

GULF COUNCIL MOTIONS
JUNE 18-21, 2012
TAMPA, FLORIDA

Data Collection

Motion: To request that the Council reconvene the Ad Hoc Private Recreational Data Collection Advisory Panel to pursue and make additional recommendations to the Council on the subjects of web-based phone apps and other means of public outreach to improve the fishing public's understanding of the MRIP process. In addition, to further explore boat permits and electronic-based reporting programs to characterize catch.

Motion carried with no opposition.

Motion: To add additional members to the Ad Hoc Private Recreational Data Collection Advisory Panel who have expertise in data collection to assist them in furthering some of these concepts.

Motion failed.

Substitute motion: To request the Ad Hoc Private Recreational Data Collection Advisory Panel to reconsider a potential fish tag system in the Gulf of Mexico.

Substitute motion failed.

Second substitute motion: To request that the Ad Hoc Private Recreational Data Collection Advisory Panel create a range of alternatives for monitoring and counting the recreational harvest.

Second substitute motion failed.

Dealer Reporting Amendment

Motion: To accept the new Purpose for Action and the Need for Action as reflected in the Summary of the SAFMC Data Collection Committee - June 13, 2012.

Motion carried with no opposition

Motion: In Action 1, that the preferred alternative be Alternative 3, Option 3b.

Alternative 3. Establish separate Gulf of Mexico and South Atlantic Federal dealer permits.

Option 3b. Require dealer permits to purchase all federally-managed species, except South Atlantic coral, South Atlantic Sargassum, and shrimp species. Dealer permits would be required to purchase species in the following fishery management plans:

- Atlantic Dolphin-Wahoo
- Gulf of Mexico Reef Fish
- South Atlantic Golden Crab
- South Atlantic Rock Shrimp
- South Atlantic Snapper Grouper (including wreckfish)
- Gulf of Mexico and South Atlantic Coastal Migratory Pelagics

- Gulf of Mexico and South Atlantic Spiny Lobster
- Gulf of Mexico Coral and Coral Reefs
- Gulf of Mexico Red Drum

Substitute motion: In Action 1, that the preferred alternative be Alternative 2, Option 2b.

Alternative 2. Establish one universal Federal dealer permit.

Option 2b. Require a universal dealer permit to purchase all federally-managed species, except South Atlantic coral, South Atlantic Sargassum, and shrimp species. The universal dealer permit would be required to purchase species in the following fishery management plans:

- Atlantic Dolphin-Wahoo
- Gulf of Mexico Reef Fish
- South Atlantic Golden Crab
- South Atlantic Rock Shrimp
- South Atlantic Snapper Grouper (including wreckfish)
- *Gulf of Mexico and South Atlantic Coastal Migratory Pelagics*
- *Gulf of Mexico and South Atlantic Spiny Lobster*
- *Gulf of Mexico Coral and Coral Reefs*
- *Gulf of Mexico Red Drum*

(Note: Italics designate additional new species that currently require dealer permits.)

Substitute motion carried.

Motion: To remove Gulf of Mexico Coral and Coral Reefs from the list of FMPs for which reporting is required in Action 1.

Motion carried with no opposition.

Motion: To change “Thursday” to “Tuesday” throughout the entire Generic Amendment - Modifications to Federally-Permitted Seafood Dealer Reporting Requirements.

Motion carried with no opposition.

Motion: To include the language that was updated by the SAFMC as follows and that staff make the changes to Alternatives 2, 3, and 4 throughout the document:

Alternative 3. Require forms be submitted electronically (VIA COMPUTER OR INTERNET) as determined by the SRD.

Motion carried with no opposition.

Motion: In Action 2, that the preferred alternative be Alternative 3, Option 3b, to coincide with that chosen by the SAFMC.

Alternative 3. Require forms be submitted electronically.

Option 3b. Weekly. Forms from trips landing between Sunday and Saturday must be submitted to the SRD by 11:59 P.M. on the following Tuesday.

Motion carried with no opposition.

