Those are not mine.

25  
26 I also want to point out that we keep hearing from some  
27 recreational sector representatives that the reallocation fixes  
28 the allocation of the baseline years of 1979 to 1987 and this is  
29 not true.

30  
31 Nothing in Amendment 28 says anything about fixing the data from  
32 the baseline years. You would actually need a new alternative  
33 to do that, but staff, council staff, has made it clear that  
34 there is insufficient information to recalibrate the  
35 recreational data from this period, in any event. I quote from  
36 last October, just ten months ago, Dr. John Froeschke said that  
37 the problem historically is that prior to 2004, and ultimately  
38 prior to that, is that they don't have the information necessary  
39 to recreate the experimental design that was used in order to  
40 sample it and so that's why they can't calibrate historically  
41 and so how did the Science Center do it? No one knows, because  
42 the information isn't available to us. The public needs that  
43 information.

44  
45 Selectivity yet has not been justified. There is not enough  
46 analysis to say why selectivity is occurring. Is it targeting  
47 practices? Is it biological? Is it something else? We just  
48 don't know, but what we do know is that it's likely to change



1 and fluctuate year to year. Why are we reallocating based on  
2 something that will change year to year?

3  
4 Please see the rest of our comments for every other rationale  
5 we've provided for why reallocation is not a viable alternative  
6 and therefore, Alternative 1 is the only way that you should  
7 move forward. Thank you for the opportunity to comment.

8  
9 **CHAIRMAN ANSON:** Thank you, Eric. Avery Bates, followed by  
10 Debbie Jones.

11  
12 **MR. AVERY BATES:** I didn't bring no notes with me and so I will  
13 speak off the top of my head. My name is Avery Bates and I'm  
14 Vice President of the Organized Seafood Association and I'm glad  
15 to address you all for the commercial fishermen of Alabama, at  
16 least most of them.

17  
18 We want to see our shrimping industry stay strong and like the  
19 man from Louisiana, we want to see 1,933 permits issued. A lot  
20 of people can't get permits and we are a ship building area in  
21 Bayou LaBatre. It's the seafood capital of Alabama and we want  
22 Amendment 28 to stay as is. Keep in mind the commercial fishing  
23 industry helps feed the country and some of the world with our  
24 commercial fish.

25  
26 We want the constitutionality of this thing looked at and what  
27 it means to our commerce. Don't affect our commerce in a  
28 negative way. We want to keep our hard-working fishermen  
29 supplying fish to these restaurants that you keep hearing about.

30  
31 87 percent of the Gulf Coast after the BP oil spill -- The  
32 restaurants said 87 percent of the money that comes through  
33 their restaurants is seafood-oriented and do you want that  
34 affected in a negative way? Do you want the people in all the  
35 states that don't border that has the liberty to buy the fish in  
36 the markets -- Alabama law 912.125 says that you can only  
37 purchase seafood from a licensed commercial fisherman.

38  
39 If you get them where you don't have enough licensed commercial  
40 fishermen, you are going to have to import that product from a  
41 country that is not inspected like we have inspections from our  
42 FDA here.

43  
44 By the way, you know something? In the Constitution, in Article  
45 1, Section 10, you can put a tariff on inspection. You know  
46 only 2 percent of our imports are inspected? Let's put a three-  
47 dollar tariff on it and we'll see our shrimp go up. It's legal  
48 and it's constitutional.

1  
2 Let's not violate the Magnuson-Stevens Act. You've already got  
3 51 percent going to commercial fishermen and 49 going to the  
4 recreational sector and let's keep it adequate. Let's keep  
5 Alabama and Bayou LaBatre and all the other towns that's doing a  
6 good deed by supplying good seafood, whether it's shrimp,  
7 oysters, or crabs, but don't take away from our industry and the  
8 people of the United States that buy it, that has access.

9  
10 Keep the constitutional aspect. Remember, we're entitled to  
11 life, liberty, and property. Guess what seafood is? It's  
12 property. It's our business.

13  
14 Some of these headboats, that's a business. Life, liberty, and  
15 property is important to our way of life. If you take property  
16 away from the people, they should run the people in office out  
17 of business. Why? Because they are entitled and they have a  
18 right to what God gave them rights to and that's fish. All the  
19 fish that passes through the seas should remain seafood.  
20 Remember, it was food before it was fun and if you want to be  
21 without food, you keep taking that away from the people of  
22 America and then you'll see where we're at, depending on China  
23 and depending on Vietnam, who doesn't have clean water.

24  
25 **CHAIRMAN ANSON:** Avery, if you could wrap up your comments,  
26 please.

27  
28 **MR. BATES:** Yes. If you want to eat tainted antibiotics in  
29 these ponds that is shipped to America that's not inspected  
30 properly -- These restaurants don't want to serve tainted  
31 product. Kevin, you know that Alabama has some of the best  
32 artificial reefs in the whole country and we want to keep our  
33 artificial reefs out there for everybody.

34  
35 **CHAIRMAN ANSON:** Avery, your time is up and I'm sorry. You will  
36 have to wrap up.

37  
38 **MR. BATES:** Thank you, all. Keep us fishing.

39  
40 **CHAIRMAN ANSON:** Debbie Jones, followed by Tony Melerine.

41  
42 **MS. DEBBIE JONES:** Hi. I am Debbie Jones with Organized Seafood  
43 Association. We represent commercial fishermen in Alabama and  
44 we want the Reef Amendment 28 to stand as is. We believe any  
45 changes in it would represent a loss to the U.S. commerce and  
46 the states who purchase our resource and it would be a loss in  
47 commerce in our fishing communities and it also would be a  
48 possible increase of imports of the resource and a possible

1 increase in the bycatch in the recreational sector.

2  
3 Our Alabama commercial fishermen practice sustainable management  
4 of our nation's red snapper industry in accordance to the MAS  
5 and under the Alabama Code, which governs sale and distribution  
6 of seafood, and we pride ourselves -- Our fishermen pride  
7 themselves on sustainability, accountability, and traceability,  
8 providing fresh, domestic, wild-caught seafood.

9  
10 With that, we agree that the recreational fishermen deserve a  
11 management plan that gives them the same abilities that our  
12 commercial guys have, sustainability, accountability, and  
13 traceability. However, we don't agree impacting the commercial  
14 seafood industry is the way to do it.

15  
16 We ask that you remember the MSA when it talks about -- The  
17 portion that talks about that no particular individual or entity  
18 can have an excessive share of such privileges whenever you're  
19 talking about reallocation and also remember that such impacts,  
20 economic impacts, could have a negative effect on these fishing  
21 communities. By that, we ask that you keep it with the status  
22 quo. Thank you.

23  
24 **CHAIRMAN ANSON:** Thank you. Tony Melerine and Johnny Williams.

25  
26 **MR. TONY RICKY MELERINE:** I want to thank the council for  
27 letting everyone here speak and also, I want to thank if there  
28 was anyone involved in having me speak before Dean Blanchard, I  
29 want to thank you.

30  
31 My name is Tony Ricky Melerine and I live in the Great Parish of  
32 St. Bernard and what I want to do is I'm here about the shrimp  
33 permit moratorium, which I feel is just a sugarcoating. What I  
34 want to do is I want to give a small history. Since I'm sixty-  
35 five years old, I feel I have a little history.

36  
37 There is a bigger picture here than this moratorium and the  
38 bigger picture started thirty years ago. I have been in the  
39 shrimp seafood processing industry for thirty years and we dealt  
40 in steamed oysters, canned oysters, and canned shrimp. One of  
41 the first things that disappeared because of imports was canned  
42 oysters back in the early 1980s or late 1970s. We lost that  
43 completely, the United States.

44  
45 2005, we had one shrimp canner in the United States. Back in  
46 the 1970s, we had forty shrimp cannerys and in 2005, we had one  
47 and now we have lost that. That was the only domestic shrimp  
48 canner in the United States that we have kept fighting for

1 imports.

2  
3 We also, thirty years ago, and I get back that we're not going  
4 to get on prices, but us dealing with shrimp thirty years ago,  
5 forty and fifties, it cost the same as what they do now. Now,  
6 where else in the United States is there a product that costs  
7 the same as it did thirty years ago, forty or fifties, this cost  
8 the same as what we used to buy it for twenty or thirty years  
9 ago.

10  
11 Now, with that, we have this moratorium and we have the TEDs and  
12 of course we had Katrina and we had BP and all of that put  
13 burdens on the commercial fishermen and when is it going to stop  
14 putting this burden on commercial fishermen, these imports and  
15 everything and then the natural disasters?

16  
17 Then the last thing I have to say is the government has got to  
18 quit turning their backs on the commercial fishermen in this  
19 great United States. Thank you.

20  
21 **CHAIRMAN ANSON:** Thank you. Johnny Williams, followed by Mayor  
22 David Carmedelle.

23  
24 **MR. JOHNNY WILLIAMS:** Good afternoon. Johnny Williams from  
25 Williams Partyboats in Galveston, Texas. I'm a third generation  
26 partyboat operator out of Galveston and first, I would like to  
27 praise the council on some of the past votes that they've done.

28  
29 Here a while back, they came up with the pilot program that we  
30 developed and the council approved and the National Marine  
31 Fisheries Service approved and we've been participating in it,  
32 one of my boats, for the last two years has been an overwhelming  
33 success.

34  
35 It was good for the folks that went fishing with us. It gave  
36 them a greater time to access the fishery and it was great for  
37 us because we can run our businesses better than the g  
38 government can run our businesses, as probably just about  
39 anybody in the country would tell you. It was a win/win  
40 situation and so I want to praise the council for that.

41  
42 Also, I want to praise them for Amendment 40. It was something  
43 that was necessary to save the for-hire sector and that same  
44 motion, I want to say that I'm totally against including us in  
45 regional management. I am very concerned that this will lead to  
46 the destruction of the for-hire sector, just as actions by the  
47 states in the past were leading to its demise.

48

1 You know we only had a nine-day season the year before last and  
2 we would have had a very short season this year again if we had  
3 not gotten sector separation by the Gulf of Mexico Fishery  
4 Management Council and so I don't think the states have the best  
5 concern for the for-hire sector and you see some of these groups  
6 coming up here and say, well, it's not fair because of what  
7 happened this year with sector separation and that you all got  
8 forty-four days and the recreational fishermen got ten and they  
9 get up here and they whine about that.

10  
11 How many of them whined to the states about, hey, why don't you  
12 close your state waters so we can all have equal access out  
13 there in the federal waters? I haven't heard anybody  
14 complaining to the states or anything like that about that. I  
15 mean instead of trying to take something away from us, why don't  
16 you try to make -- You know if you want to call something fair,  
17 then do the right thing and Amendment 40 was the right thing.

18  
19 I want you all to move forward on Amendment 41 and 42 and like I  
20 said, we had an excellent program with this pilot program and we  
21 would like to see something like this done on a permanent basis.  
22 It gives us the opportunity to manage our own businesses and it  
23 gives us some hope for the future and it gives us some stability  
24 and that's what we need more than anything.

25  
26 As far as the regional management, I don't want to try to tell  
27 the -- I mean if that's what the pure recreational fishermen  
28 want, the private recs want, that's great. I don't want to tell  
29 them how to run their fishery, but I don't want them to tell me  
30 how to run mine either and so that's why I ask that you all go  
31 forward with 41 and 42.

32  
33 As far as 28 goes, it's not the right thing to do right now to  
34 take fish out of an accountable system and put them into a  
35 system that's mostly unaccountable. Thank you very much.

36  
37 **CHAIRMAN ANSON:** Mayor David Carmedelle, followed by Dean  
38 Blanchard.

39  
40 **MR. DAVID CARMEDELLE:** Good evening, council and Dr. Crabtree.  
41 I am Mayor David Carmadelle from Grand Isle, which is about a  
42 hundred miles south of here. I've been a fisherman all of my  
43 life and my grandfathers on both sides were fishermen.

44  
45 In the early 1980s, we went to Washington to meet with the  
46 council to fight the TED issues, but what I have to tell you  
47 today is the problem we're having here is to make sure that I  
48 got elected by my fishermen to represent our fishermen and we

1 live off of tourism and we live off of the fishing industry and  
2 the oil business and going through many hurricanes watching my  
3 parents lose everything in 1965 when my dad was elected and  
4 supported by the fishermen right there around the island itself.

5  
6 We could make a good living there, but when the government came  
7 in and put the TED issues on us, we had to live with that, but  
8 today I am telling you there is things that need to be changed.  
9 Leave us alone, number one. Let our fishermen go out there and  
10 make a good living.

11  
12 Our President of the United States, President Obama, came to  
13 Grand Isle for the oil spill and our President walked on the  
14 pier with me and I showed him that this is the way the oil is  
15 headed and, Mr. President, we don't want no federal funds. We  
16 want BP to pick up its mess. Mr. President, we're like a  
17 farmer. We walk and get up in the morning and kiss our family  
18 and we go to work. He said, David, this is where you make a  
19 living and this is where my dad put me through school and my  
20 sister and all the whole family.

21  
22 You see the fishermen in the back and they will get any permit  
23 you want them to have. They want to do the right thing. I  
24 could go back to Grand Isle tomorrow and I could go take eighty-  
25 nine gas meters and water meters off, but I know what it is when  
26 my dad couldn't pass his water bill and gas bill catching crabs,  
27 which we have no crabs because of the oil spill.

28  
29 We didn't get nothing from BP and we are still dealing with BP.  
30 These fishermen want to feed their families, just like a farmer  
31 wakes up and kisses his family to go cut his sugarcane or grow  
32 his crop.

33  
34 Please, I am asking you, don't reduce the permits. If you've  
35 got 500 left or 400 left, I've got young couples coming to my  
36 office in the last two years with the insurance rates that's  
37 gone up and we followed every rule when FEMA came in and the  
38 President sent money to elevate the homes. We're doing  
39 everything we can to make our livelihoods.

40  
41 We want to make a decent living, but when you've got a young  
42 couple that comes -- You send our kids to college and come home  
43 and be a teacher or get a good job in the oil field or be a  
44 tourist director, to promote tourists to come in, to bring the  
45 fishermen in, and when they throw the keys on your desk and say,  
46 Mr. Mayor, we can't afford our house insurance because the bank  
47 wants to lend to me and pay a note for \$900 a month, but the  
48 insurance is \$1,500 a month.

1  
 2 Seven young couples left my town and guess what? These  
 3 fishermen, like my dad, sent me to school to get a better  
 4 education and all we want to do is make a living on the waters.  
 5 Leave our people alone and I want to tell you that I suggest  
 6 that you delete Alternatives 5, 6, and 7, as there is no reason  
 7 to reduce the permits for our younger generation.

8  
 9 You let our people go to work in the waters, Dr. Crabtree, we  
 10 will respect the laws. I get the *National Fisherman* book and I  
 11 read every article, every article. Since 1971, I've been  
 12 getting the *National Fisherman*. I want to know what the  
 13 fishermen do all over the United States and everywhere I read,  
 14 it's just mandates and mandates.

15  
 16 When my friend, Mr. President, came down twice, he showed me --  
 17 I didn't know that you could just off the pier catch all the  
 18 shrimp and crabs and oysters in your backyard and, David, we're  
 19 going to help you. That's why I'm here, to represent the  
 20 fishermen. As long as there is one grain of sand along the Gulf  
 21 of Mexico, we are going to support our fishermen. Thank you.

22  
 23 **CHAIRMAN ANSON:** Thank you. Mayor Carmadelle, we have a  
 24 question over here.

25  
 26 **MS. BOSARGE:** Mayor, I am from the shrimp industry and so I was  
 27 very interested in what you had to say. These people that are  
 28 wanting to get these permits, tell me about them. How many do  
 29 we have and what type of shrimping do they do and what type of  
 30 gear do they pull and where are they going and what do we need  
 31 to do to help these people? I need to know more about them.

32  
 33 **MR. CARMEDELLE:** First of all, the three-mile limit with the  
 34 federal waters, if our fishermen leave along the coast in Grand  
 35 Isle or Leesville or Port Fourchon or they come from Venice --  
 36 If they come in from Venice to come to our ports, they travel  
 37 across the federal line, because the line gets narrow as you get  
 38 to the mouth of the river and so they're scared they've got to  
 39 have the permits, because you catch shrimp all along the coast.

40  
 41 You might have to go -- With BP oil at the beginning, you had to  
 42 shrimp seventy miles off of Grand Isle and so these fishermen  
 43 are going to travel all over, from offshore and they will cut  
 44 across the line. They are scared to death. They caught their  
 45 shrimp in inside waters and they've got to cross the line  
 46 sometimes to go unload and they go to different ports and get  
 47 fuel and ice and their wives meet them at the dock and get the  
 48 money to go feed their kids and they go, because it's the phase

1 of the moon. You work with your moons.

2  
3 That's all they want to do and so we need to keep them permits  
4 so I can tell that young couple that, look, don't worry about it  
5 and the government is not going to take their permit and you can  
6 go fishing anywhere in the Gulf of Mexico, where we represent,  
7 from Texas all the way to Florida, and I'm sure along the east  
8 coast, like the young gentleman -- This shrimp buyer right here,  
9 this young man, just talked about the amendments.

10  
11 We just want to make a living and just let the permits open and  
12 we've got young -- Right now, with the BP oil spill, being  
13 honest with you, I've got young deckhands right now, twelve or  
14 fourteen years old, and I was on a boat and I still have a skiff  
15 and I'm just telling you to have a heart.

16  
17 We just testified across the river with BP giving funds to  
18 Jefferson Parish and we want to build levees with that kind of  
19 money and we want to take care of the coastline and the oil is  
20 still on my beach and I can give you data now. We are still  
21 dealing with that after five years and so don't -- Seventeen  
22 feet of water off my coast in Grand Isle right now is poison for  
23 shrimp.

24  
25 It's like you're going to your home, ma'am, and you've got a  
26 carpet and this carpet on a wooden floor and every time the Gulf  
27 gets rough -- I don't want another storm. We've done a lot of  
28 prayers and we don't want another storm. When it gets rough, it  
29 tears that piece of carpet off the wooden floor and it comes on  
30 my beach and so we're still dealing with a big mess.

31  
32 These fishermen have got to travel seventy miles away from the  
33 west or the east to make a living in the last five years. It's  
34 getting better, but if there's a disturbance in the Gulf, the  
35 oil comes on my beach and I am not blaming nobody for that. I  
36 am just telling you that's another issue that we have to fight.  
37 We support drilling. We do. We clean up our mess.

38  
39 When the fisherman isn't making no money, he goes on the oil rig  
40 and he works. We just want to make a living in the waters and  
41 if somebody makes a mess, Dr. Crabtree, let's support each other  
42 and let's go make him pick it up, but listen. They just want to  
43 pay their bills and they want to put their kids -- You don't  
44 know how hard it is to have a young couple -- Like my daughter,  
45 they came to school to teach. She is buying a home in Scott,  
46 which is west of Lafayette and I am leaving here to go see her.  
47 She starts school on Monday.

48



1 She left my town and I gave her property to build a home and she  
2 can't afford the note, because of the insurance. That's hard.  
3 When you've got a fisherman that leaves tomorrow morning that  
4 goes crabbing right across from my home or anywhere or comes  
5 from anywhere, from Houma -- These fishermen in the back, look  
6 at them. Look at them. They just want to feed their family.

7  
8 Any permit you ask them, they will pay for it. They will abide  
9 by the law. The toughest law we ever had was to save the  
10 turtles. When you have got the Coast Guard that comes in that  
11 serves our country, they didn't want to enforce those laws, but  
12 we respected them and we put them on and we did everything  
13 right, but that fisherman has got to travel all over, but if he  
14 goes across the federal waters, he is scared. He didn't do  
15 nothing illegal.

16  
17 I mean you've got big boats and small boats and medium boats and  
18 we just want to be like a farmer. We want to go out there and  
19 there is no farm aid with shrimpers or fishermen. There is no  
20 farm aid. We just want to make a living and the interest is  
21 down a little bit and thank God for that. They are trying to  
22 pay their notes, but that family that builds a home anywhere  
23 along the Gulf Coast -- The people from Alabama and Mississippi  
24 can tell you that any one of them that goes to try to build a  
25 home, the fishermen can't afford their notes and they can't pay  
26 their insurance.

27  
28 If one storm comes into the Gulf of Mexico -- I just became  
29 Mayor of Louisiana and I served one year and I represented 303  
30 and I traveled this whole state and I just got off the board in  
31 August and all along the coast, Mr. Carmadelle, please, we can't  
32 afford our insurance. Our fishermen want to make a living and  
33 it goes all the way anywhere from Florida to Texas and all along  
34 the coast.

35  
36 I was there to help the mayors from Hurricane Sandy. Because of  
37 Hurricane Sandy, we got more help. We got the east coast to  
38 represent us and show us that we didn't know what Hurricane  
39 Sandy could do to us and we're talking about mayors that didn't  
40 have a clue, because they didn't call no mandatory evacuation.  
41 Those poor fishermen are in a mess the same way.

42  
43 If a disaster leaves us alone, we can climb up. We are  
44 resilient people and we don't want nothing for nothing, but  
45 don't make it hard on the fishermen. I am not going back to cut  
46 a water bill and I am not going back. I see my daddy couldn't  
47 pay a water bill, but he made sure we had clothes on our back  
48 and that's why I am still elected and let me tell you, I am

1 going to fight for my fishermen and I am going to take care of  
2 the tourists that come enjoy themselves on Grand Isle.

3  
4 Anybody that wants to recognize and understand and enjoy the  
5 fish to eat and bring your families to fish, don't put no more  
6 regulations on any families. Let us enjoy it and if it's out of  
7 tune, Dr. Crabtree, listen. We will be the first ones to go  
8 help you, but I read *National Fishermen* books, and I'm going to  
9 repeat it again, since 1971 or 1972 and I watch what's happening  
10 to our fishermen.

11  
12 I made a promise to my fishermen that I will take care of you  
13 and I will never cut a mother with kids when they're trying,  
14 like the crab fishermen that could have sold 150 dozen of crabs  
15 yesterday, this past weekend, and they only caught maybe fifteen  
16 dozen and his wife comes up to me and says, I can't pay my water  
17 bill. There's things like that.

18  
19 You've got good jobs and I don't know what you do, but we're  
20 just the farmers of the sea. You take care of the working men  
21 and women with hands and you should have no problem with this  
22 and I support you all and please have a heart and leave us  
23 alone.

24  
25 You've got good Wildlife and Fisheries and you've got agents  
26 from all over and they do a great job. The Coast Guard, they're  
27 right there and they're all along the coast and they support any  
28 laws that you do and we make sure that we follow them, but we  
29 don't need nothing down our throats. Leave it open, ma'am.  
30 Leave it open, so I can give that young couple and maybe I can  
31 get my daughter, because her husband is trying to be a fisherman  
32 and an oil field man. Maybe I can get them back home. Thank  
33 you, all. I took too much time. Thank you.

34  
35 **CHAIRMAN ANSON:** Thank you. Dean Blanchard, followed by Douglas  
36 Olander.

37  
38 **MR. DEAN BLANCHARD:** Hello. My name is Dean Blanchard and I own  
39 Dean Blanchard Seafood in Grand Isle, Louisiana. I had a speech  
40 in my phone, but you made me wait so long the phone died, but  
41 basically we've got the largest -- The shrimp is the largest  
42 industry in the Gulf of Mexico, because you haven't regulated it  
43 yet.

44  
45 You've got a one-year crop with the shrimp and there is no  
46 reason for you all to regulate it. If you don't catch the  
47 shrimp, they die and it gets wasted and I mean how could you all  
48 regulate it? How could you all help it? The only thing you all

1 could do, I mean Ms. Bosarge over there seems to think that if  
2 she cuts enough people out that her permit will be like a red  
3 snapper permit, but when they cut the red snappers out, they  
4 didn't have 500 unused red snapper permits. Everybody that had  
5 one used it.

6  
7 There is a reason there is 500 unused shrimp permits, because  
8 you all's form ain't right. We are using those permits. We're  
9 not using them to actually fish in federal waters, but we're  
10 using them to cross federal waters, but there is no question in  
11 the form that asks that question and so if you all redo you  
12 all's form, you all might find that more people are using those  
13 permits than you think.

14  
15 In 2004, I unloaded over 1,400 boats. I unloaded so many boats  
16 that I jammed up the trip ticket system for the Wildlife and  
17 Fisheries and that's how I know how many boats I unloaded that  
18 year and so you all are trying to make the industry smaller than  
19 one dock in Grand Isle unloaded in 2004.

20  
21 Crabtree says those unused permits make it look like we're  
22 catching more turtles. He can't say that we are catching more  
23 turtles, because they've been having his goons out there for  
24 seventeen years and have never found a turtle on a boat, dead or  
25 alive and so it's just in his imagination that he thinks we're  
26 killing turtles, you know?

27  
28 If we are killing them, it's people that sure don't do a good  
29 job, because I talked to the agent that catches and they have  
30 never found a turtle on a shrimp boat in federal waters, dead or  
31 alive. Go in the computer, all of you all, and punch in  
32 "trawlers killing turtles" and you know what's going to come up?  
33 All these environmental groups that keep suing them and that's  
34 saying we're killing the turtles, but it don't say that Joe Blow  
35 killed a turtle on such and such a day, because they ain't got  
36 it, because it's not there. It's not there.

37  
38 I mean I don't want to make his job easier. He's probably  
39 getting overpaid already and I mean if we're killing the  
40 turtles, prove it and if that will help you by taking our  
41 turtles away and I hope you question me later, because if you  
42 make the business too small, your permit is going to be less  
43 than what it's worth right now. You've got to have some  
44 infrastructure in the business.

45  
46 If you make it too small, where you ain't got no ice houses and  
47 you ain't got no docks, what are you going to do? You've got  
48 four permits and you've got 500 unused permits, I will buy them

1 right now. I will write you a check right now. How much do you  
2 want for them? Don't throw them away. I mean we've got kids.

3  
4 You could kill every larvae tomorrow and come May, you're going  
5 to have a graduation class. If you cut the chain of the  
6 fishermen and stop the father from teaching his son how to fish,  
7 what have you got? If we can't feed ourselves in this country -  
8 - You all remember waiting in line for gas? Just imagine  
9 waiting in line for food. Thank you, all.

10  
11 **CHAIRMAN ANSON:** Thank you. Douglas Olander, followed by  
12 Russell Underwood.

13  
14 **MR. DOUGLAS OLANDER:** Good evening. My name is Douglas Olander,  
15 owner of Big D's Seafood out of St. Mary. I am currently  
16 looking for one of those offshore permits. It's been a long  
17 time. In other words, the last year-and-a-half, I've been  
18 asking anybody for one of them offshore permits and I wasn't  
19 able to get none at all.

20  
21 I heard that you can purchase them, but I didn't know and so I  
22 am just curious about when I will be able to go ahead and get  
23 one and so please go ahead and leave it open the way it is like  
24 that right now currently, okay? Thank you, all.

25  
26 **CHAIRMAN ANSON:** Mr. Olander, we have a question.

27  
28 **MS. BOSARGE:** I am glad you brought up that point, because I  
29 think that is a big problem in the industry, that you're looking  
30 for a permit but you can't find them.

31  
32 **MR. OLANDER:** No, I can't.

33  
34 **MS. BOSARGE:** Then what ends up on the table in front of us is a  
35 document with data showing that we have a minimum of thirty of  
36 these permits that people are not even renewing and they don't  
37 want them and they are essentially handing them back to NMFS  
38 every year and saying I don't want this Gulf permit and so I  
39 think that's one important thing that we need to do.

40  
41 If we do nothing else, we need to have some outreach and  
42 education. We need to make sure that everybody understands how  
43 to find these permits and I learned something that I didn't  
44 realize on Monday. It's on NMFS's website. They have every  
45 permit and the name of the boat the permit is on and the name of  
46 the man or company that holds the permit and the address with  
47 the city and state and they even have the expiration date, so  
48 you can see if that thing is getting close to expiring.

1  
2 **MR. OLANDER:** Okay.

3  
4 **MS. BOSARGE:** I hope that you will take that back and use it to  
5 your advantage, but spread the word, because we certainly don't  
6 want these thirty permits falling off every year and seeing them  
7 go away and the fleet have no capacity to expand. If there is  
8 people out there that want them, we have got to show them where  
9 to get them.

10  
11 **MR. OLANDER:** Yes and I know of four people currently looking  
12 for the permit.

13  
14 **MS. BOSARGE:** So help me, please. Please.

15  
16 **MR. OLANDER:** Thank you, all.

17  
18 **CHAIRMAN ANSON:** Thank you. Russell Underwood, followed by  
19 Wayne Werner.

20  
21 **MR. RUSSELL UNDERWOOD:** Hi and thank you, Mr. Chairman. I am  
22 Russell Underwood from Panama City, Florida. I fish out of  
23 Leesville, Louisiana. I have been coming to these meetings for  
24 about thirty years and today I would like to talk about  
25 Amendment 28.

26  
27 The first thing is I'm against that. I think it's wrong,  
28 morally and legally wrong, and I would like to see some things  
29 done differently. I would like to see the recreational industry  
30 finally come up to this podium and somebody make a  
31 recommendation to try to help the recreational sector.

32  
33 I have heard some testimony today about this Amendment 28 and  
34 every time people were asked questions, they started stuttering  
35 a little bit and, well, well, but, yes, but. You know if we're  
36 going to form a recreational committee, you know you shouldn't  
37 be worried about your fellow neighbor. If you've got a  
38 recreational committee, you will have recreational people on  
39 that committee and we developed the IFQ seven years ago and we  
40 had recreational people on that committee and we had  
41 environmentalists and we had enforcement and nobody intimidated  
42 me and they were all gentlemen and we got something done.

43  
44 It's time for the council to do something. You're not doing  
45 anything by giving these people a small amount of fish. You are  
46 not doing nothing for them. Do your job. I am asking you or I  
47 am begging you to do your job like you done for me and what  
48 you've done for the charter boat and the headboat industry. Do

1 your job and make the fishermen have a better way of life.

2  
3 I appreciate what you all have done for the recreational sector  
4 as far as the charter boats, Amendment 40 and 41 and 42. You  
5 all need to keep on working on that.

6  
7 On the king mackerel, I believe that we're going to have some  
8 problems with having a high -- As far as getting these 5,000-  
9 pound permits and stuff like that and so the mackerel fishery  
10 has changed in the Gulf and I used to catch quite a few and now  
11 I don't catch that many and I really don't want to lose my  
12 permit. That's coming up and I'm really concerned about that,  
13 but the bottom line is think about -- You are helping a small  
14 amount of people and I came from the recreational industry with  
15 ten years in the partyboat business.

16  
17 I love that industry and I want to help these people, but think  
18 about the people that you're hurting, that you all are going to  
19 hurt. The first thing, you're going to hurt about 300-million  
20 Americans, depriving them of the resource, and then you're going  
21 to hurt -- How about that new entrants that you all said, hey,  
22 let's let some new people into this industry. You are going to  
23 take away from these people that just got in the fishery  
24 business and how about that poor fisherman in the eastern Gulf  
25 on the bycatch issues?

26  
27 **CHAIRMAN ANSON:** Mr. Underwood, if you could wrap up your  
28 comments, please.

29  
30 **MR. UNDERWOOD:** Yes. You're willing to give these fish away and  
31 you're hurting a lot of people. You are hurting the tackle  
32 shops and the fish houses and I support the fellow fishermen and  
33 I think you all need to reconsider this and vote tomorrow to  
34 Alternative 1, just status quo. Thank you.

35  
36 **CHAIRMAN ANSON:** Thank you. Wayne Werner, followed by Louis  
37 Vallee.

38  
39 **MR. WAYNE WERNER:** Good afternoon. My name is Wayne Werner and  
40 I live in Alachua, Florida. I'm a member of the Fish for  
41 America and I would like to say I think the Gulf Council should  
42 vote for the status quo in Amendment 28.

43  
44 None of the options address the goals and objectives or the  
45 purpose and needs. With poor recruitment since 2006, we are  
46 seeing the gap in the size classes. This is availability for  
47 red snapper and not what the council is calling selectivity.  
48 This is more predominant in the eastern zone in the Gulf of

1 Mexico. The best science available does not mean the newest  
2 science just developed for this amendment.

3  
4 Roy Crabtree stated at the Baton Rouge council meeting that the  
5 recreational sector has never received benefits from any quota  
6 increases. This would be true if the recreational sector had  
7 not overharvested the largest amount of red snappers when the  
8 TAC was at that level.

9  
10 The SESSC has advised you to look at a management plan for the  
11 recreational fishery and not reallocation. The rationale was so  
12 poor for reallocation at your last special SSC meeting that the  
13 panel did not discuss reallocation. This council has shown no  
14 consistency when addressing allocation issues. They pick and  
15 choose whatever benefits the recreational sector.

16  
17 There are signs that the SPR is falling in the eastern zone of  
18 the Gulf of Mexico. This may create a situation that makes it  
19 hard to reach the rebuilding threshold in 2032. The council can  
20 only make this worse by reallocating fish, the majority being  
21 harvested in the eastern zone of the Gulf.

22  
23 I have never seen a document this unfair with the poorest  
24 rationale that I have ever witnessed with no real science to  
25 back it up. If this council votes reallocation, I would urge  
26 the fishermen in this audience to contact your congressmen and  
27 senators and voice your disapproval. Thank you.

28  
29 One more thing I would like to say about king mackerel,  
30 considering I have twenty-three seconds left, is I would like to  
31 say that I would like to see it by zones and pick your zone. It  
32 was with the advisory panel and just like Russell Underwood, we  
33 had the same situation where we saw our catches go down as  
34 people came traveling. Thank you.

35  
36 **CHAIRMAN ANSON:** Wayne, we have a question from Dr. Crabtree.

37  
38 **DR. CRABTREE:** Wayne, since you attributed a statement to me,  
39 and I don't really know where that comes from or what the  
40 context of it was, but --

41  
42 **MR. WERNER:** You said it like three different times on Monday.

43  
44 **DR. CRABTREE:** I don't think so or at least not in that context.

45  
46 **MR. WERNER:** Oh, yes, sir.

47  
48 **DR. CRABTREE:** Clearly when the quota has gone up, the

1 recreational season has been longer than it would have been --

2

3 **MR. WERNER:** Then why is it shorter now?

4

5 **DR. CRABTREE:** If you will let me finish. The recreational  
6 season was longer than it would have been had the quota not gone  
7 up and so in that sense, they gained from having quota  
8 increases. That's not the same thing as saying their season  
9 didn't get shorter, because it has gotten shorter, in many  
10 cases, but had their quota not gone up, it would have gotten  
11 even shorter than it did.

12

13 **MR. WERNER:** So you're saying by giving them more fish that it's  
14 going to make the season shorter?

15

16 **DR. CRABTREE:** No, that's not what I am saying at all.

17

18 **MR. WERNER:** That's what you just told me.

19

20 **DR. CRABTREE:** Well, I am not going to debate it with you right  
21 now.

22

23 **CHAIRMAN ANSON:** Mr. Walker.

24

25 **MR. WALKER:** Wayne, I have two questions. The first question is  
26 why do you think the SPR is falling in the eastern Gulf of  
27 Mexico?

28

29 **MR. WERNER:** Well, there is several reasons. Let me give you my  
30 own personal ones. Number one, I used to get ten or twelve  
31 people calling me and asking to lease fish and now I think I had  
32 one or two this year call and the one person that I had been  
33 leasing fish to, I leased a couple thousand pounds to and I do  
34 it every year just to address bycatch. I never made it a secret  
35 to this council. I catch most of my fish, but those people  
36 haven't even called me back to get any more fish.

37

38 You know by this time last year, they were calling to get  
39 another 2,000 pounds and everybody I talk to, it sounds like  
40 their CPUEs are going down in the eastern zone. The western  
41 zone, pretty healthy. It looks real healthy and just like I've  
42 heard people say in here there's more fish than they ever saw in  
43 their life, but what we see there, no.

44

45 Talking to some of the scientists like Jim Cowen, who are doing  
46 some of the surveys, they're seeing less fish on the reef and  
47 less fish on the structure and they've been doing it for the  
48 last five years and they've seen a decrease.



1  
2 **MR. WALKER:** One more. What do you think about the  
3 recalibration?  
4

5 **MR. WERNER:** I think it's just one part of a whole bunch of  
6 science. You know I've made the statement here before that IFQs  
7 made the fishery rebound and, as a matter of a fact, Dr.  
8 Crabtree shot me down on that. He said it wasn't just IFQs and  
9 it was -- You know we had shrimp trawl bycatch and we had size  
10 limit reductions and it's not just recalibration that allowed  
11 you to get more fish.  
12

13 If our CPUEs had fell out, if we had had huge discard numbers,  
14 then I would agree with that statement that it was just  
15 recalibration, but all of this is what made the quota go up and  
16 not just recalibration.  
17

18 **CHAIRMAN ANSON:** Ms. Bosarge.  
19

20 **MS. BOSARGE:** Just a quick question. Something you said caught  
21 my attention. You said that the SSC said the rationale was so  
22 poor that they wouldn't discuss reallocation?  
23

24 **MR. WERNER:** Well, you gave them the charge before they met last  
25 time and that's the only reason why I went to that meeting, was  
26 because they were going to discuss the Amendment 28 and  
27 recalibration selectivity and Dr. Patterson gave them -- Just  
28 before they broke for lunch, he goes, if you want to talk about  
29 these subjects later on, you can and the meeting ended and I  
30 just spent my money to go down there because you gave them that  
31 charge and they never discussed it and you gave them the charge.  
32 Thank you.  
33

34 **CHAIRMAN ANSON:** Louis Vallee, followed by Kristen McConnell.  
35

36 **MR. LOUIS VALLEE:** I am Louis Vallee, Tournament Director of the  
37 Southwest Louisiana Fishing Club in Lake Charles, Louisiana. We  
38 have held a tournament there consecutive for seventy-seven  
39 years, as of this year, and I am a recreational fisherman since  
40 1948. My godmother and godfather brought me fishing at a rig in  
41 the Gulf, one of the first rigs in the Gulf of Mexico, and I  
42 have seen all kinds of things happen in the Gulf of Mexico over  
43 the years.  
44

45 I came to support Alternative Number 2 on Amendment 39 and I  
46 think that the State of Louisiana has been doing an excellent  
47 job on finding out the catch of the fishermen. I have a camp in  
48 Grand Isle and every time we come in from offshore, they

1 approach the boat and they want to know what we caught and all  
2 the information about the fish and everything and there is  
3 hardly a trip that goes by where they don't come gathering.

4  
5 As of last week, I got a call on the telephone wanting to know  
6 what I had caught within the past week and different things.  
7 You have to register to fish in Louisiana with a permit, a  
8 saltwater fishing permit, if you plan to go offshore. It's free  
9 and you register and then they have your information to call and  
10 see what you caught and what's going on and everything.

11  
12 They've been doing a real good job and I got a notification that  
13 they are closing their red snapper season on the inland waters  
14 on September 9 because their quota had been reached.

15  
16 One last thing I want to say is I know you all don't have any  
17 control over the menhaden industry and the porgy industry, but  
18 the fish in the Gulf of Mexico have to have something to eat.  
19 As long as this menhaden people can come along and wipe out all  
20 the food fish for our fish, then there is nothing. There is  
21 nothing for them to eat and you can say what you want, but they  
22 are starving out there, because of the menhaden industry. There  
23 were six menhaden plants in Cameron and now you know how many?  
24 There is none. There is zero right now.

25  
26 **UNIDENTIFIED:** There were only three in Cameron. Excuse me.

27  
28 **MR. VALLEE:** Right, but not in Cameron. Omega Protein has one  
29 at Intercoastal City and they fly over to see where the porgy are  
30 and they go in there and grab up all the fish and that's the  
31 food for our fish. Until we start feeding these fish, you can  
32 just about forget the quotas and everything else. They have to  
33 have food to eat. Thank you very much.

34  
35 **CHAIRMAN ANSON:** Thank you. Kristen McConnell, followed by H.  
36 Cooke.

37  
38 **MS. KRISTEN MCCONNELL:** Good afternoon. I am Kristen McConnell  
39 and I am with the Environmental Defense Fund. On behalf of our  
40 over one-million members and supporters, I wanted to talk to you  
41 today about red snapper management. Thank you very much for  
42 your attention today.

43  
44 What I wanted to say that all of the pieces are on the table in  
45 front of you and I think whether we move towards positive  
46 changes or continued chaos depends in large part on the choices  
47 that you make and I think that your duty is to focus on the  
48 things that actually help and actually provide benefits.

1  
2 To that end, I wanted to talk about those three pieces. The  
3 first one is private anglers and I think you have a real  
4 opportunity, both perhaps with Amendment 39, if we can reach a  
5 place of agreement on that, as well as with the private angler  
6 AP to really think about what kinds of things might fix the  
7 frustration and the derby and the things that these folks are  
8 locked into.

9  
10 However, I think Amendment 39 is probably not the place for  
11 charter operators. I think there are better ways to help them  
12 and provide benefits and so I think for charter and headboats  
13 that moving forward with Amendments 41 and 42 is really  
14 important and exploring those options.

15  
16 This industry has come together in a really terrific way and  
17 worked in good faith with the council to talk about what they  
18 want and to talk about how to make compromises and sacrifices  
19 and all of those kinds of things and so I think it's important  
20 that the council move forward with those.

21  
22 Finally, allocation is the third piece and I think this is the  
23 one where you are likely to do harm and not good. None of the  
24 alternatives in Amendment 28 other than Alternative 1 are  
25 justified. It also has a conservation impact, no matter which  
26 alternative you choose other than Alternative 1, because of the  
27 impact in the eastern Gulf.

28  
29 I think it's important to keep that in mind, how can we do the  
30 most good this week, and I think by moving forward with thinking  
31 about how to help private anglers and how to help charter  
32 fishermen and headboats, that's what the council can focus on.

33  
34 Finally, I did want to say with shrimp that as you consider what  
35 to do with a moratorium, I think it's important that effort  
36 should be analyzed and carefully considered with regards to the  
37 effect on red snapper and turtles, giving the current shrimping  
38 techniques, and so I would encourage the council to continue to  
39 explore the impacts of both increasing and decreasing that  
40 situation. That's it and thank you very much.

41  
42 **CHAIRMAN ANSON:** Thank you. Mr. Cooke, followed by Tom Ard.

