

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

DATA COLLECTION COMMITTEE

Gold Nugget Hotel and Casino & Virtual Biloxi, Mississippi

August 19, 2024

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 Kesley Banks.....Texas  
 Dave Donaldson.....GSMFC  
 J.D. Dugas.....Louisiana  
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5 Clay Porch.....SEFSC

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TABLE OF CONTENTS

1  
2  
3 Table of Motions..... 4  
4  
5 Adoption of Agenda and Approval of June 2024 Minutes..... 5  
6  
7 Action Guide and Next Steps..... 5  
8  
9 Discussion on For-Hire Data Collection Program..... 5  
10  
11 Other Business..... 24  
12     Discussion of SERO Permits Database..... 24  
13  
14 Review of Document..... 28  
15  
16 Adjournment..... 48  
17  
18                   - - -  
19

TABLE OF MOTIONS

1  
2  
3 [PAGE 23](#): Motion to move forward with nontechnical solutions for  
4 for-hire trip validation. [The motion carried on page 24](#).  
5  
6 [PAGE 40](#): Motion to make an Option e. Option e is up to 10 percent  
7 of trips. [The motion carried on page 46](#).  
8  
9 [PAGE 47](#): Motion to remove Option a. Option a is up to 50 percent  
10 of trips. [The motion carried on page 48](#).  
11  
12 - - -  
13

1 The Data Collection Committee of the Gulf of Mexico Fishery  
2 Management Council convened at The Golden Nugget Hotel and Casino  
3 in Biloxi, Mississippi on Monday morning, August 19, 2024, and was  
4 called to order by Chairman Ed Walker.  
5

6 **ADOPTION OF AGENDA AND APPROVAL OF JUNE 2024 MINUTES**  
7 **ACTION GUIDE AND NEXT STEPS**  
8

9 **CHAIRMAN ED WALKER:** I call the Data Collection Committee. The  
10 committee is made up of myself, Dr. Banks, Mr. Donaldson, Mr.  
11 Dugas, Dr. Sweetman, Mr. McDermott, Mr. Schieble, Mr. Geeslin,  
12 General Spraggins, Mr. Strelcheck, and Mr. Williamson.  
13

14 The first order of business is adoption of the previous agenda.  
15 Does anybody on the committee have anything to add or move to adopt  
16 the agenda?  
17

18 **DR. C.J. SWEETMAN:** So moved.  
19

20 **CHAIRMAN WALKER:** Mr. Strelcheck.  
21

22 **MR. ANDY STRELCHECK:** I would like to add, under Other Business,  
23 a discussion of the Southeast Regional Office permits database.  
24

25 **CHAIRMAN WALKER:** All right. We'll add such discussion to the  
26 agenda. Anything else that anyone would like to add?  
27

28 **DR. SWEETMAN:** So moved, as amended.  
29

30 **CHAIRMAN WALKER:** All right. Do we have a second to adopt the  
31 agenda? Dr. Banks. Thank you. Next is Approval of the June 2024  
32 Minutes. Does anybody have any discrepancies? I think we're going  
33 to miss Bob Gill on this one, because he was always the guy that  
34 found the one typo on page 7, where it was one letter missing, and  
35 he would have that amended, but does anybody else want to fill in  
36 and find anything that should be changed of the minutes of the  
37 June 2024 meeting? If not, I will look for a motion to adopt.  
38 General Spraggins, and it's seconded by Mr. McDermott. Thank you.  
39 Okay. Next, we move on to the Action Guide and Next Steps for the  
40 Data Collection Committee, and, for that, we go to Dr. Hollensead.  
41

42 **DISCUSSION ON FOR-HIRE DATA COLLECTION PROGRAM**  
43

44 **DR. LISA HOLLENSHAD:** Thank you, Mr. Chair, and so we have one  
45 main agenda item today. At the last meeting, the council expressed  
46 interest in focusing our discussion of the for-hire data collection  
47 program to sort of one decision point, and that decision point is  
48 related to validation.

1  
2 There are two ways to go about it, and I realize my action guide  
3 actually steals my own thunder of my presentation, but, basically,  
4 there is a technical approach that we could use, which is generally  
5 what we have been discussing, and there's also some information  
6 based on what the agency has provided to the South Atlantic. As  
7 you recall, they're also sort of looking at ways to modify their  
8 for-hire data program, to explore some modifications to their for-  
9 hire program in their region, and so they've been in correspondence  
10 with the agency as well, and so we might just sort of look at what  
11 they've been talking about, to sort of inform what we're doing  
12 here in the Gulf.