Motion: To keep the following wording:

Note: Any selected Preferred Alternative will include “Dealers reporting purchases of king mackerel landed by the gillnet sector for the Gulf West Coast Florida Southern Sub Zone must submit forms daily by 6:00 AM.”

Motion carried with no opposition.

Motion: In Action 2, that the preferred alternative be Alternative 5.

Alternative 5. During catastrophic conditions only, the ACL monitoring program provides for use of paper-based components for basic required functions as a backup. The Regional Administrator (RA) will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed affected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the Federal Register, NOAA weather radio, fishery bulletins, and other appropriate means and will authorize the affected participants’ use of paper-based components for the duration of the catastrophic conditions. The paper forms will be available from NMFS.

Amendment: To add “The RA has the authority to waive or modify reporting time requirements.”

Amendment carried.

Motion as amended: In Action 2, that the preferred alternative be Alternative 5.

Alternative 5. During catastrophic conditions only, the ACL monitoring program provides for use of paper-based components for basic required functions as a backup. The Regional Administrator (RA) will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed affected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the Federal Register, NOAA weather radio, fishery bulletins, and other appropriate means and will authorize the affected participants’ use of paper-based components for the duration of the catastrophic conditions. The paper forms will be available from NMFS. The RA has the authority to waive or modify reporting time requirements.

Amended motion carried with no opposition.

Motion: In Action 3, to move Alternatives 2, 3, and 4 to the considered but rejected section.

Alternative 2. “No purchase forms” must be submitted at the same frequency, via the same process, and for the same species as specified for "purchased forms" in Actions 1 and 2. If neither a “form” nor a “no purchase form” is submitted, NOAA Fisheries shall suspend the dealer permit until missing reports are submitted.

Alternative 3. “No purchase forms” must be submitted at the same frequency, via the same process, and for the same species as specified for "purchased forms" in Actions 1 and 2. If neither a purchase “form” nor a “no purchase form” is submitted, NOAA Fisheries shall refuse the renewal of the dealer permit for a one-year period.

Alternative 4. First infraction, a fine in accordance with NOAA GC penalty schedule is administered.

Motion carried with no opposition.

Motion: To accept Action 3 and the modified alternatives consistent with the action of the SAFMC as detailed in their Data Collection Committee Summary dated June 13, 2012.

Motion carried with no opposition.

Motion: To approve the modified “Modifications to Federally-Permitted Seafood Dealer Reporting Requirements” and to send it to public hearing.

Motion carried with no opposition.

Motion: To adopt the permits plan to implement generic dealer permits as proposed by the SERO Permits Office.

Motion carried with no opposition.

Motion: To recommend to the Council to indicate our support of the “Permits in Limbo” issue.

Motion carried with no opposition.

Motion: That public hearings be held in the following locations:

- Brownsville, TX area
- Corpus Christi, TX
- Galveston, TX
- Houma, LA area
- Panama City, FL area
- Tampa, FL
- Key West, FL
- Mobile, AL
- Biloxi, MS area

Motion carried with no opposition.

Joint Artificial Reef/Habitat Protection

Motion: To change the priority of the Fixed Petroleum Platforms and Artificial Reefs as Essential Fish Habitat amendment from “B” to “A” on the Council Action Schedule.

Motion tabled.

Motion to untable.

Motion carried.

Motion: To change the priority of the Fixed Petroleum Platforms and Artificial Reefs as Essential Fish Habitat amendment from “B” to “A” on the Council Action Schedule.

Motion carried with one opposed.

Mackerel

Amendment 19

The motions in this section were deferred to the August 2012 Council meeting.

Mackerel 20

Motions on Actions 1 through 4 in this section were deferred to the August 2012 Council meeting.

Motion: To move **Action 5. Restrictions on Fishing for King Mackerel in Multiple Zones** to the considered but rejected section.

Motion carried.

Motion: In Action 6, for Alternatives 2 and 3, that Option c be moved to the considered but rejected section.