43  
44 **MR. H. COOKE:** Good afternoon. My name is Butch Cooke and I  
45 don't have a commercial boat. I don't have a charter boat and  
46 all I've got is sixty years of fishing in the Gulf of Mexico. I  
47 have seen the bad times and the good times and right now, we are  
48 riding the tide of excellent red snapper population. There is

1 some truth that they run in cycles. I have seen it, but under  
2 good management, or somewhat good management, we have reached a  
3 tremendous amount of fish out there and this fellow a while ago  
4 was talking about the Constitution and he was talking about life  
5 and liberty, but he left out the pursuit of happiness.  
6

7 I only got nine days of happiness this year and some folks got  
8 forty-four days of happiness and somewhere we're missing the  
9 boat, folks. I caught a total of four red snapper this year and  
10 if I want to eat red snapper, I've got to go to the restaurant,  
11 which you know I've for everybody getting their share of the pie  
12 and I just don't feel like I'm getting much of the pie and so I  
13 think there is bound to be a better way than the way we're doing  
14 it and the State of Louisiana has come up with a viable  
15 reporting plan.  
16

17 I think if we would have had something like this in the past  
18 that we wouldn't be having this conversation today and in  
19 closing, I would like to support Alternative 2. Thank you.  
20

21 **CHAIRMAN ANSON:** Thank you, sir. Tom Ard, followed by Ed  
22 Landgraf.  
23

24 **MR. TOM ARD:** Tom Ard from Orange Beach. I'm a charter boat  
25 captain. I've got two federally-permitted boats there. A  
26 couple of things I really want to talk about and the first is  
27 amberjacks. I don't mind the fact that you guys want to go to  
28 thirty-four inches and that doesn't really bother me at all.  
29 It's how we get there that bothers me.  
30

31 Both of my boats fish within twenty miles most every trip and  
32 we're going to have a really hard time catching thirty-four-inch  
33 jacks. That doesn't really bother me as much either, but it's  
34 what we're going to do with all these other fish trying to catch  
35 a thirty-four-inch jack.  
36

37 I would like to see, if I had my way, to go to thirty-one  
38 inches, thirty-two inches, thirty-three inches, and then thirty-  
39 four inches and work our way to that thirty-four-inch mark. I  
40 would love to see it go four years, but even if it was a few  
41 years, you go from thirty to thirty-two and then we know the  
42 next year it's going to go from thirty-two to thirty-four. That  
43 would work out better for most of all the small boat, you know  
44 the forty-foot type range boats in Orange Beach, and I think it  
45 would be better for the fish.  
46

47 I would like to see you guys start talking about triggerfish. I  
48 heard we're going to get a pretty crappy stock assessment and so

1 even if we're going to -- They are worth something. They are  
2 very valuable to me to be able to catch a triggerfish. Opening  
3 them in January does not help anyone around the northern coast  
4 and so I would love to see something, even if it's for a short  
5 while.

6  
7 I don't know how much -- None of us know what the stock  
8 assessment is going to be, but I would love to see maybe a  
9 spring opening and then maybe a fall opening, something like the  
10 jacks, even if it's for a month. I don't really care, but if  
11 it's in May, that would be great. We could use them in May.  
12 August, we could use them in August. That would be nice.

13  
14 No on Amendment 28. That's not going to really do anything. I  
15 want to see fish management. I want to see Amendment 41 and 42.  
16 I want to see our charter boat stuff going through. Sector  
17 separation was great this year and my customers really  
18 appreciated it and they thank you.

19  
20 The forty-four days was nice. That's about it. I appreciate  
21 you letting me talk. Like I say, you all start talking about  
22 triggerfish, okay, guys? Let's try to stay ahead on this deal  
23 so we maybe can have some sort of open fishery next year,  
24 hopefully. Thank you.

25  
26 **CHAIRMAN ANSON:** Thank you. Ed Landgraf, followed by Bobby  
27 Kelly. Is Mr. Landgraf here? Bobby Kelly, followed by Kenny  
28 Begneaud.

29  
30 **MR. BOBBY KELLY:** Ladies and gentlemen of the council, my name  
31 is Bobby Kelly. I am a charter boat owner and operator out of  
32 Orange Beach, Alabama. First off, I would like to thank you on  
33 behalf of my entire fleet and the thousands of Americans that  
34 caught and kept red snapper during our forty-four-day snapper  
35 season. Without the hard work of this council, none of this  
36 would have been possible.

37  
38 Had Amendment 40 not been passed, I do believe that there would  
39 have been several small businesses in my town that would have  
40 gone under and so, again, thank you for that.

41  
42 Even though I would benefit from Amendment 28, I am in no way in  
43 favor of it. The charter for-hire fleet would receive a few  
44 extra days, but I don't see how taking fish away from an  
45 accountable fishery would help anybody and so we're going to say  
46 no to that. Status quo is probably the best way to go.

47  
48 Amendment 39, if it ever becomes a viable option for the private

1 recreational angler, again, I ask you to leave us out of it. We  
2 are federally-permitted boats and we have confidence in the  
3 federal process and we have seen how that has benefitted us in  
4 the last year.

5  
6 Your next amendments that you guys are going to have a lot of  
7 work to do on is going to be Amendment 41 and 42. I think the  
8 council needs to expedite this process. Please don't drag your  
9 feet on it. We know we're looming up against the sunset  
10 provision.

11  
12 If the scoping meetings have to be done, and I guess they have  
13 to be done as part of the vetted process, but we all know the  
14 benefit that 41 and 42 will provide for the fleet and that the  
15 American public would benefit greatly from that as well, as well  
16 as having the flexibility to manage our business in the way we  
17 want.

18  
19 I'm sure by now you realize how important the triggerfish  
20 fishery is to us. As Captain Ard said, these fish do mean a lot  
21 to us. It's a great fishery and these are a great sportfish for  
22 us and we really need to have a fishery for that. However you  
23 all can work it with the stock assessment, please help us catch  
24 these fish. We've got to have them, something else to catch.

25  
26 One fish at sixteen inches seems to be the general consensus and  
27 I'm great with that. Open it to get our best usage out of it.  
28 The thirty-seven days at the beginning of the year didn't help  
29 anybody out. However, had we had thirty days in the spring or  
30 late fall, it would have been wonderful as well.

31  
32 Finally, please extend the moratorium on the shrimp permits.  
33 You have the ability to positively impact every shrimper in the  
34 Gulf with this in a great way. These guys have had a rough  
35 year. Shrimp prices are down and I'm sure you all have heard  
36 all about that, but you can help these guys do a good thing and  
37 protect their investments. If they've got the funds to buy up a  
38 hundred-foot Gulf shrimp boat, they can purchase a \$7,500 shrimp  
39 permit, which there was one on Craigslist, by the way. All  
40 right. Thank you, guys.

41  
42 **CHAIRMAN ANSON:** Kenny Begneaud, followed by Julie Hebert.

43  
44 **MR. KENNY BEGNEAUD:** I am Kenny Begneaud and I'm a recreational  
45 angler from Lafayette, Louisiana and as of eight o'clock this  
46 morning, I didn't even realize that I was going to be here, but  
47 I am glad that I came. It's been very educational hearing all  
48 the different issues from the different parties.

1  
2 My reason for coming was really because of my children and my  
3 grandchildren. I have caught enough red snapper for one  
4 lifetime. I have fished in the Gulf the past forty-five years  
5 and I just wanted to report too for a management purpose to try  
6 and manage the entire Gulf of Mexico as one unit to me -- It  
7 just can't be done.

8  
9 I was fishing the Sunday before last and in our area, the red  
10 snapper, you've heard it over and over, but there are so many  
11 red snapper, it's ridiculous. When the rules first came out for  
12 limits, I was all for it. I said we needed to do something and  
13 there is plenty of other fish to catch, but you know you go out  
14 today and you can't catch any other fish hardly but red snapper.

15  
16 We caught some mangrove snapper finally, but we had to catch a  
17 dozen red snapper to maybe catch one and those red snapper are  
18 on the surface. They are nibbling at the prop of your motor. I  
19 mean they're not down deep and, once again, that depends on the  
20 area you're fishing.

21  
22 I catch all my red snapper in forty to seventy foot of water.  
23 Seventy is deep for me and I can release fish and they can swim  
24 off. I don't have the problem of them bloating up and so forth,  
25 but there is just a heck of a lot of red snapper out there and I  
26 have fished from one end of the state to the other. I made use  
27 of the state season for the first time this year.

28  
29 I fished off of Venice and I fished out of Grand Isle and I  
30 fished out of Bayou du Large and Freshwater City and Rollover  
31 Bayou, from one end of the state to the other. Everywhere,  
32 it's the same thing. I mean there are snapper everywhere and  
33 it's just -- You know someone brought up triggerfish and I  
34 really became a trigger fisherman when the red snapper was going  
35 and now, I can't catch a triggerfish, because I can't get past  
36 the red snapper and those snapper are aggressive.

37  
38 They will hit the first bait as soon as it hits the water at the  
39 side of the boat and so the snapper population is definitely  
40 there and I would just like the opportunity for my kids and my  
41 grandchildren to be able to experience what I've experienced  
42 throughout my life and what a difference it's made for me in my  
43 life and for my girls.

44  
45 They started snapper fishing when they were five years old and  
46 they still do it to this day and they are tremendously  
47 successful human beings, individuals, and so snapper fishing  
48 just isn't about the fish. It's also about human beings and

1 life and what do you grow up to be.

2  
3 That's why it's so much more to me personally than just going  
4 out to catch red snapper and so that's it. I think, in closing,  
5 one of my favorite quotes was Henry David Thoreau, who said many  
6 men go fishing their entire lives, never realizing it was not  
7 the fish they were after. I think that's how it is for the  
8 recreational angler. Thank you.

9  
10 **CHAIRMAN ANSON:** Thank you. Julie Hebert, followed by Ben  
11 Graham.

12  
13 **MR. ED LANDGRAF:** I am Ed Landgraf. I was supposed to be before  
14 him and I stepped out to use the restroom and can I go or not?

15  
16 **CHAIRMAN ANSON:** Yes, that's fine.

17  
18 **MR. LANDGRAF:** Yes, that's fine. Again, I am Ed Landgraf from  
19 Houma, Louisiana. Just a few quick comments from a recreational  
20 perspective. I am not a scientist, but I am originally from a  
21 landlocked state, in Oklahoma, and I really didn't appreciate  
22 the fisheries that is here in the Gulf Coast until I moved here.

23  
24 I really didn't have a real fishing hobby until I moved here and  
25 I would just like to say that the ability to go out offshore and  
26 catch multiple types of fish, especially red snapper, is really  
27 special to me and I appreciate the resource.

28  
29 When I think of where I'm from, deer hunting comes to mind and  
30 quail hunting. There's a lot of hunters in the area and you  
31 know, I can't go out to a grocery store and buy deer. I can't  
32 here either. I can't buy rabbit and I can't buy quail, but one  
33 of the special things about the Gulf of Mexico is you are able  
34 to buy a wild species in a grocery store, but you can't buy a  
35 wild species on land of deer and if you open that up, the deer  
36 population would be very small.

37  
38 I don't know if that's really a fair analogy, but it's just one  
39 of the things that I think about and so where I'm from in  
40 Oklahoma, I can go hunt deer as a recreation, but, again, it's  
41 not harvested commercially and sold in stores, but here red  
42 snapper is and other fisheries, which is good. It's good that  
43 we have enough fish to be able to do that.

44  
45 I would like to say that I think that there is an abundance of  
46 red snapper in the Gulf and I feel a little bit robbed, because  
47 my snapper season this year was two days. I work for a living,  
48 like most recreational fishermen do, and two days, Saturday and



1 Sunday, is what I was able to go fish, which is like most  
2 recreational fishermen.

3  
4 I think that looking at this allocation and being able to  
5 increase the number of days is really important to the  
6 recreational fishermen and I think that there's a balance that  
7 we need to strike and from what I know about the Alternative 9,  
8 I think I speak for a lot of recreational fishermen, which I  
9 know a lot of them aren't here, because they're working on a  
10 Wednesday, right? But there are a lot of them that fish on the  
11 weekends.

12  
13 Help protect that special experience for the recreational  
14 fishermen and understand the differences, the checks and  
15 balances, for what the commercial provides and what the  
16 recreational experience is. I would just challenge the council  
17 to understand the realities of what goes on in the commercial  
18 area and try to accommodate facilitating that culture and that  
19 experience for many generations to come. Thank you.

20  
21 **CHAIRMAN ANSON:** Thank you. Julie Hebert, followed by Ben  
22 Graham.

23  
24 **MS. JULIE HEBERT:** Good afternoon. My name is Julie Hebert and  
25 I'm here to represent the recreational, solely recreational,  
26 fisherman or angler, if you will. I started fishing at the age  
27 of four and Hebert is a last name that is traditionally south  
28 Louisiana. Anywhere else in the nation, my reservation will be  
29 wrong and will be under "A" instead of "H".

30  
31 It's also a name where people have grown up on the bayous, the  
32 waterways, the coastal areas. They hunt, they fish, and it's  
33 heritage. It is a way that we teach our sons and daughters  
34 about the conservation of the land.

35  
36 You cannot teach a child about the conservation of the land from  
37 a textbook. In fact, I have had some folks from Washington when  
38 I've been in a meeting that read in a textbook that there is no  
39 life after eighty feet in the Gulf of Mexico and I said, come  
40 grouper fishing with me, please.

41  
42 We run our own boat and have many, many friends who are charter  
43 fishermen. We love our charter fishermen and support them in  
44 ways when people call us from outside of Louisiana and say, hey,  
45 can we come stay with you and go fishing with you? We may be  
46 working Monday through Friday, but let us give you the name of a  
47 great charter captain that will show you what Louisiana is  
48 about.

1  
2 With that being said, Amendment 28, the alternative I would like  
3 to see is Number 9, because not only did we have nine days of  
4 fishing last year, but if you're from here, you knew that it was  
5 blowing like nobody's business and you couldn't even get out  
6 there that weekend to go catch the fish and so we had zero days.

7  
8 Now, that being said, it wasn't adjusted for and nobody said,  
9 well, let's change the date and give them another weekend and we  
10 know the recs really couldn't get out there, but we just lost  
11 those days. Very rarely do I buy protein at the grocery store.  
12 My husband hunts and my two boys hunt and I don't hunt, but I  
13 fish. I fish every weekend I can.

14  
15 We usually are stocked with red snapper, with amberjack, with  
16 wahoo and tuna. Our trips typically go something like this. We  
17 get up in the morning and we leave Grand Isle after breakfast  
18 and we go out and we go as far out as we can and we catch our  
19 tuna and we come back and we catch some amberjack and we come  
20 back and at those amberjack always with twelve-inch hardtails  
21 will catch your huge red snapper and right now, we're letting  
22 them float away. They do not survive. It's probably an 80 or  
23 90 percent mortality rate.

24  
25 We work in an industry of science. I like numbers. We all know  
26 that the numbers were flawed from before and so I just ask you  
27 to please go for Alternative 9 on Amendment Number 28. With the  
28 hunting and fishing, some of the men that were up here talking  
29 about the commercial fisheries, I bet if you told them that they  
30 could no longer go harvest their own deer that they would all  
31 have a heart attack. We would just like to go get our own  
32 snapper and teach our families what it's about and when we have  
33 grandchildren -- We are in no rush, but when we do, we want to  
34 be able to take them too. I appreciate your time.

35  
36 **CHAIRMAN ANSON:** Thank you, Ms. Hebert. I'm glad that I was  
37 able to pronounce your name correctly, because I have not done a  
38 good job today.

39  
40 **MS. HEBERT:** You did a great job.

41  
42 **CHAIRMAN ANSON:** Ben Graham, followed by Kim Chauvin.

43  
44 **MR. BEN GRAHAM:** My name is Ben Graham and I have been a  
45 recreational fisherman for my entire life. I've fished all over  
46 the Gulf of Mexico and for the last ten years or so, it's been  
47 out of Grand Isle and as you all know, there is no shortage of  
48 red snapper in the Gulf of Mexico right now, or at least in the

1 Louisiana portion of the Gulf of Mexico.

2  
3 One thing that I would -- First of all, I'm here to support  
4 Alternative 9 of Amendment 28. I think it's probably the right  
5 thing to do and I've heard somebody mention that there's not  
6 many recreational guys at these meetings and that's correct.

7  
8 I have made a number of these meetings over the years and the  
9 reason they're not is guys are at work and it's hard to take an  
10 entire day off and come to one of these meetings. I am self-  
11 employed and luckily I'm able to do so, but I talked to four or  
12 five guys over the last couple of days who said I would love to  
13 go, but I can't make it and I will send an email comment, but go  
14 up there and speak what's on most of our minds.

15  
16 A lot of these charter guys bring up the idea that -- The  
17 charter-for-hire guys bring up the idea that the fish belong to  
18 the American public and we're robbing them of access. Well, I  
19 would agree with that, but the problem with that is the only way  
20 they can access it is if they come here and pay one of these  
21 guys hundreds of dollars to take them fishing, to take them out  
22 there to access this public resource.

23  
24 I have friends who come in all summer long to fish with me from  
25 Atlanta and Tennessee and Texas and they come to fish with me in  
26 Grand Isle and they want to know why we can't go catch red  
27 snapper, but if they walk across the dock and pay a charter guy  
28 hundreds of bucks, he can take them to catch red snapper,  
29 fishing in the same spot that we would go to.

30  
31 Then the answer is it's just the way the system is and we  
32 thought it was a public resource and we could access it. Well,  
33 no, you can't. The only way you can access it is if you go  
34 through a handful of people who happen to have a permit to take  
35 you out there and you pay them to access the resource.

36  
37 It's not really about accessing the resource for 300-million  
38 Americans, but it's about making money for a handful of people.  
39 I own a business and I completely understand that that's the  
40 realities of why you're in business, but don't paint the picture  
41 of it's access for these 300-million people when the only way  
42 they can get to that resource is to pay you.

43  
44 You know the mortality issue was brought up and I don't know the  
45 numbers on it, but I know I've come up on a lot of commercial  
46 boats before who have miles of dead snapper floating behind  
47 them. I spearfish a fair amount and there's a lot of fish down  
48 there.

1  
2 Simply put, NOAA has -- There's been an admittance that there  
3 was a mistake made in historical numbers and the fact that the  
4 mistake was made and has been admitted to is really a great step  
5 in the right direction and all we're looking for is to go ahead  
6 and act on that and correct it and the only way to do that is  
7 Amendment 28, Alternative 9. Thank you for your time. I  
8 appreciate it.

9  
10 **CHAIRMAN ANSON:** We have a question, Mr. Graham, from MR.  
11 Sanchez.

12  
13 **MR. SANCHEZ:** Hi there and thank you for coming. How many state  
14 days did you have? I keep hearing everybody say nine days, nine  
15 days, nine days, but different states had a lot of different  
16 days open and there were fishing opportunities open.

17  
18 **MR. GRAHAM:** I don't know. I don't work for the Wildlife and  
19 Fisheries Department. You can call them and ask them and I'm  
20 sure they can answer that.

21  
22 **CHAIRMAN ANSON:** Dr. Crabtree.

23  
24 **DR. CRABTREE:** It was a 172-day season in Louisiana.

25  
26 **MR. GRAHAM:** For the state season?

27  
28 **DR. CRABTREE:** Did you fish in state waters? Did you take  
29 advantage of that? Do you fish in state waters?

30  
31 **MR. GRAHAM:** I probably fished state waters one day, I would  
32 say. I am in Grand Isle and so we're kind of on the edge of I  
33 guess where the benefits are. We would have to travel to the  
34 east to the do that and most of the guys to the west of us  
35 cannot take advantage of that. Any other questions? Thank you,  
36 guys. I appreciate your time and I hope you have a good  
37 evening.

38  
39 **CHAIRMAN ANSON:** Thank you. Wait. We have one more question  
40 from Mr. Diaz.

41  
42 **MR. DIAZ:** Thank you for coming. I appreciate you taking the  
43 day off to do that. I am going to ask you the same question  
44 that I asked some of the other recs. A couple of meetings ago,  
45 we talked about getting a recreational advisory panel together  
46 and would you be in favor of us trying to get a panel together  
47 of recreational folks, and maybe a few other people, to give us  
48 some ideas about how to better manage recreational fishermen?

1  
2 **MR. GRAHAM:** Absolutely I would be in favor of that. I have  
3 applied for some of the advisory committees to try to serve on  
4 them and the only recommendation I would have is that whatever  
5 recommendations come out of that advisory panel that we take  
6 them seriously and try to act on some of them. Thank you and  
7 have a good day.

8  
9 **CHAIRMAN ANSON:** Thank you. Kim Chauvin, followed by Chris  
10 Niquet.

11  
12 **MS. KIM CHAUVIN:** Good afternoon. I am Kim Chauvin and I own  
13 three commercial shrimping boats and a dock in Dulac, Louisiana.  
14 We do have some poor communication with National Marine  
15 Fisheries Service in the permitting part, because in May when I  
16 sent off my permit, I sent in all the information and I didn't  
17 receive my permit until July 22. That was mid-May when I got  
18 the renewal to send in for.

19  
20 With that, I had to make several phone calls in which they had  
21 abandoned my permit because they couldn't read my documentation  
22 and I had to call Roy and try and get some of this cleared up,  
23 but my deadline for my permit was June 30 and so they had my  
24 boat sitting at the dock for twenty-something days so that they  
25 can decide to send me my permit and so we do need some better  
26 communication with National Marine Fisheries and that was me  
27 keeping up with the internet and keep calling them.

28  
29 I had called them many times over to try and get that permit  
30 back to me and so we do have some issues on that. I am for  
31 capping the permits at a level, after talking to Dr. Benny  
32 Gallaway and finding out what our issues were with the bycatch  
33 issue and how we were exceeding that goal in the reduction part  
34 of it on the 2008/2009 numbers, which I see your Shrimp  
35 Committee Report is kind of pulling together that right now, but  
36 to put the latent permits or the expired permits in a pool with  
37 National Marine Fisheries Service.

38  
39 The guy said that he found one on Craigslist and great. Let him  
40 go buy it. I don't do Craigslist. I don't trust anything on  
41 Craigslist. It's a crazy world we live in, but you might get --  
42 It might be something that you're not wanting to meet up with.

43  
44 As far as permits, it is hard to find them and I'm glad that you  
45 did say where they could find them on National Marine Fisheries,  
46 because I think that you will have a few of them doing that.  
47 Thank you.

48

1 **CHAIRMAN ANSON:** Thank you. Ms. Chauvin, we have a question  
2 from Ms. Bosarge.

3  
4 **MS. BOSARGE:** Hi, Kim. Thanks for coming and please do -- I  
5 know you interact with a lot of the shrimpers and we've got to  
6 have that communication. Please let them know, because we don't  
7 want these permits being handed back to NMFS and nobody taking  
8 advantage of them and so please let them know. The NMFS website  
9 I found it and it was really easy and all the information you  
10 could ever need and so please pass it along. Thanks.

11  
12 **MS. CHAUVIN:** I definitely will do that.

13  
14 **CHAIRMAN ANSON:** Chris Niquet, followed by Will Spann.

15  
16 **MR. CHRIS NIQUET:** Hello. My name is Chris Niquet from Panama  
17 City, Florida. Most of you here on the council know me and if  
18 you don't, you will be in the future. The first thing is on  
19 Amendment 28, for the status quo on Amendment 28. I don't think  
20 there is any need to reallocate.

21  
22 The approximately three-hundred-and-fifty-something-thousand  
23 pounds that you're thinking about reallocating will be just over  
24 one day of fishing for the private recreational fishermen and I  
25 haven't heard anything from anybody here on the council or any  
26 scientific committee about how you're going to stop the increase  
27 in the number of the private recreational fishermen accessing  
28 the fishery.

29  
30 If they keep increasing, they will eventually outrun the entire  
31 TAC. If the IFQ fairy come down and gave them 100 percent of  
32 the TAC, they would have eighteen days fishing. I have heard it  
33 over and over again that that ain't enough. Well, if 100  
34 percent ain't enough, somebody here tell me what is.

35  
36 You can't have more than 100 percent and so this reallocation  
37 ain't the answer, fellows and ladies. We've got to do something  
38 else. You've got to come up with a plan to limit participation,  
39 tags, stamps, a lottery system. It works for elk and it works  
40 for deer and it works for ducks and it will work for snapper and  
41 it will work for grouper.

42  
43 The next thing is you need some kind of way for the shrimpers  
44 and I don't know if it's to limit the participation by the  
45 permits you give out or to make the imports meet a certain  
46 standard on their sanitary conditions or something, but you need  
47 to level the playing field.

48

1 If you don't level the playing field, you are going to put a  
2 bunch of shrimpers out of business and shrimping is already in  
3 bad trouble. You've got people going out of business and they  
4 can't feed their families and something needs to be done to help  
5 the shrimpers and it needs to be done rather quickly. There are  
6 a bunch of them tied up because they can't make any money and  
7 they can't support their families. Thank you very much for your  
8 time.

9

10 **CHAIRMAN ANSON:** Will Spann, followed by Chris Horton.

11

12 **MR. WILL SPANN:** Good afternoon. My name is Will Spann and I  
13 work for a company called Big Rock Sports. We're a distributor  
14 in the fishing tackle industry and so I work with a lot of the  
15 independent shops in this area and further to the east.

16

17 I call on about seventy retailers in Mississippi, Alabama, and  
18 Florida and so I am speaking from that side of it, seeing the  
19 economic impact that red snapper season does have. I am here to  
20 support Alternative 9. I think that increasing the allocation  
21 of red snapper to fifty-seven-and-a-half percent for the  
22 recreational side will have a great economic impact in the  
23 actual shops that I call on as well as the local economies  
24 further outside of just the fishing industry.

25

26 As it is, the hotels and the restaurants and the number of  
27 people that it does bring in, that's the biggest portion of it.  
28 We do provide such a great economic impact for the local  
29 economies. It's something that is very important and it's far  
30 too important for action not to be taken. Thank you.

31

32 **CHAIRMAN ANSON:** Thank you. Chris Horton, followed by Stan  
33 Harris.

34

35 **MR. CHRIS HORTON:** Thank you, Mr. Chairman and members of the  
36 council. My name is Chris Horton and I'm the Fisheries Program  
37 Director for the Congressional Sportsmen's Foundation and also  
38 serve on the Recreational Fishing Working Group, the Marine  
39 Fisheries Advisory Committee, and as frequently as I can, I'm a  
40 Gulf Coast recreational angler.

41

42 Actually, several years ago I had a great trip with Mr. Greene  
43 there, but I am here to speak in favor of Alternative 9 for  
44 Amendment 28, a reexamination of the allocations between the  
45 fishery sectors for red snapper, because it's been overdue,  
46 although I can appreciate the inherent difficulty in ultimately  
47 coming to a final decision on that, for sure.

48

1 However, given the guidelines in the Magnuson-Stevens Act and  
2 the National Standards as it pertains to reallocation as well as  
3 the mandate by the councils to manage on the best available  
4 science, I think it seems clear that Alternative 9 should be the  
5 preferred alternative.

6  
7 Obviously the original allocation of 49 percent recreational and  
8 41 percent commercial was set in the early 1990s and was based  
9 on recreational catch data that we now know underestimated  
10 angler harvest and, in fact, that system, Dr. Patrick Sullivan,  
11 before a report to Congress in 2006, said it was fatally flawed.

12  
13 With this better MRIP data, Alternative 8, and I believe Dick  
14 even said that earlier, shouldn't be an alternative for debate.  
15 It should be an automatic reset in order to correct an incorrect  
16 original allocation and that should serve as the baseline for a  
17 starting point about truly looking at reexamining allocations  
18 based on the best social, economic, and environmental data and  
19 we know that there's been plenty of debate around some of those  
20 parameters, but the economic data I think clearly shows that an  
21 adjustment in favor of recreational anglers would be beneficial.

22  
23 Although there are other alternatives out there, I think  
24 honestly Alternative 9 is the best one, based on the best  
25 available science. As the fish get bigger, the recreational  
26 anglers are reaching their quota quicker and basically  
27 Alternative 9 just makes a slight adjustment in identifying  
28 that.

29  
30 I know at the end of the day that Amendment 28 is not the silver  
31 bullet to managing the recreational sector, but what Amendment  
32 28 does is it provides an opportunity to correct poor data and  
33 to reallocate slightly based on the latest and best available  
34 science and so we urge you to vote in favor of Alternative 9.  
35 Thank you.

36  
37 **CHAIRMAN ANSON:** Thank you. Stan Harris, followed by Mike  
38 Jennings.

39  
40 **MR. STAN HARRIS:** Good afternoon. My name is Stan Harris and  
41 I'm the President and CEO of the Louisiana Restaurant  
42 Association and I'm also the Louisiana Co-Chair for Share the  
43 Gulf and I believe they distributed some information to you  
44 earlier.

45  
46 Our industry is the largest employer in Louisiana, about 12  
47 percent of overall employment, about 200,000 plus people, and  
48 our sales exceed a little over \$7.3 billion a year now. The



1 proposals today are damaging to our restaurants and don't  
2 provide a real recreational solution. Our restauranteurs, which  
3 chefs spoke with you earlier today, prefer to serve wild-caught  
4 Gulf seafood, but, as you've heard, their options are limited.

5  
6 In Louisiana, we are known for our cuisine worldwide. It isn't  
7 just how we prepare an item, but it is what we prepare and Gulf  
8 fish is the center of the plate and critical to fill our  
9 consumers' demand.

10  
11 We will continue with our state restaurant association partners  
12 in Florida, Texas, Alabama, and Mississippi to follow the Gulf  
13 Council process as we seek more opportunities to share the Gulf  
14 and what it can sustainably provide to our restaurants,  
15 customers, and visitors, but we know a critical element to what  
16 feeds the restaurants and feeds the consumers is working with  
17 the commercial sector to be able to know that we'll have  
18 something that can sell.

19  
20 We ask you to support the status quo on red snapper allocation  
21 for Amendment 28 on Option 1 and we thank you very much for the  
22 opportunity to speak to you today.

23  
24 **CHAIRMAN ANSON:** Thank you. Mike Jennings, followed by Jim  
25 Green.

26  
27 **MR. MIKE JENNINGS:** Hello. I'm Captain Mike Jennings and I'm  
28 President of the Charter Fishermen's Association and I own two  
29 federally-permitted charter boats in Freeport, Texas and I would  
30 like to thank the council from the association standpoint for  
31 Amendment 40. It was not only good for the industry, but it was  
32 good for the access of a lot of American recreational anglers.

33  
34 I would also like to congratulate some of the members on their  
35 reappointments and the musical chairs that Mississippi played  
36 and I'm speaking at Dale for a moment, but I would really like  
37 to thank Harlon for his service and welcome Mr. Swindell and I  
38 look forward to working with you and having a working  
39 relationship that can help move this fishery forward.

40  
41 We would like to ask on Amendment 28 that the council choose  
42 Alternative 1, no action, and that's been our answer from day  
43 one on this and we stand by that. On Amendment 39, we still ask  
44 that you remove the charter-for-hire industry and if you want to  
45 move forward on Amendment 39 for the private recreational  
46 industry, we have no reason to ask the council to not move  
47 forward or any reason to stand in the way of that. We would  
48 like to see you all move Amendment 41 and 42 forward and

1 continue working on a new FMP for the charter-for-hire industry.

2  
3 On the shrimp moratorium, we see that moratorium reflected in  
4 our own industry and we ask that you leave that moratorium in  
5 place and extend it and help them keep that stability there and  
6 we see it connected to our own industry in some of the red  
7 snapper bycatch issues and those thresholds that they have to  
8 stay under and so forth and so on.

9  
10 We see it affecting more than just the shrimping industry alone  
11 and I would like to see the council seriously move forward with  
12 an FMP for the private recreational angler and I don't care if  
13 it's a tag system or whatever that was discussed earlier, but  
14 something other than just lip service to it.

15  
16 Last, but not least, and real quickly I will get off this mic,  
17 but I heard a comment yesterday about when the committee was  
18 discussing Amendment 39 that it was unfair that one sector got  
19 more than the other and that conversation went back and forth  
20 and even one comment was made that it was unfair that one sector  
21 got forty-four days while the other sector got ten.

22  
23 If I take that at face value, the season is closed for both, yet  
24 I opened social media yesterday and the very first thing at the  
25 top of my phone is Cyprus Cove Marina and dead red snapper.  
26 It's insulting. It's insulting to me and it's insulting to you  
27 and it's insulting to everyone behind me right here.

28  
29 I mean if we're going to be disingenuous about this and just  
30 draw lines in the sand and get nothing done, then I guess that's  
31 where it goes and it has to go beyond this council, but I am  
32 hoping that, looking around this table, I can figure out that  
33 that's not the case and that a nine-day season was not the case  
34 and it's not cut and dried in federal waters and I'm thinking  
35 that everybody at this table has got a higher IQ than me and so  
36 I'm figuring they can see it, too. I've got my red light on and  
37 I thank you all.

38  
39 **CHAIRMAN ANSON:** Mike, we have a question from Mr. Walker.

40  
41 **MR. WALKER:** This is kind of like what Robin mentioned earlier.  
42 I just want to ask you what do you think and would you be in  
43 favor of a tag system that would remove Amendment 40, end  
44 Amendment 40?

45  
46 **MR. JENNINGS:** For the entire recreational industry as a whole  
47 and remove Amendment 40? I don't know. I mean now you're  
48 talking limited access to the private recreational angler and

1 I've been told by some of the people on this council that that's  
2 not necessary, but unless it's going to be an open access tag  
3 system.

4  
5 If we did that, would the states close their waters? I mean  
6 that would be something that would have to be answered. How  
7 would those tags be distributed or at what time of the year  
8 would they be distributed? Would it be an access to where the  
9 tourist industry would have the ability to say, hey, I didn't  
10 know red snappers even had tags, but I am sure glad that some  
11 are still around or would they all be bought up early on in the  
12 year?

13  
14 Would the council be willing to remove separate-type regulations  
15 that already create a de facto sector separation? I don't know.  
16 Would these tags be put into the control of NMFS or would they  
17 be given to the state under some kind of an Amendment 39  
18 scenario, where we can work behind closed doors with five state  
19 directors and they just throw it out here and say this what  
20 you've got, guys? I don't have a clue.

21  
22 The answer to that question of would I be in favor of a tag  
23 system for the entire recreational industry that would include  
24 the charter boats -- Would I or is it something that the council  
25 is actually looking at or is it just a ploy to kill Amendment 40  
26 and just continue on with status quo as it is? The answer is I  
27 don't know and if you could answer all those questions for me as  
28 a council, I could give you an answer and I could very well  
29 support it or not. Thank you.

30  
31 **CHAIRMAN ANSON:** Jim Green, followed by Ryan Prewitt.

32  
33 **MR. JIM GREEN:** Hello and thank you for the opportunity to speak  
34 today. Welcome back, Mr. Diaz, and welcome to the council, Mr.  
35 Swindell. We appreciate your time and effort being onboard. My  
36 name is Captain Jim Green and I'm the Vice President of the DCBA  
37 and I'm also the Chairman of the For-Hire Red Snapper AP and I'm  
38 also a member of the Headboat Reef AP.

39  
40 The DCBA is against any allocation shift from commercial to  
41 recreational. We feel that the entire recreational sector needs  
42 to bring accountability to the fishery before we can make this  
43 discussion.

44  
45 This feel-good shift in allocation doesn't solve any problems  
46 and it doesn't address the real issue and that is constraining  
47 effort. The commercial industry did it and the for-hire  
48 industry did it and some might not want to talk about it, but

1 it's about time that the private angling component did it.

2  
3 You have to look at what constrained effort has done for this  
4 fishery and reallocation is not a solution. If it was, the  
5 boost in TAC from 2008 to now would have solved all those  
6 problems.

7  
8 The DCBA is asking that Amendment 41 and 42 be placed on a fast  
9 track. Again, the DCBA also thanks the council for Amendment  
10 40. I have heard that some may not be comfortable with how fast  
11 it's moving and I say to that that we're not pleased with the  
12 limited amount of time that we were given either.

13  
14 This time constraint has helped our industry leaders get in gear  
15 and it's also helped us make some real hard decisions. We moved  
16 through two one-day AP meetings with tenacity and we put our  
17 individual needs aside and both APs created a strong list of  
18 recommendations.

19  
20 Of those recommendation, over 90 percent of them were  
21 supermajority approved by those AP members. You gave us this  
22 opportunity and we have seized that chance. We have given the  
23 recommendations of what our industry would like to see. It  
24 wasn't contradictive and it wasn't even vague, but it was a  
25 blueprint on how the stakeholders of our industry want to see  
26 our future laid out.

27  
28 It brings to the table accountability, good stewardship, and  
29 more access for the non-boat-owning public and it also allows  
30 for the generational transfer of our industry. Please do not  
31 slow this down. We want to be removed from 39, as it does not  
32 have a clear path or balance involved. It might be further  
33 along in the council process, but it does not have the legs and  
34 the unity that 41 and 42 has demonstrated. Both APs would like  
35 to reconvene with an updated charge and move forward with the  
36 development of these amendments.

37  
38 Real quick, I think that the moratorium should be extended at  
39 the current level for the shrimpers, with consideration of a  
40 permit pool for the ones that are expiring and also the DCBA  
41 would like to see options for a split season, a reduced bag  
42 limit, and an increase in the size limit in triggerfish. We  
43 want to be proactive with this fishery and not lose all of our  
44 access. Thank you.

45  
46 **CHAIRMAN ANSON:** Thank you. Ryan Prewitt, followed by Chris  
47 Flocken.

1 **MR. RYAN PREWITT:** Good afternoon. My name is Ryan Prewitt and  
2 I, along with Donald Link and Stephen Stryjewski, are the chefs  
3 and owners at Peche Seafood Restaurant here in New Orleans. We  
4 are a restaurant that's dedicated to serving the best wild-  
5 caught Gulf seafood that we can and I am here to speak against  
6 the proposed reallocation of hundreds of thousands of pounds of  
7 American red snapper away from restaurants, grocery stores, and  
8 the American consumer.

9  
10 There are already a number of iconic Louisiana finfish that we  
11 cannot serve in the restaurant and I do not want to see the  
12 American red snapper follow suit. People associate Louisiana  
13 with seafood and they travel here from all over the country and  
14 the world to enjoy what swims in our waters. Nowhere is this  
15 more apparent than in a restaurant.

16  
17 At Peche, we work with shrimpers and crabbers and oyster farmers  
18 and fishermen to provide our customers with the best seafood  
19 that we can. We take our role very seriously and to that end,  
20 we focus almost exclusively on Gulf products. We never buy  
21 imported seafood and just about the only thing that doesn't come  
22 from Gulf waters is a small number of farm-raised fish.

23  
24 The majority of people in our country enjoy seafood in  
25 restaurants and maintaining access to the seafood is very  
26 important to me. When my mother drives down from Memphis, she  
27 comes to Peche and eats the fresh shrimp and snapper she cannot  
28 get at home.

29  
30 The thousands of people we serve each week come to Peche just to  
31 do the same thing and we're a relatively small part of a very  
32 large economy that's tied to the Gulf seafood. The people who  
33 catch the fish and process the shrimp and sell the crab and  
34 serve customers in restaurants all have their income directly  
35 associated to our wild commercially-caught seafood.

36  
37 The commercial sector is highly regulated and has allowed for  
38 the regeneration of a species that was very recently in serious  
39 trouble. The commercial captains are highly incentivized to  
40 fish within their quotas and follow the rules, as their  
41 livelihood and the welfare of their families depend on income  
42 derived from these fish.

43  
44 As I understand it, this reallocation will only give  
45 recreational fishermen an extra day or so of fishing. Moving  
46 any snapper from the commercial sector means that it becomes  
47 less accessible to the general public. There must be a balance  
48 and the current balance allows the recreational fishermen,

1 charter captains, and the vast majority of Americans to enjoy  
2 wild-caught, sustainable American red snapper.

3  
4 On behalf of the employees of Peche, our fishermen and our  
5 customers, please vote no action and keep the existing balance  
6 in this iconic fishery. Thank you very much.

7  
8 **CHAIRMAN ANSON:** Thank you. We have a question from Mr. Boyd.

9  
10 **MR. BOYD:** Thank you for your testimony and just a quick  
11 question. In the past three years, have you experienced any  
12 shortage of red snapper?

13  
14 **MR. PREWITT:** We buy our snapper when it's available at prices  
15 that we deem acceptable for our restaurant and we have not had  
16 really -- No, not really. Week in and week out there will be a  
17 few days a week where it won't come in. We're dependent on the  
18 certain boats that we work with. When those boats come in with  
19 the fish, we buy them and when the boats don't come in with the  
20 fish, we buy something else.

21  
22 **MR. BOYD:** Thank you.

23  
24 **MR. PREWITT:** You're welcome.

25  
26 **CHAIRMAN ANSON:** Chris Flocken, followed by Shane Cantrell.

27  
28 **MR. CHRIS FLOCKEN:** Good afternoon and thanks for having me. I  
29 am Chris Flocken and I am Sales Director of the Southeast United  
30 States with Big Rock Sports and I've been fortunate enough to  
31 have lived here since 1991 and served as a sales representative  
32 with the company, serving from Panama City over to Biloxi.

33  
34 In that time, I've just been fortunate enough to have become  
35 great friends with the tackle dealers and many of the captains  
36 and some of who -- I look at both sides of this equation, but  
37 what I want to talk about today is the economic side of the  
38 equation and the ripple effect that I see the sportfishing side  
39 create.

40  
41 During snapper season, it's just amazing to be in a store and  
42 there is no room to walk and the aisles are just full of people  
43 and the parking lots are full and there is no place to park and  
44 no spots at the fuel pumps and the day after it closes, and  
45 we're talking in the heat of the summer, it's a ghost town.

46  
47 For me, I sit there and look at the ripple of all the industries  
48 that that touches and I just feel that it's an area that still

1 needs support, continued support, and I'm here in support of  
2 Alternative 9, Amendment 28.

3  
4 In my many years or one of the things I heard today, a comment,  
5 is that one extra day, that little bit of extra fish, doesn't  
6 mean anything. It does mean a lot. I have called on these same  
7 dealers as a rep and now I'm the Sales Director and I hear it  
8 from a different perspective and just that little bit of extra  
9 fish is that many more weeks they didn't have to lay people off  
10 early for the summer. It's that many more gallons of fuel sold  
11 and that many more heads in beds for people that tow their boats  
12 down. So on and so forth and just the economic impact to the  
13 boat dealers and it could be the person at the drive-thru at  
14 McDonalds. It does make a huge impact.

15  
16 What I hear today is it doesn't really mean anything, that one  
17 extra day, that little bit extra. It does mean an awful lot and  
18 so I'm here in support of Alternative 9 in Amendment 28. Thank  
19 you.

20  
21 **CHAIRMAN ANSON:** Thank you. Shane Cantrell, followed by Jillian  
22 Williams.

23  
24 **MR. SHANE CANTRELL:** Good afternoon. I am Shane Cantrell and  
25 I'm the Executive Director of the Charter Fishermen's  
26 Association. First off, I want to welcome Dale back in his new  
27 capacity here at the council and to welcome Ed Swindell onboard.  
28 It's a little weird seeing Harlon back here in the back of the  
29 room and not as a council member. He spent some time back here  
30 anyway, but we were just joking about that a minute ago.

31  
32 First off, Amendment 28 seems to be the hot topic today. Our  
33 organization is still Alternative 1, no action. I have heard a  
34 lot of people come up here today and discuss Alternative 9 and I  
35 have not heard one person mention what it is. Being the size  
36 selectivity, I am not sold on that.