13  
14 Basically, the decision point comes down to, in terms of an  
15 approach for validation, there is a technical approach and a  
16 potential nontechnical approach that could be used to meet those  
17 validation requirements of the program, for using the data and  
18 assessments and monitoring and those sorts of things. Bernie, if  
19 you wouldn't mind please pulling up the presentation. That's going  
20 to be Tab F, Number 4. Thank you, ma'am.

21  
22 For the presentation overview, you know, one of the questions that  
23 has sort of been asked is sort of what are some minimum  
24 requirements needed, and certainly they're going to have varying  
25 degrees of uncertainty related to them, but sort of what is the  
26 minimum sort of to get the job done, and so we're going to use --  
27 To look at a letter for the South Atlantic to ascertain that.

28  
29 There's also a potential draft action that could go in for looking  
30 at validation, a nontechnical and technical approach, and I'm going  
31 to give the pros and cons to each one of those, for your  
32 consideration, and I'm also going to touch on a little bit with  
33 the Marine Recreational Information plan, or the MRIP transit  
34 procedure, in this. This is looking a little bit ahead, but it's  
35 just to put it on your radar, and then I'm going to go through  
36 some next steps.

37  
38 Before I really get into the presentation, Bernie, I'm going to  
39 ask you to please pull up the letter, and that is going to be Tab  
40 F, Number 4(a), and then if you wouldn't mind please scrolling  
41 down to the second page, and sort of that first full paragraph,  
42 that last sentence that starts at "At this time, the agency  
43 recommends the following", and if you wouldn't mind highlighting  
44 that, or I guess doing your kind of Vanna White, to highlight that.

45  
46 So this letter -- The South Atlantic, and certainly anybody jump  
47 in if I've got this incorrect, but the South Atlantic has sort of  
48 requested, of the agency, hey, what is sort of needed to get the

1 for-hire program in our region set up such that it can be used for  
2 stock assessments and monitoring and those sorts of things, and so  
3 this was the response, and so I'm going to highlight this little  
4 section here, and I'm actually -- It's kind of important, and so  
5 I'm going to read it, because there's five aspects in here.

6  
7 At this time, the agency recommends the following: logbook  
8 submission prior to offload of catch, a dockside intercept survey  
9 to estimate mis and nonreporting, declaration/prelanding  
10 combination submission prior to a trip, require landings only at  
11 approved listed landing locations, and, in the case of the South  
12 Atlantic, they've got these weekly, because that's the timeframe  
13 in which they are reporting, weekly did-not-fish reports when  
14 fishing does not occur within the for-hire sector. Bernie, if you  
15 wouldn't mind going back, please, to the PowerPoint for me.

16  
17 Within those minimum requirements, there's sort of these four, or,  
18 excuse me, five things in there. Number one is the logbook, but  
19 specifically that it be reported before offloading, and so this  
20 creates independence, right, the idea that, if you knew you were  
21 being watched, you don't do something differently, and you were  
22 just independently saying, hey, this is what I caught, and this is  
23 what I'm looking at, regardless of if I think I'm actually going  
24 to get intercepted or not, and this is just my behavior as it  
25 exists.

26  
27 Actually, in the Gulf program, and looking at our document, we  
28 have that, and that is stipulated in Actions 1 and 2 of the draft  
29 amendment we're working on here in the Gulf, and so, if we want to  
30 be optimistic, perhaps we can go ahead and check.

31  
32 Number two is dockside intercept, and so this was implemented in  
33 the previous plan used in the Gulf, and I think folks are pretty  
34 familiar with it, the idea that you would be -- You know, we  
35 already sort of have this happening with the APAIS and things like  
36 that, and so that's not unusual. I think everybody understands  
37 that that could happen. Again, maybe we're being optimistic, but  
38 check.

39  
40 Number three, the declaration/prelanding notification combination.  
41 Well, we've got that, a trip declaration requirement, in Action 3  
42 in the Gulf amendment, and so we already have that understanding,  
43 in the Gulf, that that's sort of a requirement, and we're there,  
44 and so we have a check.