Alternative 2. The Gulf migratory group cobia ACL = ABC based on the SSC control rule and latest stock assessment. The ABC/ACL for the Gulf migratory group cobia would be divided between the Gulf jurisdictional area and the east coast of Florida based on the options below. The ACL for the Atlantic migratory group cobia = OY = ABC from the SSC based on the most recent stock assessment, plus the ABC/ACL from the Gulf for the east coast of Florida.

Option a. Use 2000-2009 landings to establish the percentage split by subzone.

Option b. Use 2005-2009 landings to establish the percentage split by subzone.

Option c. Use 2007-2009 landings to establish the percentage split by subzone.

Option d. Other years???

Alternative 3. The Gulf migratory group cobia ACL = ABC based on the SSC control rule and latest stock assessment. The ABC/ACL for the Gulf migratory group cobia would be divided between the Gulf jurisdictional area and the east coast of Florida based on the options below. The ACL for the Atlantic migratory group cobia = OY = 90% of the ABC from the SSC based on the most recent stock assessment, plus the ABC/ACL from the Gulf for the east coast of Florida.

Option a. Use 2000-2009 landings to establish the percentage split by subzone.

Option b. Use 2005-2009 landings to establish the percentage split by subzone.

Option c. Use 2007-2009 landings to establish the percentage split by subzone.

Option d. Other years???

Motion carried.

Substitute motion: In Action 6, in Alternatives 2 and 3 in Options a, b, and c, to include 2010 and 2011.

Substitute motion failed.

Motion: In Action 7, to frame the action the same as it is framed in the handout CMP 20 SAFMC Actions 061812.

Motion carried with no opposition.

Motion: In Action 10, that the preferred alternatives be Alternative 2 and Alternative 5.

Alternative 2. Modify the framework procedure to include changes to accountability measures (AMs) under the standard documentation process for open framework actions. Accountability measures that could be changed would include:

- Inseason AMs
- Closures and closure procedures
- Trip limit reductions or increases
- Designation of an IFQ program as the AM for species in the IFQ program
- Implementation of gear restrictions
- Postseason AMs
- Adjustment of season length
- Implementation of a closed season
- Adjustment or implementation of bag, trip, or possession limit
- Reduction of the ACL to account for the previous year overage
- Revoking a scheduled increase in the ACL if the ACL was exceeded in the previous year
- Implementation of gear restrictions
- Reporting and monitoring requirements

Alternative 5. Make editorial changes to the framework procedure to reflect changes to the Council advisory committees and panels.

Motion carried.

Motion: To initiate a plan amendment to reallocate king mackerel.

Motion carried with no opposition.

Reef Fish

Amendment 28 – Grouper Allocation

Motion: In Action 1, that a new alternative be developed for gag grouper that the increase in ACL between 2012 and 2015 be allocated to the recreational sector.

Substitute motion: In Action 1, that a new alternative be developed for gag grouper that the increase in ACL between 2012 and 2015 be allocated to one of the following:

- Option a.** The recreational sector
- Option b.** The commercial sector
- Option c.** Equal distribution between both sectors.

Substitute motion carried with one opposed.

Motion: To add a new alternative that the gag reallocation be deferred until the 2013 stock assessment is completed.

Motion withdrawn.

Motion: To add to the Purpose and Need a discussion regarding the social consideration and economic efficiency of allocation of the resources.

Motion carried with no opposition.

Motion: To recommend to staff to include larger reallocation ranges (up to 10%) for red, black, and gag grouper species.

Motion carried with one opposed.

Motion: To add a new alternative that considers reallocation based on increases in ACL based on an established baseline.

Motion carried with no opposition.

Amendment 37 – Gray Triggerfish

Motion: In Action 1, that Alternative 3 be the preferred alternative.

Alternative 3. Establish a rebuilding plan based on a constant fishing mortality rate that does not exceed the fishing mortality rate at optimum yield. This is expected to rebuild the gray triggerfish stock with 5.0 years of modifying the rebuilding plan or by the end of 2016.

Motion carried with no opposition.