37  
38 I think it's a function of behavior and biological data rather  
39 than substance. It doesn't seem like three years of data is  
40 enough to justify pulling some fish away from that industry.  
41 Just the way it seems to me that there's not a lot of rationale  
42 for saving the position of Alternative 9 and I would like to see  
43 it removed.

44  
45 Amendment 39, the same place we've been for a long time and we  
46 hold federal permits and we're dealing with the federal  
47 management system that is getting better. It moves at the speed  
48 of government, but it is effective and it moves forward.

1  
2 Action 2, Alternative 2 on that one is the only option we see  
3 with creating a viable industry for the charterboats. Amendment  
4 41 and 41, I would like the ability to keep moving those  
5 forward. We're on a condensed timeframe and we want to keep  
6 those moving forward in an effort to get this done, get  
7 something done for the charter boats. Then we can continue to  
8 move forward.

9  
10 On triggerfish, I fish out of Galveston and the western Gulf of  
11 Mexico triggerfish, it's hard for me to find one that's a legal  
12 size, but it's a very important thing to our members over in the  
13 eastern Gulf. They catch a lot of them and I believe the  
14 Alabama Deep Sea Rodeo winning triggerfish this year was nine  
15 pounds. I am not sure what I would do with something that big  
16 if I catch it on the boat. You can consider size limit or bag  
17 limit adjustments on those or consider adjusting the seasons.

18  
19 On the electronic reporting amendment, I would like to see it  
20 continue moving forward with separate reporting frequencies for  
21 the Gulf and South Atlantic, both consistent software and  
22 equipment. There shouldn't be any mandate for VMS at this time.  
23 We are way too early in the process to get this done.

24  
25 On the shrimp permits, I support extending the current  
26 moratorium and I would like to see those expiring permits move  
27 into a pool to be used for new entrants. They are being  
28 condensed in exploration rather than growth in the industry. If  
29 they want to grow, let those permits be used. They need to be  
30 used there. That's all I've got right now and if you all have  
31 any questions, I would be happy to answer them.

32  
33 **CHAIRMAN ANSON:** Thank you, Shane. Jillian Williams, followed  
34 by Dillian Atkins.

35  
36 **MS. JILLIAN WILLIAMS:** Good afternoon, everyone. I am Jillian  
37 Williams and I'm a fourth-generation captain for my family's  
38 business, Williams Partyboats, in Galveston, Texas. We are one  
39 of the people that participated in the red snapper pilot program  
40 for the partyboats and it was really successful for us the last  
41 two years. Unfortunately, we're not going to have it next year,  
42 but hopefully with sector separation and some of the different  
43 amendments we're trying it would be really nice if we could get  
44 something like that for us for the future.

45  
46 You know I've heard rumors that we probably went over our  
47 snapper quota again. We always do, but the pilot program did  
48 not go over their snapper quota, because they know what they're



1 going to get. You all knew how many fish that we were going to  
2 fish for and so you know things like that are beneficial to  
3 everybody, especially the red snapper. We don't have to worry  
4 about guessing as to how many red snapper that we caught. We  
5 know and so hopefully we can get something like that going for  
6 us in the future.

7  
8 It was real successful for us and I am very disappointed that  
9 we're not going to have it this next year, but we're going to  
10 make it through hopefully.

11  
12 You know red snapper is very important for us. I know somebody  
13 got up here earlier and said that even with the year that they  
14 had the nine-day season they were more successful than ever.  
15 Well, in Galveston, that's not how it's working out for us and  
16 so snapper are extremely important for us and so hopefully we  
17 can get something going to where we can have a little more  
18 freedom with when we can catch them.

19  
20 As far as regional management goes, I do not support that for  
21 the charter and party boats. I think we should just kind of  
22 stay with what we're doing now. We are starting to make some  
23 progress and hopefully we can continue doing some things to make  
24 it better. If the states want to do the private anglers and  
25 that's what they want, that's fine with me, but I would like us  
26 to not be included in that. Thank you all very much and I  
27 appreciate you all letting me come up here and talk today and I  
28 hope you all have a good evening.

29  
30 **CHAIRMAN ANSON:** Thank you. Dillian Atkins, followed by Buddy  
31 Guindon.

32  
33 **MR. DILLIAN ATKINS:** How are you all doing? I'm Dillian Atkins  
34 and I'm a second generation commercial fisherman and charter  
35 boat operator out of Galveston, Texas. My family also owns a  
36 fish market in the Dallas/Fort Worth area. I've grown up in  
37 this fishery and I've watched it evolve into something that I  
38 can really say that I am proud to be a part of and now that  
39 we're doing this, we are penalizing the people that are doing it  
40 right.

41  
42 We go out there and follow the rules. We are doing what we're  
43 supposed to be doing. The recreational fishermen don't gain  
44 anything from taking allocation from us and putting it with  
45 them. They are still going to get penalized every year for  
46 overfishing it and they need a management system. They don't  
47 need more fish.

48

1 Regional management, I do not agree with it. If that's what the  
2 private anglers want to do, I am good with that. They can do  
3 whatever they want, but charter boats are federally permitted  
4 and held to a higher standard than others. I want to be managed  
5 under a separate system like I see in Amendment 41 and 42.  
6 That's all I've got.

7  
8 **CHAIRMAN ANSON:** Thank you. Buddy Guindon, followed by Harold  
9 Liner.

10  
11 **MR. BUDDY GUINDON:** My name is Buddy Guindon and you probably  
12 all know that already. This is my son, Christopher. I brought  
13 him with me to give you an idea of why I even do this stuff.  
14 Normally I wouldn't even spend any of my time publicly speaking  
15 and so you should all vote no on Amendment 28, because  
16 reallocation is unfair and it harms the commercial fishery and  
17 it won't do a damned thing for the recreational fishery. They  
18 need a management plan.

19  
20 Some of you may be thinking that, hey, we'll just take  
21 Alternative 8, because it's the least damage we're going to do  
22 to the commercial fishery and you're tired of dealing with the  
23 issue. Please don't let that mindset enter into your head. We  
24 don't need that right now.

25  
26 By doing this and taking the path of least resistance, it's just  
27 the wrong thing to do. Ten years ago, the commercial sector  
28 faced the same problems that the recreational sector is facing  
29 now, short derby seasons and instability, but we buckled onto  
30 those challenges and it was hard work.

31  
32 We held thirty workshops across the Gulf of Mexico and attended  
33 countless council meetings and AP meetings. There was a lot of  
34 disagreement and there was a lot of hard feelings and a lot of  
35 issues to put this plan together, but we got a plan together and  
36 put it on the water. We had to do referendums to do it.

37  
38 Everyone had something they had to leave on the table while we  
39 went through this process and some of the people even left this  
40 fishery because of it and right off the bat, we had to take a 50  
41 percent reduction in our quotas, but we did it. We stuck with  
42 our quota reduction and all during that time the recreational  
43 fishery did not. It continued to overharvest.

44  
45 Our efforts paid off and we've stopped the overages on the  
46 commercial side and we reduced discards and we became stewards  
47 of the resource and helped rebuild the stock. We endured the  
48 sacrifices and the stock benefitted, along with all the

1 stakeholders, including the recreational sector, from our  
2 sacrifices.

3  
4 The red snapper IFQ program is the most positive thing the  
5 council has ever approved. It's a huge success story and we  
6 should all celebrate and be proud of that.

7  
8 Reallocation is a slap in the face to all that did the hard work  
9 and put in the effort and gave the contributions and made the  
10 sacrifices to rebuild this stock and they are going to be  
11 penalized for it now, if this council has its way. This sets a  
12 terrible precedent.

13  
14 Voting for reallocation is just a show of bad faith. We come  
15 here and we work hard and we find solutions and then what do we  
16 do? For all our work we're punished for our efforts.

17  
18 Now think about this as fair and equitable. Make the  
19 recreational sector come to the table through the APs and  
20 through building a panel that will solve their problems and get  
21 them up here and get them to work and understand what needs to  
22 be done to rebuild their fisheries. Vote no action on Amendment  
23 28.

24  
25 **CHAIRMAN ANSON:** Buddy, if you could wrap it up.

26  
27 **MR. GUINDON:** With regional management, Action 2, Alternative 2  
28 and 41 and 42, don't drag it through the mid. Let it go through  
29 and get a management plan in place. Thanks for letting me talk  
30 a couple of seconds extra.

31  
32 **CHAIRMAN ANSON:** Harold Liner, followed by Ashton Dettart.  
33 Harold? Ashton? How about Johnny Carradine? Ashton, welcome.

34  
35 **MR. ASHTON DETTART:** I am Ashton Dettart from Bayou du Large,  
36 Louisiana. I represent the shrimpers down in that area and  
37 we're just out here to see what we can do, the commercial  
38 fishing. It's really the commercial fishing industry. I have  
39 three shrimp boats and I have a crab boat and I've been doing  
40 this for twenty-five years and they're taking a real beating  
41 right now. We're getting ready to lose a lot of our fishermen,  
42 a lot of the shrimpers. The crabbers, they are having it hard  
43 in some situations. We all are and all we're asking is for a  
44 little bit of help.

45  
46 We really need this and we lose half of that, it's going to hurt  
47 this economy in this state worse than what its getting hurt  
48 right now and that's what we're asking for. Just a little bit

1 of help is all we need and you don't have to give us nothing.  
2 We will work for it and that's all we want. Just let us go and  
3 earn our honest dollar and that's all we're asking for and I  
4 appreciate it. Thank you, all.

5

6 **CHAIRMAN ANSON:** Johnny Carradine.

7

8 **MR. JOHNNY CARRADINE:** Hello. My name is Johnny Carradine and I  
9 own Steel City Seafood in Birmingham, Alabama. This is my first  
10 council meeting and I appreciate the opportunity to speak. I  
11 have been in the fish business for thirty years and in the last  
12 fifteen years, I made a commitment with my business to only sell  
13 domestic seafood.

14

15 Through these years, I have watched more and more wild domestic  
16 product be taken off menus and be taken away from me. You have  
17 heard from the restaurant owners and restaurant suppliers and  
18 you've heard from captains, charter boat captains, and  
19 commercial fishermen. I'm the guy in the middle. I am the guy  
20 who goes to these guys and buys the fish and then takes it to  
21 the restaurants and supermarkets and to the consumer and so I  
22 feel like I've got a good hand on the pulse of what the consumer  
23 wants plus what's available.

24

25 Through the years, I have watched what I had to sell decline  
26 more and more each year. Probably 50 percent of my seafood  
27 sales and fresh finfish right now is Gulf red snapper, American  
28 red snapper, and so if we start taking less of that product away  
29 from me, my business will suffer from it and so will my  
30 consumers.

31

32 We service restaurants and grocery stores all over the southeast  
33 and most of those demand fresh Gulf seafood from me and I would  
34 really like to be able to continue to service them with domestic  
35 product, since that is the only product we sell and I do not buy  
36 any imported shrimp and I do not buy any imported fish. That's  
37 all I have. Thank you. Thank you and I was probably the one  
38 you all were looking for at the last one.

39

40 **CHAIRMAN ANSON:** Actually, we're looking for Harold Liner.  
41 Harold, you're not there? Is there anyone else out in the  
42 audience who has not already given testimony that would like to  
43 speak? All right. That concludes our public testimony and we  
44 will recess until tomorrow morning at 8:30 A.M.

45

46 (Whereupon, the meeting recessed at 5:00 p.m., August 12, 2015.)

47

48

- - -

1  
2 August 13, 2015

3  
4 THURSDAY MORNING SESSION

5  
6 - - -

7  
8 The Full Council of the Gulf of Mexico Fishery Management  
9 Council reconvened at the Hilton Riverside, New Orleans,  
10 Louisiana, Thursday morning, August 13, 2015, and was called to  
11 order at 8:30 a.m. by Chairman Kevin Anson.

12  
13 **CHAIRMAN ANSON:** Good morning, everyone. We are going to start  
14 the council meeting back up again and we're going to continue  
15 where we left off. We finished the Admin Policy Committee  
16 Report and the Mackerel Report yesterday and so that leaves us  
17 with the first committee report today of Shrimp Committee and  
18 Ms. Bosarge.

19  
20 **SHRIMP MANAGEMENT COMMITTEE REPORT**

21  
22 **MS. BOSARGE:** Thank you. The Revised Options Paper for Shrimp  
23 Amendment 17, Addressing the Expiration for the Shrimp Permit  
24 Moratorium, the committee reviewed the revised options paper for  
25 Shrimp Amendment 17.

26  
27 The committee did not make any changes to the preferred  
28 alternative and option in Action 1. The committee discussed the  
29 current alternatives and options in Action 2-1 and requested the  
30 analysis in the document be reviewed by the SSC. While  
31 discussing a need for a permit pool, it was noted that there are  
32 permits available for purchase by new entrants.

33  
34 The committee requested that the amendment further discuss the  
35 distinction between valid permits and permits that are actively  
36 shrimped offshore. The factors affecting landings, including  
37 environmental variability and shrimp and fuel prices, were also  
38 discussed.

39  
40 The committee considered additional reference years and offered  
41 the following motion. **The committee recommends, and I so move,**  
42 **in Action 2-1, Alternative 3, set a target number of Gulf shrimp**  
43 **vessel permits based on the number of valid permits issued: 1.**  
44 **at the beginning of the moratorium (1,933 permits); 2. 2009**  
45 **(1,722 permits); 3. 2011 (1,582 permits); 4. 2013 (1,501**  
46 **permits). Option a is if the number of permits reaches the**  
47 **target number, any permits that are not or were not renewed**  
48 **within one year of the expiration date on the permit will go**

1 into a Gulf Shrimp Vessel Permit Reserve Pool. Option b is if  
2 the number of permits reaches the target number, the council  
3 will review the status of the fishery to determine if action is  
4 needed. The motion carried three to two.

5  
6 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
7 discussion on the motion? Ms. Bosarge.

8  
9 **MS. BOSARGE:** The discussion that we had at the end of the  
10 committee meeting was from the IPT and essentially they said  
11 that they were worried about having this document done on time,  
12 based on the alternatives that we had before. What they had  
13 hoped that we would do in committee was to streamline the  
14 document, possibly, to speed it up and they said with adding  
15 this that the way it's worded that it would create fourteen  
16 different alternatives under that action item.

17  
18 I understand where Myron -- It was Myron's motion and I  
19 understand where he is going, but I am concerned about the  
20 timeline and so we did hear some comments last night though  
21 about needing permits and we can talk about that later.

22  
23 There is some things we do need to address, whether it be a  
24 permit problem or an outreach problem or a transit problem, but  
25 we need to discuss this and we need to have some good  
26 discussion, but I don't want to end up in a situation where the  
27 moratorium expires, because that is something that everybody is  
28 onboard with, that they want to keep the permit moratorium in  
29 place and extend it for ten years.

30  
31 I think we need to possibly look at separating these two things  
32 out and 17, as it stands right now, with the preferred, will  
33 extend the moratorium for ten years, but we have a separate  
34 issue in trying to say, okay, we want to make sure that we don't  
35 let this fleet get too small and we provide an avenue for new  
36 entrants.

37  
38 Maybe we could do a 17A amendment and a 17B amendment and so  
39 they will still go out together for public comment and the  
40 public will see them together and understand that we are still  
41 looking at both of these things together, but from a logistical  
42 standpoint of being able to take final action on one and get it  
43 finished in time and having the time to parse out all these  
44 issues instead of rushing through it and not getting it right,  
45 maybe that's the way we need to go with this.

46  
47 I mean we have this motion on the board and you can't make a  
48 substitute motion and you have to -- You do? Okay. **I would**

1 like to make a substitute motion that the motion above be  
2 incorporated into Shrimp Amendment 17B, which will address the  
3 creation of a permit pool.

4

5 **CHAIRMAN ANSON:** Is that your motion, Leann?

6

7 **MS. BOSARGE:** Yes and I guess maybe I should add, to make sure  
8 that we get done what we need done, we would actually need to  
9 move the motion above with that alternative as well as Action 2-  
10 1 and Action 2-2, the one that talks about any qualifiers that  
11 we may put on the permit. Move those two actions into the 17B  
12 amendment. Let me pull it and make sure that's right.

13

14 **CHAIRMAN ANSON:** All right and so Leann's intent is to, as she  
15 described, was to create a 17B, which would specifically address  
16 establishment of a permit pool and leave 17A, we will call it,  
17 just to address the moratorium timeline. Is there a second to  
18 the motion?

19

20 **MR. DIAZ:** Second for discussion.

21

22 **CHAIRMAN ANSON:** Second by Mr. Diaz and, Dr. Crabtree, did you  
23 want to discuss anything? All right. I had -- Roy, did you  
24 have something about this?

25

26 **MR. WILLIAMS:** Well, yes. I had something else, but now that  
27 we're addressing this, I don't understand why we are moving  
28 Action 2.1 into this. 2.1 is address the expiration of the  
29 federal shrimp permit moratorium and that shouldn't be in here.  
30 That would be 17A, right?

31

32 **MS. BOSARGE:** Yes, you're right. Let's get the actual numbers  
33 right.

34

35 **CHAIRMAN ANSON:** Leann is checking on that.

36

37 **MR. WILLIAMS:** Then let's see what 2.2 is.

38

39 **MS. BOSARGE:** All right and so let's wordsmith this a little bit  
40 then. The motion above be incorporated into Shrimp Amendment  
41 17B, which will address the creation of a --

42

43 **DR. CRABTREE:** Isn't it the whole of Action 2?

44

45 **MS. BOSARGE:** The creation of a permit pool. We can delete  
46 everything after the comma and I think staff will understand  
47 exactly what we mean.

48

1 **CHAIRMAN ANSON:** Just for clarification then, this motion, in my  
2 mind, would establish -- If it were to pass, it would give  
3 direction to staff that there would be creation of a 17B  
4 amendment specifically, because we haven't created a 17B yet. I  
5 just want to make sure -- Mara, is that okay, the way it's  
6 written, that it's clear that we would be creating a new  
7 amendment now and that the new amendment would just address the  
8 pool issue, the permit pool issue?

9  
10 **MS. LEVY:** Right and I think as long as we're clear that what  
11 we're saying is we're going to split it and create a new 17B  
12 that would just address this permit pool stuff.

13  
14 **CHAIRMAN ANSON:** Dr. Crabtree.

15  
16 **DR. CRABTREE:** I think that does address -- My concern is that I  
17 don't believe we can get the permit pool portion of this  
18 completed in the time that we have. One thing that I have had  
19 raised to me is the issue of optimum yield.

20  
21 You know when you do something like this target number and  
22 limited access, it needs to be set up to achieve optimum yield  
23 and right now in this fishery we have optimum yield equal to  
24 MSY, which is probably not where it ought to be.

25  
26 It probably ought to be at some level below MSY and so I would  
27 suggest that in this Amendment 17B that we need to readdress the  
28 issue of specifying optimum yield as well and I just don't think  
29 that's possible to get done and we've got October and we ought  
30 to vote this up at the January meeting for the moratorium and I  
31 just don't think we're going to get this done properly in that  
32 length of time and I think it's complicated.

33  
34 It's going to require a lot of economic analysis to figure out  
35 where this target level ought to be and I can tell you this will  
36 be subject to great scrutiny and I think we're going to have to  
37 make sure we can defend what we're doing here, because I think  
38 it will be challenged.

39  
40 I am getting emails from my staff that they don't believe that  
41 we can get the economic analysis of all this done in the  
42 timeline we need and so I think this addresses that and it seems  
43 to me this is a good idea.

44  
45 **CHAIRMAN ANSON:** Is there any other -- Roy.

46  
47 **MR. WILLIAMS:** There was a lot of discussion yesterday during  
48 public testimony about needing a transit provision to go from



1 state waters to state waters and there are places where you have  
2 to go through federal waters and that's why they needed a permit  
3 and I am wondering if that can't just be done in the way the  
4 rule is written.

5  
6 You know if gear is stowed, that you could legally pass through  
7 the federal zone and so I would like to see some exploration of  
8 that by staff, either in 17 or 17B.

9  
10 **CHAIRMAN ANSON:** Myron.

11  
12 **MR. FISCHER:** In addition to that, Roy, there are vessels who  
13 are actively fishing and just because of the geography and how  
14 it's changed to get beyond the sandbar to make the turn to come  
15 back in, they get into federal waters in Louisiana with the  
16 three-mile zone.

17  
18 Then there is other industries that do rig clearance and their  
19 total intent is not to catch shrimp, but it's to catch steel,  
20 but they need permits and as more and more platforms are being  
21 removed from the Gulf, they will need more of these types of  
22 vessels.

23  
24 They have to have permits, because they are dragging what  
25 appears to be an otter trawl. It's not designed to catch shrimp  
26 with the mesh size and the material it's made from, but they  
27 have to be permitted. It's not just a transit that's a problem.  
28 It incorporates other areas.

29  
30 Now, when we left the committee meeting, what we said was we  
31 would look into ways to streamline the document to move it  
32 forward, which is what we were prepared to do. Now we're  
33 talking about splitting the document and we will take care of  
34 the moratorium portion quickly and we will worry about what we  
35 do with the rest and this feels like something we fell for with  
36 mackerel, where we were ping-ponging with the South Atlantic and  
37 ping-ponging with Michelle Duval on the North Carolina system  
38 and we finally said, well, let's let them have what they want  
39 and then we'll come back and we'll get this late season in the  
40 western Gulf and it never happened. It never happened and I  
41 feel this is the same way.

42  
43 If I give into this, I will never see it addressed with the pool  
44 and it will be slow and we will slowly wear down more and more  
45 permits and I think we don't -- We kick the can down the street  
46 on everything we do and we take the easy way out.

47  
48 Let's pull some items out of this and let's streamline it. We

1 have alternatives we could remove and my hand was originally up  
2 questioning why do we have this a and b under each alternative?  
3 Can't we just go with one, because the council can always come  
4 back and review a fishery and so we don't need a b for that.

5  
6 I think we're doing an injustice by splitting it and just  
7 continuing the moratorium and continuing the slow death until we  
8 come up with something. The fact they're tied together makes us  
9 do it now and that's what I would like to see, is something that  
10 makes this council act.

11  
12 **CHAIRMAN ANSON:** Ms. Bosarge.

13  
14 **MS. BOSARGE:** Myron, you know I care very much about the men in  
15 my industry and I want to get this right and I know you're  
16 worried about -- I don't know that they may get down to a level  
17 where there is no permits left before we could maybe finish this  
18 document, the 17B, but I don't see how that could happen.

19  
20 Even at thirty permits a year falling off, if it took us ten  
21 years that's 300 permits and we're at right about 1,500 now and  
22 that brings you down to 1,200 permits and there is only 800 or  
23 900 boats actively fishing in the industry right now. You  
24 still, even right there, have room for a permit pool over and  
25 above what's still fishing out there at that point.

26  
27 I want to get it right and I think there are some other things  
28 that we have to address in it as well. We need to get these  
29 transit provisions in place, but we need to have some good, hard  
30 thought. What I heard when we had this discussion the other day  
31 is that at this point there is a lot of misinterpretation and  
32 misunderstanding even on what these tables are saying, what they  
33 represent, and what some of these alternatives do.

34  
35 I think we better slow down and take a hard look at this and I  
36 was the one that asked to please have the AP look at the vessel  
37 pool. I was the proponent of it and so if you think that I'm  
38 going to not be a proponent of it, I think that you're mistaken.

39  
40 **CHAIRMAN ANSON:** Dr. Crabtree.

41  
42 **DR. CRABTREE:** I mean I am going to support the motion. You  
43 know the whole issue we heard yesterday of the transiting thing  
44 was kind of new and I hadn't thought about it in that light and  
45 I think that's just an example of there's a lot of issues here  
46 that we need to understand and figure out.

47  
48 I don't think that this is like mackerel. I mean this is this

1 council and there is no reason this has to get delayed or not  
2 happen unless this council decides that we don't want to do it  
3 and there is really no reason that the number of shrimp permits  
4 out there needs to decline. It's not like we're actively  
5 reducing the number of permits.

6  
7 It's only declining because people are just not renewing their  
8 permit and basically throwing them away and I suspect that that  
9 rate of decline is going to diminish and I think it has  
10 diminished over the last few years, but this fishery is not  
11 going away in the short term and there are still a lot of  
12 permits out there and so I would rather see us take a little  
13 extra time and do this right rather than try to rush it through  
14 to meet the deadline we have on the moratorium and not do it  
15 right, because that will have consequences if we don't get this  
16 right.

17  
18 I understand about kicking the can down the road and I don't  
19 like that, Myron, any more than anyone else does, but we have to  
20 take the time to make sure we do the required analyses and do it  
21 right and make a good decision and I just think this business  
22 with the pool is going to take more time than we have and maybe  
23 only by an extra couple of meetings, but I think we're going to  
24 need that time.

25  
26 **CHAIRMAN ANSON:** Robin.

27  
28 **MR. RIECHERS:** In some respects, I agree with Dr. Crabtree,  
29 because if people are letting these permits go, then I don't  
30 think there is a real demand for the pool that would then be  
31 setting there for someone to get them.

32  
33 What I will ask the question of to staff, and I looked through  
34 the document and didn't see it, is are we losing -- Are we  
35 losing vessels out of a particular area at a much more rapid  
36 rate than across the entire Gulf, meaning -- As Myron has shared  
37 this concern and certainly the folks who were at the podium  
38 yesterday sharing that concern, have they lost vessels at a much  
39 greater rate, which could speak to some issues in a localized  
40 area that we need to -- That's the more important reason here.  
41 I will just ask that question, because I don't know the answer  
42 to it.

43  
44 **CHAIRMAN ANSON:** Does anybody on staff know the answer to that  
45 question?

46  
47 **DR. SIMMONS:** If you look on page 37 of the document, there is  
48 some information in Figure 3.5.6 about the terminated Gulf

1 shrimp permits by community since the moratorium. Ava, can you  
2 speak to this issue about the number of terminated permits by  
3 community in the shrimp amendment?  
4

5 **DR. AVA LASSETER:** I apologize, but actually the NMFS staff  
6 worked on this section and I would have to look more into it.  
7

8 **MS. BOSARGE:** If you look there, you can see that the big red  
9 dot in Alabama, that's essentially Bayou LaBatre. Myron, you  
10 would have to advise what your big red dot is exactly right  
11 there and then in south Texas and then further in the document,  
12 it also goes on to give a little bit of the socioeconomic  
13 analysis and which communities essentially are the most impacted  
14 from both the falloff of permits, but also how dependent those  
15 communities are on shrimping.  
16

17 I have to find the exact page, but essentially it's Texas that  
18 is most impacted. I think they had like the first -- Texas and  
19 Bayou LaBatre, Alabama made up like the first five or six  
20 communities.  
21

22 **CHAIRMAN ANSON:** Robin.  
23

24 **MR. RIECHERS:** That kind of gets at what I am talking about, but  
25 it kind of doesn't, in some respects, because I am really  
26 looking at the -- I am wanting to get to the percentage, to see  
27 if they are -- I mean that Brownsville was the highest and Bayou  
28 LaBatre was the highest doesn't really surprise me, because they  
29 are probably the highest license holders as a whole anyhow, in  
30 some respects, and so before the next meeting, I will dig into  
31 that myself.  
32

33 **CHAIRMAN ANSON:** It is important, obviously, to kind of know if  
34 there is some localized or some regional differences in permit  
35 loss, but you know I think the same issue, the same points we've  
36 already brought up, would apply for those localized issues.  
37 There is not enough demand and there is something going on and  
38 the folks just aren't renewing and so even if you drill down to  
39 a smaller level, I think the same things would still apply, but  
40 it's noteworthy to know if there are certain areas that are  
41 losing permits faster than others.  
42

43 We have a substitute motion on the board and we've had some  
44 discussion and there is anyone else that would like to address  
45 the substitute motion? All right. **All those in favor of the**  
46 **substitute motion please signify by raising your hand.**  
47

48 **EXECUTIVE DIRECTOR GREGORY:** Eleven.

1  
2 **CHAIRMAN ANSON:** All those opposed like sign.

3  
4 **EXECUTIVE DIRECTOR GREGORY:** Three. Eleven to three.

5  
6 **CHAIRMAN ANSON:** Eleven to three and the motion carries eleven  
7 to three.

8  
9 **DR. CRABTREE:** I don't know if we need a motion, but can we ask  
10 staff to include an action that addresses our specification of  
11 optimum yield into 17B?

12  
13 **CHAIRMAN ANSON:** I think staff would prefer that we put that in  
14 a motion to specify the items.

15  
16 **DR. CRABTREE:** Okay. I am going to make this motion based on my  
17 discussions with Mara, but also I've gotten a couple of emails  
18 from some of the shrimp industry asking about this. **I would**  
19 **move that we add an action to 17B which addresses the**  
20 **specification of OY, optimum yield.**

21  
22 **CHAIRMAN ANSON:** Is that your motion?

23  
24 **DR. CRABTREE:** Yes.

25  
26 **CHAIRMAN ANSON:** That's your motion. Do we have a second to the  
27 motion?

28  
29 **MR. WILLIAMS:** Second.

30  
31 **CHAIRMAN ANSON:** It's seconded by Mr. Williams. Is there any  
32 discussion on the motion?

33  
34 **DR. CRABTREE:** I think it's critical with the permit pool and  
35 the target number to explain how that target number achieves  
36 optimum yield. That's what the statute says we need to do.

37  
38 **CHAIRMAN ANSON:** Any other discussion? **Is there any opposition**  
39 **to the motion? Seeing no opposition, the motion carries.** I am  
40 wondering, do we need to specifically state then action items  
41 regarding a transit permit or somehow -- Because there is I  
42 think two issues going on. The biggest issue is folks not  
43 knowing where they can go to find out where and who has a permit  
44 that might be renewed.

45  
46 Then the second item is that the current market just might be  
47 out of their price range and they might take their chances or  
48 it's just not maybe worthwhile for them economically to get the

1 permit and so, as Roy described, if maybe we can look into sort  
2 of transit provision, if that's not allowed in the current  
3 permitting or current operation for shrimp vessels.

4  
5 Maybe we establish a Permit A, which provides shrimp activities,  
6 and a Permit B, which provides for transit provisions and you  
7 can still have the gear, but it has to be stowed. Again, I am  
8 not sure as to how that could work and whether or not that needs  
9 to be an action item in there. Mr. Fischer.

10  
11 **MR. FISCHER:** Thank you, Mr. Chairman. Kevin, it's not strictly  
12 transit. It's a lot of other compounded issues. The shrimp  
13 industry, we are capturing shrimp coming from the estuarine area  
14 to the offshore area and so they are passing through the state  
15 waters and into the territorial sea and then out into the EEZ  
16 and on given days following shrimp that were just in the inside  
17 waters, you are, with some of the three inner states having a  
18 three-mile boundary, they are presented with difficulties that  
19 the outer states of Florida and Texas may not realize or may not  
20 see, because three miles on water is right there. It's very  
21 close.

22  
23 There is just more people fishing in this area or trying to than  
24 what we have permits for is what we're seeing and we would just  
25 like to let additional people get permits, back to where -- It's  
26 the same stories we heard in reef fish fishing. You have two  
27 boats tied to the dock, the same identical boats, and they go  
28 out to fish and they are following the shrimp and one boat can  
29 continue and the other boat has to come back in and he can't  
30 follow them and it's an inequity and how did it get that way?

31  
32 Well, nature probably made a few changes, along with people not  
33 getting permits, because originally they were inland bay  
34 fishing.

35  
36 **CHAIRMAN ANSON:** All right. Thank you. Dr. Crabtree.

37  
38 **DR. CRABTREE:** You know regardless of the merits of transiting  
39 and whatever issues there are there, if that's something we want  
40 to look at, whether it's just a transit provision or some  
41 special permit, we need to ask staff to look at some options on  
42 that one.

43  
44 Now, one thing I can do with respect to the permit information  
45 is I can ask Dr. Branstetter when we get back to put together a  
46 Fishery Bulletin to go out to all shrimp permit holders that  
47 does two things. One, it reminds them of the need to renew  
48 their permits within one year of the expiration date. We do

1 that periodically anyway and that if they don't do that they  
2 will lose it. Two, we can point them to, and by the way, a list  
3 of permit holders is on our website and here's the link to it  
4 and I can do that, but I don't know beyond that what more we can  
5 really do to facilitate finding someone.

6  
7 They're just going to have to do the legwork of tracking them  
8 down themselves, but I will ask Steve when we get back to put a  
9 Fishery Bulletin together in that regard.

10  
11 **CHAIRMAN ANSON:** Leann.

12  
13 **MS. BOSARGE:** You know one other thing that we might can do  
14 that's fairly simple that NMFS can do with the website is one  
15 thing that I noticed is it gives the effective date of the  
16 permit, and so essentially the issue date, and then it gives the  
17 expiration date and I didn't get to go through all of them.  
18 There were some of them that were close to expiration, but not  
19 quite at it, but I think we also need to give the termination  
20 date and the permit should stay on the NMFS website until it  
21 reaches the termination date, because that's that grace period,  
22 that one-year window when they haven't renewed it and so they  
23 probably are thinking about leaving the fishery, but it hasn't  
24 been terminated by NMFS yet and that may be something that's  
25 really good for somebody out there in the industry that's trying  
26 to figure out which one of these permits is probably for sale.

27  
28 **CHAIRMAN ANSON:** Dr. Branstetter.

29  
30 **DR. STEVE BRANSTETTER:** Yes and I heard from our staff that we  
31 have the valid permits up on the website and our Permits Office  
32 said it wouldn't be that much of an additional step to take the  
33 expired but renewable permits and have them listed as well.  
34 It's kind of automated anyway and it's updated every morning.

35  
36 **DR. CRABTREE:** Yes and I don't see any reason that would  
37 preclude us from doing that. I just don't believe this ever has  
38 come up to me and I really, quite frankly, wasn't aware that it  
39 was only the active, non-expired permits and so I will explore  
40 that when we get back.

41  
42 **MS. BOSARGE:** Thank you. I think that would be an amazing  
43 benefit to the industry. I mean they have one place where they  
44 can go and they can see who is not probably going to get back in  
45 the fishery and so that would be of immense value to the  
46 fishery.

47  
48 **CHAIRMAN ANSON:** Mr. Gregory.

1  
2 **EXECUTIVE DIRECTOR GREGORY:** Dr. Branstetter and Roy, do you all  
3 know if a number of these permit holders let them expire by  
4 accident and then later call in and say -- Even after a year. I  
5 know when the permits system first started in the 1990s that a  
6 lot of Keys fishermen would let it expire unknowingly, because  
7 they are not used to dealing with paperwork.

8  
9 In fact, a number of fishermen would just throw their permit on  
10 their dash in an unopened envelope and let it sit there and so  
11 are there people that have called back and said, oh my God, I  
12 intended to renew it and I forgot?

13  
14 **DR. CRABTREE:** Yes and so this is not an issue that's specific  
15 to shrimp at all. This is all of our permits have this issue.  
16 Most people whose permits expire and they don't renew them, I  
17 never hear from them and I don't know what happened, but I do  
18 get calls every month, probably.

19  
20 We get a letter of someone who accidentally, for whatever  
21 reason, and they have a world of reasons, forgot to renew their  
22 permit or whatever and they want us to make some kind of  
23 exception, but there isn't any exception. If the year goes by  
24 and you don't renew it, you have lost it.

25  
26 Now, the reason we give them a year is to make sure that it  
27 isn't because they had a vacation or they had something to do or  
28 they were busy or they work part-time. The feeling when we did  
29 this was that a year gives anybody a more than reasonable amount  
30 of time to renew their permit.

31  
32 Now, in my opinion, most of the guys who don't remember to renew  
33 their permits are not very active fishermen and they aren't in  
34 it and that's why they didn't remember it, but it's a whole  
35 mixed bag and certainly what Mr. Gregory brought up has happened  
36 and that's why we go to great lengths to send out renewal  
37 notices to people to make sure they know you need to renew your  
38 permit.

39  
40 Most everything we send out, we remind fishermen that you only  
41 have a year to renew your permit and sometimes we'll call people  
42 up and tell them, hey, you're about to lose your permit if you  
43 don't do something and so it's a problem and I think we've done  
44 everything we can reasonably, with the staff I have, do to try  
45 and avoid having this happen, but ultimately the fishermen --  
46 It's their responsibility to renew their permits.

47  
48 **CHAIRMAN ANSON:** All right. Leann, if you want to continue.



1 Mr. Diaz.

2  
3 **MR. DIAZ:** I am going to back up for just a minute and I would  
4 hope for this transit in federal waters that we don't have to  
5 make a separate sub-permit for that. I think it would be a lot  
6 more efficient if the language in the document could spell out  
7 under what conditions you can legally transit federal waters.

8  
9 I know in the State of Mississippi that you can legally transit  
10 through the State of Mississippi with a species that you legally  
11 caught in another jurisdiction. You know you have to have the  
12 proper license for that jurisdiction and you have to be making  
13 headway in a direction that is doing what you're saying you're  
14 doing and under this circumstance, I mean we let shrimp boats  
15 transit through our waters now.

16  
17 They can't be dragging their nets and the boards can't be in the  
18 water and those types of things are obvious and we might have to  
19 put that type of thing, you know some definitions, in the  
20 language, but if we could handle it that way, it would be a lot  
21 less work on staff and I think it would be just as enforceable  
22 and it would probably take care of a lot of the concerns that  
23 some of Myron's folks have anyway.

24  
25 I fully understand you all's concern, especially by Grand Isle  
26 and in that corner and around the sand bars and stuff. I could  
27 see where there is a need for people to be able to transit those  
28 areas at times and so, anyway, hopefully we can work it out that  
29 way.

30  
31 **CHAIRMAN ANSON:** To that point, Dr. Crabtree?

32  
33 **DR. CRABTREE:** We have transit provisions in a lot of fisheries  
34 and places and so I think it could be done that way. We just  
35 need to find something that law enforcement can live with and  
36 work with on it and we're going through a discussion now in the  
37 South Atlantic about transit provisions in the shrimp fishery  
38 and I think over there the provision is the doors have to be on  
39 the deck and that's creating a lot of discomfort with folks and  
40 so I think we can do a transit provision, but the trick is in  
41 coming up with the provisions of it that law enforcement feels  
42 like they can enforce it, but it's still something that works  
43 for the shrimp boats and so I think we can explore that.

44  
45 **CHAIRMAN ANSON:** In light of the timing issue that Myron had  
46 mentioned, is that something that we could in the next LEAP  
47 Committee go ahead and put it on the agenda so they can address  
48 that and make comment on it? Okay. Anyone? Myron.

1  
 2 **MR. FISCHER:** I appreciate what Dale said and the transiting  
 3 also affects other areas. You could have some of your boats  
 4 fishing at the mouth of the river, fishing in the lower  
 5 Chandeliers, Alabama boats, and when they go home, they have to  
 6 cross federal waters.

7  
 8 I think instead of having a transit provision to just let them  
 9 take a permit. It's twenty-five dollars a year and just instead  
 10 of going through all the trouble of all the potential transit  
 11 zones, a twenty-five-dollar permit solves it. What we would  
 12 like to do is see a pool. We would like to see an official  
 13 government pool of twenty-five-dollar permits.

14  
 15 It's the way we do things, but I don't think it's right that you  
 16 say, well, we will look on the website or we will try to find  
 17 people getting out of the industry and then you're at the mercy  
 18 of their price, or you could have the permit, but you've got to  
 19 buy the boat with it. There is always caveats and how about  
 20 just create the pool? It's a government-regulated pool and it's  
 21 twenty-five dollars a permit, just the way all our other permits  
 22 are bought, and it's not part of this black market system of  
 23 permits that seems to be going around other fisheries right now.

24  
 25 **CHAIRMAN ANSON:** All right. Leann, if you want to continue on  
 26 with the report.

27  
 28 **MS. BOSARGE:** This new alternative, which will now be in 17B,  
 29 may be restructured to be consistent with the rest of the  
 30 alternatives in Action 2-1. The committee discussed Action 2-2,  
 31 which considers eligibility requirements for shrimp permits,  
 32 added to the permit reserve pool. Staff requested additional  
 33 information on transferability and expiration of permits in the  
 34 reserve pool.

35  
 36 Staff is planning to take this document to public hearings after  
 37 the October meeting. The following public hearing locations are  
 38 proposed: for Texas, Brownsville and Galveston; for Louisiana,  
 39 Kenner and Lafayette/Abbeville; for Alabama, Theodore/Tillman's  
 40 Corner area; Mississippi is Biloxi/D'Iberville area; and Florida  
 41 is Tampa and Fort Myers. Myron, did you have a question?

42  
 43 **MR. FISCHER:** We have had fishermen request alternate locations.  
 44 It wouldn't increase the amount of locations, but it would give  
 45 alternatives, due to the fact of how the geography of our state  
 46 -- You are either coming from up the river or up one of the  
 47 bayous, but it appears that Belle Chasse and Houma seem to be  
 48 the locations of request.

1  
2 **CHAIRMAN ANSON:** So those would replace the Kenner and  
3 Lafayette/Abbeville?

4  
5 **MR. FISCHER:** Correct.

6  
7 **CHAIRMAN ANSON:** All right. Robin.

8  
9 **MR. RIECHERS:** Kind of the same attempt from Myron's perspective  
10 and not trying to increase the number and we've got a long  
11 coastline and shrimp ports at all points along it, but I think  
12 what we're going to try to do is ask you to, instead of going to  
13 Galveston, go to the Palacios area, where we can grab from three  
14 different locations there, Palacios, Matagorda, and the Port  
15 O'Connor/San Antonio Bay area there as well. We might have a  
16 chance to gather a more nucleus of people from several different  
17 locations there in a couple of different ports and so it will be  
18 Brownsville and the Palacios area.

19  
20 **CHAIRMAN ANSON:** So Brownsville and Palacios and --

21  
22 **MR. RIECHERS:** If it doesn't have to be right on the board,  
23 don't worry about it, as long as we've got it.

24  
25 **CHAIRMAN ANSON:** Right. Brownsville and Palacios and then -- I  
26 am just trying to get staff caught up. That would be two  
27 distinct locations and not just one site that kind of  
28 encompasses the two. Then Kenner and Lafayette are now replaced  
29 with Belle Chasse and Houma. Okay. Anyone else? All right.

30  
31 **MS. BOSARGE:** Under Other Business, Update on Changes to TED  
32 Regulations in Louisiana, the committee was updated by Myron  
33 Fischer regarding the TED regulations in the State of Louisiana,  
34 indicating that Louisiana would be enforcing TED regulations.

35  
36 There was further discussion regarding the potential increased  
37 enforcement efforts for TED compliance if TEDs are required in  
38 skimmer trawls. It also was requested that a list of possible  
39 revisions to the TED Boarding Form be compiled for NMFS to  
40 consider. Mr. Chairman, this concludes my report.

41  
42 **CHAIRMAN ANSON:** Thank you, Leann. That will take us to our  
43 next committee report and Myron.