45  
46 Number four is the approved landing locations. This was also  
47 implemented in the previous plan in the Gulf, and there's already  
48 sort of a list that exists, one that could be used again, perhaps,

1 or modified, depending on perhaps what people say, but, again,  
2 this was part of the old plan, and people recognize that this is  
3 something that was done before, and so maybe a check.

4  
5 Now, number five, the did-not-fish reports, is something that was  
6 not needed in the previous iteration of the for-hire program in  
7 the Gulf, because they had the twenty-four-seven VMS, and so that  
8 sort of took care of that, and you didn't have to do it. If  
9 perhaps that component was not going to be used in the new program,  
10 you would -- It would necessitate the use of a did-not-fish report  
11 for the basic meeting of those minimum requirements.

12  
13 **CHAIRMAN WALKER:** So, not to interrupt your flow here, but I would  
14 like to point out that, to me, this is the most important part of  
15 this whole discussion right here, number five, and I think we  
16 should have some discussion about this, after you're done with  
17 your presentation, but I would direct people to examine number  
18 five for discussion later. Okay.

19  
20 **DR. HOLLENSHAD:** Let's just take it one piece at a time, and so  
21 that's the question. Does the council want a technical solution,  
22 and that's just what I'm going to call it for here, for trip  
23 validation, and so that would be some sort of VMS, or VMS with  
24 geofencing, something like that, and we sort of discussed some of  
25 these at the last meeting, what this might look like.

26  
27 If yes, it would require permanently affixing some sort of  
28 hardware, type of solution, and continuous passive tracking,  
29 twenty-four-seven, whether or not that's submitted. Once you go  
30 past the geofence, you know, that gets reported, but, largely,  
31 this is what it entails, sort of this continuous passive tracking.

32  
33 The pros is there's no did-not-fish reports, and passive tracking  
34 automates, and it's less on the vessel operator to report and  
35 declare, and so it's sort of doing the work for you. Many vessels  
36 already have the VMS, from the previous program. It could provide  
37 some spatial-specific effort information, and so where exactly are  
38 you fishing, in the western or eastern Gulf, and we've had some  
39 conversations about potential regional management broken out that  
40 way, and that could perhaps be used to inform that, if you've got  
41 some locational information, and it certainly provides a higher  
42 level of certainly relative to some of the potential other  
43 approaches.

44  
45 Cons are continuous transmission of location position was, you  
46 know, brought up during the lawsuit, and it's also pretty unpopular  
47 with large sectors of the stakeholder group. Georeference, or  
48 some other method like that, some other flavor, would require extra

1 testing, and perhaps some rulemaking, and so you're looking at a  
2 little bit of a delay, of perhaps a year or so, to be able to get  
3 that up to snuff.

4  
5 Potential technology that may be more feasible for stakeholders  
6 may not be available just yet, and so there might actually be  
7 something that would be more palatable, but we just don't have it  
8 yet, and it could result in a bit of a delay in standing up the  
9 use of the program, and so those are some of the pros and cons  
10 associated with that decision point.

11  
12 Let's look at it the other way. What if the council is interested  
13 in a nontechnical solution for the validation? This could be  
14 covered by what has been developed a little bit so far, with the  
15 inclusion of the did-not-fish reports and modification of the  
16 declaration/prelanding combination, and so, basically, a lot of  
17 what's in the document now would satisfy these requirements, but  
18 there would have to be a little bit of tweaking, and so we'll talk  
19 about it a little bit.

20  
21 Some of the pros is it doesn't require any of that monitoring  
22 technology, and so those discussions would just sort of be put on  
23 the back burner for a bit. This could allow for faster  
24 implementation, because there's not a lot of testing, and that  
25 sort of thing, of those technologies.

26  
27 The next pro is the draft document, like I had mentioned already,  
28 incorporates much of these fields needed for this approach, and  
29 there is the potential to coordinate with state and federal port  
30 agents, or dockside intercept folks, and so you almost have like  
31 a little bit of a collaboration work there, and there's also the  
32 opportunity for more biological data collection, and so that's all  
33 well and good, getting some more scientific information.