Motion: In Action 2, that the preferred alternative be Alternative 4.

Alternative 4. Use Amendment 30A to determine the sector allocation and the Council’s ACL/ACT control rule to determine the buffers between the ACLs and ACTs. Based on an ABC = 305,300 lbs ww, set the commercial ACL = 64,100 lbs ww (21% of the ABC) and the recreational ACL = 241,200 lbs ww (79% of the ABC) consistent with the sector allocations established in Amendment 30A. The commercial ACT = 60,900 lbs ww (commercial ACL reduced by 5%) and the recreational ACT = 217,100 lbs ww (recreational ACL reduced by 10%) based on the ACL/ACT control rule buffers for each sector.

ABC	Commercial ACL	Recreational ACL
305,300 lbs ww	64,100 lbs ww	241,200 lbs ww
	Commercial ACT (quota)	Recreational ACT
	60,900 lbs ww	217,100 lbs ww

Motion carried with no opposition.

Motion: In Action 2.3.1, that the preferred alternative be Alternative 1.

Alternative 1. No Action – do not modify the current minimum size limit of 14 inches fork length.

Motion carried with no opposition.

Motion: To move *Action 2.3.1. Modify the Commercial Minimum Size Limit for Gray Triggerfish* to the considered but rejected section.

Motion carried with no opposition.

Motion: In Action 2.3.3, that the preferred alternative be Alternative 2.

Alternative 2. Establish a commercial trip limit of 50 lbs ww.

Motion carried with no opposition.

Motion: In Action 2.3.2, to add a new Alternative 4 that closes the commercial season April 1 through August 31.

Motion carried with no opposition.

Motion: In Action 2.4.1, that the preferred alternative be Alternative 1.

Alternative 1. No Action – do not modify the current minimum size limit of 14 inches fork length.

Motion carried with no opposition.

Motion: To move *Action 2.4.1. Modify the Recreational Minimum Size Limit for Gray Triggerfish* to the considered but rejected section.

Motion carried with no opposition.

Motion: In Action 2.4.3, that the preferred alternative be Alternative 3.

Alternative 3. Establish a 1 gray triggerfish per angler bag limit within the 20 reef fish aggregate bag limit.

Substitute motion: To add a new alternative that would establish a 4 gray triggerfish per angler bag limit within the 20 reef fish aggregate bag limit and that it would be the preferred alternative.

Substitute motion carried 9 to 3.

Motion: In Action 2.4.2, to add a new Alternative 4 to close for the first 20 days in June.

Substitute motion: To add a new Alternative 4, to close the entire month of June.

Substitute motion carried with no opposition.

Motion: In Action 2.4.2, that the preferred alternative be Alternative 2.

Alternative 2. Establish a fixed closed season for gray triggerfish during peak harvest from (May-June).

Motion carried.

Motion: In Action 2.4.4, that the preferred alternative be Alternative 3.

Alternative 3. Add an in-season closure authority for gray triggerfish based on the recreational ACL.

Substitute motion: In Action 2.4.4, that the preferred alternative be Alternative 2.

Alternative 2. Add an in-season closure authority for gray triggerfish based on the recreational ACT.

Substitute motion carried with no opposition.

Motion: In Action 2.4.4, to add language clarifying Alternatives 2 and 3 that the intent is to add in-season closures and remove the post-season accountability measures.

Motion carried with no opposition.

Motion: To add a new Alternative 4 that would establish a payback provision whereby an ACL overage would be deducted from the next year's ACL. This would be in place as long as the stock is overfished.

Substitute motion: To add a new Alternative 4 that would establish a payback provision whereby an ACL overage would be deducted from the next year's ACT and ACL. This would be in place as long as the stock is overfished.

Substitute motion carried with no opposition.

Framework Action – 2013 Recreational Gag Season

Motion: In Action 2, to develop a new alternative for eliminating the February 1-March 31 recreational closed season in waters under 20 fathoms.

Motion carried with no opposition.

Motion: In Action 2, Alternative 2, to move Option 2a to the considered but rejected section.