44  
45 **MR. FISCHER:** Now that we have two Shrimp Reports, just to  
46 regress and recap, we will move forward with the moratorium  
47 extension, to make certain the moratorium doesn't expire, but  
48 we're still going to try to streamline the other document so

1 it's not as complicated, which is what I thought we would be  
2 doing today. Is that --

3  
4 **EXECUTIVE DIRECTOR GREGORY:** Yes, that's the direction staff has  
5 and we are moving forward with both as quickly as we can.

6  
7 **MR. FISCHER:** So when are we giving our input on streamlining  
8 the document?

9  
10 **CHAIRMAN ANSON:** If you want to streamline it any more than it  
11 is now, go right ahead.

12  
13 **MR. FISCHER:** Well, I mean not if we're going to move on or is  
14 this going to be at the next meeting that we'll be presented the  
15 alternatives and we may omit or reject a few?

16  
17 **CHAIRMAN ANSON:** That's the way I see it. I mean there is no  
18 timeline for that document or time certain that we have to get  
19 that document done and so that would go through the normal  
20 process of deliberations and committee meetings that we have to  
21 streamline it.

22  
23 **EXECUTIVE DIRECTOR GREGORY:** Yes and I think we're going to  
24 encourage the IPT to take a look at it and come back to you at  
25 the next meeting with some suggestions. We're not going to just  
26 delete something and not let you see it, but tell you that we're  
27 recommending deleting this and this and this or --

28  
29 **MR. FISCHER:** I was going to start with the Option a and Option  
30 b under every one and why do we even have to have an option that  
31 the council will look at it? The council can look at it any  
32 time they want. Just I am sure I will have some calls in the  
33 next day or two wanting to know the status and I just want to be  
34 clear.

35  
36 **CHAIRMAN ANSON:** Well, if everyone -- I mean that's a good point  
37 you make about Option a and Option b and if no one else has any  
38 objections, I recommend that we go ahead and tell staff to  
39 remove Option b and was that the one that was pretty much --

40  
41 **MR. FISCHER:** I think Option b just stated the council will look  
42 at it. The council can always look at it.

43  
44 **DR. CRABTREE:** I wouldn't want to remove Option b, because in  
45 fact that would be my preference of where we wind up. I don't  
46 have a problem with us setting some target number of shrimp, but  
47 I am not comfortable with hardwiring in exactly what we're going  
48 to do if we get there, because it could take five or six years

1 before we get there and we may decide when we get there that we  
2 want to revisit the target and not have some permit pool  
3 automatically come up into existence and so I wouldn't want to  
4 remove that at this point and I think we ought to leave Option b  
5 in there for the pools.

6  
7 **CHAIRMAN ANSON:** Mr. Gregory.

8  
9 **EXECUTIVE DIRECTOR GREGORY:** The other thing I was going to  
10 suggest to staff and the IPT is in looking at a number of our  
11 documents, it seems like we're getting too many options and  
12 suboptions under alternatives and we end up with -- I think in  
13 the South Florida document we had a hundred or so total options  
14 to analyze, which is impractical, but take the Option a and b  
15 and make it a separate action independent of the action it's in  
16 now and just say these are our two or three alternatives. We're  
17 not going to do anything and we're going to have a pool or we're  
18 just going to review it and have it as a separate action instead  
19 of having it as suboptions under seven different alternatives  
20 and so let us bring something back to you to look at in October.

21  
22 **CHAIRMAN ANSON:** Anything else, Mr. Fischer? No? Okay. Mr.  
23 Greene, Reef Fish.

24  
25 **REEF FISH MANAGEMENT COMMITTEE REPORT**

26  
27 **MR. GREENE:** Reef Fish Management Committee Report, August 11,  
28 2015, Public Hearing Draft Amendment 39, staff reviewed the  
29 actions and alternatives in the document, Tab B, Number 4. In  
30 Action 1, the committee discussed the process and timeline for  
31 submitting conservation equivalency plans, or CEPs.

32  
33 Dr. Crabtree suggested the establishment of a technical review  
34 committee to initially review the CEPs. The review committee  
35 would include state representatives, thereby further involving  
36 the states in the regional management process.

37  
38 **By a voice vote of six to two, the committee recommends, and I**  
39 **so move, in Action 1, to change the Preferred Alternative to**  
40 **Alternative 4.**

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

45  
46 **MS. BOSARGE:** Can we actually, because it's long and we're about  
47 to vote on it, can we actually read through this? Johnny, would  
48 you mind reading it?

1  
2 **MR. GREENE:** Alternative 4 is establish a regional management  
3 program in which a state or group of adjacent states or regions  
4 submit proposals to a technical review committee describing the  
5 conservation equivalency measures the region will adopt for the  
6 management of its portion of the recreational sector ACL. The  
7 proposals must specify the red snapper season and bag limit. To  
8 be a CEP, the plan must be reasonably expected to limit the red  
9 snapper harvest to the region's assigned portion of the  
10 recreational red snapper ACL. The technical review committee  
11 reviews and may make recommendations on the plan, which is  
12 either returned to the region for revision or forwarded to the  
13 National Marine Fisheries Service for final review. If a region  
14 does not participate or its plan is determined by National  
15 Marine Fisheries Service to not satisfy the conservation  
16 equivalency requirements, then the recreational harvest of red  
17 snapper in the federal waters adjacent to such region would be  
18 subject to the federal default regulations for red snapper.

19  
20 **CHAIRMAN ANSON:** Mr. Riechers.

21  
22 **MR. RIECHERS:** I just want to clarify that some of us in  
23 committee who voted this at this point -- The concern about this  
24 in the past has been the extra length of time and the back and  
25 forth that it will cause and that delay that could occur in  
26 getting seasons set and so forth.

27  
28 I think some of us who voted for it in committee voted for it  
29 with the notion that we basically move to a preferred at this  
30 point, but the real notion was we were going to come back at the  
31 next meeting with some further definition of that timeline and  
32 how that technical review committee would be established and  
33 what that might look like, because I think that's going to  
34 determine whether or not at least some of us, and in my case,  
35 support this or not and so that we can really understand what  
36 that looks like and it's not as open-ended as it is now.

37  
38 **CHAIRMAN ANSON:** As I recall, Dr. Lasseter had said that she  
39 would work with IPT staff to try to have a good estimate on the  
40 timeline.

41  
42 **MR. RIECHERS:** I would encourage that council members also think  
43 about that as we come to the next meeting, because we may have  
44 some thoughts about that as well.

45  
46 **CHAIRMAN ANSON:** All right and so we have a committee motion.  
47 Is there any other discussion on the motion? **Any opposition to**  
48 **the motion? Seeing none, the motion carries.** Mr. Greene. Dr.

1 Crabtree.

2  
3 **DR. CRABTREE:** I don't guess we need to decide it now, but once  
4 we see the timeline that this is going, let's give some thought  
5 to who would you want on the technical committee. I'm assuming  
6 it goes without saying that a scientist from each state would be  
7 on it and maybe someone from the Science Center and I don't  
8 know, but I would ask all of you to give a little thought about  
9 that before the next meeting so we could put some language in  
10 the document.

11  
12 **CHAIRMAN ANSON:** Dr. Lasseter.

13  
14 **DR. AVA LASSETER:** To add to that, another thing to think about  
15 is the way the summer flounder review committee is made up, it's  
16 three members from each state, but each state gets one vote and  
17 so that's just their context for us to weigh options.

18  
19 **CHAIRMAN ANSON:** Does their technical review committee have  
20 anyone from the Service?

21  
22 **DR. LASSETER:** That part I do not remember. I am sure it does  
23 or no, actually I believe it's all states. It's three  
24 representatives from each state and each state gets one vote,  
25 because it is completely at the state level and then it gets  
26 forwarded to NMFS.

27  
28 **CHAIRMAN ANSON:** Dr. Crabtree.

29  
30 **DR. CRABTREE:** I don't have strong feelings about how it's set  
31 up. Three from each state is fifteen people and that seems like  
32 a lot to me, but --

33  
34 **CHAIRMAN ANSON:** All right and so staff will bring something --  
35 Unless somebody wants to give more specific direction as to the  
36 number at this point so that staff comes back with something  
37 that's a little bit more appropriate and doesn't have to put any  
38 extra work in to clean it up.

39  
40 **MR. FISCHER:** I would just question, if you're going to have  
41 three from each state, where is the difference if you have one  
42 from each state and they bring the documents back and they  
43 review them with their upper staff and come back with yea or  
44 nay?

45  
46 I don't think within a state you're going to have much  
47 disagreement on what you feel about and the payday is coming up.  
48 If you want language in here of technical review committee, I

1 think we could add it at this time, made up of a fisheries  
2 representative of each state. If someone thinks it should be  
3 three, that's fine. I think that complicates it. I think it  
4 puts a lot of people in the room, where the document is going to  
5 go back and it's not going to be reviewed in one hour. It's  
6 going to be reviewed over a few days.

7  
8 I will make a -- Would it be germane at this time to make a  
9 substitute motion or an amendment to the motion just to add,  
10 after "technical review committee", "made up of the fisheries  
11 director of each state"?

12  
13 **CHAIRMAN ANSON:** It would be a new motion.

14  
15 **MR. FISCHER:** Then we will finish this and we will create it  
16 afterwards. Then at this time -- **The technical review committee**  
17 **be made up of one member under the direction of the head**  
18 **fisheries manager of each state. I am trying to think of how we**  
19 **phrase it on this council.**

20  
21 **CHAIRMAN ANSON:** That the technical review committee be  
22 comprised of one member from each state designated by the state  
23 fisheries director and does that --

24  
25 **MR. FISCHER:** I said it soft. That's what I said.

26  
27 **CHAIRMAN ANSON:** Is there a second to the motion?

28  
29 **MR. RIECHERS:** I will second.

30  
31 **CHAIRMAN ANSON:** It's seconded by Mr. Riechers. Any discussion  
32 on the motion? Dr. Crabtree.

33  
34 **DR. CRABTREE:** I am okay with that and I think what we're  
35 looking for from each state is someone with enough quantitative  
36 knowledge of the recreational surveys and things, because  
37 they're going to need to technically evaluate each state's plan  
38 and is it going to stay within and that kind of thing.

39  
40 **CHAIRMAN ANSON:** Any other discussion? **Is there any opposition**  
41 **to the motion? Seeing none, the motion carries.** Mr. Greene.

42  
43 **MR. GREENE:** In Action 2, Alternative 4, to ensure that regions  
44 do not propose separate management for the recreational  
45 components, the addition of the phrase "as a single unit" was  
46 suggested. **By a voice vote with one opposing, the committee**  
47 **recommends, and I so move, in Action 2, to accept the language**  
48 **in Alternative 4 to include the phrase "as a single unit."**



1  
2 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the  
3 motion? Dr. Dana.

4  
5 **DR. DANA:** When I read Alternative 4, I see that it already has  
6 "as a single unit" and what are we adding or why -- Am I looking  
7 at the wrong thing here?

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

10  
11 **MR. RIECHERS:** Pam, what happened was that was added in the  
12 text, but in our version it wasn't in italics, but in Ava's  
13 version she was trying to highlight that that was italics and  
14 that she was just suggesting it and we hadn't accepted it yet,  
15 but it helps to clarify this and so that's why it's in your  
16 document looking like that.

17  
18 **DR. DANA:** Thank you.

19  
20 **CHAIRMAN ANSON:** Any other discussion? **Any opposition to the**  
21 **motion? Seeing none, the motion carries.**

22  
23 **MR. GREENE:** After an initial motion to make Alternative 2 the  
24 preferred alternative, a substitute motion was made to select  
25 Alternative 4 as preferred. **By a roll call vote of six to**  
26 **three, the committee recommends, and I so move, in Action 2, to**  
27 **make Alternative 4 the preferred alternative.**

28  
29 **CHAIRMAN ANSON:** If you wouldn't mind reading the rest, Johnny.

30  
31 **MR. GREENE:** Alternative 4 is remove the sunset and end the  
32 separate management of the federal for-hire and private angling  
33 components upon implementation of this amendment and have this  
34 amendment apply to the entire recreational sector. The private  
35 angling and federal for-hire components would be managed as a  
36 single unit by each region under regional ACLs, based on the  
37 allocation selected in Action 6.

38  
39 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on  
40 the motion? Dr. Dana.

41  
42 **DR. DANA:** Thank you, Chairman Anson. **I would like to make a**  
43 **substitute motion and that would be to have the preferred**  
44 **alternative be, in Action 2, Alternative 2, to remove the sunset**  
45 **and extend the separate management of the federal for-hire and**  
46 **private angling components of the recreational sector and have**  
47 **this amendment apply to the private angling component only. The**  
48 **private angling component would be managed by each region under**

1 regional ACLs that are based on the allocation selected in  
2 Action 6 and the federal for-hire component would be managed  
3 Gulf-wide under a component ACL, based on the allocation  
4 selected in Amendment 40. That's Action 2, Alternative 2.

5  
6 **CHAIRMAN ANSON:** We have a substitute motion and we're trying to  
7 get it up on the board, staff is. Dr. Dana, is that your  
8 motion?

9  
10 **DR. DANA:** Yes and the amendment or whatever this is, the draft  
11 amendment, already has the Alternative 2 language and so just  
12 putting that as our preferred, that's my motion, for Action 2,  
13 Alternative 2.

14  
15 **CHAIRMAN ANSON:** All right and so we have a substitute motion on  
16 the board and Mr. Sanchez seconded the motion and is there any  
17 discussion on the motion? Mr. Sanchez.

18  
19 **MR. SANCHEZ:** I think for years we've been hearing from the for-  
20 hire and headboat sectors and they've worked arduously to come  
21 up with their own plans and I think it's time for the  
22 recreational sector to come up with their own plan so they can  
23 manage their fishery and if you want to proceed regionally, then  
24 please do, but leave them out if it. They have already come up  
25 with their own plan and that's the rationale of why I would  
26 choose it and would like to see this become the preferred  
27 alternative.

28  
29 **CHAIRMAN ANSON:** Dr. Dana.

30  
31 **DR. DANA:** Thank you, Chairman Anson. I think we've heard  
32 pretty convincingly, at least yesterday, that there is no  
33 opposition to regional management going forward, but there is  
34 opposition from the charter-for-hire sector to be included in  
35 that regional management process.

36  
37 They are opting to be managed by the feds. You know we went  
38 through a very painful process to go into sector separation to  
39 begin with. We battled it for years and we finally made a  
40 three-year program to test it out and we're only in year one and  
41 so we owe it to the process and to the industry to let at least  
42 the three years play out.

43  
44 Dale, you told me that in Mississippi that sector separation  
45 worked well, in your opinion, with the charter boats. I know it  
46 worked well in Florida. I have talked to the FWC folks and they  
47 agree. I know it worked. I saw it happen and so I think we  
48 need to honor at least the process of the three years and this

1 would kind of do away with that whole intent.

2

3 **CHAIRMAN ANSON:** Dale.

4

5 **MR. DIAZ:** Thank you, Mr. Chairman. As you and I had discussed,  
6 Dr. Dana, I did talk to several charter boats before coming to  
7 the meeting, to kind of get their input on how it went. All of  
8 them agreed that it did work well for sector separation. In  
9 Mississippi, that was the input that I got from charter boats  
10 related to that.

11

12 As far as whether they would like to be managed by the state or  
13 the federal, it was mixed. I did have some that would be  
14 comfortable with the state managing them. I did have at least  
15 one of them tell me that they would only want to stay in the  
16 federal system and so it's kind of mixed and I only talked to  
17 four. Anyway, I am trying to figure out exactly where I want to  
18 be with this.

19

20 I mean the whole purpose of this document to me for Amendment 39  
21 was to, first and foremost, get us out from underneath this  
22 state non-compliance box that we're in and I do think 39 does  
23 that, but also flexibility, too.

24

25 Currently, I really don't like the previous preferred  
26 alternative or really this one. I think the one that's not  
27 being discussed right now probably provides the most flexibility  
28 and so, anyway, I am trying to think through it right now, but  
29 thank you, Mr. Chairman.

30

31 **CHAIRMAN ANSON:** Robin.

32

33 **MR. RIECHERS:** I am going to speak against the motion, but what  
34 we've heard, and what you have suggested, Pam, was that we need  
35 to let the process work and the process was that we put a sunset  
36 date on it and certainly there is work moving forward so that if  
37 that sunset date expires, there is amendments that we talked  
38 about yesterday as well that are moving through the system.

39

40 The system is slow and I understand that and it's slow by  
41 design, frankly. I certainly would like to see it move faster  
42 for certain documents at certain times, but what we've heard  
43 from is the sector separation -- The supporters of the sector  
44 separation notion who were here and you talk about it being a  
45 plan.

46

47 Well, the plan was they got more days than anyone else, from a  
48 private recreational perspective, and they have a separate

1 sector now where they're staying within that quota and I know  
2 what you're going to say. You're going to say that the state  
3 waters were open and yes, five states had different rules. They  
4 were inconsistent. They weren't non-compatible, but they were  
5 inconsistent, because the states each have their right to do  
6 that.

7  
8 So, again, I am not going to belabor the point, but I think yes,  
9 if you asked me would I like twenty-one days or would I like  
10 forty-five days, I am probably going to choose forty-five days  
11 and I'm going to tell you up there that forty-five days is  
12 better. The question is, is that better for the entire fishery  
13 and is it economically better? That's the big question we're  
14 trying to get at.

15  
16 **CHAIRMAN ANSON:** All right. I have Dr. Lucas.

17  
18 **DR. LUCAS:** Thanks. I always appreciate Dale and Dale always  
19 reaches out to all the community in Mississippi. I also, from  
20 the standpoint of being the Mississippi state rep, we  
21 continually talk to our charter-for-hire, which is great.

22  
23 You don't see our charter-for-hire typically coming to any of  
24 these meetings, because they are typically reaching out to us  
25 and we have a great working relationship with them and we have  
26 worked to ensure that anything we do will provide fair access,  
27 because they put out a great service for us and we promote  
28 nature-based tourism and we promote people getting out on the  
29 water and that's why it's great and I think a lot of times you  
30 don't see our charter-for-hires here speaking because they reach  
31 out to us and that's why they want to be managed by the state,  
32 because they can find us.

33  
34 They can come sit in our office and they can talk to us. They  
35 can sit across the table from us and they just don't feel they  
36 have that option, necessarily. They don't want to come and they  
37 don't want to spend their time coming to council meetings five  
38 times a year to try to get their perspectives heard when they  
39 know they can come sit in our office and say what they need and  
40 have us try our hardest to address it. Thanks.

41  
42 **CHAIRMAN ANSON:** I have John Sanchez, followed by Dr. Dana.

43  
44 **MR. SANCHEZ:** A point that's lost on this is 80 percent of the  
45 landings, 70 or 80 percent of the landings, from Texas,  
46 recreationally speaking, for snapper come from the charter boat  
47 fleet. Those folks have opted to be federally managed and do  
48 their own thing, yet here we are trying to lump them back into

1 some kind of state management philosophy, effectively  
2 eviscerating what they're trying to accomplish with their  
3 Amendments 41 and 42 going forward.

4  
5 This started since the beginning. As soon as Amendment 40 -- I  
6 don't even think it was typed up yet and we had a sunset  
7 provision brewing and then we had recalibration and then legal  
8 challenges and then legislation being proposed now, things just  
9 designed to either stall or delay or ignore the obvious, that  
10 what we need is a recreational management plan. 80 percent of  
11 your landings has opted to be out of it and I just don't see why  
12 we're missing that point.

13  
14 **CHAIRMAN ANSON:** Dr. Dana.

15  
16 **DR. DANA:** Thank you, Chairman Anson. Briefly, Robin, you hit  
17 it right on the nose when you said you knew what I was going to  
18 say, but your comment that the charter-for-hire sector is  
19 getting more days than anyone else is super misleading. We have  
20 more in the federal waters, but we had far less than any other  
21 angler in any state, because we can't fish in the state waters.

22  
23 When Texas is open year-round, that's 365 days that a private  
24 angler got to fish versus a charter boat and forty-four days and  
25 how is it that the charter-for-hire got more days than anyone  
26 else? In Florida, we got less than anyone else. In  
27 Mississippi, they got less and in Texas, the charter got less  
28 and in Louisiana, they got less.

29  
30 **CHAIRMAN ANSON:** Mr. Riechers.

31  
32 **MR. RIECHERS:** Pam, I supported your motions in the past to  
33 remove 30B and so you know I understand that issue and I tried  
34 to support you in removing that so that there wouldn't be that  
35 differentiation between charter-for-hire vessels in federal  
36 waters and state waters.

37  
38 **CHAIRMAN ANSON:** Mr. Greene.

39  
40 **MR. GREENE:** This goes deeper than 30B. We were separated  
41 before 30B ever came about. There was a reason we were  
42 separated and it was to improve data collection and it was to  
43 work on multiple-day trips that people were manipulating the  
44 system and that's why it was put in to begin with.

45  
46 30B, I was a proponent to keep 30B, at my own expense. It would  
47 have cost me money and I could have made more money by fishing  
48 in state waters and doing whatever, but it was the right thing

1 to do and that's what I did and that's why I fought against a  
2 lot of you here to keep it in place, because had we not kept it  
3 in place, there wouldn't have been a state-water fishery.

4  
5 There would have been nothing. There would have been no federal  
6 season for anybody and that's not right. Now, all we're trying  
7 to do is set a preferred here that's going to go out and we can  
8 pick one here that's going to generate a lot of topics and a lot  
9 of whatever. It's not a final vote and everybody already knows  
10 where you're at and you already know how you feel and you  
11 already know how you're going to vote, but we were separated out  
12 a long time ago.

13  
14 I think it was Amendment 11 and we're trying to deal with that  
15 as best we can. We've had a lot of people come before us that  
16 don't even understand if we're federal for-hire, why are we even  
17 looking at this within a state.

18  
19 I understand that you want to keep the landings within a state  
20 between the for-hire industry and the recreational in each state  
21 and I understand that, but until we get there, we're not going  
22 to have that. I don't believe anybody is in opposition of  
23 regional management moving forward for the purely recreational  
24 season and where we're hung up is what do we do with the charter  
25 boats.

26  
27 I think it's pretty simple that we're just trying to select  
28 preferreds at this particular point and move forward and we can  
29 make all these arguments and everybody kind of already knows the  
30 deal, but it's a lot deeper than just 30B.

31  
32 **CHAIRMAN ANSON:** Mr. Matens.

33  
34 **MR. MATENS:** Thank you, Mr. Chairman. I actually voted to  
35 repeal 30B and I spoke with my friend, Mr. Greene, about why he  
36 and I disagreed on that and I understand his point. The point  
37 that I want to make here is, to some extent, the point that Dr.  
38 Lucas made.

39  
40 Louisiana is a small state. We have about a hundred federal  
41 reef permits and about half of them are fishing. We know each  
42 other. They know -- I don't believe that the bulk of the  
43 Louisiana charter fleet wants federal management and the reason  
44 for that is much the same as Dr. Lucas.

45  
46 They know that on the first Thursday of every month that they  
47 can go to the Wildlife and Fisheries Commission that my friend,  
48 Mr. Swindell, was just on and talk and complain and explain.

1 They are quite comfortable with that. We know each other  
2 personally. Accordingly, I speak in opposition to this and,  
3 further, I would request a roll call vote.

4

5 **CHAIRMAN ANSON:** Mr. Walker.

6

7 **MR. WALKER:** I would like to speak in favor of the motion. If  
8 you take, for instance, the headboat pilot program, I mean it's  
9 been successful. They increased their access and they've had  
10 more days at sea and this state non-compliance just keeps  
11 growing and growing and that's a problem and the testimony is  
12 that the charter for-hire does not want to be managed by the  
13 states and it makes sense to me and I understand it.

14

15 In the commercial industry, we have issues too, but I just --  
16 You know I'm going to speak in favor of this motion. I think  
17 it's the right thing to do.

18

19 **CHAIRMAN ANSON:** Leann.

20

21 **MS. BOSARGE:** I think that it seems like what we've heard at  
22 public testimony, and even with Dr. Lucas's comments, there is  
23 some portions of the for-hire sector that are very comfortable  
24 with their state management and they seem to have a very close  
25 relationship and they seem to work well and then there's some  
26 that don't, for whatever reason.

27

28 I think that's likely to change over time. It may be that way  
29 in some states now and it may be different in some states later,  
30 but, to me, that's what we see sometimes from the difference  
31 between what we see at the state level and what we see at the  
32 federal level, is that over time we seem to have larger swings  
33 in the pendulum back and forth, whether it be commercial  
34 orientation or recreational orientation or whatever the case may  
35 be at the state level.

36

37 We still have swings like that at the federal level too, but I  
38 think you can look around this table and see that we don't have  
39 drastic swings. I guarantee you when we get to that 28 vote  
40 that it will be very obvious, because it's going to be a close  
41 vote, that we're pretty balanced. We don't really swing to an  
42 extreme in one direction or an extreme in the other and I think  
43 that that is what this motion is getting to.

44

45 This group of individuals wants to stay at that federal level,  
46 whether they are comfortable with their current state management  
47 or not. They may love them, but in the long run, they see that  
48 sometimes there are those shifts and it may shift out of their

1 favor and they feel like at the federal level they're a little  
2 more protected from shifts and that we tend to stay pretty  
3 balanced.

4  
5 It might not always go in their favor, but it should be fair.  
6 It will be pretty fair for them and so I am going to support  
7 this motion.

8  
9 **CHAIRMAN ANSON:** John.

10  
11 **MR. SANCHEZ:** This will be my final comment on this. I think we  
12 all know where we all stand. I just keep hearing too that  
13 there's some lack of recruitment post-2006 and there seems to be  
14 an increase in state seasons as we're going forward and I think  
15 the two are going to converge and I understand the charter boat  
16 and the for-hire fleet.

17  
18 When those two things converge, there is not going to be a  
19 federal season, probably, and I think that if I was them, I  
20 would be looking to be managing ourselves in a manner that's  
21 consistent, efficient, objective, and consistent with our goals  
22 for sustainability.

23  
24 Letting this go without addressing the obvious gorilla in the  
25 room, which is lack of a recreational plan, we're allowing these  
26 two things to converge of low recruitment and prolonged state  
27 seasons and it's not going to make for a good mix with the  
28 federal days.

29  
30 **CHAIRMAN ANSON:** We have a substitute motion on the board in  
31 Action 2 to make Alternative 2 the preferred alternative and  
32 that is to remove the sunset and extend the separate management  
33 of the federal for-hire and private angling components of the  
34 recreational sector and have this amendment apply to the private  
35 angling component only. The private angling component would be  
36 managed by each region under regional ACLs that are based on the  
37 allocation selected in Action 6 and the federal for-hire  
38 component would be managed Gulf-wide under a component ACL,  
39 based on the allocation selected in Amendment 40. We have had a  
40 request for a roll call vote and so, Mr. Gregory.

41  
42 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.

43  
44 **DR. DANA:** Yes.

45  
46 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.

47  
48 **MS. BOSARGE:** Yes.



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

1  
2 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.  
3  
4 **DR. STUNZ:** No.  
5  
6 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.  
7  
8 **MR. DIAZ:** No.  
9  
10 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.  
11  
12 **CHAIRMAN ANSON:** No.  
13  
14 **EXECUTIVE DIRECTOR GREGORY:** Okay. We have eight yes and nine  
15 no. **The motion fails.**  
16  
17 **CHAIRMAN ANSON:** That takes us to our previous motion, the  
18 committee motion. That was in Action 2 to make Alternative 4  
19 the preferred alternative and that is to remove the sunset and  
20 end the separate management of the federal for-hire and private  
21 angling components upon implementation of this amendment and  
22 have this amendment apply to the entire recreational sector.  
23 The private angling and federal for-hire components would be  
24 managed as a single unit by each region under regional ACLs,  
25 based on the allocation selected in Action 6. Is there any  
26 further discussion on this motion? Mr. Matens.  
27  
28 **MR. MATENS:** Again, I would request a roll call vote.  
29  
30 **CHAIRMAN ANSON:** All right. When Doug steps back to the table,  
31 we will begin that. Anyone else want to discuss the motion?  
32 All right, Mr. Gregory. Mr. Diaz.  
33  
34 **MR. DIAZ:** I am going to see if I get a second and I'm going to  
35 make a motion that we make Alternative 3 the preferred  
36 alternative. This is going to be going out to public hearing  
37 and I'm sure this is going to change several times or it may  
38 change before it's final, but I think Alternative 3 provides the  
39 most flexibility for the document and for the original purposes  
40 that we started this document for. Thank you.  
41  
42 **CHAIRMAN ANSON:** Another substitute motion and that is in Action  
43 2 to make Alternative 3 the preferred alternative. Is there a  
44 second to the motion? Is there a second? No second. You want  
45 to look at it? Okay. We will have it up here momentarily.  
46  
47 Alternative 3 in Action 2 is to remove the sunset and extend the  
48 separate management of the federal for-hire and private angling

1 components of the recreational sector and have this amendment  
2 apply to both components in any region intending to manage both  
3 private angling and federal for-hire components for its region.  
4 There is some further explanation and detail as to how that  
5 would work that's provided in the alternative. Again, there is  
6 a motion on the board and it has not been seconded.

7

8 **MR. SANCHEZ:** Second for discussion.

9

10 **CHAIRMAN ANSON:** It's seconded for discussion by Mr. Sanchez.  
11 Is there any discussion on the motion? I will make a comment  
12 that, as Mr. Diaz stated, the intent of the regional management  
13 document was to provide some flexibility to states and it was  
14 also a chance for some states that might be disadvantaged in  
15 regards to their state-water fisheries relative to other states  
16 and the non-compliance issue for the states to maintain a  
17 foothold, if you will, with a share or a portion of the  
18 recreational quota that's allocated and so this document would  
19 do that and trying to get to a point where we can have that  
20 flexibility and maintain some stability for the whole Gulf was  
21 kind of the original goal we had in mind as the document was  
22 created. Yes, Dr. Lucas.

23

24 **DR. LUCAS:** Since we're working on a public hearing draft here,  
25 I think there was something that Ava said Tuesday in Reef Fish  
26 that we might need to add for clarification, which is how this  
27 alternative actually works in terms of the split.

28

29 Ava, I think some are under the impression that it may work  
30 differently than was described by you, which was the allocation  
31 goes to the state and then it's split based on the for-hire and  
32 the private recreational split. If you can confirm that, but I  
33 know that's been a source of confusion for some people.

34

35 **DR. LASSETER:** Absolutely and so how it would work is the  
36 preferred alternative in your allocation action, Action 6, that  
37 split would be apportioned to each state initially and, to  
38 remind you, that's 31.6 percent to Alabama, 37.8 to Florida,  
39 15.4 to Louisiana, Mississippi at 3.1, and Texas at 12.1.

40

41 Then, using each state's landings and not the Gulf-wide that was  
42 used in Amendment 40, but each state's landings by private  
43 anglers and state guideboats and charter, federally-permitted  
44 charter vessels. Those, each state's landings would be used to  
45 divide that state's proportion of the allocation. Again, it  
46 would be using the same formula, but just applied to your  
47 state's landings.

48

1 **CHAIRMAN ANSON:** Mr. Riechers.

2  
3 **MR. RIECHERS:** Ava, and I don't remember, because of the way it  
4 was written, but weren't you also suggesting that this was an  
5 opt in or opt out of that notion at the beginning of the  
6 conversation, basically?

7  
8 **DR. LASSETER:** Yes, exactly. That is the option in Alternative  
9 3. The region could decide to manage only its private angling  
10 component and not the for-hire and the quota that would be used  
11 for the charter-for-hire would go to a collective Gulf-wide  
12 aggregate quota that would be fishing under -- If Amendment 41  
13 or 42 go forward or not, there would be some management measures  
14 for that part of the quota.

15  
16 **MR. RIECHERS:** Maybe it's just me then, but I thought in  
17 Alternative 3 at committee that you indicated that at the  
18 beginning the state -- I mean this is truly the one that, as  
19 opposed to 4, where you said it's as a single unit, I thought  
20 you had said in committee that this was the one that basically  
21 let the state apply for it as a single unit or as a separate we  
22 want a charter-for-hire sector and we want a private  
23 recreational angling sector or a charter-for-hire recreational  
24 angling sector and a private recreational angling sector.

25  
26 **DR. LASSETER:** Would it be convenient to get the document back  
27 up and to show that figure for Alternative 3?

28  
29 **MR. RIECHERS:** I don't need the figure. I just need to know --  
30 Because the figure has explained it, but I don't think it has  
31 actually explained the intent as you have described it in  
32 committee. Is it or is it not an option for the state, as we  
33 walk into a conservation equivalency notion, to declare we're  
34 going to manage them as one or we're going to manage them as  
35 two, because that gets into the motion that was made at the last  
36 meeting that failed and we may want to add an alternative in  
37 here if it's not in here.

38  
39 **DR. LASSETER:** Okay and yes, I can speak to that. This is an  
40 option, an alternative, where the region would decide to manage  
41 -- If it wanted to manage both, it could. If it was not going  
42 to manage both, it would manage only the private angling and the  
43 remaining quota from the federal for-hire would go into that  
44 pool.

45  
46 Now, at the last meeting, Mr. Robinson proposed a motion that I  
47 think is better getting at what Mr. Riechers -- Perhaps that  
48 would be something the council would like to further discuss.

1  
2 **CHAIRMAN ANSON:** Any other comments to that? Robin,  
3 specifically?

4  
5 **MR. RIECHERS:** I will come back and add an alternative.

6  
7 **CHAIRMAN ANSON:** I have Mr. Williams, followed by Mara.

8  
9 **MR. WILLIAMS:** It was answered.

10  
11 **CHAIRMAN ANSON:** It was answered. Okay. Ms. Levy, did you have  
12 a comment?

13  
14 **MS. LEVY:** Maybe I missed it, but I read this as managing both  
15 components and then that would automatically separate it into a  
16 private angling and a for-hire ACL and allocation in the region,  
17 but if the state did not want to manage both components like  
18 that, that the private angling component alone would be managed  
19 by each region under that private angling component ACL and the  
20 for-hire would be managed by the federal.

21  
22 I don't read it as giving you an option to either manage them  
23 together or separately under the state. It's like they're  
24 separate and you either choose to manage them both separately or  
25 one is in and one is out, but I guess conceivably if you said  
26 you wanted to manage both and manage them both separately, you  
27 could institute the same management measures, but they would  
28 each have their own -- I think the difference is they would each  
29 have their own catch target.

30  
31 **CHAIRMAN ANSON:** Mr. Riechers.

32  
33 **MR. RIECHERS:** Mara, then 4 is really a -- Because we've talked  
34 about this many times and I think there is still some confusion.  
35 4 is the one that would actually allow a state to manage them  
36 separately or manage them together?

37  
38 **MS. LEVY:** No.

39  
40 **MR. RIECHERS:** Hold on just a second. You said it's a private  
41 recreational angling group, but yet the state came in with a  
42 conservation equivalency plan or working within the state --  
43 Mississippi says, all right, I'm going to kind of create a plan  
44 and here's how you're going to work charter boats and here is  
45 how you're going to work private recreational boats and together  
46 that adds up to my percentage and you're saying that Option 4  
47 would not include that?

48

1 **MS. LEVY:** I think adding that language that specifically says  
2 as a single entity or unit or whatever we said -- To me, that  
3 said they were going to be managed together and I see that you  
4 want an alternative that gives the state the option to say we  
5 want to manage both and we either want to do them together or  
6 apart, but is that apart then going to be under the allocation  
7 formula that was established in 40 or we go back to the idea of  
8 the states wanting to establish their own allocation formula?  
9 It's not clear to me how far you want to go with that idea.

10  
11 **MR. RIECHERS:** At least in early drafts of this document, that  
12 idea was going to be left to the states with a lot of  
13 flexibility in that idea and so there was an earlier draft that  
14 certainly tried to allude to that.

15  
16 The IPT has gotten it and changed it and moved some things  
17 around to better clarify things, in some people's minds, but the  
18 whole notion is it sounds like we need another alternative if we  
19 want to create that flexibility or at least that's what I am  
20 hearing.

21  
22 **CHAIRMAN ANSON:** I will comment that I thought when we started  
23 to look or the potential if a state wanted to come and look at  
24 the different sectors and even as a single unit idea, when  
25 you're trying to manage so you come to one target, is to how  
26 that distribution was going to occur.

27  
28 I thought were some references made, I think by Dr. Lasseter,  
29 that the more you put in the document, the less time that a  
30 state would have need when they submit their plan, as far as the  
31 NEPA and that type of thing, and so that's maybe where it's kind  
32 of gotten off the rails as far as not being clear. The more  
33 detail that's in the document on the front end, the more chance  
34 that it would go smoothly at least, or quickly, if the state  
35 were to submit a plan, but, Mara.

36  
37 **MS. LEVY:** I could see adding an alternative that gives the  
38 state the option to either manage them as a single unit or  
39 separately under the allocation formula already specified. The  
40 problem comes in when you're either trying to manage them  
41 separately under different management regimes or expressly with  
42 their own allocation, because either results in an allocation  
43 decision and that's something that is going to have to be  
44 established through the plan and it's going to have to have all  
45 those consistencies and a plan amendment and all that.

46  
47 There is a big difference between saying we're going to manage  
48 them separately, but under the established allocation or we're

1 going to do something that's going to result in a different  
2 allocation, procedurally-wise at least.

3

4 **CHAIRMAN ANSON:** Mr. Riechers.

5

6 **MR. RIECHERS:** Mara, you just said that sector separation was an  
7 allocation decision as you try to separate these two components,  
8 correct? Okay.

9

10 **CHAIRMAN ANSON:** John.

11

12 **MR. SANCHEZ:** I agree and I see what I guess we're trying to  
13 discuss here, separating the two and giving the state the  
14 ability to make that judgment call for themselves, but then  
15 where that allocation is going to come from is where it kind of  
16 gets the waters muddied and so I guess I will just consider this  
17 as better than Alternative 4, but not as good as Alternative 2.

18

19 **CHAIRMAN ANSON:** Robin.

20

21 **MR. RIECHERS:** Well, I mean part of this relates to the same  
22 discussion when we're talking about the overall allocation. For  
23 instance, in some states there may have been increased charter  
24 landings through most recent years. There may have been  
25 decreased charter landings through most recent years. The  
26 industry may have changed in certain sectors, where they're  
27 taking multiple trips and so landings are going higher in these  
28 most recent years.

29

30 Each state, to some degree, would be able to look at their own  
31 state, if there was some flexibility there, look at their own  
32 state to determine what series of years and what might make  
33 sense. I understand the NEPA questions and that you may have to  
34 do more analysis on the backend and I am not suggesting that  
35 that's not true, but I am just suggesting that if you want to  
36 have that flexibility, at least what we're talking about right  
37 now, the only way I can see it happening is us either adding  
38 another alternative or building it in under Alternative 4, and I  
39 am not certain that it's really that different than Alternative  
40 4 if the state approaches you with a plan and it allows for the  
41 landings to occur and you're summing them up to private  
42 recreational anyhow, because that's what you're doing no matter  
43 what we're doing here. You're summing it up to private  
44 recreational.

45

46 **CHAIRMAN ANSON:** Dr. Crabtree.

47

48 **DR. CRABTREE:** I mean I think what you're getting at was a state

1 wanting to use a different allocation for the for-hire and the  
2 private than what Amendment 40 would come at and I think you can  
3 do that, but you're going to have to come back to the council  
4 and propose this is what we would like to do and the council is  
5 then going to have to do a NEPA document and all of that and  
6 amend the plan and they will either say yes, we're okay with  
7 that or no, we're not.

8  
9 I think that can happen, but it's going to have to go through  
10 those additional steps and if it makes you comfortable to have  
11 some language in the discussion that a state could come back to  
12 the council and ask for something like that, but I'm not sure  
13 how to tailor an alternative in here to just allow that to  
14 happen automatically, because I don't know how to do the  
15 analysis of that, because I don't know what allocation a state  
16 might come up with and propose and so I think we would have to  
17 deal with that when we get there.

18  
19 You know this is obviously an extremely complicated management  
20 regime and I suspect that we're going to encounter all kinds of  
21 hurdles and things we didn't think of and have to come back and  
22 tweak this and that sort of thing may be one of those things  
23 that we deal with down the road.

24  
25 **CHAIRMAN ANSON:** Roy.

26  
27 **MR. WILLIAMS:** Just as a follow-up to that then, Roy, could a  
28 state, if they chose to manage both the private and the for-hire  
29 as a single unit, could they set a one red snapper bag limit on  
30 charter boats and headboats and a four red snapper bag limit on  
31 a private boat?

32  
33 **DR. CRABTREE:** Well, I mean the states, in their conservation  
34 plans, can specify the bag limits and so if under this a state  
35 decided to have a -- You know they're going to manage the  
36 separate for-hire and private component and they each have the  
37 allocation according to Amendment 40 and then they assign a  
38 different bag limit to the two and then the seasons are such  
39 that each will catch its allocation, I think this allows them to  
40 do that.

41  
42 **MR. WILLIAMS:** So the allocations then would continue to remain  
43 separate and whatever allocation the private sector got, take  
44 any state, and theirs would be divided into a private allocation  
45 and a charter/headboat allocation and those would remain  
46 separate and a state would then just target achieving whatever  
47 yield they wanted to or to achieve the full yield, but in the  
48 way that they wanted to do it?



1  
2 **DR. CRABTREE:** That is my understanding of those this  
3 alternative works, yes. The allocation would be according to  
4 Amendment 40.

5  
6 **MR. WILLIAMS:** Okay and so the charter and headboats would be  
7 protected and a state just couldn't gobble up their allocation  
8 that they got under Amendment 40 to reallocate it to their  
9 private boats.

10  
11 **DR. CRABTREE:** That is my understanding of this alternative.

12  
13 **CHAIRMAN ANSON:** Any other discussion? Leann.

14  
15 **MS. BOSARGE:** There is two things and I haven't run these  
16 numbers on this allocation and what it means going down, but  
17 when I actually read the alternative, it says in a region that  
18 manages both components, the regional ACL will be separated into  
19 private angling and federal for-hire component ACLs based on the  
20 component allocation selected in Amendment 40 and so that seems  
21 like step one.

22  
23 It's listed first and the regional allocation selected in Action  
24 4 and so it sounds like there will be that sector subcomponent  
25 split first from 40 and then applied to each region after that,  
26 but that's not what I heard Ava say. I thought Ava said it was  
27 going to happen in the opposite direction and it may just need  
28 clarification in the document and maybe this adds up to very  
29 different numbers. I haven't run it, but it seemed like we  
30 talked about it, but that's not the way it reads.

31  
32 **CHAIRMAN ANSON:** Mara.

33  
34 **MS. LEVY:** Right and I think it's not written in the order in  
35 which it was intended to. Meaning I don't think it was set out  
36 as step number one and step number two, but I think it was just  
37 the information of how it was going to be used and so I think,  
38 given what Ava said and what the understanding is, that it would  
39 be clearer if we made it more specific. It would be first this  
40 and second this, so everyone understands what the order is.

41  
42 **CHAIRMAN ANSON:** Dr. Lasseter, is that something that you can  
43 address then?

44  
45 **DR. LASSETER:** Yes and that's why I like using the  
46 visualization, that little figure, because it shows that first  
47 you have the recreational ACL and then there's a direct line  
48 where the regional private angling component ACLs would be

1 apportioned based on the allocation selected in Action 6. Then  
2 for each region's ACL, it is then split using the allocation  
3 that you selected as preferred, but using that state's landings  
4 for private and for-hire.

5  
6 **CHAIRMAN ANSON:** The state landings combine together, for  
7 Amendment 40 purposes, to paint a picture for the entire Gulf  
8 and so it does address -- When you look at it and you describe  
9 it that way, the way the figure shows, it does get down to a  
10 region level and kind of accounts for the differences in the  
11 landings between the two sectors within that state, but it just  
12 might need a little bit more clarification in the text, I guess,  
13 to follow or catch up with the figure and is that correct?

14  
15 **DR. LASSETER:** That is correct and -- I lost my thought so go  
16 ahead.

17  
18 **MS. BOSARGE:** The second question was, because I am a little  
19 torn on this and I know there's a lot of strategizing that goes  
20 on when we do all these motions, but I need to hear -- I heard a  
21 little from Pam and I mean I've heard from the for-hire sector  
22 that said under no circumstance do they want to be -- At least  
23 at the podium here, for the most part, that they don't want to  
24 be managed at the state level and so I really want to kind of  
25 maybe get some feedback from Johnny, since I've heard a little  
26 from Pam, on how he feels about this motion on the board. It's  
27 not on the board. That's Action 2 and I think the motion on the  
28 board is -- Alternative 3. That's it, yes.

29  
30 **MR. GREENE:** I am trying to think my way through it and I guess  
31 before I answer your question, I would like to ask a question to  
32 Mara or Roy or someone at the end of the table. Just to make  
33 sure that I understand things correctly, is there any potential  
34 that the states could come in and choose their own allocation of  
35 for-hire and recreational?

36  
37 **MS. LEVY:** Under this alternative? No. It would have to come  
38 back to the council and the council would have to change the  
39 allocation. This alternative specifies that it's the years that  
40 were used in 40, that formula that you picked in 40.

41  
42 **CHAIRMAN ANSON:** To the point earlier about clarifying the text,  
43 Dr. Lasseter, the statement that follows the sentence that  
44 includes the two underlined and bolded -- That confuses, I  
45 think, everyone, because if you read that, it just says I'm  
46 going to be going to the Amendment 40 and the Amendment 40 is  
47 Gulf-wide and people might associate Amendment 40 as the Gulf-  
48 wide split and so that might need to be either struck from the

1 next revision or more clarified there, as well as in the action  
2 that deals with the allocation. Dr. Lasseter.

3  
4 **DR. LASSETER:** Perfect and I remembered my thought. You were  
5 correct earlier about Amendment 40. It averaged Gulf-wide the  
6 proportion of for-hire and private landings and doing it at the  
7 regional level, some states, regions, are going to -- That  
8 allocation is going to be different. They are going to have  
9 more for private and less for for-hire, and vice versa, in other  
10 states and that's how that average would come out.

11  
12 **CHAIRMAN ANSON:** Mr. Riechers.

13  
14 **MR. RIECHERS:** I mean basically Number 3 continues with sector  
15 separation, but puts it at the state control level. Number 4  
16 puts the recreational fishery at the state control level and  
17 Number 2 puts the charter for-hire vessels at the federal level  
18 and the private recreational anglers at the state level and, of  
19 course, Number 1 is status quo as we speak today and does that  
20 make sense?

21  
22 **CHAIRMAN ANSON:** It does, but I would add that Alternative 4  
23 still requires the state to come back to the council if it's  
24 outside of what has been identified in 40. The state, if they  
25 wanted to come back and have a different percentage, then yes,  
26 they would have to come back to the council.

27  
28 **MR. RIECHERS:** Let me help with that a little bit, just from a  
29 commonsense perspective. Basically the allocation that's  
30 reflected between any individual groups in any state other than  
31 the last year, which was a sector separation year, is the  
32 allocation that's been derived by how the people were just  
33 fishing if we were just letting them all go out and fish at the  
34 same time under the same rules in each state.

35  
36 The only year where that has changed or been altered is just in  
37 the last season and that data is not even included in here yet,  
38 because we don't have it yet. The percentages that we would be  
39 talking about is basically a reflection of people fishing the  
40 way they had been fishing before sector separation. Each  
41 individual is under the same set of guidelines and rules and  
42 just going out and fishing. When we said the season started,  
43 you went and you came home and you caught what you caught. Does  
44 that make sense?

45  
46 **CHAIRMAN ANSON:** David, did you have your hand up? Go ahead.

47  
48 **MR. WALKER:** I was just going to ask and with this alternative,

1 will it effectively kill the Amendments 41 and 42?

2  
3 **CHAIRMAN ANSON:** Potentially they could yes, because the same  
4 issues I think would be captured under this scenario at least,  
5 what's on the board, or any of them, quite frankly. It would  
6 just be slightly different as to how they would be addressed,  
7 yes. Mara, did you have your hand up earlier?

8  
9 **MS. LEVY:** Just something you said about Alternative 4. Just to  
10 clarify, that would require that the state manage everybody the  
11 same unless somehow the council changed what that meant.

12  
13 **CHAIRMAN ANSON:** I had Johnny.

14  
15 **MR. GREENE:** Another question. If the states come up with a  
16 different allocation, are they going to be required to follow  
17 the same allocation policies that we have set forth now? I mean  
18 we battled out an allocation at the council level already, but  
19 if the states come in and say, well, we want to do something  
20 different, what guidelines will they have to follow and in what  
21 case?

22  
23 **MS. LEVY:** Really, the state can come in with a suggestion, but  
24 it's the council that's going to have to set any new allocation  
25 and so you would have to follow all the same principles you've  
26 already been following with respect to allocations and the  
27 National Standards and all of those things and so it would be  
28 the state saying this is the allocation we want and this is why  
29 we want it and this is why we think all of these things are met,  
30 but ultimately, it's the council's decision and NMFS's approval  
31 of that decision that's going to have to set a new allocation.

32  
33 **CHAIRMAN ANSON:** Leann.

34  
35 **MS. BOSARGE:** I just want to make sure I understand what we said  
36 about 41 and 42. So if we chose this as our preferred and we  
37 move forward and somehow we manage to actually finish this  
38 document, that essentially means that the Headboat Collaborative  
39 and all the work we have in progress for that, that would pretty  
40 much stop and it would be nullified and the way that that would  
41 have to be implemented is each state would have to on their own  
42 go in and implement a program like that for their headboats and  
43 for their charter boats?

44  
45 **CHAIRMAN ANSON:** Dr. Lucas.

46  
47 **DR. LUCAS:** I don't think so, because in this alternative, it  
48 also is kind of an opt in or opt out. You can either just do

1 private recs or you can do both, according to what Ava said. So  
2 you would still have 41 and 42, in that case.

3  
4 **MS. BOSARGE:** But can you change your opt in or opt out every  
5 year or is it once only and that's it?

6  
7 **CHAIRMAN ANSON:** I mean I think every year you have the  
8 opportunity to opt out if you had opted in or vice versa, yes.  
9 Dr. Crabtree.

10  
11 **DR. CRABTREE:** I think that if you want to pursue Amendment 41  
12 or 42 in anything that's along the lines of a limited access  
13 privilege program, then I think you have to choose Alternative 2  
14 as your preferred.

15  
16 The states do not have, under any of this, the authority to put  
17 in place a LAPP or anything like that. That requires a  
18 referendum and has all kinds of specific requirements in the  
19 statute and so in my judgment, and Mara can correct me, because  
20 this is confusing, I will grant you, but, to me, if we go with  
21 this alternative, then I don't think Amendment 41 or 42, I don't  
22 think those go anywhere towards continuing the Headboat  
23 Cooperative.

24  
25 **CHAIRMAN ANSON:** Leann.

26  
27 **MS. BOSARGE:** Thank you. That answers my question. Then I just  
28 can't support this. You know those two groups have plans that  
29 are moving along and they know what they want. One of them has  
30 already been operating under that program for two years and we  
31 just have to mirror it and actually put it in writing somewhere  
32 and so if this backs all that up -- I mean I was shaky about  
33 supporting it in the first place, since they've been saying no,  
34 we don't want to be under state management, and so I can't -- I  
35 mean we have great headway there and I can't undo that.

36  
37 **CHAIRMAN ANSON:** Dr. Dana.

38  
39 **DR. DANA:** Dr. Crabtree, just to be clear, if the preferred is  
40 Alternative 4, that does away with 41 and 42 as well, does it  
41 not?

42  
43 **DR. CRABTREE:** Yes, it does and so I think if you want to  
44 proceed with Amendments 41 or 42 that you're going to have to  
45 come back and choose Preferred Alternative 2. We are making a  
46 decision here that has -- I mean we're not making a final  
47 decision today and so everything can proceed for now, but when  
48 we decide what we're going to do with this -- If we're going to

1 turn it over to the states, then that means we're not going to  
2 continue the Headboat Collaborative and we aren't going to  
3 pursue a lot of these other things.

4

5 **CHAIRMAN ANSON:** Go ahead.

6

7 **DR. DANA:** As a follow-up, but if we're looking at the  
8 Alternative 4 as a single unit, I mean that just does away with  
9 the process of the sector separation in that three years, if  
10 this amendment was to go through. At least this allows for two  
11 different sectors or subsectors to be continued to be separate  
12 and managed by their respective states with the relationships  
13 there and wouldn't that be a better scenario for  
14 charter/headboats, Alternative 3, as a preferred, versus 4?

15

16 **DR. CRABTREE:** In my judgment, 3 is preferable to 4, but  
17 obviously I voted in favor of 2 and I hope that's where we wind  
18 up, because I would like to pursue some of these other  
19 management options.

20

21 Now, understand that what you do here you can always undo down  
22 the road by amending the plan and so this doesn't mean we are  
23 never going to be able to do it, but we would have to come back  
24 in and change course again and at some point we've got to bring  
25 some stability to all of this and settle this thing down and so  
26 I think we should view what we're doing here is going to have --  
27 That's what we're going to do for a good while, but I don't see  
28 -- If a state then wanted to say, okay, we want to have a  
29 headboat cooperative for our headboats, they would have to come  
30 back in to the council and say, well, we would like to have a  
31 headboat cooperative for our set of headboats in our state and  
32 then the council would have to go through the amendment process  
33 and we would have to do the referendum and whatever things have  
34 to be done and then it could happen that way. Whether that  
35 practice would really work or not is -- I can't figure that out  
36 at this level.

37

38 **CHAIRMAN ANSON:** I have Dr. Lucas, followed by Mr. Sanchez.

39

40 **DR. LUCAS:** I just want to get some clarification here, because  
41 we keep getting wrapped around this as a single unit or  
42 whatever. MSA, as currently written, has 407(d), which  
43 basically says they are a single unit and you have to do it that  
44 way and as long as that 407(d) applies, even 3 or any of them is  
45 pretty much a single unit, because it's all recreational and  
46 whether you call them charter-for-hire or you're talking about  
47 private recreational, it's still one. One affects the other and  
48 it's one, according to that.

1  
2 **DR. CRABTREE:** Well, it means we have to have one common  
3 recreational quota and if it's hit, fishing stops, but that  
4 doesn't mean we can't have a headboat cooperative, because we  
5 have had it and 407(d) is in place.

6  
7 It doesn't mean we can't have sector separation and  
8 subcomponents under that. It just means if you reach a point  
9 where the entire quota is caught, everybody has to stop fishing,  
10 but if the buffers work properly and all of that and you don't  
11 ever hit the quota, then 407(d) doesn't interfere with any of  
12 them and so it complicates it some, but I don't think it  
13 prevents us from doing some of these things.

14  
15 **CHAIRMAN ANSON:** One point with Alternative 3, relative to what  
16 Dr. Crabtree just said, is that within the separate components,  
17 if they are managed that way, separately, as it describes in the  
18 alternative, there is some stability for that particular sector  
19 for reaching that ACL.

20  
21 When you go to set the season, you base it on average landings  
22 within that sector and so just like in the old way, it was done  
23 Gulf-wide for setting a target date and all that stuff. You can  
24 go ahead and set a target date for that particular sector so  
25 that it has some guarantee of having the season last for what  
26 you predicted for, if you do it correctly. Myron.

27  
28 **MR. FISCHER:** I would like to ask Ava -- I am wrapped around  
29 this single unit right now. On Alternative 4 or let me ask it  
30 this way. Is there an explicit alternative that would allow  
31 states to manage its private component and its charter component  
32 differently?

33  
34 **DR. LASSETER:** Yes and right now, Alternative 3 would allow the  
35 state to manage them separately, but the only things that are  
36 under consideration in this amendment would be to apply a  
37 different season, season structure, and bag limit.

38  
39 If you wanted to propose -- Then there is also the closed areas,  
40 although I don't imagine that would be different for the  
41 different sectors. Alternative 4, the purpose of Alternative 4  
42 when we began this, was to have an option that sector separation  
43 is over. There is no more sector separation.

44  
45 At the IPT level, we weren't quite sure, without that language,  
46 if the states still could propose it, which is why we asked for  
47 further clarification with that language, but under Alternative  
48 4, there is no more sector separation. Under Alternative 3, you

1 could assign separate seasons and bag limits to your private  
2 angling and your federal for-hire vessels.

3

4 **MR. FISCHER:** But based on the percent already established.

5

6 **DR. LASSETER:** That is correct, for your state's proportion of  
7 landings, yes.

8

9 **CHAIRMAN ANSON:** I am sorry and I went out of turn. John, I  
10 skipped over you and I apologize.

11

12 **MR. SANCHEZ:** That's all right. I'm just hoping we can bring  
13 this in for a landing soon.

14

15 **CHAIRMAN ANSON:** Mr. Gregory, did you have a comment?

16

17 **EXECUTIVE DIRECTOR GREGORY:** No.

18

19 **CHAIRMAN ANSON:** Dale.

20

21 **MR. DIAZ:** Yes, just real quick. I wanted to build off of  
22 something Roy Williams said a minute ago. He talked about bag  
23 limits as being flexible and Ava just mentioned that and that  
24 was another thing I was considering. In our area, folks  
25 continually say they would like to have the -- The charterboats  
26 specifically have told me many times they would like to fish in  
27 the fall, because the fish are closer into shore.

28

29 It would provide that flexibility and I know Robin has talked  
30 many times that on the current structure that June is a real  
31 windy time of year and that's not good for Texas and so this  
32 would allow for that. I don't want to stop debate, but I would  
33 propose to call the question.

34

35 **CHAIRMAN ANSON:** We've got a call the question on the motion on  
36 the board and that is in Action 2 to make Alternative 3 the  
37 preferred alternative. I won't read it all over again.

38

39 **EXECUTIVE DIRECTOR GREGORY:** My understanding is at the  
40 beginning of this discussion that Mr. Matens asked for a roll  
41 call vote on this Alternative 3.

42

43 **MR. MATENS:** That is correct, sir.

44

45 **CHAIRMAN ANSON:** All right. We will do a roll call vote.

46

47 **MR. BOYD:** You have to vote on the call the question.

48



1 **CHAIRMAN ANSON:** We have to vote to call the question. I  
2 apologize. All those in favor to call the question please raise  
3 your hand.

4

5 **EXECUTIVE DIRECTOR GREGORY:** Fourteen.

6

7 **CHAIRMAN ANSON:** We had fourteen and anyone with a no? We have  
8 one no. It's fourteen to one. Okay. We have the substitute  
9 motion in Action 2 to make Alternative 3 the preferred  
10 alternative. We have a request for a roll call vote. Mr.  
11 Gregory.

12

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

14

15 **MR. BOYD:** No.

16

17 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.

18

19 **MR. SWINDELL:** Good question. No.

20

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

22

23 **MR. DIAZ:** Yes.

24

25 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.

26

27 **MR. RIECHERS:** No.

28

29 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.

30

31 **DR. STUNZ:** No.

32

33 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.

34

35 **MR. SANCHEZ:** I'm with Mr. Swindell, but I will say yes.

36

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

38

39 **MS. BOSARGE:** No, out of principle.

40

41 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.

42

43 **MS. BADEMAN:** No.

44

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

46

47 **DR. CRABTREE:** I am with Ed and John, but I guess I will vote  
48 yes.

1  
2 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.  
3  
4 **MR. WALKER:** Yes.  
5  
6 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.  
7  
8 **MR. MATENS:** No.  
9  
10 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.  
11  
12 **MR. WILLIAMS:** Holding my nose, yes.  
13  
14 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.  
15  
16 **DR. DANA:** Yes.  
17  
18 **EXECUTIVE DIRECTOR GREGORY:** Mr. Greene.  
19  
20 **MR. GREENE:** No.  
21  
22 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.  
23  
24 **DR. LUCAS:** No.  
25  
26 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.  
27  
28 **MR. FISCHER:** No.  
29  
30 **EXECUTIVE DIRECTOR GREGORY:** We have six yes and ten no and the  
31 motion fails. Mr. Anson, I am sorry.  
32  
33 **CHAIRMAN ANSON:** Yes.  
34  
35 **EXECUTIVE DIRECTOR GREGORY:** We have seven yes and ten no and  
36 the motion fails.  
37  
38 **CHAIRMAN ANSON:** Any other discussion?  
39  
40 **MR. RIECHERS:** Mr. Chairman, doesn't that take us back to the  
41 original motion from committee?  
42  
43 **CHAIRMAN ANSON:** Yes, it does. We have a motion on the board in  
44 Action 2 to make Alternative 4 the preferred alternative.  
45 Alternative 4 is to remove the sunset and end the separate  
46 management of the federal for-hire and private angling  
47 components upon implementation of the amendment and have this  
48 amendment apply to the entire recreational sector. The private

1 angling and federal for-hire components would be managed as  
2 single unit by each region under regional ACLs based on the  
3 allocation selected in Action 6. Should we go ahead with the  
4 vote? Mr. Matens, do you have the same request?

5

6 **MR. MATENS:** I do, sir.

7

8 **CHAIRMAN ANSON:** Mr. Greene.

9

10 **MR. GREENE:** Can I speak to the motion?

11

12 **CHAIRMAN ANSON:** You can speak to the motion.

13

14 **MR. GREENE:** Well, in light of what just came down, this is  
15 absurd. We have already been through the sector separation  
16 stuff and all this is is an attempt to undo what happened in  
17 sector separation.

18

19 You have convened APs that have passed more motions and had more  
20 people working together than I have ever seen work together. I  
21 have seen people work together that won't even speak to each  
22 other sitting in that audience out there and this is absurd and  
23 to think that basically you go vote up Alternative 4 that you're  
24 going to erase everything that we haggled over for years in  
25 Amendment 40 and you're going to, if this was to pass, undo 41  
26 and 42.

27

28 You had APs that came out in one meeting in one day and they  
29 came up with an initial apportionment of how to handle the quota  
30 and they discussed ideas on shares by passenger cap and also  
31 noted to include every single permit holder and not to exclude  
32 one single person, whether they fished last year or not.

33

34 They wanted allocation to only be used on charter-for-hire trips  
35 only and no intersector trading and you couldn't stack a permit.  
36 They decided that if you had a boat that had a permit that would  
37 carry six people that you got this and if you had a permit that  
38 carried this many people, you got that.

39

40 You could even choose to opt out of the program. If you didn't  
41 like the way it was, you could opt out and abide by the state  
42 regulations. They even agreed on a split between a charter-for-  
43 hire and a headboat. We can't do that in ten years and you want  
44 to undo it in one action in one amendment? I mean this is just  
45 absolutely embarrassing.

46

47 **CHAIRMAN ANSON:** Any other discussion on the motion? Mr.  
48 Williams.

1  
2 **MR. WILLIAMS:** Just briefly, in my opinion, Alternative 4  
3 amounts to reallocation within the recreational fishery. My  
4 recollection was when we did Amendment 4, the charter/headboat  
5 sector accepted a lower percentage than they were entitled to  
6 and that we geared their percentage down, I think at the final  
7 public hearing. They were probably entitled to more.

8  
9 I think that what this will do is to simply reallocate from the  
10 charter/headboats into the private boat fishery and I think  
11 that's what it is principally about. Thank you.

12  
13 **CHAIRMAN ANSON:** Camp.

14  
15 **MR. MATENS:** My friend, Mr. Williams, certainly has a point. My  
16 point here is that this allows the region, whatever that region  
17 is, the states, to have the flexibility to do that if that's  
18 what their constituents want to do. If Florida wants to keep  
19 this thing the way it is, that's fine with me, but we have our  
20 own desires in Louisiana.

21  
22 **CHAIRMAN ANSON:** Dr. Crabtree.

23  
24 **DR. CRABTREE:** This doesn't allow any state the flexibility to  
25 keep things the way they are. This gets rid of sector  
26 separation and the states cannot do sector separation under  
27 this.

28  
29 **CHAIRMAN ANSON:** Any other discussion on the motion? All right.  
30 Seeing none, we are ready, Mr. Gregory.

31  
32 **EXECUTIVE DIRECTOR GREGORY:** Okay. This is to make Alternative  
33 4 of Action 2 the preferred alternative. Mr. Walker.

34  
35 **MR. WALKER:** No.

36  
37 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.

38  
39 **MR. FISCHER:** Yes.

40  
41 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.

42  
43 **MR. DIAZ:** No.

44  
45 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.

46  
47 **MR. RIECHERS:** Yes.

48

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

1 EXECUTIVE DIRECTOR GREGORY: Mr. Anson.

2  
3 CHAIRMAN ANSON: Yes.

4  
5 EXECUTIVE DIRECTOR GREGORY: We have eight yes and nine no and  
6 the motion fails.

7  
8 CHAIRMAN ANSON: All right. That concludes that and we are  
9 going to take a break, a ten-minute break.

10  
11 (Whereupon, a brief recess was taken.)

12  
13 CHAIRMAN ANSON: Do you want to continue with the report, Mr.  
14 Greene?

15  
16 MR. GREENE: Only because I have to. The committee discussed  
17 Action 5, addressing closures in federal waters of the Gulf. To  
18 facilitate comparison between the alternatives, staff  
19 recommended the addition of the Proposed Alternative 3 and  
20 removal of Options 2a and 2b.

21  
22 Dr. Crabtree noted that if a region intends to use Preferred  
23 Alternative 2 in its CEP that additional rulemaking would be  
24 needed and this could delay approval of the region's CEP. Staff  
25 noted that regions could establish zones with different fishing  
26 seasons under Alternative 1 and that federal waters would not  
27 need to be closed. A motion to make Alternative 1 the preferred  
28 alternative failed. In Actions 6 and 7, no further changes were  
29 made to the preferred alternatives.

30  
31 Updated Option Paper on Framework Action to Set Gag Recreational  
32 Season and Gag and Black Grouper Minimum Size Limits, staff  
33 reviewed changes to the draft options paper, Tab B, Number 5.  
34 At the last meeting, the council voted to retain the status quo  
35 ACLs and ACTs. Therefore, all of the alternatives for modifying  
36 ACLs and ACTs were moved to considered but rejected.

37  
38 New actions were added to consider increasing the gag, Action 1,  
39 and black grouper, Action 2, recreational minimum size limits  
40 from twenty-two inches total length to twenty-four inches total  
41 length, which would establish consistency with the South  
42 Atlantic size limits and would extend the recreational gag  
43 season.

44  
45 In Action 3, which sets the gag recreational season,  
46 Alternatives 3 and 4 were modified so that changes in the gag  
47 recreational season length are based on changes in the size  
48 limit rather than changes in the ACL. Estimates of season

1 length are shown in Tables 2.3.1 and 2.3.2.

2  
3 **Following review of the revised options paper, the committee**  
4 **passed the following motions. Action 1, Gag Recreational**  
5 **Minimum Size Limit, by a vote of seven to one, the committee**  
6 **recommends, and I so move, to make Alternative 2 the preferred**  
7 **alternative. Alternative 2 would set the recreational minimum**  
8 **size limit for gag at twenty-four inches total length.**

9  
10 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
11 discussion on the motion? **Is there any opposition to the**  
12 **motion? Seeing none, the motion carries.**

13  
14 **MR. GREENE:** Action 2, Black Grouper Minimum Size Limit, without  
15 opposition, the committee recommends, and I so move, to make  
16 Alternative 2 the preferred alternative. Alternative 2 is set  
17 the recreational minimum size limit for black grouper at twenty-  
18 four inches total length.

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:** For Action 3, Modifications to the Recreational Gag  
25 Fishing Season, committee members deferred selection of a  
26 preferred alternative until full council, except for Alternative  
27 2 to eliminate the December 3 through 31 fixed closed season,  
28 which is already the preferred alternative. I will pause there.  
29 Anything on gag?

30  
31 Final Action, Amendment 28, Red Snapper Allocation, staff  
32 presented the amendment, Tab B, Number 6(a), and noted that the  
33 council's preferred reallocation is Preferred Alternative 8. A  
34 motion to make Alternative 1 the Preferred Alternative failed.

35  
36 Council and National Marine Fisheries Service staff summarized  
37 public comments and the DEIS comments. Finally, staff indicated  
38 that the codified text for Amendment 28 was included in the  
39 briefing book.

40  
41 **CHAIRMAN ANSON:** We have a break here and we have on the agenda  
42 the Final Action for Amendment 28. Mr. Boyd.

43  
44 **MR. BOYD:** Mr. Chairman, in Reef Fish Amendment 28, Section 2.1,  
45 I move to make the preferred alternative Alternative 9.

46  
47 **CHAIRMAN ANSON:** We have a motion on the board to make the  
48 preferred alternative Alternative 9 in Action 2.1. Is there a

1 second to the motion?

2

3 **MR. MATENS:** Second.

4

5 **CHAIRMAN ANSON:** It's seconded by Mr. Matens. Any discussion on  
6 the motion? Mr. Walker.

7

8 **MR. WALKER:** Well, we've had a lot of discussion and there's a  
9 lot of concerns in the eastern Gulf about the allocations and in  
10 9, I mean the selectivity is just not -- It doesn't make any  
11 sense and the SSC hasn't had enough opportunity to discuss it.

12

13 You know you just look at the amberjack and you use the  
14 selectivity in amberjack and it's a lot larger fish and that's  
15 used in the opposite direction. I mean the commercial industry  
16 had a larger fish and ended up with a smaller quota. I am  
17 opposed to 9. I just don't think it's the right direction to  
18 go. I have got more comments, but I will let some more speak.

19

20 **CHAIRMAN ANSON:** Dr. Stunz.

21

22 **DR. STUNZ:** Thanks, Mr. Chairman. I will speak in favor of this  
23 motion and to follow up on the comment concerning selectivity,  
24 and I know we've had this discussion around the table before and  
25 particularly if you look in the appendix of this document and  
26 that technical memorandum that came out from the Science Center  
27 staff is that we use selectivity all the time when we're  
28 assessing this and a variety of other fisheries and it makes  
29 sense if that's part of the equation, in terms of the best  
30 science available to manage this fishery, that we take into  
31 consideration what is happening in terms of selectivity and so I  
32 think that it's appropriate to include that and, in addition, if  
33 you actually look at the numbers that are calculated and coming  
34 from including Alternative 9 in general in this amendment, it's  
35 better for everyone.

36

37 We are actually increasing the size of the pie and so it's a net  
38 gain for everyone and no one is actually going down in the  
39 amount of fish that are projected to be allocated to any  
40 particular sector and so I speak in favor of this motion.

41

42 **CHAIRMAN ANSON:** Mr. Sanchez.

43

44 **MR. SANCHEZ:** I would speak against it. You know we talk about  
45 recalibrating and selectivity and everything and it's almost  
46 comical when we heard a presentation from the Coast Guard a  
47 while back that a ragtag fleet of pangas can catch twice your  
48 reported landings in a given year and why don't we recalibrate



1 that stock assessment and use some more realistic landings and  
2 maybe see how that shakes out?

3

4 **CHAIRMAN ANSON:** Mr. Riechers.

5

6 **MR. RIECHERS:** Mr. Sanchez, I think we did ask them to try to  
7 figure out a way to incorporate that into the stock assessment.  
8 I mean it obviously is not in the stock assessment that was most  
9 recently done, but I think we had asked the Science Center to  
10 take a look at that, based on the projections of the Coast  
11 Guard, so that we could at least attempt to do that, because  
12 that is a big concern, certainly to the Texas fleet as well as  
13 it should be to the Gulf fleet.

14

15 **CHAIRMAN ANSON:** Ms. Bosarge.

16

17 **MS. BOSARGE:** I have a little concern about this. Have we had  
18 the conversation yet from the SSC that gives us some analysis  
19 and some sort of evaluation of what this does when you combine  
20 these two things? If this is the direction that we go, they  
21 have told us, as far as reallocating towards the recreational  
22 sector, based on the recalibration, what that's going to  
23 possibly do to that SPR in the eastern Gulf.

24

25 If you tack this on top of it, which takes both things into --  
26 You are essentially shifting more allocation and how much  
27 further are we going to see that SPR decline in the eastern  
28 Gulf?

29

30 I guess my concern is more of a long-term view of this stock,  
31 right? Okay, well, our quotas are going to go up right now if  
32 we do this across the board for both sectors and we are going to  
33 shift some allocation to the recreational sector and, okay, this  
34 is all short-term things, but if we do this and we make this  
35 larger move towards the recreational sector, what does it mean  
36 for the long-term rebuilding of this stock?

37

38 Are we starting to get close to that SPR level over there in the  
39 eastern Gulf, if we make an even bigger shift, where we're  
40 getting to a precipice, where we're going to end up putting  
41 ourselves back in the condition where we were before we could  
42 get the commercial sector into a stable management program,  
43 where we're starting to really get worried about crashing a  
44 stock?

45

46 **CHAIRMAN ANSON:** To that point, Dr. Crabtree.

47

48 **DR. CRABTREE:** I sort of thought this would come up and so I

1 pulled up the relevant paragraph in the report that we got  
 2 addressing this and this is what it says: The magnitude of  
 3 recreational allocation did not affect the speed of recovery to  
 4 the Gulf-wide management target of 26 percent SPR. However,  
 5 when the trajectory of spawning stock biomass was examined by  
 6 region, increasing the recreational allocation was expected to  
 7 result in decreasing spawning stock biomass in the eastern Gulf,  
 8 while a modest, but opposite, effect was observed in the western  
 9 Gulf. Following a substantial recovery in the eastern Gulf  
 10 during 2003 to 2013, we went from 2 to 12 percent of unfished  
 11 spawning stock biomass. The projected spawning stock biomass in  
 12 the eastern Gulf is expected to decline to 7 percent of unfished  
 13 spawning stock biomass by 2032 if the allocation is held at 49  
 14 percent recreational, which is status quo. If the recreational  
 15 allocation was increased to 70 percent, then the spawning stock  
 16 biomass would decrease to 4.6 percent SPR.

17  
 18 Now, Alternative 9 doesn't increase the recreational share  
 19 anywhere close to 70 percent, but it would result in a little  
 20 more decline than what is expected under status quo. Understand  
 21 though that what's driving these declines in the eastern Gulf  
 22 are the recruitment estimates and so those are based on having  
 23 average levels of recruitment projected forward.

24  
 25 If we have some big year classes like we had back in 2006 or  
 26 2007, that would change all of this, but even where you're  
 27 sitting now, the projections at least show that decline.  
 28 Depending on which alternative you pick, it will cause somewhat  
 29 more of a decline.

30  
 31 I would add in though that the buffer and all you've put in and  
 32 to the extent we continue to successfully constrain the catches,  
 33 that is probably built into all of this, but to the extent we're  
 34 under, that would have the opposite effect on these things.

35  
 36 **CHAIRMAN ANSON:** Leann, do you have a follow-up? Go ahead.

37  
 38 **MS. BOSARGE:** I guess my next question is so, for me, somebody  
 39 without a science background in the sense of biology, at what  
 40 point at we getting close to a level where we need to be  
 41 concerned about our spawning stock biomass, especially with the  
 42 conversations that we've had about this division of the Gulf  
 43 between these two pools, essentially, of red snapper?

44  
 45 I mean we've had some discussion about that and whether these  
 46 are two distinct groups or they're not. I am really not sure we  
 47 where we fell out in that, but if they are two distinct groups  
 48 and we are going to see a decrease in the SPR in the eastern

1 Gulf, which seems significant to me, when do we have to start  
2 worrying that we're about to crash that stock, if we can't  
3 assume that it's offset by something in the west?  
4

5 **DR. CRABTREE:** Well, I think what you've got to do is continue  
6 to watch the recruitments and see what actually happens. We  
7 really haven't seen any hard evidence of much of a decline in  
8 the eastern Gulf yet. It's all projected.  
9

10 I think at some point if that becomes a concern of yours that  
11 you're going to have to make a decision about do you want to  
12 continue to manage the stock Gulf-wide or do you want to manage  
13 it as two separate units and rebuild both units?  
14

15 That's a big decision and it's going to have huge implications  
16 and you would have to construct new rebuilding plans and you  
17 would have to revisit every allocation you have and all kinds of  
18 things to do that, but at least at this point I think the key  
19 thing is to watch these recruitments and see what happens.  
20

21 **CHAIRMAN ANSON:** I would note, Leann, that when they combined  
22 both the east and west in a prior assessment and the SPR was  
23 estimated to be about 5 percent total that about 50 percent of  
24 the twenty-five-year period that encompassed the modern data  
25 collection activities prior to that time -- Because we're  
26 talking about the early to mid-1990s and ten of the twenty years  
27 that I recall had the highest recruitment levels and so that was  
28 when the whole Gulf stock was very low and so it's highly  
29 variable and there isn't a good correlation there. I have  
30 several people in queue. I have Dr. Stunz, John Sanchez, and  
31 Robin.  
32

33 **DR. STUNZ:** Dr. Crabtree made my point somewhat that we need to  
34 follow these recruitment numbers, but we've been very, very  
35 ultra conservative in managing this fishery in the sense that we  
36 see things like we expect these big pulses of coming through  
37 recruitment and we're just looking at average recruitment and  
38 then we've got sort of buffers on top of buffers.  
39

40 We've got the ABC control rule in the assessment process which  
41 is putting in a pretty conservative buffer and then we've got  
42 the 20 percent buffer on top of that and so I would make the  
43 argument that this allocation, no matter what we do, is going to  
44 see very little with the example, which I agree 100 percent  
45 with, of what Mr. Sanchez brought up and you have these lanchas  
46 coming up and collecting these huge amounts of fish and that  
47 doesn't even move the needle.  
48

1 For us to think an allocation like this is really going to do  
2 something is -- We're probably just not going to see it, given  
3 the constraints that we've put on the fishery so far. As a  
4 scientist, I don't have a big concern right now with the SPR,  
5 but like I've said many times around this table so far, keep in  
6 mind that even talking about that or reading a lot of the work  
7 that we've got from other scientists, we don't have a spawning  
8 recruit relationship with red snapper in the Gulf of Mexico.

9  
10 **CHAIRMAN ANSON:** I have Mr. Sanchez, followed by Mr. Greene and  
11 Dale.

12  
13 **MR. SANCHEZ:** Whether we go 9, as we're discussing now, or  
14 Alternative 8, those percentages, when you equate them to  
15 increased recreational fishing days, angling opportunities, as  
16 we heard, what is it, one or two days? If you took the entire  
17 commercial quota and handed it over to the recreational, you  
18 might get eighteen days and that's provided we don't see a  
19 continued increase in state days. It would diminish from there.

20  
21 It seems like we're avoiding the obvious situation, which is not  
22 having a recreational management plan born from that sector. I  
23 mean come up with something to help manage your fishery, a way  
24 with like the commercial guys did. The hand you're dealt is  
25 what you've got to work with.

26  
27 There is many roads to the same place and figure out a way to  
28 stretch it out with weekends or size limit changes or something  
29 to maximize your benefits to you until you come up with  
30 something meaningful or do tags. There is many things, but  
31 nothing is being thrown out there except take from some other  
32 sector that has worked hard and stayed within their allocation  
33 and stop their overruns.

34  
35 It just seems absurd to be having these discussions, a grab for  
36 the fish, a very short-sighted grab for the fish. As far as  
37 what I was alluding to, I will be perfectly clear. When you  
38 have Texas landings out at 250,000 or 260,000 or 270,000 and  
39 panga landings that are double that, I question the validity of  
40 the Texas reporting system. I want to be very clear on that.

41  
42 **CHAIRMAN ANSON:** I have Johnny Greene, followed by Robin  
43 Riechers.

44  
45 **MR. GREENE:** Well, I fail to see, in these alternatives, what  
46 we're doing for the conservation of the resource. It doesn't do  
47 anything there, in my opinion. I went back and looked and  
48 recruitment since 2010 in the eastern Gulf has gone down at a

1 forty-five-degree angle ever since 2010.

2  
3 Now, I think you can mask it with this selectivity thing, but  
4 when you look at the recruitment going down since 2010 in the  
5 eastern Gulf, which is where you have all of your effort to  
6 begin with, you are certainly not doing anything for the  
7 conservation of the resource.

8  
9 I'm a recreational fisherman and I stand to benefit by eight out  
10 of nine of these alternatives, but it's not the right thing to  
11 do and it's just -- You know we can get into the selectivity  
12 recruitment argument all day long and avoid it, but I fish in  
13 the eastern Gulf and I see what's happening.

14  
15 It's already starting to slip and it's already starting to slide  
16 and I don't care what anybody tells you. I spend 200 days a  
17 year out there and have for the last twenty-four years. It  
18 ain't as strong as you think it is and you need to really think  
19 about this, because I don't see anything in here that's going to  
20 help out with the conservation of the resource.

21  
22 **CHAIRMAN ANSON:** Robin.

23  
24 **MR. RIECHERS:** I am going to go into my second statements first,  
25 but first I want to answer to John. Certainly our landings  
26 system, which has been going on for thirty years, has had all  
27 the science reviews that MRIP has had and has had the different  
28 kind of National Science Foundation reviews. We have had people  
29 in to do that.

30  
31 It's been turned over to National Marine Fisheries Service, all  
32 our methods, and we, like everyone in this room, as a state are  
33 trying to do different things now to see if, because of the  
34 truncated seasons, our landings estimates are still as accurate  
35 as they were before.

36  
37 Our coefficients of variation around those estimates are as  
38 tight as anyone else's and, in fact, MRIP has started to change  
39 their system or when they went to MRIP, it actually mirrors more  
40 of what we do methodologically than what they did before and so  
41 I understand your concern about the landings. I am still  
42 concerned about the panga boats and the estimate from the Coast  
43 Guard, because that's landings that we're not including in stock  
44 assessments that would make the whole assessment go up.

45  
46 I know that may not basically cause you to believe those  
47 estimates, but those estimates have been checked and rechecked  
48 through the years many, many times and we will share those with

1 anybody, anytime, anywhere.

2  
 3 Now I will go to my other point now. We keep talking about this  
 4 as a reallocation and this really isn't a reallocation, folks.  
 5 This is a recalibration of landings. We are not taking anything  
 6 away from anybody, because they were already there. These  
 7 landings were what was going on in the past and so it's just now  
 8 a recognition of that, based on a new MRIP estimation.

9  
 10 The same thing with the selectivity. That's what is going on  
 11 out there. It's not a change or it's been a change in  
 12 selectivity, but it's what is going on currently and so you're  
 13 not actually reallocating, but it's just recognizing the fact  
 14 that that time series had a higher percentage when you re-  
 15 estimated those MRIP landings as opposed to MRFSS.

16  
 17 Trust me that those MRIP landings caught us all by surprise. As  
 18 we were working on regional management, if you will recall, we  
 19 had several meetings where those numbers were changing every  
 20 meeting, based on estimations, and we were trying to get those  
 21 straight and we were trying to talk about percentages that we  
 22 could deal with and so we all understand the difficulty of those  
 23 numbers changing through time and the difficulty that it's  
 24 caused many of us as we've talked about different management  
 25 issues.

26  
 27 **CHAIRMAN ANSON:** Dr. Crabtree, followed by Dr. Stunz.

28  
 29 **DR. CRABTREE:** I don't really want to weigh in one way or the  
 30 other on the wisdom of the motion, but I do want to say  
 31 something about the comment that Johnny raised of what does this  
 32 have to do with the conservation of the resource and I heard  
 33 that in a number of comments.

34  
 35 The main tool we're using right now to rebuild this stock are  
 36 the quotas themselves. That's how we control the catch and  
 37 central to having those quotas is an allocation, because you  
 38 can't have the quotas without the allocation and so the  
 39 allocation is central to how we're conserving and rebuilding  
 40 this stock and we do have an obligation under the statute to  
 41 make sure that the allocation that we have is fair and equitable  
 42 and based on the best available science and is timely and under  
 43 our catch share policy.

44  
 45 We have an obligation to review the allocation every five years  
 46 or so, which is what we're doing, but I mean the allocation is  
 47 central to the tools we use to control fishing mortality in this  
 48 fishery.

1  
2 **CHAIRMAN ANSON:** Dr. Stunz.

3  
4 **DR. STUNZ:** Thanks, Mr. Chair, and this is sort of along the  
5 lines of what Robin was saying. Roy, maybe this is a question  
6 for you or perhaps Anna with the South Atlantic and looking at  
7 this recalibration and what other groups and other councils are  
8 doing in terms of MRIP.

9  
10 My understanding is that because, and this is what really  
11 convinces it for me in terms of this alternative, is that it's  
12 just built into the process and I don't know maybe if it's the  
13 assessment process or where it actually takes place, but there  
14 isn't a real debate like we're having here in the sense that  
15 it's just part of the process and if the numbers were not  
16 correct to begin with, that is factored into the assessment  
17 process and then brought back to the council and I don't know if  
18 that's just my wrong understanding or maybe, Roy, you can help  
19 us with that.

20  
21 **CHAIRMAN ANSON:** To that point, Dr. Crabtree.

22  
23 **DR. CRABTREE:** Well, we have had other cases where we had  
24 calibrations and we did readjust the allocations based on those.  
25 Those situations were more simple than this, because the  
26 allocations were based on more recent years. We just took the  
27 recalibrated landings and recalculated it and so here's the new  
28 allocation.

29  
30 In this case, we can't really do that, because the allocation is  
31 based on 1979 to 1986, I think, and some of those years aren't  
32 even supported by MRIP and so you can't really recalibrate that  
33 period of time and so instead of coming at it that way, what we  
34 did was look at, all right, what happens with the assessment  
35 with recalibration and without and here is the difference and so  
36 that's how you adjust for it.

37  
38 Now, with this particular alternative though, the selectivity is  
39 involved in it and I don't know that we have consciously before  
40 reallocated based on selectivities, but it's implicit in it,  
41 because it affects the landings and the historical time series.