Option 2a: Lengthen the season to February 1 through April 30 (increased coverage for red grouper and other grouper spawning seasons)

Motion carried with no opposition.

Amendment 38 – Shallow-Water Grouper

Motion: In Action 1, that the preferred alternatives be Alternative 3 and Alternative 4.

Motion carried with no objection.

Motion: In Action 2, that the preferred alternatives be Alternative 2 and Alternative 4.

Alternative 2. Modify the reef fish framework procedure to include changes to accountability measures through the standard documentation process for open framework actions.

Accountability measures that could be implemented or changed would include:

- In-season accountability measures
- Closure and closure procedures
- Trip limit implementation or change
- Designation of an existing limited access privilege program as the accountability measure for species in the IFQ program
- Implementation of gear restrictions
- Post-season accountability measures
- Adjustment of season length
- Implementation of closed seasons/time periods
- Adjustment or implementation of bag, trip, or possession limit
- Reduction of the ACL/ACT to account for the previous year overage
- Revoking a scheduled increase in the ACL/ACT if the ACL was exceeded in the previous year
- Implementation of gear restrictions
- Reporting and monitoring requirements

Alternative 4. Make editorial changes to the framework procedure to reflect changes to the Council advisory committees and panels.

Motion carried with no objection.

Amendment 39 – Sector Separation

Motion: To request that staff create a more comprehensive approach through the merging of Amendment 28 and Amendment 39 and adding red snapper to the discussion for allocation purposes.

Motion carried with one opposed.

Motion: To take the combined amendment to scoping before the August Council meeting.

Motion failed 6 to 7.

Other Reef Fish Motions

Motion: To request Louisiana to provide the Council with the details of their proposed regional management plan for red snapper.

Motion carried with one opposed.

Motion: To develop alternatives for regional management of recreational harvest of red snapper and place them in the appropriate amendment.

Amendment: To insert between “develop” and “alternatives”, “a plan amendment with”, and delete all after “red snapper”.

Amendment carried.

Amended motion: To develop a plan amendment with alternatives for regional management of recreational harvest of red snapper.

Motion carried 10 to 4.

Motion: For the red snapper regional management plan amendment, that the priority be “C”.

Motion carried.

Motion: To request that staff develop a letter to secretary Barham requesting that appropriate personnel (legal and others) come and explain the expansion of Louisiana’s jurisdiction in the total of 10.3 miles for fishery management purposes.

Motion carried with no opposition.

Motion: To recommend approving the EFPs to both doctors Koenig and Stallings and to Florida SEAGRANT for their recompression studies.

Motion carried with no opposition.

Shrimp

Motion: To direct staff to begin preparation of an amendment to look at cost alternatives in the shrimp fishery for funding of electronic logbooks.

Substitute motion: That staff be requested to prepare a white paper to evaluate a broad range of options for funding the electronic logbook program.

Substitute motion carried 10 to 3.

Motion: To send a letter to Eric Schwaab with a copy to Sam Rauch endorsing the Southern Shrimp Alliance's TED proposal.

Motion carried with no opposition.

Sustainable Fisheries/Ecosystem

Motion: To accept the recommendations as detailed in Tab H, No. 3(b) as a starting point for further analysis.

Motion carried with no opposition.

Motion: To move the vermilion snapper benchmark to 2014 and move the 2014 yellowedge grouper update and gray snapper benchmark to 2015 and beyond.

Substitute motion: To move the vermilion snapper benchmark to 2014 and move the 2014 yellowedge grouper update and scamp benchmark to 2015 and beyond.

Substitute motion carried with no opposition.

Motion: To endorse the concept for multiple webinars for the SEDAR 33 assessment workshop.

Motion carried 10 to 3

Other Motions

Motion: To offer our support for the Fisheries Investment and Regulatory Relief Act, pointing out the importance of recreational and commercial fishing in state waters, and request modification of the formula in the bill to include funding for states fisheries management.

Motion carried 6 to 1 with one abstention.