42  
43 I think the one thing I would say though, if you're going to  
44 make an allocation decision based on the selectivity, is be  
45 aware that selectivity can change and you could find out that  
46 almost every time you do a new assessment that the selectivities  
47 have shifted and so the precedent is then we're going to start  
48 changing allocations much more often based on selectivities.

1 That probably has pros and cons, but just understand that  
2 selectivity does change periodically in these assessments when  
3 characteristics of the fisheries change.

4

5 **CHAIRMAN ANSON:** A follow-up to that, Dr. Stunz?

6

7 **DR. STUNZ:** Just a brief follow-up. I agree. I think if the  
8 selectivity changes, that's what needs to happen and that's why  
9 maybe down the line, outside of this Amendment 28 process, is we  
10 begin to look -- There is probably going to be more  
11 recalibrations down the line and if there's not some type of  
12 more automated process where that happens as the recalibrations  
13 dictate rather than going through this drawn-out process that  
14 we're sort of mired in now.

15

16 **CHAIRMAN ANSON:** I have Mr. Walker, followed by Dr. Dana.

17

18 **MR. WALKER:** First is just a question to Roy. I mean when has  
19 selectivity ever been used for allocation?

20

21 **DR. CRABTREE:** I don't recall when we've had it laid out in this  
22 fashion and used it before, but it's probably implicit in the  
23 historical time series and things, but almost every allocation  
24 we have is based on some time period and I am not sure when  
25 we've changed an allocation or set an allocation based on  
26 anything other than historical landings.

27

28 Now, I will say that that's been one of the complaints that I've  
29 heard out of people, is all of our allocations are backwards  
30 looking and not forwards looking.

31

32 **MR. WALKER:** I guess as far as the stock assessment and  
33 everything and this recalibration, that's not just all it is and  
34 isn't that just one part of it? I mean there's a lot of factors  
35 involved besides just that.

36

37 **DR. CRABTREE:** True. There are all kinds of factors involved in  
38 the assessment, but in this case, the recalibration was reviewed  
39 and looked at and the recalibrated landings were accepted as the  
40 best available science on the landings and these selectivities  
41 were reviewed by the SSC and everyone else and they were  
42 accepted in the assessment.

43

44 It's because of the recalibration and the selectivity change  
45 that we got as much of a quota increase as we got and we  
46 accepted all of that and we acted on it and so we have  
47 essentially already taken action and accepted the assessment  
48 based on the recalibrated landings and the shifts in the



1 selectivities.

2  
3 Now, whether you want to reallocate based on the selectivity or  
4 not, you are going to have to figure that out, but we're already  
5 operating based on that update assessment, which includes the  
6 recalibrated landings and the shift in selectivities.

7  
8 **MR. WALKER:** That's from the stock assessment and that's not  
9 based on the baseline years of the original allocation, the  
10 51/49 split.

11  
12 **DR. CRABTREE:** These alternatives aren't based on those baseline  
13 years either. They are looking at the impact of the selectivity  
14 and the impact of the recalibration in a different way.

15  
16 **MR. WALKER:** The alternatives, except for the two new ones, I  
17 mean most of them are based on economics. It's supposed to be  
18 fair and equitable and there is no alternatives in there that  
19 looks at fair and equitable access for the entire country, the  
20 net benefit.

21  
22 **CHAIRMAN ANSON:** Dr. Dana, followed by Leann.

23  
24 **DR. DANA:** Thank you, Chairman Anson. The way I see it, and  
25 maybe I am wrong, is that our current preferred alternative,  
26 which is Alternative 8, would be essentially status quo, but  
27 using the recalibration science to -- I mean yes. So it's  
28 status quo, but using the new science through the recalibration.

29  
30 Alternative 9 adds a slightly creative element by looking at the  
31 selectivity, which I heard from -- Well, I read that some of the  
32 scientists and such are not certain if we can hang our hat on  
33 that. I mean how confident are we in the science, first of all,  
34 that we're getting and, secondly, why for selectivity are we  
35 only looking at two to three years versus a much longer scale of  
36 time?

37  
38 **DR. CRABTREE:** We have selectivities specified in the assessment  
39 all the way back through the time series, but it changes  
40 periodically and when they did this update, they redefined those  
41 recreational selectivities over the last I don't remember how  
42 many years, but I think it was approximately three years, to  
43 recognize that the size of fish being caught in the recreational  
44 fishery had shifted.

45  
46 Now, how much you hang your hat on it, well, we hung our hat on  
47 it enough that the SSC accepted it and we increased the quotas  
48 based on that, but if you're asking me if anything is certain,

1 then no, there are uncertainties about everything and I can't  
2 tell you that when we get an assessment a couple of years from  
3 now that the selectivities won't change again.

4  
5 They might and in terms of recalibration of the landings, I am  
6 fairly certain that there will be more recalibrations coming.  
7 We've got this mail survey that's being tested now and MRIP has  
8 indicated they are going to shift to a mail survey and the pilot  
9 studies indicate that that's going to result in higher effort  
10 estimates and we will need to go through this recalibration  
11 exercise again, probably for every species we manage, and we  
12 will probably need to revisit the allocation issues for  
13 everything at that point. It's not going to go away and we're  
14 going to have to deal with this.

15  
16 **CHAIRMAN ANSON:** I have Leann, followed by Martha and Myron.

17  
18 **MS. BOSARGE:** I touched on this a little bit at the last meeting  
19 with this size selectivity and how we've seen the recreational  
20 sector targeting and landing larger fish in the past and how as  
21 we go to state water seasons, longer and longer state water  
22 seasons, you just don't have the abundance of that sized fish in  
23 these state waters. You don't have the abundance, period, of  
24 red snapper in state waters that you do in federal waters.

25  
26 In Mississippi, I know our preliminary landings already are  
27 showing a lower average weight of the fish this year relative to  
28 last year and, well, that makes sense. We are getting longer  
29 and longer state seasons and we're probably going to start  
30 landing smaller fish, on average.

31  
32 What I'm getting at is yes, maybe right now, if we went this  
33 route, it's going to move fish over to the recreational sector  
34 and then next year or the year after -- I don't know how long it  
35 will take to show up in the data, but a few years from now we  
36 will reexamine it again and it's probably going to shift back to  
37 the commercial sector.

38  
39 My problem with the whole thing is I would like us to be a group  
40 that proactively manages our federal fishery resources, as  
41 opposed to be firefighters that just react to all these changes  
42 and this and that and we're sitting here fighting over  
43 allocation. To me, that's a reactive management strategy and I  
44 don't want to get bogged down in it by setting a precedent that  
45 says, man, we're going to go into allocation every year now  
46 because we've got to adjust for these selectivities and we've  
47 got this constantly -- We have better things to worry about,  
48 more important things to worry about.

1  
2 If we could actually have some management that works for every  
3 sector, then allocation really becomes a minor issue that we  
4 deal with, because people are happy about where they're at.  
5 They can catch the fish when they want to and this is just  
6 deterring us from the big problem and I don't want to set a  
7 precedent where we are constantly going in and adjusting for  
8 these selectivities and you can bet that if we do this that we  
9 will, because you will have the commercial people fighting next  
10 year and the year after and saying, whoops, guess what, that  
11 selectivity has changed and you better go look at this  
12 allocation again.

13  
14 I don't want to get bogged down in this. Maybe it increased the  
15 stock and maybe it was good for everybody. Okay. Great. There  
16 is a lot of things that have increased the stock that have been  
17 good for everybody. Share it the way it is and let's move on.  
18 We're not going to do this selectivity every year and never get  
19 anywhere on the bigger issues.

20  
21 **CHAIRMAN ANSON:** Martha.

22  
23 **MS. BADEMAN:** Thank you, Mr. Chairman. I think one of the thing  
24 that it comes down to for me -- I mean we just used this  
25 information to raise the quota, an unprecedented raise in quota  
26 this year.

27  
28 It's tough for me to explain why we wouldn't use the same  
29 scientific information that is the best available science to  
30 make some of these fixes to some of this past historical data  
31 where we've had issues. I just don't understand and I can't  
32 argue for how would it be fair and equitable to ignore that  
33 information in this case, but not there.

34  
35 **CHAIRMAN ANSON:** To that point, Dr. Stunz?

36  
37 **DR. STUNZ:** Yes and just to follow up to the point that Martha  
38 is making and Ms. Bosarge, it seems logical that this is not an  
39 every year recalibration based on selectivities, but it just is  
40 built into our assessment process and, of course, we decide when  
41 that occurs and that's the logical time for that to occur and  
42 that seems to be when it would make sense and not at the whim of  
43 we think we caught bigger fish this year and it's just part of  
44 the process that happens in more of this automated fashion and  
45 that's why -- Anna maybe wants to comment on how they handle it  
46 on the South Atlantic, because they are dealing with the same  
47 issue, I'm sure, or something similar.

48

1 **MS. BECKWITH:** I think Roy spoke to it, but we've taken it as  
2 par for the course as part of the process and so as new  
3 information has come up, we have recalibrated according to the  
4 new information.

5  
6 **CHAIRMAN ANSON:** Myron.

7  
8 **MR. FISCHER:** Thank you, Mr. Chair. I am just trying to absorb  
9 and sum up what I've heard, but it seems like allocation is one  
10 of the fundamental base tools we have in our fishery management  
11 plan. It's either in the fishery management plan or the first  
12 amendment of it that we come up with a quota and then we come up  
13 with allocations on how to divide it.

14  
15 In this case, the quota increase that we already accepted comes  
16 from selectivity and recalibration. The council has already  
17 accepted this. They accepted the data and they accepted the  
18 premise on how it was designed and so if we don't agree with  
19 this, that means we really have to reduce our quota a few  
20 million pounds. That means we didn't understand the basic  
21 concept.

22  
23 What we did is we took a quota increase created by a  
24 recreational selectivity, but we split it 49/51, where at that  
25 time it should have been a recreational increase. What this is  
26 doing is it's just a correction to the adjustment. We should  
27 have done this when we had the increase and so all we're doing  
28 is making a correction and that's the way I am looking at it and  
29 I welcome other views as I try to figure this out.

30  
31 **CHAIRMAN ANSON:** I have David, followed by Doug Boyd.

32  
33 **MR. WALKER:** The assessment is different than reallocation. I  
34 mean you've got a lot of social and economics and there is a lot  
35 of factors that go into allocation and we've heard a lot of  
36 testimony for a lot of years and just because it was used for  
37 the assessment, it doesn't mean that it should be used for  
38 reallocation.

39  
40 Everyone keeps trying to pound it into you about the CPUEs in  
41 the eastern Gulf and I don't know how many are fishing in the  
42 eastern gap, but I am sure there's a gap there. It's about four  
43 or five years and recruitment -- There has not been a good year  
44 since 2006.

45  
46 Right now, you catch a fish and they are anywhere from, in the  
47 commercial, anywhere from thirteen to seventeen inches and then  
48 you have a gap where the fish jump to ten pounds and so it's

1 about availability right now that's showing in this selectivity  
2 and there is a lot of this high-grading. There is some high-  
3 grading going on, but Johnny is right. He's being honest with  
4 you.

5  
6 Things in the eastern Gulf aren't good. I mean we heard some  
7 testimony and someone said that they had someone that liked to  
8 lease fish or whatever and they swap fish back and forth, but  
9 they are not calling. The eastern Gulf, off the west coast of  
10 Florida, I don't hear people getting up here in the testimony  
11 anymore speaking to that.

12  
13 All of this is just one part of it. You're just trying to tie  
14 the assessment to reallocation and that's not fair and  
15 equitable, but I am telling you that it's -- We're going to be  
16 looking at some drops coming in the allocation too and this  
17 right here, I think I had some notes here somewhere.

18  
19 For this, the economic impact, it's somewhere -- Alternative 9  
20 is a \$44 million economic impact of reallocation away from the  
21 commercial sector. That's pretty substantial and you know we  
22 can keep on beating this drum and where are we going to go?  
23 You're taking out the breeders and what's left and accessibility  
24 and when those are gone in the eastern Gulf and all you have is  
25 the little fish and bad recruitment coming, it doesn't make any  
26 sense to reallocate fish into a sector where the most effort is  
27 taking place.

28  
29 I mean you have the highest effort in the Gulf. I think it's  
30 something like 70 percent of the recreational effort takes place  
31 in the eastern Gulf and then you take that effort and reallocate  
32 into it and when they have a history of exceeding the  
33 allocations -- I mean we don't know and what's the state non-  
34 compliance going to be at the end of this year? Are they going  
35 to be over? Is the buffer enough?

36  
37 I have said over and over that we need to be looking at  
38 reforming management. It's what the best science told you. I  
39 mean it was sent there for the economics and we looked at it for  
40 economics and that didn't work. You know I've said it over and  
41 over that it changed the purpose and need and yes, you changed  
42 the purpose and need, but all of the alternatives were for  
43 economics and it wasn't based on stock assessments. It's not  
44 based on the baseline years of allocation that was determined  
45 back years ago and even before that.

46  
47 You know before recreational fishing was favorable, it was a  
48 commercial industry. It was 100 percent and I have said it

1 before. They provide access to 100 percent of the people in  
2 this nation and so how you can justify taking that away and then  
3 you look at the different ones and it's eighteen to one and you  
4 figure how many people and you want to look at them as  
5 constituents and for every recreational angler access that you  
6 increase, you take away eighteen.

7  
8 I just don't understand where and how that is fair and equitable  
9 and how this is good conservation. You all like to see some  
10 groups stand up and come forward with something that actually  
11 helps and until -- You know this state non-compliance, it just  
12 doesn't cut it. It's the real problem and it started -- I think  
13 out in Texas they have the year-round fishery and then in  
14 Alabama and Mississippi, they are basically forced into this too  
15 and I mean it's taken away the opportunities of what everyone  
16 here is complaining about, federal access.

17  
18 People want federal access and so the days are getting smaller  
19 and they are not going to get any bigger. Yes, you can  
20 reallocate, but the state non-compliance just keeps exploding  
21 and the access for the fishery keeps exploding and I just don't  
22 see any justification in it for any reallocation, but I do see  
23 justification in what the best science told you when you asked  
24 them for a recommendation on allocation and they said instead of  
25 looking at allocation, you need to be looking at management  
26 reform.

27  
28 **CHAIRMAN ANSON:** Mr. Boyd.

29  
30 **MR. BOYD:** Thank you, Mr. Chairman. I guess I am going to echo,  
31 just for a minute, what Dr. Stunz said a while ago. He and  
32 Myron both said what I was going to say and that is that the  
33 science is there and it's been used. It's been used in the  
34 assessments and it's been used in the allocation that was just  
35 done this last year where we saw a substantial increase in the  
36 amount of fish that are allocated.

37  
38 Dr. Crabtree said that the SSC had reviewed the allocation and  
39 they reviewed the MRIP changes and the recalibration in that and  
40 I would like for us not to use just half of the science. I  
41 would like to use all of the science in making this decision and  
42 we've already done that and Myron made the comment that maybe we  
43 ought to go back and relook at the two-million pounds we added  
44 that had this selectivity and had this recalibration in it.  
45 Thank you.

46  
47 **CHAIRMAN ANSON:** I have Mr. Sanchez, followed by Roy Williams  
48 and Martha Bademan.

1  
2 **MR. SANCHEZ:** Thank you, Mr. Chairman. I would like to offer a  
3 substitute motion. In Action 1, to make Alternative 1, no  
4 action, the preferred alternative.  
5

6 **CHAIRMAN ANSON:** We have a motion to make Action 1 the preferred  
7 alternative and it's been seconded by Ms. Bosarge. We have  
8 already had lots of discussion and is there anyone who has a new  
9 point they want to bring forward in favor of this motion or in  
10 opposition to the motion, quite frankly? Mr. Sanchez, you were  
11 the maker of the motion and do you have any additional  
12 information?  
13

14 **MR. SANCHEZ:** I think we've spoken at length about it and I  
15 think we all pretty much know where we stand on this issue. We  
16 heard from the public for years now, and even here at this very  
17 last meeting, and I think the overwhelming majority was in favor  
18 of Action 1. On their behalf, I make that motion.  
19

20 **CHAIRMAN ANSON:** Johnny Greene, followed by Roy Williams.  
21

22 **MR. GREENE:** Just getting back to the title of the document,  
23 "Red Snapper Reallocation". The purpose and need doesn't  
24 mention anything about recalibration. Not one word, in my  
25 interpretation of it.  
26

27 What you're doing here is you're setting a precedent. Now, I  
28 was questioning conservation of the resource and Dr. Crabtree  
29 mentioned that you manage by quotas and shifting allocation back  
30 and forth and so as aggravating as the conversation was on  
31 Amendment 39 and to think that I'm going to go back there now is  
32 insane, but we are.  
33

34 If we have five states and all five states agree on their CEP  
35 plans and you have one state that's not playing by the rules and  
36 not doing their job and you want to reallocate fish from the  
37 other four states that are to that one rogue state that doesn't  
38 seem to manage it, it's just crazy.  
39

40 You know if the situation was reversed, would we be thinking  
41 about this? I just, for the life of me, don't see it. Now, if  
42 you want to reallocate fish, as opposed to recalibrate fish,  
43 those are two different things.  
44

45 If you want to reallocate fish away from the commercial industry  
46 to the recreational industry and put them in a pool somewhere  
47 until the recreational sector, charter boats, purely  
48 recreational, and headboats, all become accountable and not let

1 those fish leave, I might could support it, but without anything  
2 on the horizon, we have 39 and 40 and 41, but those are the most  
3 contentious amendments that I have ever seen.

4  
5 If for some reason those fail, there is nothing else on the  
6 horizon and that really does bother me and so this is a  
7 fundamental ethical decision and I think the only way that I can  
8 support anything would be through Action 1 and I speak in favor  
9 of this.

10  
11 **CHAIRMAN ANSON:** Mr. Williams.

12  
13 **MR. WILLIAMS:** Thank you, Mr. Chairman. I have had some  
14 difficulty with this issue and it's been a difficult one for me  
15 to decide. I will say I think I have been fairly heavily  
16 influenced by the opinion on the Destin Charter Boat Association  
17 though.

18  
19 They have a lot to gain or they have some to gain by a  
20 reallocation and they, in the past, have said they kind of  
21 supported it, but as they have considered it more and more, they  
22 are concerned about the -- Even though they would stand to  
23 benefit by it, they are going to -- We are reallocating from a  
24 fishery that has been completely accountable and hasn't exceeded  
25 its allocations and stayed totally within its quotas and we're  
26 going to reallocate to a fishery that has generally exceeded its  
27 quotas, exceeded its allocations.

28  
29 If the private boat fishery will come to the table and accept  
30 tags or something like that as a way to control their harvest of  
31 red snapper, it would be easier for me to support a reallocation  
32 to them, or at least a recalibration for them, but I came to the  
33 council two years ago and it was sort of obvious to me to use  
34 tags to try to keep the fishery under control, but, gosh, there  
35 was no support for that whatsoever and so until the private boat  
36 fishery can step up and find a way to bring themselves under  
37 control, to control their allocation of red snapper, I just  
38 can't support the reallocation from the accountable sector to  
39 the unaccountable sector. With that, I am going to vote for  
40 Alternative 1.

41  
42 **CHAIRMAN ANSON:** Leann.

43  
44 **MS. BOSARGE:** When we originally started looking at  
45 recalibration as part of this amendment and we changed our  
46 purpose and need and we did all kinds of things, I asked that we  
47 take this recalibration -- I said recalibration is something  
48 that I understand and that I could probably support and that if



1 the historical landings were different than what we thought they  
2 were, that has allocation implications.

3  
4 I asked that it be moved to a new document that focused on  
5 recalibration and look at that and have a nice discussion about  
6 it, the same way we did for sector separation, because there is  
7 different things going on in each fishery.

8  
9 All right and so what years do we want to use and what  
10 constraints were in there? This is what we're dealing with on  
11 changes in those landings for those years and so what is our new  
12 allocation going to be? That's the discussion I wanted to have.

13  
14 That's not this alternative that we have in this document. It  
15 doesn't do that. It does not go back to the discussion we  
16 always have for allocation, which is looking at historical  
17 landings and choosing which years. What this does is it says,  
18 and this is Alternative 8 I am speaking to and that's why I want  
19 no action, but in Alternative 8, it says, okay, so there was  
20 this change in survey methodology and we had a huge increase in  
21 what we saw that the recreational sector was actually landing.

22  
23 That huge increase tells us that the stock was able to actually  
24 sustain a lot more removals than what we thought it was able to  
25 and what it was undergoing and, therefore, it's a little bit  
26 healthier than we thought and, therefore, there is probably more  
27 fish out there than what we thought, more biomass out there.

28  
29 That obviously has implications for a stock assessment and that  
30 also has implications on historical landings, but that's not  
31 what we're doing. That's not what we're looking at. What we're  
32 looking at is, okay, so how much healthier was the stock over  
33 what we thought it was, based on these changes in our landings  
34 data?

35  
36 Okay, well, it was this much healthier. All right. Well then  
37 guess what? All of that should go to the recreational sector,  
38 because their overshooting of their quota is obviously what led  
39 to the stock being healthier. I mean that is essentially the  
40 rationale that we're using here and that's not correct.

41  
42 That was not the discussion that I wanted to have. I wanted to  
43 have a recalibration and maybe Dr. Crabtree said we can't go  
44 back a long way in time and okay, well, that's one comment. We  
45 never got to a point where we actually had an in-depth  
46 discussion and saw all this data.

47  
48 We had a blip. We had a summary from the SSC and they are still

1 working on all of it and why do we not have an amendment that  
2 discusses that, instead of saying, okay, the stock went up by  
3 this and it's healthier and all that rebuilding, we're going to  
4 take whatever that percentage is and shift historical allocation  
5 from commercial to recreational.

6  
7 To me, a stock assessment decision on healthier stock out there  
8 and an increase there, that's different than an allocation  
9 decision. What we're doing is taking that increase in the  
10 health of the stock and deciding who it goes to.

11  
12 If you made me make that decision right now, instead of doing it  
13 the way I wanted to, the reason the stock is healthier has to be  
14 based on who has been staying within their quota and leaving the  
15 fish in the water and helping to rebuild it and not taking more  
16 fish out than what we said we needed to take out to be able to  
17 rebuild it.

18  
19 **CHAIRMAN ANSON:** Dr. Crabtree, to that point?

20  
21 **DR. CRABTREE:** Yes and I think there's some misunderstanding  
22 here. The recalibration and the shift in the selectivity does  
23 not say anything about the stock being any healthier. It just  
24 says the stock apparently is more productive than we thought,  
25 because it sustained more harvest all along.

26  
27 It doesn't say it's any healthier and so this isn't about  
28 rebuilding, necessarily. This is just about we now realize that  
29 landings have actually been higher than we thought and so the  
30 stock is bigger than we thought and so it's not like anybody is  
31 getting a benefit of rebuilding, but it's just the stock is  
32 apparently more productive than we thought it was in the past  
33 and we're not harvesting any more than we thought. We have  
34 always been harvesting more than we thought and so it's not  
35 about being healthier, really.

36  
37 **CHAIRMAN ANSON:** A follow-up, Leann?

38  
39 **MS. BOSARGE:** Then what is our rationale for deciding that the  
40 increased productivity of the stock -- The stock is more  
41 productive than what we thought and therefore that productivity  
42 should be given to a particular sector instead of being split  
43 the way it always has?

44  
45 **DR. CRABTREE:** All right. Think about it this way and I am  
46 going to give you a very simplistic example, which may not be  
47 exactly. Imagine you had a stock with two sectors fishing it  
48 and each sector catches 100 pounds per year. The total

1 allowable catch is 200 pounds and this goes on for a while.

2  
3 The catches are estimated by a survey and so imagine you  
4 discover, through looking at the survey, that in fact one sector  
5 has actually been catching 200 pounds a year all along. Now, so  
6 the original allocation was 50/50, 100 pounds each and the TAC  
7 was 200.

8  
9 Now you realize in fact you've been harvesting 300 pounds all  
10 the time and so the TAC really is 300 pounds. Now, if you say  
11 we're going to stick with the original allocation of 50/50,  
12 everybody gets 150 pounds and so one sector that's only been  
13 catching 100 all along gets a bonus of fifty pounds. The sector  
14 that's been catching 200 pounds all along now is getting cut,  
15 because they are only getting 150 pounds from now on. That is  
16 what happens if you readjust the historical timeframe and the  
17 productivity but you don't make a shift in the allocation.

18  
19 It is a de facto reallocation away from the sector whose catches  
20 have been recalibrated to the other one and I say that is very  
21 oversimplified, probably, but that gives you the gist of it.

22  
23 **CHAIRMAN ANSON:** A follow-up one more time, Leann.

24  
25 **MS. BOSARGE:** Yes and thank you. But that exemplifies my point,  
26 Dr. Crabtree, that your example there assumes that it goes back  
27 in time forever and that was the case. That's the discussion I  
28 wanted to have and that's what this assumes, that those  
29 recreational landings must have always been that way all the way  
30 back in time.

31  
32 We didn't have a discussion though, like we did between for-hire  
33 and private angler, where there is different constraints on both  
34 groups back in time and so you can't say it's always been that  
35 way. That's the discussion we never got to have.

36  
37 When we do it this way, it does not allow us to have that  
38 discussion and that's my problem with this. I wanted this to be  
39 in a separate amendment so we could actually look at it, but now  
40 we're just going to assume that it's always been that way and  
41 they have always been catching this much and I don't think  
42 that's right.

43  
44 **CHAIRMAN ANSON:** I have Martha, followed by Dr. Crabtree. You  
45 had another point and then David.

46  
47 **MS. BADEMAN:** I am going to go back several people ago. I think  
48 the point was brought up that maybe if recreational was under

1 tags we wouldn't be in this situation or we wouldn't be talking  
2 reallocation and I disagree with that for a couple of reasons.

3  
4 Number one, we have this catch share policy and I think even in  
5 the Gulf Council's allocation policy it says we've got to sit  
6 down and look at this stuff. That's just it is what it is and  
7 we're having the conversation.

8  
9 Two, I think we would still have this science issue and the  
10 other thing is let's pretend we did have tags and we started the  
11 tag program for recreational when we started this new rebuilding  
12 plan. We would still be in a situation where -- We would be in  
13 a situation where there would be fewer and fewer tags issued  
14 every year, because the size of the fish that's coming has gone  
15 up. I mean we would be having this conversation either way, in  
16 my opinion, and I just wanted to make that point. Thanks.

17  
18 **CHAIRMAN ANSON:** Dr. Crabtree, you had your hand up earlier.

19  
20 **DR. CRABTREE:** One other point I wanted to make, going back to  
21 Mr. Williams's comment about whether sectors are accountable or  
22 not, yes, we've had issues with overruns in the recreational  
23 fisheries, but bear in mind we did take an emergency action to  
24 address that and then we put in place a management action  
25 permanently to address that, which put in place a 20 percent  
26 buffer and a payback provision for the recreational fishery.

27  
28 Based on the one year of return we have on that, it worked and  
29 we were a million-and-a-half pounds under the quota last year  
30 and so we have taken actions to address accountability.

31  
32 Now, does it result in a well-managed fishery that we're all  
33 happy with how it's performing? I think the answer to that is  
34 probably no, but it, at least based on what we have now, appears  
35 to be keeping us underneath the quota.

36  
37 **CHAIRMAN ANSON:** David Walker, followed by Dale.

38  
39 **MR. WALKER:** I'm just going to say you know the commercial  
40 industry has been constrained since 2007. We had problems in  
41 our fishery and it did take us five years and I mean we've been  
42 sitting here arguing over this for all this time and we still  
43 haven't even worked on the -- I guess the last meeting we  
44 decided to move forward with the ad hoc program, which I hope we  
45 do.

46  
47 We were there and I mean we got together and I'm just going to  
48 tell you some of the things we had in our program that

1 benefitted. I mean it improved biological benefits and improved  
2 social benefits and it improved economic benefits and it  
3 improved safety at sea. It improved the market glut issues and  
4 it improved the discard issues and it improved the conflict  
5 issues and it improved the access year-round.

6  
7 It improved enforcement and it improved quality of product and  
8 it improved data. It improved real-time data. It improved  
9 accountability. It improved management costs via cost recovery  
10 fees and it improved the rebuilding plan schedule. It improved  
11 efficiency and it improved stability and it improved  
12 conservation. It improved the net benefit to the majority of  
13 the nation.

14  
15 That's a lot of things and it's just one industry that got  
16 together. I mean the charter industry, they want to get  
17 something for them that works. They want a program that  
18 benefits them too and where is the leadership from these private  
19 anglers? Where have you been for the last twenty-five years or  
20 let's say the last five years?

21  
22 I heard someone say the other day they wanted some allocation,  
23 but you know the recreational fishery plan was -- Allocation was  
24 not the silver bullet. How can it be fair and equitable to  
25 reward someone historically and penalize someone who has put the  
26 effort forward -- Leaders in their industry got together and  
27 worked it out and I am telling you that it was tough when we  
28 started.

29  
30 Everybody had different ideas, but we came together. It took  
31 some time and we came together and we developed the profiles and  
32 we brought them to this council and there were a couple of  
33 things that they took out and there was a couple of things that  
34 they complained about, but our industry developed the plan that  
35 worked for us and why can't we work on management reform for the  
36 recreational angler?

37  
38 Why can't we continue to let these charter boats continue on  
39 down with Amendment 41 and Amendment 42? If the states want 39,  
40 then the charter industry and the commercial, we don't want to  
41 get in your way, but don't take the people who has worked hard  
42 and think it's fair to penalize them.

43  
44 There is recreational fishermen that go out there on charter  
45 boats and what I am getting to is just there is no way it's fair  
46 and equitable, but I will tell you what will be fair and  
47 equitable. It's if you allocated more time to management  
48 reform.

1  
2 **CHAIRMAN ANSON:** Dale Diaz.

3  
4 **MR. DIAZ:** Thank you, Mr. Chairman. A lot of good discussion  
5 and this is a tough issue. I just kind of wanted to go on the  
6 record and say some of the things that I've been thinking. I'm  
7 going to vote against the substitute motion and I speak against  
8 it.

9  
10 My rationale for that is I keep coming back to the fact that the  
11 way MRFSS and MRIP operated for a long time in the State of  
12 Mississippi, and I am sure throughout the Gulf, is a lot of the  
13 samples occurred earlier in the day and the methodological  
14 change that happened that made Alternative 8 look different is  
15 the fact that now they're sampling around the clock and that is  
16 something that was a correction, that was an improvement, to the  
17 MRIP program that I think is real.

18  
19 The selectivity thing, I do have some issues with selectivity,  
20 but on Alternative 8, I keep coming back to that and I think  
21 that is something that was an improvement to the program and so  
22 thank you.

23  
24 **CHAIRMAN ANSON:** All right. I have no one else on the list.  
25 Mr. Swindell. Since you have not participated, please go ahead.

26  
27 **MR. SWINDELL:** It's finally, after listening to everything, that  
28 I want to say a few things. When I first joined the council,  
29 conservation of the resource was the primary think that we all  
30 paid attention to and so I agree with Mr. Greene that  
31 conservation and the resource abundance and recovery or whatever  
32 is most important.

33  
34 I have, as I have looked through the documents here, a big  
35 concern about what you call the east side of this resource  
36 continuing in decline of abundance. That gives me a huge  
37 concern.

38  
39 You have the west side that seems to be improving, from what I  
40 have read, and I don't see us trying to address anything here  
41 that addresses what's going on in the east if you've got good  
42 enough information on what's happening in the east and what can  
43 we do with the west to improve the availability of the resource  
44 there for people to harvest, which is all part of the game.

45  
46 I am at a total loss as to how to look at these things that we  
47 have here, because I am not certain that, number one, that the  
48 Preferred Alternative 1 is even addressing anything to do with

1 the east and everything I have heard before is that the  
2 recreational people seem to be a bigger problem in the east,  
3 because there is more in the east. Tell me if I'm wrong,  
4 please, because I can only go by what I've been hearing for the  
5 last day or two.

6  
7 I am kind of at a loss as to what to do here, but, people, I  
8 just don't see that we're making any progress in rebuilding this  
9 resource as much as it needs to be rebuilt. You are leaving  
10 out, to me, the major part of the rebuilding effort that needs  
11 to take place, according to what you've studied, and that's the  
12 east. Thank you, Mr. Chairman.

13  
14 **CHAIRMAN ANSON:** Thank you for those comments. I think everyone  
15 has had ample opportunity to comment on the substitute motion  
16 and so we'll go ahead and vote. In Action 1, it's to make  
17 Alternative 1 the new preferred alternative. All the  
18 information that's associated with that alternative, it's  
19 basically a no action alternative and everything will remain the  
20 same, as they are today. Mr. Walker.

21  
22 **MR. WALKER:** I would like to have a roll call vote, please.

23  
24 **CHAIRMAN ANSON:** All right. We have been requested for a roll  
25 call vote and so, Mr. Gregory.

26  
27 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.

28  
29 **MS. BOSARGE:** Yes.

30  
31 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.

32  
33 **MR. BOYD:** No.

34  
35 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.

36  
37 **MR. DIAZ:** No.

38  
39 **EXECUTIVE DIRECTOR GREGORY:** Mr. Greene.

40  
41 **MR. GREENE:** Yes.

42  
43 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.

44  
45 **MR. MATENS:** No.

46  
47 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.

48

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



1  
2 **CHAIRMAN ANSON:** That brings us to the committee motion, I  
3 believe, or there was no committee motion. It was a motion  
4 earlier for Alternative 9. In Action 1, to make Alternative 9  
5 the preferred alternative. The information is all there and it  
6 talks about the changes to the calibration on the recreational  
7 side as well as the selectivity. Mr. Walker.  
8  
9 **MR. WALKER:** I would like a roll call vote on this and all other  
10 motions pertaining to 28.  
11  
12 **CHAIRMAN ANSON:** All right. So noted. Thank you, Mr. Walker.  
13  
14 **EXECUTIVE DIRECTOR GREGORY:** This is to make Alternative 9 in  
15 Action 1 the preferred alternative. Mr. Williams.  
16  
17 **MR. WILLIAMS:** No.  
18  
19 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.  
20  
21 **MS. BADEMAN:** Yes.  
22  
23 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.  
24  
25 **DR. LUCAS:** Yes.  
26  
27 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.  
28  
29 **MR. WALKER:** No.  
30  
31 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.  
32  
33 **MR. SANCHEZ:** No.  
34  
35 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.  
36  
37 **DR. CRABTREE:** I abstain.  
38  
39 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.  
40  
41 **MR. MATENS:** Yes.  
42  
43 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.  
44  
45 **DR. DANA:** No.  
46  
47 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.  
48

1 MR. SWINDELL: No.  
2  
3 EXECUTIVE DIRECTOR GREGORY: Mr. Riechers.  
4  
5 MR. RIECHERS: Yes.  
6  
7 EXECUTIVE DIRECTOR GREGORY: Mr. Fischer.  
8  
9 MR. FISCHER: Yes.  
10  
11 EXECUTIVE DIRECTOR GREGORY: Ms. Bosarge.  
12  
13 MS. BOSARGE: No.  
14  
15 EXECUTIVE DIRECTOR GREGORY: Mr. Boyd.  
16  
17 MR. BOYD: Yes.  
18  
19 EXECUTIVE DIRECTOR GREGORY: Dr. Stunz.  
20  
21 DR. STUNZ: Yes.  
22  
23 EXECUTIVE DIRECTOR GREGORY: Mr. Greene.  
24  
25 MR. GREENE: No.  
26  
27 EXECUTIVE DIRECTOR GREGORY: Mr. Diaz.  
28  
29 MR. DIAZ: No.  
30  
31 EXECUTIVE DIRECTOR GREGORY: Mr. Anson.  
32  
33 CHAIRMAN ANSON: Yes.  
34  
35 EXECUTIVE DIRECTOR GREGORY: We have eight yes and eight no and  
36 one abstention and the motion fails.  
37  
38 CHAIRMAN ANSON: All right and so I don't think -- Mr. Greene,  
39 there was not a committee motion that was generated and there  
40 was no preferred that came out of the committee, correct? So 8  
41 was the preferred? Okay.  
42  
43 All right and so we need to still send it to the Secretary and  
44 so any further discussion? All right. Mr. Gregory, we've had a  
45 request for a roll call and we need a roll call actually on this  
46 vote anyway and so --  
47  
48 DR. CRABTREE: Kevin, you need to construct a motion to submit

1 it to the Secretary and deem the regulations. Someone will need  
2 to make that.

3

4 **CHAIRMAN ANSON:** If someone could make that motion?

5

6 **EXECUTIVE DIRECTOR GREGORY:** Staff, do we have prewritten  
7 language for this?

8

9 **MR. BOYD:** I will make the motion and we'll get it on the board  
10 and then I will read it. Are you ready, Mr. Chairman?

11

12 **CHAIRMAN ANSON:** I believe so, Mr. Boyd.

13

14 **MR. BOYD:** I move to approve Amendment 28 and that it be forward  
15 to the Secretary of Commerce for review and implementation and  
16 deem the codified text as modified in discussion as necessary  
17 and appropriate, giving staff editorial license to make the  
18 necessary changes in the document. The Council Chair is given  
19 the authority to deem any changes to the codified text as  
20 necessary and appropriate.

21

22 **CHAIRMAN ANSON:** We have a motion. Is there a second? It's  
23 seconded by Mr. Matens.

24

25 **MR. RIECHERS:** Having seen the different motions that just went  
26 through a series from two substitute motions to the original  
27 preferred, I was prepared, after voting on that last motion, to  
28 actually make a second preferred alternative motion.

29

30 I don't think it would certainly go anywhere at this point in  
31 time, but I do want to put on the record that clearly we started  
32 out this alternative and, as others suggested around the table,  
33 Mr. Walker and Mr. Greene and Leann, that we started out this  
34 alternative as a true reallocation amendment, a reallocation  
35 because we had had this set allocation for over thirty years and  
36 that under MSA we are obligated to look at allocations and under  
37 allocation policies by NMFS, we're supposed to find a way to  
38 look at allocations.

39

40 There has been a call to do that in red grouper and gag as well  
41 as red snapper and there doesn't seem to be the appetite to  
42 really actually, after we've looked at them, do anything with  
43 them, but just recognizing the fact that there are other  
44 alternatives here that would have actually reallocated and this  
45 was not a reallocation discussion, as we just really talked  
46 about recalibration.

47

48 I don't want to go back into a long, lengthy discussion. I

1 didn't say a lot during that discussion, but I just do want to  
2 recognize the fact that the economics of this would have  
3 suggested we reallocate it and we didn't go there.

4  
5 **CHAIRMAN ANSON:** Any other discussion? Okay, Mr. Gregory.  
6 Mara.

7  
8 **MS. LEVY:** Thank you. Just before you take the final vote on  
9 this, I just wanted to address some of the comments related to  
10 the data and what's been available and what is not yet  
11 available, so that we're all on the same page about what has  
12 been seen by this council and the public and the SSC and what  
13 remains outstanding.

14  
15 The one thing that we don't have that's final is the final  
16 update assessment report that the Science Center is preparing  
17 and it's my understanding that that should be complete in a few  
18 weeks, but all of the information that's contained in that  
19 report has gone through a number of public presentations,  
20 through both the SSC and as this council, and as we've heard  
21 here today, it has been used by the council to actually increase  
22 the TAC for this year.

23  
24 I just wanted to go through the timeline so that we have on the  
25 record what the situation is, with the understanding that the  
26 final written report is not available yet, but would be  
27 available before NMFS actually makes a decision to approve or  
28 disapprove this, if you all vote to send it to the Secretary of  
29 Commerce, and with the understanding that if there is something  
30 in that report, which I would not expect there to be, that is a  
31 deviation from what's been presented throughout all this time  
32 and what the council used to actually increase the quotas, then  
33 that might be a basis for NMFS to disapprove it, but I don't  
34 think that there's any understanding that that would happen, but  
35 it would definitely be something that the agency would look at.

36  
37 Starting back in September of 2013, the MRIP calibration  
38 workshop was conducted and in October of 2014, the SSC reviewed  
39 the results of that workshop. At the October council meeting,  
40 the council received a presentation on the workshop and told  
41 that the interim approaches were going to be used for red  
42 snapper and red grouper for the immediate future and that there  
43 was going to be a long-term approach that was going to be  
44 developed.

45  
46 Based on that information, the council directed staff to update  
47 Amendment 28 with this new information. In January of 2015, the  
48 2014 update assessment was presented in PowerPoint format at the

1 SSC meeting. The SSC determined that the update is the best  
2 scientific information available and was acceptable for  
3 management purposes.

4  
5 Included in that report was an outline of what the update  
6 assessment did and that it updated the SEDAR-31 assessment. The  
7 SSC recommended new overfishing limits and ABCs based on these  
8 results and so at the January 2015 council meeting, the MRIP  
9 calibration update was provided to the council during Data  
10 Collection Committee and there was also a draft version of that  
11 report that was at the council briefing book at that time.

12  
13 The 2015 update assessment results was presented to the Reef  
14 Fish Committee and, again, it was explained that the update was  
15 that to the SEDAR-31 assessment that had already been conducted  
16 and incorporated two key changes, the MRIP calibration and the  
17 additional selectivity block. That was all laid out about what  
18 the update was and what was included.

19  
20 The council voted to start the framework action to increase the  
21 TAC based on the SSC's new ABC recommendations and at that time  
22 is when the council also voted to add Alternatives 8 and 9 to  
23 Amendment 28.

24  
25 In February of 2015, the SSC had that webinar to select ABCs for  
26 the 2015 to 2017 year series based on the result of the update,  
27 but then also it included those 2014 provisional landings.  
28 That's when they had that webinar and then the council had a  
29 webinar in March to look at what the SSC's recommendations were  
30 and actually to approve the framework to increase the quotas.

31  
32 Also in March, after that webinar, the Southeast Fisheries  
33 Science Center produced two reports. One was the effect of  
34 allocation alternatives on the red snapper fisheries in the Gulf  
35 and then also the report that looked at the runs to evaluate the  
36 effect of the recalibrated recreational removals and  
37 selectivities on all these estimates and so that's the report  
38 that they produced to actually get the numbers that we have in  
39 the Alternative 8 and 9 in Amendment 28.

40  
41 The actual MRIP final workshop report was completed towards the  
42 end of March and that's available on the SEDAR website. At the  
43 beginning of April, the Southeast Fisheries Science Center and  
44 SSC reports were presented to the council and that's when  
45 Alternative 8 was actually selected, at that meeting, and in  
46 May, we had an analysis of the effects of the alternative  
47 allocations and the effect of the recalibration.

1 That report came out, the Science Center did a report, and  
2 that's what's attached as Appendix H to the current Amendment 28  
3 and then in June, there was a report from the SSC that was  
4 presented to the council where they discussed these two reports  
5 that the Science Center had produced.  
6

7 I just wanted to go through the timeline so that it was clear  
8 about what information was available at what public meetings and  
9 who looked at it, that the SSC determined that the new update  
10 assessment was the best available science and it was used for  
11 the increase in the TAC, and to just let you know that we are  
12 still waiting on that final written report, but all expectations  
13 are that it reflects all the information that had been  
14 previously provided. Thank you.  
15

16 **CHAIRMAN ANSON:** Mr. Walker.  
17

18 **MR. WALKER:** I would just like to add that this -- I don't think  
19 it's about the stock assessment and it was allocation. The SSC  
20 unanimously recommended, on May 20, 2015, that if reallocation  
21 occurs that would prompt the need to reevaluate OFL and ABC  
22 projections that the council should request evaluation of the  
23 final action. That's what I wanted to get on record, that we  
24 should have done that. Incomplete data.  
25

26 **CHAIRMAN ANSON:** Dr. Crabtree.  
27

28 **DR. CRABTREE:** That was done. There was an analysis done of the  
29 impacts of allocation shifts on the ABC and it was looked at by  
30 the SSC and, in fact, the ABCs can go up if you reallocate more  
31 fish to the recreational sector. That's largely because of the  
32 shifts in selectivities that we've seen and that report is --  
33 Mara tells me that report is Appendix H.  
34

35 **CHAIRMAN ANSON:** David.  
36

37 **MR. WALKER:** It's my understanding that it's still -- We said  
38 the CPUEs, all this is tied to it. It is not -- It's  
39 availability and the selectivity is not -- It should not be used  
40 in this allocation and I want to make that clear, that this  
41 selectivity is not fair and equitable.  
42

43 **CHAIRMAN ANSON:** All right. No one else wants to make a  
44 comment? All right, Mr. Gregory.  
45

46 **EXECUTIVE DIRECTOR GREGORY:** All right. This is to submit  
47 Amendment 8 to the Secretary of Commerce and deem the codified  
48 regulations as necessary and appropriate. Mr. Riechers.

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

1  
2 **MR. WILLIAMS:** Yes.

3  
4 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.

5  
6 **DR. LUCAS:** Yes.

7  
8 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.

9  
10 **DR. DANA:** Yes.

11  
12 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.

13  
14 **MR. BOYD:** Yes.

15  
16 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.

17  
18 **CHAIRMAN ANSON:** Yes.

19  
20 **EXECUTIVE DIRECTOR GREGORY:** The motion passes twelve yes and  
21 five no. The motion passes.

22  
23 **CHAIRMAN ANSON:** Thank you, everyone. Johnny, it's a little bit  
24 past our scheduled lunch time and so I think we'll go ahead and  
25 do that. Let's try to get back though at 1:30, everybody.  
26 Thank you.

27  
28 (Whereupon, the meeting recessed at 12:15 p.m., August 13,  
29 2015.)

30  
31 - - -

32  
33 August 13, 2015

34  
35 THURSDAY AFTERNOON SESSION

36  
37 - - -

38  
39 The Full Council of the Gulf of Mexico Fishery Management  
40 Council reconvened at the Hilton Riverside, New Orleans,  
41 Louisiana, Thursday afternoon, August 13, 2015, and was called  
42 to order at 1:30 p.m. by Chairman Kevin Anson.

43  
44 **MR. GREENE:** Final Action - Framework Action to Retain a Portion  
45 of the Commercial Red Snapper Quota in 2016, staff summarized  
46 the framework action, Tab B, Number 7(a), and noted that the  
47 percentage of the 2016 commercial quota that would be retained  
48 would be determined by the preferred reallocation alternative



1 selected in Amendment 28. Staff indicated that the codified  
2 text for this action was included in the briefing book.

3  
4 **By a voice vote with no opposition, the committee recommends,**  
5 **and I so move, that in Action 1 of the Framework Action to make**  
6 **Alternative 2 the Preferred Alternative. Alternative 2 is**  
7 **before the distribution of the 2016 red snapper commercial quota**  
8 **to the red snapper IFQ account shareholders, withhold up to 34.7**  
9 **percent of the red snapper commercial quota. The exact amount**  
10 **to be retained for later distribution will be determined by the**  
11 **percentage of the red snapper commercial quota that would be**  
12 **reallocated to the recreational sector under Reef Fish Amendment**  
13 **28.**

14  
15 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
16 discussion on the motion? Mr. Riechers.

17  
18 **MR. RIECHERS:** Since you put 34.7 percent into the motion, don't  
19 you want to -- The correct percentage, they may have it now or  
20 do we want to leave that blank here or how do you want to talk  
21 about that?

22  
23 **CHAIRMAN ANSON:** Mara.

24  
25 **MS. LEVY:** That's the way that the alternative is currently  
26 drafted, but what staff is going to do is put in the exact  
27 percentage into that alternative now and so if you vote for  
28 Alternative 2, the actual language is going to change to say  
29 what the percentage is that just resulted from the vote in 28,  
30 which I believe Assane indicated was 5.9.

31  
32 **CHAIRMAN ANSON:** Thank you. Any discussion on the motion? All  
33 right. Mr. Swindell.

34  
35 **MR. SWINDELL:** Someone has got to explain to a little bit to me.  
36 37.4 percent of the commercial quota to be distributed when?  
37 Later distribution means -- What is later?

38  
39 **CHAIRMAN ANSON:** Dr. Crabtree.

40  
41 **DR. CRABTREE:** Where this came from was an outcome of Amendment  
42 28 and so we will not be able to get through the secretarial  
43 review process of Amendment 28 before January 1 and so with the  
44 red snapper IFQ program, we release all the TAC to the fishermen  
45 in December some time and once you release it all to them, there  
46 is really no way to get it back and so the council wanted a way  
47 to have the allocation shift in Amendment 28 effective in 2016.

48

1 To do that, we need to withhold the amount of quota that we just  
2 shifted in the allocation and so in Amendment 28, it's about  
3 400,000 pounds, I think, or 350,000, that neighborhood. This is  
4 set up to allow us to hold that amount back in December and then  
5 if Amendment 28 is approved, that amount of quota goes into the  
6 recreational side, as per the reallocation. If Amendment 28 is  
7 disapproved, then that would be released back to the commercial  
8 fishermen at that time.

9  
10 **MR. SWINDELL:** Thank you.

11  
12 **CHAIRMAN ANSON:** All right. Is there any -- Mr. Walker.

13  
14 **MR. WALKER:** Roy, what would that date be? If it is released  
15 back, what do you project that date to be?

16  
17 **DR. CRABTREE:** I would guess it would be in February or March  
18 and does that seem about right, Steve?

19  
20 **DR. BRANSTETTER:** Yes.

21  
22 **CHAIRMAN ANSON:** Is there any opposition to the motion? Seeing  
23 none, the motion carries. Mr. Greene.

24  
25 **MR. GREENE:** Draft Framework Action to Modify Gear Restrictions  
26 for Yellowtail Snapper, staff reviewed the draft options --

27  
28 **CHAIRMAN ANSON:** I am sorry, but we do need to vote on the --

29  
30 **DR. CRABTREE:** You need a motion to submit.

31  
32 **CHAIRMAN ANSON:** We need a motion to submit the framework  
33 action. Does anyone want to make the motion? Do we have that  
34 language, Bernie? Okay. We have the language. Martha, are you  
35 going to be the motioner?

36  
37 **MS. BADEMAN:** I will certainly read that when it comes on the  
38 board. I move to approve the framework action and that it be  
39 forwarded to the Secretary of Commerce for review and  
40 implementation and deem the codified text as modified in the  
41 discussion as necessary and appropriate, giving staff editorial  
42 license to make the necessary changes in the document. The  
43 Council Chair is given the authority to deem any changes to the  
44 codified text as necessary and appropriate.

45  
46 **CHAIRMAN ANSON:** There is a motion. Is there a second? It's  
47 seconded by Dr. Lucas. Mara.

48

1 **MS. LEVY:** Just a correction. When I said 5.9 percent, I think  
2 the document reflects that it would be 4.9 percent and so as  
3 part of that editorial license, staff is going to replace that  
4 up to thirty-whatever percent it says with the actual  
5 percentage.

6  
7 **CHAIRMAN ANSON:** All right. Any other discussion to the motion?  
8 Is there any opposition to this motion? We have one opposed,  
9 Mr. Walker. All right and so the motion carries --

10  
11 **EXECUTIVE DIRECTOR GREGORY:** Isn't this a roll call?

12  
13 **CHAIRMAN ANSON:** This is a roll call. If it goes to the  
14 Secretary, it's a roll call, yes. Mr. Gregory.

15  
16 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.

17  
18 **DR. LUCAS:** Yes.

19  
20 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.

21  
22 **MR. FISCHER:** Yes.

23  
24 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.

25  
26 **MR. DIAZ:** Yes.

27  
28 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.

29  
30 **MR. SWINDELL:** Yes.

31  
32 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.

33  
34 **DR. CRABTREE:** Yes.

35  
36 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.

37  
38 **MR. MATENS:** Yes.

39  
40 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.

41  
42 **MR. WALKER:** No.

43  
44 **EXECUTIVE DIRECTOR GREGORY:** Mr. Greene.

45  
46 **MR. GREENE:** Yes.

47  
48 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.

1  
2 **MS. BADEMAN:** Yes.  
3  
4 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.  
5  
6 **MR. SANCHEZ:** Yes.  
7  
8 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.  
9  
10 **DR. DANA:** Yes.  
11  
12 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.  
13  
14 **MS. BOSARGE:** Yes.  
15  
16 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.  
17  
18 **MR. WILLIAMS:** Yes.  
19  
20 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.  
21  
22 **DR. STUNZ:** Yes.  
23  
24 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.  
25  
26 **MR. BOYD:** Yes.  
27  
28 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.  
29  
30 **MR. RIECHERS:** Yes.  
31  
32 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.  
33  
34 **CHAIRMAN ANSON:** Yes.  
35  
36 **EXECUTIVE DIRECTOR GREGORY:** It passes sixteen to one.  
37  
38 **CHAIRMAN ANSON:** Thank you, Mr. Gregory. Mr. Greene.  
39  
40 **MR. GREENE:** Draft Framework Action to Modify Gear Restrictions  
41 for Yellowtail Snapper, staff reviewed the draft options paper  
42 for the framework action to modify commercial yellowtail snapper  
43 gear requirements, Tab B, Number 8.  
44  
45 Commercial yellowtail snapper fishermen in federal waters in the  
46 Gulf are currently required to use non-stainless steel circle  
47 hooks, 50 CFR 622.30. These fishermen argue that their fishing  
48 practices are such that using circle hooks has no added

1 conservation benefit and decreases the efficiency with which  
2 they operate.

3  
4 Alternatives to the status quo were presented which would remove  
5 the circle hook requirement for commercial yellowtail snapper  
6 fishermen either throughout the Gulf of Mexico EEZ, only south  
7 of 28 degrees North latitude, approximately Tampa Bay, or only  
8 south of 25 degrees, 23 minutes North latitude, approximately  
9 Shark Point in west central Monroe County, Florida. The council  
10 accepted the alternatives presented in the draft options paper  
11 for further analyses. **By a unanimous vote, the committee**  
12 **recommends, and I so move, to accept the language in Action 1.**

13  
14 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
15 discussion on the motion? **Is there any opposition to the**  
16 **motion? Seeing none, the motion carries.**

17  
18 **MR. GREENE:** Options Paper, Amendment 42, Federal Reef Fish  
19 Headboat Management, council and National Marine Fisheries  
20 Service staff summarized the draft options paper for Amendment  
21 42, Tab B, Number 9.

22  
23 The scope of the amendment, purpose and need and management  
24 approaches were presented. Management approaches include  
25 traditional measures such as size and bag limits and allocation-  
26 based measures, such as permit-based fishing quotas, individual  
27 fishing quotas, cooperatives, and regional organizations. The  
28 committee started to discuss scoping hearings and indicated that  
29 the discussion would continue with Amendment 41.

30  
31 Options Paper, Amendment 41, Federal Charter-For-Hire Red  
32 Snapper Management, staff reviewed the document, Tab B, Number  
33 10, which included options for management approaches similar to  
34 Amendment 42.

35  
36 In contrast to Amendment 42, this amendment would apply to all  
37 federally-permitted for-hire vessels that do not participate in  
38 the Southeast Headboat Survey. Staff noted that the goals and  
39 objectives for the management of charter vessels would guide the  
40 design of appropriate management measures. Staff identified  
41 recommendations made by the Charter AP, noting that the complete  
42 report was provided in the appendix.

43  
44 Following review of both Amendments 41 and 42, the council  
45 passed the following motion. **By a voice vote of five to three,**  
46 **the committee recommends, and I so move, to take Amendment 41**  
47 **and 42 Options Papers out to scoping meetings.**

48

1 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on  
2 the motion? Dr. Dana.

3  
4 **DR. DANA:** Thank you, Chairman Anson. I think scoping obviously  
5 is very important on these and I am wondering though, based on  
6 what would be the most efficient but expedient way to carry out  
7 the scoping meetings, first of all, and then, secondly, whether  
8 the paper that we were given, the review of the 41, even has  
9 enough detail in it to go to scoping at this point and whether  
10 we should hammer out a few more things and some of the  
11 consideration of the AP recommendations in that paper, so that  
12 when people come together for scoping that they have something  
13 more substantive to review and act upon.

14  
15 **CHAIRMAN ANSON:** Do you want to answer that?

16  
17 **EXECUTIVE DIRECTOR GREGORY:** Normally when you go to scoping you  
18 can go with some options or alternatives that have been  
19 identified by the agency as consideration, but it's also the  
20 purpose of scoping, in its essence, and it's to get input from  
21 the public as to what sort of management measures are needed, if  
22 anything needs to be managed at all.

23  
24 It's kind of a brainstorming workshop session as well. I think  
25 these options papers are well enough along to do that and what I  
26 suggested in committee was that staff be given the leeway to  
27 arrange these with the Amendment 39 public hearings and either  
28 try to do them like the South Atlantic does and do three in one  
29 day or do 39 one night and 41 and 42 another night, in the same  
30 locations as 39, so we can get some efficiencies with staff time  
31 there.

32  
33 If we can do that and we can do that between now and bring the  
34 documents back to the council in January, we will also plan on  
35 having the ad hoc APs meet between now and January and so in  
36 January, we would bring public hearing documents to the council  
37 for 41 and 42 and so they're not so -- They're adequate for  
38 scoping, in other words.

39  
40 **DR. DANA:** So, given that, like for 41, dealing with the federal  
41 for-hire charter, in that we've only got three years with  
42 looking at sector separation, that was one of the reasons why we  
43 wanted to move quicker with this, at least the evaluation of it,  
44 41, and so that's why I talked about the efficiencies of the  
45 scoping meetings.

46  
47 No matter what comes out in the scoping meetings. That's a  
48 whole different issue, but the efficiency and timing of them is

1 what I am probably more concerned with and so would webinars and  
2 those things make more sense? You had talked about monies too,  
3 the cost associated and staff time.

4  
5 **EXECUTIVE DIRECTOR GREGORY:** Yes and we can do webinars as well,  
6 but as far as the overall schedule of things, taking them out to  
7 scoping along with 39 or along those lines, it would not really  
8 slow down the process.

9  
10 We do have a Reef Fish AP meeting scheduled between now and  
11 October. One of our concerns is we only have seven weeks  
12 between now and the next meeting, but we have plenty of time  
13 after the October meeting and so I think we can do all of that  
14 and bring a draft document back to the council for 41 and 42 and  
15 39 again in January.

16  
17 **CHAIRMAN ANSON:** Mr. Greene.

18  
19 **MR. GREENE:** For the record, on page 11 of the document, in  
20 April of 2014, the council requested staff to begin development  
21 of an action to examine potential for an IFQ-type program for  
22 the for-hire vessels in the Gulf.

23  
24 The council reviewed a scoping document in response to the  
25 request, but did not take further action at that time and so a  
26 majority of this has already been to scoping. Granted, you can  
27 justify at what point scoping was done at any particular  
28 amendment process we have, but it's already been to scoping, to  
29 a degree, at this particular point.

30  
31 **CHAIRMAN ANSON:** Mara.

32  
33 **MS. LEVY:** Just for your consideration, if you're moving towards  
34 a public hearing draft, at some point it's going to be very  
35 helpful for staff, and I think yourselves, to narrow down the  
36 type of program you're looking at, because right now, this  
37 document throws out five or six or whatever potential types of  
38 programs and each one of those is going to require you to  
39 establish sort of eligibility criteria and transferability and  
40 all of those things and without knowing exactly which one you  
41 want to go towards, you're going to end up having a public  
42 hearing draft that is going to have to have all of those actions  
43 for every type of program, which seems infeasible and pretty  
44 complicated.

45  
46 Not to say that some of them can't overlap, but I think they  
47 could also be very different, very different types of  
48 eligibility criteria, for a cooperative versus an IFQ and all of

1 those sorts of things.

2  
3 If you talk about it and decide that this is the type of program  
4 you want, it would probably a lot easier for staff to then come  
5 up with actions and alternatives to develop that program.

6  
7 **CHAIRMAN ANSON:** I have Dr. Crabtree and then Doug Gregory.

8  
9 **DR. CRABTREE:** Yes and, personally, I would like to see us move  
10 these towards a public hearing draft and we did actually -- I  
11 think we had a motion in committee with at least Amendment 42 to  
12 move towards something along the lines of the Headboat  
13 Cooperative, but it failed in committee, as I recall, but if we  
14 could come to some consensus to narrow some of these down and  
15 get them moving, I would like to see us do that, but I don't  
16 know if we can get there or not.

17  
18 **EXECUTIVE DIRECTOR GREGORY:** Part of the scoping and the ad hoc  
19 AP meetings and the IPT meetings, of course, is to look at  
20 paring this down and the suggestion in committee was the  
21 traditional management measures could more easily be done by  
22 framework action if the council wanted to do something and so  
23 those could come out immediately and then address the other  
24 options.

25  
26 The other thing that was suggested at some point this week, with  
27 the concern about the number of species in the headboat plan,  
28 Number 41, was that maybe that could be focused on just red  
29 snapper and gag. Red snapper is of primary interest to the  
30 headboats in the western Gulf and gag and red snapper to the  
31 headboats in the eastern Gulf. Those recommendations could come  
32 back to you in January as well.

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

35  
36 **DR. CRABTREE:** But I mean we could make some of those decisions  
37 today to scale some of these things down, if we were ready to.

38  
39 **CHAIRMAN ANSON:** Ms. Levy.

40  
41 **MS. LEVY:** Right and I think that's fine. The issue is that  
42 staff shouldn't be the ones making the decisions about what type  
43 of programs move forward and what species it includes and so  
44 without some sort of guidance about what the council wants the  
45 staff to do, everything is going to come back again in the next  
46 iteration, except maybe the bag and size limit stuff.

47  
48 **CHAIRMAN ANSON:** Dr. Dana.



1  
 2 **DR. DANA:** Thank you, Chairman Anson. I appreciate your input,  
 3 Mara, on this and I do agree that staff probably needs some  
 4 guidance on it and when I look through this, I don't see a clear  
 5 purpose and while there is a purpose, it's not clearly written  
 6 out in that options paper and Jim Green is the Chairman of the  
 7 AP for the for-hire or whatever and he said yesterday during  
 8 public testimony that the AP provided a blueprint of  
 9 recommendations and the purpose of why this is important, but as  
 10 it currently stands, the AP recommendations and their review of  
 11 the purpose as a stand-alone document has not yet been  
 12 incorporated into the options paper and I think we probably as a  
 13 council need to give guidance or ask that the staff do  
 14 incorporate these recommendations.

15  
 16 It's very clear and they've followed along, in a conservative  
 17 way, the ideas that this council has been concerned about, or  
 18 the areas this council has been concerned about. For example,  
 19 no intersector trading and no transferability and having the  
 20 quota put to the permit versus to the individual and so there's  
 21 a lot of things the AP already laid out for us very clearly and  
 22 we just need to ask that it be incorporated into the paper.

23  
 24 Also, for the purpose, they made the -- In the AP thing they  
 25 have a purpose clear here and it says the purpose of Amendment  
 26 41 is to increase flexibility for permit holders to decrease  
 27 management uncertainty and increase accountability to catch  
 28 limits.

29  
 30 The long-term goal is to have a year-round fishery that is  
 31 totally accountable and so I don't know how to go about it, but  
 32 however we can incorporate it in this to make it more clear and  
 33 give staff the guidance to incorporate the AP recommendations, I  
 34 would like to do that, before going to scoping, so that we don't  
 35 spin our wheels just having all kinds of stuff.

36  
 37 **CHAIRMAN ANSON:** Dr. Diagne, do you have some comments to those  
 38 points?

39  
 40 **DR. ASSANE DIAGNE:** Yes, Mr. Chair, and thank you. Basically  
 41 the way in which we approached this, bringing this document to  
 42 you for this meeting, this was your first opportunity for seeing  
 43 a document relative to 42. I guess it's the same for 41, but I  
 44 will speak specifically about 42.

45  
 46 One thing that we had to do is to maintain the maximum  
 47 flexibility for you as a council to make some decisions, along  
 48 the lines of what Dr. Crabtree mentioned. Yes, the AP had a

1 very productive and very informing discussion on a lot of these  
2 issues and we attached their report as an appendix to the  
3 document that was given and it is our intention to use a lot of  
4 their recommendations to draft actions and alternatives for the  
5 various programs that you would tell us to work on.

6  
7 Just one more note. For the purpose of this amendment, it may  
8 be that it was missed, but on page 6 of Amendment 42, for  
9 example, it states something very similar to what you just read.  
10 The purpose of this action is to provide flexibility, reduce  
11 management uncertainty, and improve economic conditions for reef  
12 fish headboat operators and so on, along those lines.

13  
14 We are fully intending on incorporating their recommendations,  
15 but that will be for the draft public hearing document that you  
16 will see in January, because there we will have clear actions  
17 and alternatives and it will be very helpful, as mentioned by  
18 Dr. Crabtree and Ms. Levy, if you could narrow down, if you  
19 would, the scope of the programs that we have to look at, so  
20 they could be as fully developed as possible between now and  
21 January. Thank you.

22  
23 **CHAIRMAN ANSON:** I was listening to the Reef Fish Committee, but  
24 when I look at the motion here, going back to the definition of  
25 scoping versus public hearing, we're talking about scoping, but  
26 in reality we're looking at essentially a public hearing draft  
27 for 41 and 42, because it will be much more focused, is what  
28 your intent is and what you would like for the council to do  
29 right now, so that as you work on that document that it will be  
30 more of a public hearing draft and it will be much more refined  
31 and it won't be a workshop-type environment and is that -- Am I  
32 hearing that and is that correct?

33  
34 **DR. DIAGNE:** Yes and essentially the next iteration of this  
35 document, the one that we are planning on bringing in January,  
36 if the council agrees, will be a public hearing draft and as a  
37 public hearing draft, it will have, let's say, just in short,  
38 the background information and management alternatives that are  
39 clearly laid out.

40  
41 Part of the discussion here was management alternatives for  
42 which kind of programs, because evidently now we have a very  
43 long list and that was to provide flexibility. To the extent  
44 that you narrow this down and, for example, say that size, bag,  
45 and season adjustments could be made via a framework action, if  
46 that is the direction that you want to pursue, so we will not  
47 spend time doing that, for example.

1 That still leaves us with a series of allocation-based  
2 approaches, some regional and some co-op and PFQs and IFQs and  
3 variations thereof and so as you can, I guess, clarify your  
4 intent, that would help when we come to the public hearing draft  
5 in January. Thank you.

6  
7 **CHAIRMAN ANSON:** Thank you. I had Ava to that point.

8  
9 **DR. LASSETER:** Actually, it was to Dr. Dana's point. I think  
10 she was responding to when I presented Amendment 41 on Tuesday.  
11 I discussed the purpose and need that we had put together a lot  
12 of possible goals and objectives and noted that the charter AP  
13 has recommendations and I encouraged -- I hoped that the council  
14 would discuss what they felt were the goals and objectives and  
15 things you would want to avoid and so I am understanding Dr.  
16 Dana to be supportive of the charter AP's purpose and that that  
17 identifies what you see as appropriate goals.

18  
19 **DR. DANA:** You're absolutely correct, Ava. What the AP captured  
20 in their recommendation for the purpose, again, the goal is to  
21 increase flexibility for permit holders and to decrease  
22 management uncertainty and increase accountability to catch  
23 limits. I noted some other things.

24  
25 What we do not want, in my opinion, what I do not want, is to  
26 reduce the capacity. We want to maximize fishing opportunity  
27 and we do not want intersector trading. We want to improve data  
28 collection and we want to promote conservation and I would like  
29 to adopt the charter AP's recommendation list of goals.

30  
31 **CHAIRMAN ANSON:** Leann.

32  
33 **MS. BOSARGE:** I agree with pretty much everything that's been  
34 said. We need to get into this now and I agree with Dr.  
35 Crabtree. Let's take a look at it and give staff the direction  
36 that they need.

37  
38 If the next draft is going to be a public hearing draft, let's  
39 do it and, Pam, you can change this if you want, but I thought  
40 if we'll actually get into the paper for 42 first, simply  
41 because I would think it would be the easiest to focus and point  
42 in one direction, then we can tell them which species do we want  
43 to include. That's the first choice that we need to kind of  
44 look at and come to a consensus on.

45  
46 Then, Assane, I believe you asked for us to hone in on which  
47 type of program that we're leaning towards and so which species  
48 would be the first question. On the headboat, 42, Amendment 42,

1 I am not a headboat person and so I am looking at you all, but  
2 do you want it to be red snapper and gag or do you want it to be  
3 all those species that we had on there or what are you thinking?  
4

5 **CHAIRMAN ANSON:** I have Robin and then Roy Williams.  
6

7 **MR. RIECHERS:** I am hearing two different things and I want to  
8 make sure that I'm hearing them right. I am hearing that you're  
9 going to take the current document out to scoping along with the  
10 regional management document in October and I am hearing that  
11 staff is going to continue working on the document to have a  
12 more fleshed-out version at our January meeting, but in order to  
13 do that, I am hearing we've got to narrow those choices here  
14 today, because we should be providing to them what it is they  
15 should be putting in the document and not them providing to us  
16 the things they think should be in the document. Is that where  
17 we are, Doug?  
18

19 **EXECUTIVE DIRECTOR GREGORY:** The more guidance we get from the  
20 council, the better. Without the guidance, we would be looking  
21 at all those things and bringing information back to you on  
22 whatever we have. We won't be just eliminating stuff, except  
23 the traditional stuff, that we can do in framework.  
24

25 **MR. RIECHERS:** Again, I want to make sure people understand this  
26 is not slowing things down, but you've got to understand that at  
27 least under the exempted fishing permit that some of that hasn't  
28 even gone out to the public, to the extent that it was noticed  
29 here and with the council, but not with other folks.  
30

31 I think we've got to get it to scoping, guys. You all can  
32 narrow that list some today if you want to, but I think we need  
33 to make sure that people are notified. I mean basically we keep  
34 talking about transferable rights types of programs here and  
35 those are not going to be easy. There is going to be a lot of  
36 economic analysis that goes with it.  
37

38 I don't think it's going to occur by January, but I don't mind  
39 anyone targeting that as a date, but it would be shocking to me  
40 to see that come back to this council that quickly. Everyone  
41 always talks about how long it takes and sometimes things seem  
42 to move faster than others, but I kind of would have difficulty  
43 believing that we would have that kind of analysis done at that  
44 point in time.  
45

46 **CHAIRMAN ANSON:** To that point, Leann.  
47

48 **MS. BOSARGE:** Yes and to that point, I would like to get back to

1 Amendment 42 and try and look at what species that we want to  
2 include, because I think if we don't start doing this now that  
3 we certainly won't have it by January and so let's just take a  
4 look at it and go through it and give some input and see if we  
5 can come to some agreement and keep moving.

6  
7 **CHAIRMAN ANSON:** We are getting a little ahead of ourselves.  
8 Let's take care of this and that will help drive how much under  
9 the hood we need to get into it at this point. Any other  
10 discussion on the motion? Dale.

11  
12 **MR. DIAZ:** I just want to mention something that's in a little  
13 different direction. At least twice in the last week, and it  
14 might have been at public comments or maybe people grabbing me  
15 in the hall or something, but for traditional management, I  
16 heard two different charter captains tell me that split seasons  
17 might be a good traditional method to look at.

18  
19 Both of their comments basically said that in the June time  
20 period and July time period they can sell trips, because there  
21 is a lot of people around and it's not that difficult, where if  
22 they had access to the fish early and late, that might be more  
23 beneficial to their business and help them move more trips and  
24 so I just wanted to mention, while we're thinking about  
25 different things that we might consider, that that was told to  
26 me twice. Thank you.

27  
28 **CHAIRMAN ANSON:** All right. Any other discussion on the motion?  
29 Dr. Dana.

30  
31 **DR. DANA:** Sorry and I don't want to belabor it, but, Ava, is  
32 what I said -- Does anyone have any problem with Ava and the  
33 staff incorporating those things or having that as part of the  
34 paper? I think they're all very reasonable, but I just wanted  
35 to make sure that we move forward with clarity.

36  
37 **CHAIRMAN ANSON:** I don't see anybody saying no and so  
38 clarification, Mr. Williams?

39  
40 **MR. WILLIAMS:** If we vote to take Amendment 41 or 42 to scoping,  
41 are we still going to have the opportunity after that to reshape  
42 along what Leann is talking about?

43  
44 **CHAIRMAN ANSON:** Well, it's easier now to do it and I thought  
45 the Amendment 39, and, Ava, correct me if I'm wrong, but I  
46 thought Amendment 39 hearings were going to be after the October  
47 meeting and then you come back in January and so we won't have  
48 an opportunity until January, I guess, outside of these

1 documents and the discussion we held here today.

2  
3 **MR. WILLIAMS:** I would still like the opportunity to try to  
4 reshape the scope of Amendment 42, for sure. I mean I think  
5 there's a couple of things that could come out. I tried to take  
6 them out in committee and it didn't work, but I would like to  
7 try again.

8  
9 **CHAIRMAN ANSON:** Yes and so let's deal with that after this.  
10 Let's make sure and so I don't see anybody else that wants to  
11 discuss and so the motion is to take Amendment 41 and 42 options  
12 papers out to scoping meetings. **All those in favor please raise**  
13 **your hand, ten; all those opposed like sign, five. It passed**  
14 **ten to five.**

15  
16 All right. So now if there is anything that you want to get  
17 resolution on or species questions you had or if anybody has any  
18 comments on the species relative to Amendment 42 -- Does anyone  
19 have any comments to that or want to make a motion? Johnny.

20  
21 **MR. GREENE:** Yes, I think it does need to be just red snapper  
22 and grouper, just simply because that's what the EFP had modeled  
23 after. We have two years of a pilot with that and while I do  
24 think we should do everything, I think that's just going to  
25 overly complicate this to no end and so do you want it in the  
26 form of a motion or do you just want me to give staff guidance  
27 at this point, Mr. Chair?

28  
29 **CHAIRMAN ANSON:** Let's go ahead and do it in a motion, a quick  
30 motion.

31  
32 **MR. GREENE:** I will make a motion that in Reef Fish Amendment 42  
33 the species would be red snapper and gag grouper only.

34  
35 **CHAIRMAN ANSON:** We have a motion on the board and is there a  
36 second? It's seconded by Mr. Williams. Any discussion on the  
37 motion? Dr. Crabtree.

38  
39 **DR. CRABTREE:** I support the motion. I just wonder if we pass  
40 this if we want to go beyond this and narrow it down to looking  
41 at a cooperative, but we can start here.

42  
43 **CHAIRMAN ANSON:** Any other discussion? Myron.

44  
45 **MR. FISCHER:** Thank you, Mr. Chair. Are gag grouper presently  
46 overfished or are they undergoing overfishing? Why do we want  
47 to incorporate them at this time? I think we have some  
48 overfished species we might want to look at. I will support it,

1 but I would like to start small. We have red snapper that's  
2 been our problem and we're starting to introduce non-overfished  
3 species.

4

5 **CHAIRMAN ANSON:** Dr. Crabtree.

6

7 **DR. CRABTREE:** I think, Myron, what we're trying to do is take  
8 this highly successful Headboat Cooperative that we've tested  
9 out and implement it and so it was based on red snapper and gag  
10 and so it makes sense to me to move forward with something that  
11 is patterned after that, because we know it will work. We've  
12 tested it and tried it and the fishermen are happy with it and  
13 by all odds and accounts, it has worked well.

14

15 **CHAIRMAN ANSON:** Dr. Lucas.

16

17 **DR. LUCAS:** I just have a question for clarification, I think.  
18 So when we send the document or when we send the topic out for  
19 scoping, people will only see whatever we select here and what  
20 we've narrowed it down to and they can potentially offer to put  
21 all those selections back on the table or what do they see?

22

23 **CHAIRMAN ANSON:** Do you want to go ahead?

24

25 **EXECUTIVE DIRECTOR GREGORY:** They will see the document itself,  
26 but we will be receptive to any other suggestions that the  
27 public has to make and bring that back to you.

28

29 **CHAIRMAN ANSON:** Any other discussion on the motion? **Is there**  
30 **any opposition to the motion? Seeing none, the motion carries.**  
31 Mr. Williams.

32

33 **MR. WILLIAMS:** At the committee level, we also, again in  
34 Amendment 42, at the committee level we considered a motion to  
35 remove the size limit, bag limit, and season adjustments as part  
36 of this and that would narrow the scope of this considerably and  
37 those are -- All of those three are in Section 2.2.1. **I would**  
38 **like to offer a motion that we remove Section 2.2.1, which is**  
39 **size, bag limit, and season adjustments.**

40

41 **CHAIRMAN ANSON:** All right. We have a motion on the board. Is  
42 there a second? It's seconded by Ms. Bosarge. Any discussion  
43 on the motion?

44

45 **MR. WILLIAMS:** I would just like to try to defend it. I think  
46 we have an opportunity to -- The Headboat Cooperative Program  
47 has been very successful and these size limits and bag limits  
48 and season adjustments are just not part of what I would like to

1 see done here.

2  
3 We can do these independently of this, but these really aren't  
4 about trying to develop some sort of limited entry program,  
5 which is where I'm going, for the headboat fishery and so I just  
6 think they really don't fit in.

7  
8 **CHAIRMAN ANSON:** Dale.

9  
10 **MR. DIAZ:** Thank you, Mr. Chairman. Roy, I understand what  
11 you're trying to do. For the point that we're at now, I am  
12 going to speak against your motion and my rationale is one of  
13 the charter boats that I talked to last week is considered a  
14 headboat in Mississippi and I had a conversation with him about  
15 why he wasn't in the Headboat Collaborative.

16  
17 He told me that for him he wasn't offered enough fish and so at  
18 the stage we're at now, where we're sending this out for people  
19 to look at, if he shows up at this public comment, I think it  
20 would be good to have some traditional things in there, because  
21 in his situation, he might want to comment more on traditional-  
22 type stuff and so that's my rationale for speaking against your  
23 motion. Thank you.

24  
25 **CHAIRMAN ANSON:** Dr. Crabtree.

26  
27 **DR. CRABTREE:** Well, it just seems to me, Dale, that if we want  
28 to do those sorts of things that we could do those through a  
29 framework amendment pretty easily and I don't think that --

30  
31 That's not really how I'm thinking about Amendment 42, which I'm  
32 thinking about a fundamental change to how we might manage that  
33 headboat fishery and not just tweaking the things we regularly  
34 do and so I don't have any problem with looking at size and bag  
35 limits and seasons and things, but I would rather do that just  
36 through a framework and not tie it up into this. I would like  
37 to see this focus on whether or not we want to implement a  
38 program similar to the Headboat Cooperative.

39  
40 **CHAIRMAN ANSON:** Mr. Greene.

41  
42 **MR. GREENE:** My point goes back to Dale. When I was looking  
43 through the information, it showed that there was five headboats  
44 in Mississippi. Is that correct? There are five truly pay by  
45 the individual type of boats or are they charter boats, because  
46 I think that might be a little bit of the issue.

47  
48 **MR. DIAZ:** I mean without me talking to them individually, I



1 don't know enough to answer that 100 percent. I do know that  
2 the five that's in there report to Beaufort and I do know they  
3 meet that standard, but I can't really answer your question to  
4 the other standards for certain.

5

6 **CHAIRMAN ANSON:** Go ahead.

7

8 **MR. GREENE:** To that point, I was looking through it the other  
9 night and I think I -- Because I do carry more than fifteen  
10 passengers, which is one of the criteria, and whether I base my  
11 price on a group of people up to ten or I charge individual is  
12 kind of left up to interpretation.

13

14 I think I could almost go and report to Beaufort if I wanted.  
15 Now, I don't know how closely they follow up on this stuff or  
16 not, but I think that there may be a little bit of conflict  
17 between who is supposed to report to Beaufort and who is not,  
18 but I think we could very simply move past that pretty quickly.

19

20 **MR. DIAZ:** To that point, I think we had a discussion the other  
21 day, and somebody might be able to help me, but the definition,  
22 the way I remember it, was simply is the group of boats that are  
23 reporting to Beaufort was what we decided to use as the  
24 definition, from discussions from committee the other day.

25

26 **CHAIRMAN ANSON:** We have a motion on the board to remove Section  
27 2.2.1, size limit and bag limit and season adjustments, from  
28 Amendment 42. **With that, all those in favor of the motion on**  
29 **the board please raise your hand, six; all those opposed like**  
30 **sign, nine. Six to nine and the motion fails.** Anything else we  
31 want to address in these two amendments, either one?

32

33 **MR. GREENE:** I am sorry and I thought we were just working our  
34 way through Amendment 42 at this point, but I haven't heard  
35 anybody make any comments about a regional fishing organization  
36 or a similar type of program and so I think it may be wise to  
37 take that out, because that may take a lot of work.

38

39 In reading through the regional fishing organization definition,  
40 it seemed like it was pretty complex and I don't know that that  
41 would be something that I as an individual fisherman or anybody  
42 else would really want to get into at this point. **I would**  
43 **remove the discussion of self-managed programs by group.**

44

45 **CHAIRMAN ANSON:** We have a motion to remove -- That would be the  
46 RFOs as they are described, Mr. Greene?

47

48 **MR. GREENE:** Regional fishing organizations, I believe, was it

1 and there was a long definition within Magnuson that was  
2 associated with it. **Remove self-managed programs such as**  
3 **regional fishing organizations.**

4  
5 **CHAIRMAN ANSON:** We have a motion on the board and is there a  
6 second? It's been seconded by Ms. Bosarge. Any discussion?  
7 Dr. Lasseter.

8  
9 **DR. LASSETER:** I just wanted to clarify that in Amendment 42 you  
10 have that RFO and what Johnny just mentioned about the Magnuson  
11 definition, that's in 41 and that's the RFA. I think you're  
12 alluding to -- The same issues would exist for both, but I just  
13 wanted to clarify that the way that 42 is set up that it does  
14 not use that exact Magnuson format.

15  
16 **CHAIRMAN ANSON:** Mr. Greene, would this apply to then both  
17 amendments, this motion?

18  
19 **MR. GREENE:** Yes, it would apply to 41 and 42.

20  
21 **CHAIRMAN ANSON:** Dr. Diagne.

22  
23 **DR. DIAGNE:** Just a quick question for Mr. Greene. Is it your  
24 intent to keep co-ops in the document, but just take out the  
25 part referring to the regional fishing organizations or  
26 associations? If that's the case, then we can maybe tweak the  
27 motion just a little bit.

28  
29 **MR. GREENE:** Yes, I believe it is, just to remove anything that  
30 was done by a group. I have read into both of them to a degree,  
31 but I haven't heard anybody make any interest in doing so and so  
32 I believe it would be to remove anything remotely associated  
33 with the RFA or RFO, et cetera.

34  
35 **CHAIRMAN ANSON:** Yes, but these would be the ones that don't  
36 have geographic, like a state, affiliation and they're just  
37 spread out throughout the entire Gulf. That would be those and  
38 not necessarily one that would be within a state or a co-op or  
39 an organization within a state and is that correct? Any and all  
40 and is that what you're talking about?

41  
42 **MR. GREENE:** Well, yes. There are so many definitions and I  
43 mean I understand the staff's problem now, because I am having a  
44 hard time just keeping up with it and going on and --

45  
46 **CHAIRMAN ANSON:** While you're thinking about that, Johnny, Dr.  
47 Crabtree.

48

1 **DR. CRABTREE:** I am just -- I mean we have a Headboat  
2 Collaborative now and so is this saying we don't want to do a  
3 Headboat Collaborative?  
4

5 **MR. GREENE:** The reason I was hesitating is I was trying to  
6 figure out what would you categorize a headboat collaborative  
7 as? Would that be a cooperative?  
8

9 **DR. CRABTREE:** I have to admit that I'm not quite sure what the  
10 distinction between some of these different types of things are.  
11

12 **CHAIRMAN ANSON:** I have lots of hands on the staff table. Dr.  
13 Lasseter.  
14

15 **DR. LASSETER:** The Headboat Collaborative would be closest to a  
16 cooperative structure and so the Amendment 42 divides into two  
17 sections, the self-managed -- That was one of the two types,  
18 which is why when Johnny just mentioned that what he was talking  
19 about was the RFOs and RFAs and not all of the self-managed  
20 programs, that is now reflected in the motion. Would you like  
21 definitions of the other types?  
22

23 **MR. GREENE:** Yes, please.  
24

25 **DR. LASSETER:** This is how I understood -- The motion, as  
26 written, is how I understood Johnny's concern, because the  
27 Amendment 41 uses RFA according to Magnuson and this is the type  
28 of management approach that would require a preliminary approval  
29 of how you're going to do certain things by the Secretary of  
30 Commerce before you could even use it. It has not been employed  
31 anywhere by any council to date, but there is guidance that says  
32 that there is other ways that you can do something similar to  
33 RFAs and in the headboat Amendment 42, they call them regional  
34 fishing organizations and it would mirror some of those  
35 similarities.  
36

37 Now, between cooperatives and these regional fishing  
38 associations or organizations, the key word there is "regional"  
39 and so the RFAs and RFOs would need to be regionally based,  
40 whereas a cooperative does not need to be geographically based  
41 and so that's a distinction between those and I will turn to  
42 Johnny.  
43

44 **MR. GREENE:** But a cooperative -- There is nothing that says  
45 that it can't be regionally based and so at this point, my  
46 intent is to leave fishing cooperative in and remove regional  
47 fishing organization and regional fishing associations in 41 and  
48 42, respectively.

1  
2 **CHAIRMAN ANSON:** All right. Mr. Boyd.

3  
4 **MR. BOYD:** I want to go back to Dr. Lucas's question a while  
5 ago. Let's just take this particular organization that Johnny  
6 is talking about removing. If that's removed, it will not be in  
7 the document, correct, and what Mr. Gregory said was the people  
8 will receive the document.

9  
10 I think the answer to Dr. Lucas's question is if we remove this  
11 out of the document, they won't see it and they will have to  
12 understand what all these new acronyms are and they will have to  
13 understand Magnuson and the definitions in Magnuson and they  
14 will have to bring it up themselves to have some discussion.

15  
16 In my opinion, what we're attempting to do is severely limit the  
17 discussion here as to organization-type processes that other  
18 headboats or other charter-for-hire people might want to see  
19 that they may not even know about. If we're having the  
20 confusion here about what the definition is, you can be sure  
21 that we're going to need to explain it to somebody out there in  
22 the public. Thank you.

23  
24 **CHAIRMAN ANSON:** Dr. Diagne, could you answer that?

25  
26 **DR. DIAGNE:** Yes, Mr. Chair, and thank you. When we go to  
27 scoping, they will see exactly what you have seen and reviewed  
28 during this meeting, but, because you are giving us more  
29 guidance, while we are developing the public hearing draft that  
30 is coming in January, we are going to narrow it down to the key  
31 issues that you have identified now.

32  
33 At that point, when we come to January, if, after reviewing the  
34 scoping comments, you want to go back and say, well, we decided  
35 to remove regional fishing organizations, but it is so important  
36 to a certain group of constituents that we would want for you to  
37 put them back, then we will do that.

38  
39 Essentially, right now, you are helping us develop the best,  
40 quote, unquote, draft public hearing paper for January, but at  
41 that time you could say, well, after thinking about it and  
42 looking at some of the comments, I would prefer, for example, to  
43 add back to the document one, two, or three other options.

44  
45 When we go to scoping, they will see exactly what you have seen  
46 right now and they will have the full latitude of commenting on  
47 the whole range. Thank you.

1 **CHAIRMAN ANSON:** To that point, Mr. Gregory.

2  
3 **EXECUTIVE DIRECTOR GREGORY:** I did misspeak earlier. Normally  
4 with situations like this we would have a section called  
5 considered but rejected and those items would be moved to that,  
6 but still be part of the document.

7  
8 I think at the staff level we've got to discuss how we would do  
9 it, but it would be in the document, either, as Assane  
10 mentioned, as you see it now or in a section called considered  
11 but rejected. It would be in the document and it would be  
12 available to the public and so I misspoke earlier. Sorry.

13  
14 **CHAIRMAN ANSON:** Leann.

15  
16 **MS. BOSARGE:** Specifically to the motion on the board, I don't  
17 see this as a problem. This almost takes out some of this  
18 overlap and it sounds like the other alternative that we have in  
19 the document is not precluded from being on a regional level and  
20 so this will just streamline the document without really  
21 narrowing a whole lot of options.

22  
23 You would still have that option under the other self-managed  
24 alternative in the document now and this will just save staff  
25 some time.

26  
27 **CHAIRMAN ANSON:** Any other comments on the motion? **Is there any**  
28 **opposition to the motion? Seeing none, the motion carries.** I  
29 understand the need to try to give staff some direction and help  
30 efficiencies with their time, but also looking at trying to land  
31 here on time with the rest of the meeting and we do have some  
32 other items to go through and so unless somebody has some other  
33 points, I think I would like to move on.

34  
35 **MR. GREENE:** Can we just ask staff to work off of the AP  
36 recommendations? I mean there were APs put together by this  
37 council to provide guidance and move on and take that and move  
38 forward and I mean we're trying to accomplish a pretty  
39 relatively simple thing. As long as that's the understanding,  
40 we can certainly move on or we can continue to hash out this  
41 stuff and that's fine.

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

44  
45 **MR. RIECHERS:** I have no problem with that suggestion, Johnny,  
46 but what I will say is everyone around the table needs to  
47 remember that we just went through a regional management  
48 amendment where there was some specific motions where we were

1 trying to pick a preferred and we couldn't come to an agreement  
2 on a preferred as we walked through those.

3  
4 Some of those would have stopped 41 and 42 in their tracks, so  
5 to speak, and some of them would have went for other  
6 alternatives and we couldn't reach an agreement there and so any  
7 of the streamlining we're doing and any of the things we're  
8 cutting out, when we come back if we need to add them back in,  
9 no one should be surprised and no one should be saying you're  
10 slowing down or you're stopping things, because we're setting  
11 ourselves up for that as you try to narrow things and, as you  
12 say, go to reports and grab specific things that this small  
13 group put together.

14  
15 They did good work and I am not arguing that at all, but just  
16 remember that we couldn't come to agreement two hours ago on  
17 that and so we may be back here again.

18  
19 **CHAIRMAN ANSON:** Yes and the analogy I can think of is the  
20 Slinky approach. The Slinky is kind of going and landing in one  
21 spot, but it's also trying to catch up and move ahead and so I  
22 share the concerns and points that Robin has. Dr. Dana.

23  
24 **DR. DANA:** Just to follow up on what Johnny said, we don't need  
25 to make a motion to incorporate the AP recommendations on such  
26 into the paper, correct?

27  
28 **CHAIRMAN ANSON:** I have been doing it motion-by-motion here to  
29 try to do these other things and so it wouldn't hurt to have one  
30 more motion then just to have that, because that's what we've  
31 been doing so far, is trying to tailor this and to get it fine-  
32 tuned. So maybe one more motion, since we've done the rest.  
33 Mr. Greene.

34  
35 **MR. GREENE:** Make a motion to direct staff to use the AP-  
36 provided documents within creation of 41 and 42, as practically  
37 as possible.

38  
39 **DR. DANA:** Second.

40  
41 **CHAIRMAN ANSON:** We have a motion that is still being crafted  
42 and Dr. Dana seconds. Mara.

43  
44 **MS. LEVY:** Council staff can correct me I'm wrong, but I thought  
45 that the AP recommendations were pointing to a specific type of  
46 program that they envisioned. The charter AP said we like this  
47 type of program and we think it should include X, Y, and Z. The  
48 headboats said we like this type of program, like the Headboat

1 Cooperative, and it should include X, Y, and Z.

2  
3 I am not sure when I read this whether what you're saying is we  
4 have this options paper that has these different types of  
5 programs, but we want you to follow what the AP said and so  
6 we're narrowing it down to the program they said that they  
7 wanted.

8  
9 I am not sure, and I don't know if council staff has any  
10 questions, about what this means in terms of how to construct  
11 the document and what to put in there.

12  
13 **CHAIRMAN ANSON:** Dr. Diagne or Ava?

14  
15 **DR. DIAGNE:** In general, I think when we move from let's say the  
16 first draft that you have seen towards a public hearing draft  
17 that we try our best to include the recommendations provided by  
18 the respective APs that you appointed, but those can be  
19 alternatives amongst others and so the recommendations of both  
20 APs, the for-hire as well as headboat, will be included in the  
21 document.

22  
23 For example, you mentioned no intersector trading, which was a  
24 clear message sent by one of the APs. When we will discuss  
25 transferability, the range of options would start from zero  
26 transferability to full transferability and, of course, the lack  
27 of intersector trading will be one of the options. At that  
28 time, that will be your decision as a council to pick your  
29 preferred.

30  
31 The recommendation provided by the AP will inform the structure  
32 of the amendment as well as some of the alternatives included in  
33 the various actions. It may be that, if you want, we wouldn't  
34 even need the motion, if you want.

35  
36 **CHAIRMAN ANSON:** All right. We have a motion and it's been  
37 seconded. Any other discussion on the motion? **All those in**  
38 **favor of the motion please raise your hand, eight; all those**  
39 **opposed raise your hand, eight.**

40  
41 **EXECUTIVE DIRECTOR GREGORY:** I've got eight to eight.

42  
43 **CHAIRMAN ANSON:** Weren't you supposed to leave by now, Roy? I  
44 will vote no. **Eight to nine is the vote.** Dr. Branstetter.

45  
46 **DR. BRANSTETTER:** As Mr. Greene pointed out this morning, at  
47 least the charter boat AP -- I wasn't able to attend the  
48 headboat AP meeting, but the charter boat AP laid out some very

1 specific things, as Mara pointed out. A lot of those details  
2 could fall under a cooperative or a PDQ or whatever this other  
3 one is, PFQ. A lot of the details can fall out as parts of that  
4 structure, but if you don't want us to use the AP  
5 recommendations in 41 and 42, then what are we supposed to use  
6 to develop these documents? You just voted to not use the AP  
7 recommendations.

8  
9 **CHAIRMAN ANSON:** There is already items in the options paper and  
10 that's what is going to be the basis of the public hearing  
11 document and so I mean that's what -- I mean the AP  
12 recommendations were a subcomponent of those that were included  
13 in the options paper, is my understanding. Dr. Dana.

14  
15 **DR. DANA:** I went through and I went through a list of what we  
16 should be -- Like we do not want to reduce capacity and we do  
17 want to maximize fishing opportunities and I said we wanted to  
18 adopt the AP's recommended list of goals and I asked  
19 specifically did anyone have a problem with that and everyone  
20 said no and we're not talking about using them and making that  
21 the document, but to incorporate it and staff said they needed  
22 our authorization to incorporate it and now -- Then he asked do  
23 we need to have a motion and you, Chairman, said yes, we  
24 probably should have a motion, just to make it clear.

25  
26 We have a motion and you guys vote against it and that's  
27 ridiculous. I mean, come on. We got an AP and we put together  
28 that AP not very long ago and now we're saying don't even  
29 incorporate their ideas and that's ridiculous.

30  
31 **CHAIRMAN ANSON:** No, that's not the way I interpreted my vote to  
32 do and, Dr. Diagne, I think you have some clarification?

33  
34 **DR. DIAGNE:** Yes, one very quick comment. I think we will try  
35 our very best to provide a range of options, I mean actions and  
36 alternatives, that will allow you as a council to pick let's say  
37 a set of preferreds that would reflect the recommendations of  
38 the respective AP, if that is the program you want to implement.  
39 On that front, we have enough to proceed and prepare a public  
40 hearing draft that will allow you to make the decisions that you  
41 are looking towards.

42  
43 **CHAIRMAN ANSON:** Thank you, Dr. Diagne. I think we've captured  
44 everything that we needed to do in regards to Amendments 41 and  
45 42. Mr. Greene, if you want to continue, please.

46  
47 **MR. GREENE:** Ad Hoc Private Recreational AP Discussion, State  
48 Directors Comments, Past Council Efforts, the state agency



1 representatives each summarized the results of meetings their  
2 state had held to get fishermen's attitudes and recommendations  
3 on red snapper management or input they had received from  
4 attending fishing society meetings and speaking directly with  
5 anglers, Tab B, No 11(a) through (e).

6  
7 Staff then reviewed the results of series of Recreational Angler  
8 Participation, RAP, Sessions held in 2014, plus recommendation  
9 from two meetings of the Ad Hoc Recreational Data Collection AP  
10 held in 2012 and 2013, Tab B, Number 11(f) through (h). It was  
11 noted that these meetings were held before the 20 percent red  
12 snapper recreational ACT buffer and sector separation were  
13 implemented.

14  
15 The council had voted at the last council meeting to establish  
16 an Ad Hoc Recreational AP, but had directed staff not to do any  
17 work on creating the AP until after the council received the  
18 above summaries. If the council moves forward with this AP, it  
19 needs to develop a charge for the AP and determine the makeup of  
20 the panel.

21  
22 Other Business, Johnny Greene stated that he had been approached  
23 by many fishermen concerned about the status of gray  
24 triggerfish. These fishermen had suggested that a proactive  
25 increase in the gray triggerfish size limit be considered.  
26 Several other council members indicated that they had received  
27 similar comments.

28  
29 Mr. Greene noted that a new gray triggerfish stock assessment is  
30 about to be produced and suggested that whatever action is  
31 developed as a result of that assessment would likely be the  
32 appropriate vehicle to consider a size limit change. Staff  
33 added that they expect the assessment to be available on about  
34 August 25 and it will be reviewed by the SSC at their September  
35 1 and 2 meeting. Mr. Chairman, this concludes my report.

36  
37 **CHAIRMAN ANSON:** Thank you, Mr. Greene. Ms. Bosarge.

38  
39 **MS. BOSARGE:** Just a quick comment before we get off of that. I  
40 know we're having to move on to our next committee, but maybe  
41 hopefully at the next council meeting we will have time to  
42 address in further detail that ad hoc recreational and just have  
43 some discussion on it. No motions and just discussion, maybe,  
44 again.

45  
46 **CHAIRMAN ANSON:** Thank you. All right, Mr. Greene, if you want  
47 to do Data Collection.

## 1 DATA COLLECTION COMMITTEE REPORT

2  
3 **MR. GREENE:** Data Collection Committee, August 10, 2015, Johnny  
4 Greene, Vice Chair, Draft Public Hearing of Joint Electronic  
5 Charter Vessel Reporting Amendment, the committee reviewed the  
6 draft Joint Electronic Charter Vessel Reporting Amendment.

7  
8 Dr. Froeschke noted that additional description of the data  
9 elements and approval process for software and hardware used to  
10 report electronically is necessary to complete the analyses in  
11 the document.

12  
13 The committee discussed that the technical subcommittee that  
14 drafted the original guidelines and recommendations would be the  
15 appropriate group to develop these recommendations for the  
16 council.

17  
18 **The committee recommends, and I so move, to request that the**  
19 **Technical Subcommittee of the Gulf and South Atlantic Councils**  
20 **on Electronic Logbook Reporting Guidelines, in coordination with**  
21 **GulFIN, ACCSP, SEFSC and council staff, develop a stand-alone**  
22 **reference document that describes specific catch and effort**  
23 **reporting elements, data standards and protocols that can be**  
24 **used to standardize implementation of Southeast region-wide**  
25 **electronic monitoring initiatives. The data standards and**  
26 **program protocols that should be developed include, but are not**  
27 **necessarily limited to, the following: hardware (electronic**  
28 **tools and devices); process and flow; data integrity; data**  
29 **integration; minimum reporting elements; effort validation;**  
30 **catch validation; compliance tracking; non-reporting (expansion**  
31 **of estimates).**

32  
33 **MR. WILLIAMS:** We have a committee motion. Is there discussion  
34 on the committee motion? Dr. Stunz.

35  
36 **DR. STUNZ:** Just to briefly discuss it, Mr. Vice Chairman, I  
37 obviously crafted this motion and in talking to some people  
38 after that, there are just a few minor, more wordsmithing maybe  
39 than anything, and just I wanted to discuss maybe a timeline, so  
40 we have some general feel for when something like this might be  
41 available.

42  
43 I don't know if the best way to do that is to amend that or  
44 maybe you could recommend what the best way to slightly change  
45 the motion with no major changes.

46  
47 **MR. WILLIAMS:** I would recommend that you go ahead and amend the  
48 motion. Wait a minute. Mara.

1  
2 **MS. LEVY:** Not that we're very big on technicalities, but it was  
3 a committee motion and so I just think you would do a substitute  
4 motion at full council to change anything.

5  
6 **MR. WILLIAMS:** Is that all right, Greg?

7  
8 **DR. STUNZ:** She is going to copy and paste it. It's virtually  
9 exactly the same. All I want to change there was the word  
10 "hardware" was problematic for some and that might not include  
11 software and I think if we just change that word "hardware" and  
12 got rid of it actually and said "electronic tools and devices",  
13 that would make it a little more broad and cover what some of  
14 the people might have had an issue with. That's it and so it  
15 wasn't a big change at all.

16  
17 The other was to set what the council might thing is a  
18 reasonable timeline or maybe Doug or Dr. Froeschke might have a  
19 suggestion on the timeline for this group to meet and get  
20 together and prepare something. I don't know if January is too  
21 early. That sort of seems realistic, but maybe not and I don't  
22 know and so I would look for some advice on that.

23  
24 **CHAIRMAN ANSON:** Dr. Froeschke, do you have any comments?

25  
26 **DR. JOHN FROESCHKE:** Well, depending on what happens, assuming  
27 this motion passes, I will reach out to Gregg Waugh and the  
28 council. It might be possible that we might be able to meet in  
29 September or October and then, depending on what sort of  
30 document and things we end up developing, I would assume we  
31 would bring something to the January council meeting for you all  
32 to review.

33  
34 **DR. STUNZ:** That would work for me. If that's all we need to  
35 handle it here, that's fine and so there is no additional  
36 changes to the substitute motion and just some minor  
37 wordsmithing.

38  
39 **CHAIRMAN ANSON:** Hold on one second, John. We have a substitute  
40 motion and is there a second to the substitute motion? Dr.  
41 Lucas, thank you. John, you had a point?

42  
43 **DR. FROESCHKE:** Yes and I just would bring it back up. The  
44 South Atlantic, I know they have already scheduled their public  
45 hearing stuff for this November and I was just asking for a  
46 little guidance. It seems like, to me, we may not want to take  
47 it out at that time, because we wouldn't have that feedback to  
48 you all to review and so I was just hoping to know what to tell

1 them when they ask, if we thought maybe we would do it in  
2 February or something, assuming we brought it back to you and  
3 you were pleased with what you saw and we would have the  
4 guidance and does that seem reasonable?

5  
6 **CHAIRMAN ANSON:** It seems reasonable to me. Does anybody else  
7 have any comments on that? The South Atlantic won't be slowing  
8 us down. Any other discussion on the substitute motion? **Is**  
9 **there any opposition to the substitute motion? Seeing none, the**  
10 **motion carries.**

11  
12 **MR. GREENE:** The committee also discussed Action 3 that includes  
13 alternatives to require vessel or catch location reporting. The  
14 committee requested that the IPT clarify the language in  
15 Alternative 4 describing the option to report fishing location  
16 manually using an internet-based map with predefined fishing  
17 grids representing potential fishing areas.

18  
19 **After further review of this action, the committee recommends,**  
20 **and I so move, that in Action 3 to make Alternative 2 be the**  
21 **Preferred Alternative, with Subalternatives 2a and 2b.**  
22 **Alternative 2 is require federally-permitted for-hire vessels to**  
23 **use a National Marine Fisheries Service approved electronic**  
24 **device that automatically records vessel location at specified**  
25 **time intervals for later transmission. Subalternative 2a is in**  
26 **the Gulf headboat and Subalternative 2b is in the Gulf charter**  
27 **boat.**

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

32  
33 **MR. GREENE:** Mr. Chairman, this concludes my report.

34  
35 **CHAIRMAN ANSON:** Thank you, Mr. Greene. There is one note that  
36 staff has brought to my attention relative to an item in the  
37 Reef Fish Report, the Ad Hoc Recreational AP. Mr. Gregory, can  
38 you fill us in on that?

39  
40 **DISCUSSION OF AD HOC REEF FISH PRIVATE RECREATIONAL ANGLER**  
41 **ADVISORY PANEL**

42  
43 **EXECUTIVE DIRECTOR GREGORY:** In June, the council passed a  
44 motion to create the Ad Hoc Reef Fish Private Recreational  
45 Angler Advisory Panel. There was discussion about a charge and  
46 we were expecting the council to produce a charge at this  
47 meeting.

48

1 I think in the past that sometimes the council has done the  
2 charge and sometimes the staff has drafted the charge. We came  
3 here prepared with a draft charge, but the thing is we have  
4 direction to form that advisory panel and so it seems to me,  
5 unless we get a specific motion otherwise, after this meeting we  
6 will advertise for that advisory panel. If you like, I can read  
7 the draft charge that the staff has developed.

8  
9 **CHAIRMAN ANSON:** Hold on one second. Mr. Boyd.

10  
11 **MR. BOYD:** I think we went through the committee report and I  
12 think that no one came forward to give a charge and no one came  
13 forward to give direction to staff and so I think that that was  
14 direction to not do anything at this point.

15  
16 **CHAIRMAN ANSON:** Staff's impression is that they are, under the  
17 June's orders, to go ahead and establish the AP.

18  
19 **MR. RIECHERS:** There was a second direction.

20  
21 **MR. BOYD:** Yes, there was a motion in June to instruct staff not  
22 to do anything, but that was until August.

23  
24 **MR. RIECHERS:** That was your motion, I thought.

25  
26 **CHAIRMAN ANSON:** Roy.

27  
28 **MR. WILLIAMS:** As I recall, the motion was to not take any  
29 action prior to the August meeting and so sort of -- I agree  
30 with Doug that I think it really the direction now is to form  
31 it.

32  
33 **CHAIRMAN ANSON:** All right and so that's what they're operating  
34 under, is under the June motions that were made that they were  
35 going to go ahead and -- It's the August meeting and they  
36 haven't received any other direction otherwise and so it's the  
37 August meeting and they are going to go ahead and advertise for  
38 the AP and right now there is no formal charge and so it seems  
39 like we ought to have a formal charge. Dale.

40  
41 **MR. DIAZ:** I asked a few people during public comment yesterday  
42 what their thoughts were on it and you all heard the responses.  
43 I mean I think generally people said they liked the idea, but it  
44 depends on what it looks like and I guess what the charge is and  
45 who is the makeup of the committee.

46  
47 I personally feel that it's a good idea to try to get the  
48 recreational group together to try to give us some guidance, but

1 I get the feeling that at least some of the recreational  
2 community doesn't want to do that and so I am worried that if  
3 we're going to do it that there's not consensus on it.

4  
5 I guess we'll make a decision on how to move forward with it. I  
6 mean I think if people would just look at it from the point of  
7 view of is this a worthwhile exercise that could produce some  
8 positive outcomes and I think if they just look at it from that  
9 point of view, I think more people would be receptive to it, but  
10 for whatever reasons, not everybody I talk to is receptive to  
11 it.

12  
13 **CHAIRMAN ANSON:** Robin.

14  
15 **MR. RIECHERS:** I would move that we defer any action regarding  
16 the advisory panel until the October meeting. If I get a  
17 second, I will explain some rationale.

18  
19 **CHAIRMAN ANSON:** We have a motion to defer movement on the Ad  
20 Hoc Recreational AP until October. It's been seconded. Go  
21 ahead, Robin.

22  
23 **MR. RIECHERS:** It's following up to what Dale said. I just  
24 thought we would go ahead and get a motion on the board. Leann  
25 kind of said it as well when she was going to say let's talk  
26 about it at the next meeting.

27  
28 It doesn't seem to be -- Part of it is not knowing what they're  
29 going to do. Folks, let's really put this in perspective.  
30 We've had a bunch of recreational ad hoc APs and we've had a  
31 bunch of summits in the past and there is only so much they can  
32 do in the current MRIP system.

33  
34 There is only so much they can do unless there is the vehicle to  
35 do something different and when you think about -- I mean we've  
36 talked about tags and all sorts of other devices and opening and  
37 closing days and regional management and lots of things.

38  
39 It is difficult, given the constructs that they're left within  
40 right now, to get together and say how we're really going to  
41 change what's already being done and so I think they're  
42 struggling with the charge and I would also say that I think  
43 it's not just a question about red snapper, although that's  
44 where we always seem to take it. It's really more with the  
45 whole recreational fishery policy and how are we going to look  
46 at that and how are we going to look at that in the Southeast.

47  
48 Are there some different approaches or different thoughts about

1 how we manage that we could move forward with? Obviously  
2 members of that community are struggling with that as well as  
3 this whole council and so I would just say, in this kind of  
4 context, given where we are, let's wait one more month or two  
5 months, seven weeks, and see where we are.

6

7 **CHAIRMAN ANSON:** Dale.

8

9 **MR. DIAZ:** I don't agree with anything you just said, Robin, but  
10 I do want to point out that likely a lot of things we've  
11 considered in the past are the same type of ideas we might get  
12 in the future or there may be some new ones, but there was a big  
13 change and the big change was when we put this 20 percent buffer  
14 in effect.

15

16 Some things that folks might not have been willing to consider  
17 in the past, if they thought that maybe they could reduce that  
18 buffer to something that was significantly less, they might  
19 consider it now or there might be some new ideas, because of  
20 that buffer, that they would not have considered in the past.  
21 That's kind of my line of thinking of why I think we need to  
22 move forward and get some folks to give us some ideas of what  
23 they would accept. Thank you.

24

25 **MR. MATENS:** I am not against the concept of this advisory  
26 panel, but I will tell you that in my community that the  
27 reluctance is more their concern and their desire to be  
28 regulated by the states and moving forward with this, I mean I  
29 would have some selling to do and, accordingly, I support  
30 Robin's motion to give us some time.

31

32 This thing is bigger than it seems and maybe I am wrong, but I  
33 think this thing is really bigger than it seems. I don't think  
34 it just -- I think we're going to have to extend this beyond red  
35 snapper and into the other Gulf species and it's a concept that  
36 -- I mean I don't want to go home and have these guys say, what  
37 the heck are you thinking?

38

39 I would rather spend some time talking about why this has some  
40 value or may have some value. Again, without repeating myself,  
41 I support Robin's proposal.

42

43 **CHAIRMAN ANSON:** All right. I have Dr. Stunz and then Johnny  
44 Greene.

45

46 **DR. STUNZ:** To Camp's point, many of the recreational guys I've  
47 talked about and I think even Leann made some comments right at  
48 the last meeting to follow up with some of these groups to

1 really see where they are and the same kind of thing. It's not  
2 fundamentally opposed at all to something like this, but it's  
3 much bigger than just what we're talking about here in red  
4 snapper and there probably needs to be some discussions at a  
5 little bit broader levels of where they envision recreational  
6 fishing going and not getting tied into what's happening  
7 specifically right here with red snapper and so I think they  
8 would be more than happy to come together and do that, but they  
9 need a little more time to think about what that would look  
10 like.

11  
12 **CHAIRMAN ANSON:** I have Johnny and then Leann.

13  
14 **MR. GREENE:** We put together the last AP in 2013 for data  
15 collection and it was made up of entirely private recreational  
16 anglers, 100 percent, every one of them. We don't do that for  
17 all the other APs, but we did that for this one.

18  
19 They came back with some really good ideas. They scolded us.  
20 One member from Mississippi scolded us at a Mississippi council  
21 meeting because we didn't do anything with it because we're so  
22 wrapped around the belief that state management is going to  
23 pass. What if it doesn't? What if it doesn't pass?

24  
25 There is some really good ideas in here. I am looking it right  
26 now. Develop a vessel permit. That's a pretty good idea. You  
27 have to fill out a tag card before you get more tag cards to go  
28 back and do stuff and selling points for boat permits and real-  
29 time data and data from private docks and data from specific  
30 species. Enable panel surveys and better defined sample frame.  
31 It goes so on and so forth.

32  
33 I mean these people took time off of work. As they mentioned  
34 yesterday, a lot of the people couldn't be here, because they  
35 had to be at work. They took time off and they participated and  
36 we didn't do one thing with any of it and I understand the  
37 anguish from the private recreational people that if I provide  
38 you my information that you're not going to do anything with it,  
39 because we as a council don't do anything with it. We are  
40 wrapped around one item right now and it's whether or not  
41 regional management goes through.

42  
43 If it does, we're all great, but if it don't, there is nothing  
44 on the radar screen for anybody else, whether you are charter or  
45 headboat or recreational or anything else, and it's a shame.  
46 It's a disjustice.

47  
48 **CHAIRMAN ANSON:** Leann.



1  
2 **MS. BOSARGE:** Just to clarify, I am not in support of this  
3 motion, but my comments earlier were not for something like  
4 this. I made the comment about discussing it again because we  
5 flew through it and we didn't really have time to discuss it and  
6 I thought it would disappear forever after that and so that's  
7 why I made that comment.

8  
9 I am definitely in support of Dale's comments that Dale made and  
10 I am scared to even say that I am in support of it, because I'm  
11 commercial and last time they said the commercial people are in  
12 support of it and so we had better vote it down and it must be a  
13 terrible thing for recreational people, but I think that all my  
14 neighbors and friends are mainly recreational fishermen and if I  
15 ask them if they want us to do something like this, I think they  
16 would say, hell, yes, we do.

17  
18 We don't like what we've got going now and as Johnny said, you  
19 are working on possible state management, which we're pretty  
20 interested in, but we don't have a back-up plan. I think we  
21 need to have some discussion and we even heard some things from  
22 some charter boat guys and headboat guys about tags and how that  
23 may apply to them and they didn't rule it out and so this can be  
24 a pretty open discussion on how some things can work.

25  
26 **CHAIRMAN ANSON:** To that point, Robin?

27  
28 **MR. RIECHERS:** It's back to Johnny's point, just real quick,  
29 but, Johnny, please understand that I am not banking on regional  
30 management. As I just said when we were talking 41 and 42, we  
31 went through a vote that basically would have ratified a  
32 regional management concept we thought might work or it could  
33 have ratified 41 and 42, in some respects, and none of them --  
34 We didn't get to a preferred on anything.

35  
36 Of the list of the things you just read, most of those, four out  
37 of six or five out of six, as I was trying to count as you were  
38 reading them, are wrapped up in MRIP and it doesn't matter what  
39 we say, just as a council real quickly, it's going to take a lot  
40 of time and effort to move those down the road and even if we  
41 say it, MRIP may not agree with it.

42  
43 I just think we've got to -- We may have to take a step back  
44 beyond MRIP even and say, okay, if MRIP is working at the speed  
45 they're working at and they're doing these different studies to  
46 figure out where we go next, how do we get involved in that from  
47 a management perspective? We're trying. We've done it. Dave  
48 is on them and state people are on them, but you just aren't

1 moving that very quickly.

2

3 **CHAIRMAN ANSON:** Mr. Swindell and then Dr. Lucas.

4

5 **MR. SWINDELL:** I am a big believer in advisory panels. We have  
6 limited knowledge around this table about what's going on and I  
7 recreationally fish also, but I would love to have an advisory  
8 panel full of recreational fishermen to tell us whatever they  
9 want to tell us at any time they want to tell us, almost,  
10 whenever we can get them together.

11

12 I don't want to wait for a better time. There is liable never  
13 to be a better time and I think we need to get them together and  
14 let's get them reviewing whatever they want to tell us. I mean  
15 that's what I see as an advisory panel on recreational fishing.  
16 It's not just reef fish and not just triggerfish, but  
17 recreational fishing. I would love to have it. Thank you.

18

19 **CHAIRMAN ANSON:** Dr. Lucas.

20

21 **DR. LUCAS:** To Johnny's point and to a little bit of what Robin  
22 said, we took those considerations and we made an electronic  
23 reporting program and you do have to get a vessel permit and you  
24 do have to report before you can go back out and you do have all  
25 of this and you have a way to get it and you're right that MRIP  
26 doesn't accept it yet and it will probably be three years before  
27 they are willing to accept it.

28

29 Our guys are willing to work with us and go forward, but it's  
30 just such a slow pace at which these things occur that I am not  
31 so sure they are willing to continue.

32

33 The other thing we have going for us is I think we all know  
34 about the Gulf Council and if you've got to get a federal permit  
35 for something, you know about the Gulf Council. If you're a  
36 recreational fisherman, you get your fishing license from the  
37 state and so in their mind, that's who they're communicating  
38 with and who they are talking to.

39

40 When I go out and I talk to our recreational fishermen about  
41 participating in these council-based processes, I spend a lot of  
42 time just explaining what the Gulf Council is and why it's  
43 important and why they need to participate, because they just  
44 want to talk to me and not talk to everybody else, but they were  
45 so happy that we moved some of these things forward and, as you  
46 said, it was the Mississippi representative that went off on  
47 everybody and so he is extremely happy that we moved some ideas  
48 forward. Thanks.

1  
2 **CHAIRMAN ANSON:** Roy and then Leann and then we're going to wrap  
3 this up.

4  
5 **MR. WILLIAMS:** Robin, I am going to support your motion. I mean  
6 I think this is something we've got to think about, but we can't  
7 really put it together now. It's too late and so I would  
8 support deferring any further action on it until October.

9  
10 **CHAIRMAN ANSON:** Leann.

11  
12 **MS. BOSARGE:** I don't support deferring it any further. I think  
13 staff said they came prepared with a charge and they will move  
14 forward with that charge and you know Kelly is right. The  
15 states have acted on a lot of what came out of that AP and well  
16 guess what? It's actually our -- It was our AP and they were  
17 recommendations to the federal council and so what does it say  
18 about us if we won't act on it?

19  
20 This is the beginning of starting to -- Let's take some action  
21 and why would we put this off? Why would we say the states are  
22 doing a great job of enacting this stuff, but it's actually  
23 supposed to be some federal enactment and then we sit here and  
24 say, oh, just put it off? I am sorry, but I'm with Ed. What  
25 better time? Let's get started.

26  
27 **CHAIRMAN ANSON:** All right and so we have a motion to defer any  
28 action in creating the Ad Hoc Private Recreational AP until the  
29 October 2015 council meeting. **All those in favor of the motion**  
30 **please raise your hand, nine; all those opposed like sign, six.**  
31 **The motion carries.**

32  
33 **EXECUTIVE DIRECTOR GREGORY:** If I may, then what I will do is  
34 I'll go ahead and just distribute to the council after this  
35 meeting the draft charge that staff came up with and that will  
36 give you all a basis for something to start your discussion in  
37 October.

38  
39 **CHAIRMAN ANSON:** That sounds good and thank you, Doug. All  
40 right. We have concluded with all of the committee reports and  
41 there wasn't anything else on any EFPs and is that correct, Dr.  
42 Branstetter? We have dispensed with those?

43  
44 **DR. BRANSTETTER:** Yes, that's correct. We just were asking for  
45 guidance as to how to proceed. Thank you.

46  
47 **CHAIRMAN ANSON:** You got that. It was covered the other day.  
48 We didn't have anything else under Other Business that was

1 mentioned at the beginning and does anyone have -- No business?  
2 Okay. Great. That leads us to Election of Chair and Vice Chair  
3 and Dave.

4  
5 **ELECTION OF CHAIR AND VICE CHAIR**  
6

7 **MR. DONALDSON:** Thank you, Mr. Chairman. I will open the floor  
8 for nominations for Chairman. Mr. Boyd.

9  
10 **MR. BOYD:** I would like to nominate our current Chairman, Mr.  
11 Kevin Anson.

12  
13 **MR. DONALDSON:** All right. Any other --

14  
15 **MR. BOYD:** I guess I need a second. I've got a second.

16  
17 **MR. DONALDSON:** Camp seconds. Any other nominations? If not,  
18 any opposition? Congratulations, Kevin.

19  
20 **CHAIRMAN ANSON:** Thank you. Thank you, council members.

21  
22 **MR. DONALDSON:** Now I will open the floor for nominations for  
23 Vice Chair. Mr. Sanchez.

24  
25 **MR. SANCHEZ:** Thank you. I nominate Leann.

26  
27 **MR. DONALDSON:** Martha.

28  
29 **MS. BADEMAN:** I would like to nominate Doug Boyd.

30  
31 **MR. DONALDSON:** I guess I need a second for Leann. All right.  
32 Doug, I guess we need to do a secret ballot. Have you guys got  
33 those? Okay.

34  
35 **EXECUTIVE DIRECTOR GREGORY:** If someone doesn't have a pad,  
36 borrow a blank piece from your neighbor. Dave, do you want our  
37 staff to collect it?

38  
39 **MR. DONALDSON:** Yes, staff will collect it.

40  
41 **MR. BOYD:** Where is our Coast Guard representative, Mr.  
42 Chairman?

43  
44 **CHAIRMAN ANSON:** Mr. Perkins was called back to the office and  
45 we gave him a pass, so to speak. Dave felt like he could handle  
46 it.

47  
48 **MR. RIECHERS:** Has anyone gotten a report on how our friend who

1 hurt is Achilles is doing earlier in the week?  
2

3 **CHAIRMAN ANSON:** Mr. Perkins said he's been listening in a  
4 little bit and checking in with him, but other than that, I  
5 don't know. He has had surgery? Okay. I knew it was something  
6 that he needed to get tended to pretty quick.  
7

8 **MR. DONALDSON:** Our new Vice Chair will be Leann Bosarge.  
9 Congratulations.  
10

11 **CHAIRMAN ANSON:** Congratulations, Leann. I look forward to  
12 working with you, Leann. Remember you get first dibs after I  
13 pass on the South Atlantic and so you might get a chance. You  
14 can go over there all you want. That concludes the council  
15 meeting and so we will go ahead and adjourn. Thank you.  
16

17 (Whereupon, the meeting adjourned at 3:10 p.m., August 13,  
18 2015.)  
19

20 - - -  
21

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2  
3 PAGE 24: Motion to merge the budget process into the  
4 Administrative Committee and leave the Personnel Committee as a  
5 stand-alone committee of the council. The motion carried on  
6 page 24.  
7  
8 PAGE 24: Motion to have staff return with Tab G-6 with an ad  
9 hoc one-year review in January to decide whether to continue an  
10 ad hoc Committee and/or to reappoint members and keep staggered  
11 committee terms for the other committees. The motion carried on  
12 page 25.  
13  
14 PAGE 25: Motion to recommend that boat owners not be  
15 automatically held responsible for violations by a crew member  
16 when the owner is not present relative to our AP appointment  
17 process. The motion carried on page 28.  
18  
19 PAGE 28: Motion that an individual not be eligible to serve on  
20 an AP within three years of the time that the violation was  
21 adjudicated. The motion carried on page 30.  
22  
23 PAGE 30: Motion that the violations would be federal fishery  
24 violations or state violations of federally-managed species.  
25 The motion carried on page 31.  
26  
27 PAGE 31: Motion that after appointment of AP members we request  
28 NOAA Law Enforcement to ask state enforcement agencies if those  
29 appointees have violations of federally-managed species. The  
30 motion carried on page 31.  
31  
32 PAGE 33: Motion to recommend to the council that proposed  
33 Alternatives 4 and 5 for Action 7 be added to the document. The  
34 motion carried on page 33.  
35  
36 PAGE 125: Motion that the following motion be incorporated into  
37 Shrimp Amendment 17B, which will address the creation of a  
38 permit pool: The committee recommends, and I so move, in Action  
39 2-1, Alternative 3, set a target number of Gulf shrimp vessel  
40 permits based on the number of valid permits issued: 1. at the  
41 beginning of the moratorium (1,933 permits); 2. 2009 (1,722  
42 permits); 3. 2011 (1,582 permits); 4. 2013 (1,501 permits).  
43 Option a is if the number of permits reaches the target number,  
44 any permits that are not or were not renewed within one year of  
45 the expiration date on the permit will go into a Gulf Shrimp  
46 Vessel Permit Reserve Pool. Option b is if the number of  
47 permits reaches the target number, the council will review the  
48 status of the fishery to determine if action is needed. The

1 motion carried on page 133.  
2  
3 PAGE 133: Motion to add an action to 17B which addresses the  
4 specification of optimum yield. The motion carried on page 133.  
5  
6 PAGE 141: Motion in Action 1 to change the Preferred  
7 Alternative to Alternative 4. The motion carried on page 142.  
8  
9 PAGE 144: Motion that the technical review committee be  
10 comprised of one member from each state designated by the state  
11 fisheries director. The motion carried on page 144.  
12  
13 PAGE 144: Motion in Action 2 to accept the language in  
14 Alternative 4 to include the phrase "as a single unit." The  
15 motion carried on page 145.  
16  
17 PAGE 145: Motion in Action 2, to make Alternative 4 the  
18 preferred alternative. The motion failed on page 174.  
19  
20 PAGE 175: Motion to make Alternative 2 the preferred  
21 alternative. Alternative 2 would set the recreational minimum  
22 size limit for gag at twenty-four inches total length. The  
23 motion carried on page 175.  
24  
25 PAGE 175: Motion to make Alternative 2 the preferred  
26 alternative. Alternative 2 is set the recreational minimum size  
27 limit for black grouper at twenty-four inches total length. The  
28 motion carried on page 175.  
29  
30 PAGE 175: Motion to make Alternative 9 in Action 1 the  
31 preferred alternative. The motion failed on page 202.  
32  
33 PAGE 203: Motion to approve Amendment 28 and that it be forward  
34 to the Secretary of Commerce for review and implementation and  
35 deem the codified text as modified in discussion as necessary  
36 and appropriate, giving staff editorial license to make the  
37 necessary changes in the document. The Council Chair is given  
38 the authority to deem any changes to the codified text as  
39 necessary and appropriate. The motion carried on page 208.  
40  
41 PAGE 209: Motion that in Action 1 of the Framework Action to  
42 make Alternative 2 the Preferred Alternative. Alternative 2 is  
43 before the distribution of the 2016 red snapper commercial quota  
44 to the red snapper IFQ account shareholders, withhold up to 34.7  
45 percent of the red snapper commercial quota. The exact amount  
46 to be retained for later distribution will be determined by the  
47 percentage of the red snapper commercial quota that would be  
48 reallocated to the recreational sector under Reef Fish Amendment



1 28. The motion carried on page 210.

2  
3 PAGE 210: Motion to approve the framework action and that it be  
4 forwarded to the Secretary of Commerce for review and  
5 implementation and deem the codified text as modified in the  
6 discussion as necessary and appropriate, giving staff editorial  
7 license to make the necessary changes in the document. The  
8 Council Chair is given the authority to deem any changes to the  
9 codified text as necessary and appropriate. The motion carried  
10 on page 212.

11  
12 PAGE 213: Motion to accept the language in Action 1. The  
13 motion carried on page 213.

14  
15 PAGE 213: Motion to take Amendment 41 and 42 Options Papers out  
16 to scoping meetings. The motion carried on page 222.

17  
18 PAGE 222: Motion in Reef Fish Amendment 42 the species would be  
19 red snapper and gag grouper only. The motion carried on page  
20 223.

21  
22 PAGE 223: Motion to remove Section 2.2.1, which is size, bag  
23 limit, and season adjustments. The motion failed on page 225.

24  
25 PAGE 225: Motion to remove the discussion of self-managed  
26 programs by group. The motion carried on page 229.

27  
28 PAGE 230: Motion to direct staff to use the AP-provided  
29 documents within creation of 41 and 42, as practically as  
30 possible. The motion failed on page 231.

31  
32 PAGE 234: Motion to request that the Technical Subcommittee of  
33 the Gulf and South Atlantic Councils on Electronic Logbook  
34 Reporting Guidelines, in coordination with GulFFIN, ACCSP, SEFSC  
35 and council staff, develop a stand-alone reference document that  
36 describes specific catch and effort reporting elements, data  
37 standards and protocols that can be used to standardize  
38 implementation of Southeast region-wide electronic monitoring  
39 initiatives. The data standards and program protocols that  
40 should be developed include, but are not necessarily limited to,  
41 the following: electronic tools and devices; process and flow;  
42 data integrity; data integration; minimum reporting elements;  
43 effort validation; catch validation; compliance tracking; non-  
44 reporting (expansion of estimates). The motion carried on page  
45 236.

46  
47 PAGE 236: Motion in Action 3 to make Alternative 2 be the  
48 Preferred Alternative, with Subalternatives 2a and 2b.

1 Alternative 2 is require federally-permitted for-hire vessels to  
2 use a National Marine Fisheries Service approved electronic  
3 device that automatically records vessel location at specified  
4 time intervals for later transmission. Subalternative 2a is in  
5 the Gulf headboat and Subalternative 2b is in the Gulf charter  
6 boat. The motion carried on page 236.

7  
8 PAGE 238: Motion to defer any action in creating the Ad Hoc  
9 Private Recreational AP until the October 2015 council meeting.  
10 The motion carried on page 243.

11  
12  
13

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