34  
35 Some of the cons are it's increased uncertainty of effort estimates  
36 relative to that VMS-type approach, because that's sort of  
37 automated, and that's sort of moving with you, and it sort of does  
38 the work. Now we're relying on basically a lot of communication  
39 between the vessel operators and folks on the docks, and that sort  
40 of thing, and you're going to have to give them, hey, this is where  
41 I'm going, and this is where I plan to be, to increase the  
42 probability that you would be intercepted, or that, you know, those  
43 sorts of things would happen, and so it's going to require a little  
44 bit more communication, and so that's kind of going to that second  
45 bullet point of it requires captains to complete surveys at the  
46 dock. Some docks are not accessible to samplers, and so this would  
47 affect some of the certainties of the estimates.

48

1 Also, funding in the past has been a little bit variable for  
2 supporting dockside sampling, but there is perhaps an approach  
3 where maybe some of the states, and some of that collaboration,  
4 could help, and those little details would have to be teased out,  
5 which actually brings me a little bit to the next slide, Bernie,  
6 and so, as some of you may be aware, there's an MRIP transition  
7 planning ongoing.

8  
9 The nice thing is that, while that is ongoing, is the sort of  
10 development of this program, and so they could kind of be worked  
11 in simultaneously, and benefit each other, working early with that  
12 transition team, to involve some of the state partners with this  
13 type of work.

14  
15 State partners may request additional fields that may be able to  
16 be integrated into the federal for-hire data with the surveys, and  
17 these discussions are critical to have prior to seeking, for  
18 example, the Paperwork Reduction Act clearance. Just an example  
19 here, listed on the slide, and I will just go over the one, is  
20 Louisiana expressed interest in capturing the Louisiana captain's  
21 license number, and this may allow for a more efficient dockside  
22 intercept program that combines the needs of the State of Louisiana  
23 as well as the federal for-hire data collection program, so that  
24 they can sort of work a little bit more in tandem.

25  
26 We'll certainly be able to, you know, look at these data streams  
27 and be able to understand how they interact and be able to put  
28 them together for the process -- For the stock assessments and  
29 monitoring.

30  
31 Being involved in the MRIP transition team will allow for  
32 discussions of survey option designs, fish-number-to-weight  
33 calculations, those kinds of things, calibration, and future  
34 incorporation into data management.

35  
36 I do have a most recent version of the draft document available in  
37 your background materials, and certainly we can pull that up, if  
38 you're interested, but I didn't plan to go dive into it just yet,  
39 but, depending on what decisions are perhaps made at this meeting,  
40 or others, we're certainly going to bring back a revised version  
41 of the document for you all to review at your next meeting.

42  
43 The IPT recommends an action to require perhaps a regular review,  
44 every X number of years, which would allow for the possibility of  
45 an automated trip effort validation, as well as any changes to the  
46 program fields, and so, for example, if the data need requires a  
47 certain type of question, during the review, we may be adding that  
48 to the program, or something like that, but that we basically have

1 regular updates on this program, what's working and what's not,  
2 and what did we actually implement before, and we don't actually,  
3 it turns out, need it, or whatever the case might be, that it  
4 allows the program to sort of be dynamic with the needs of the  
5 fishery, as well as the managers, and so that is something that  
6 the IPT can work on putting into the next iteration of the  
7 document.

8  
9 There's also plans -- We would like to bring you a presentation  
10 that has more in-depth discussions of exactly what that MRIP  
11 transition plan is, and the PRA requirements, as well as some  
12 outreach planning, but first we have to gussy-up the document,  
13 but, once that's through, what are some of these next steps, to  
14 keep you all aware of the process.

15  
16 But first, if we could really get a determination on this issue,  
17 it would really help the IPT move forward with the document, and  
18 start working on some of these other things that are in that middle  
19 bullet there, and so the question I would have for you all is does  
20 the council want a technical, some sort of GPS tracking, solution,  
21 or a nontechnical, and so a lot of communication, in order to  
22 increase the probability of dockside intercepts with the hail-in  
23 and hail-out, solution for the trip validation, and so technical  
24 or nontechnical, and that is where I'm going to stop, unless  
25 anybody has any clarifying questions.

26  
27 **CHAIRMAN WALKER:** Thank you, Dr. Hollensead. I would stay there,  
28 and I hope we have many questions. Dr. Sweetman.

29  
30 **DR. SWEETMAN:** Thank you, Mr. Chair, and so, to this decision point  
31 here about the technical or nontechnical component, so you brought  
32 up some good points in the pros and cons of the geofencing-style  
33 tracking here, and so I guess my question here is, and you even  
34 brought up a little point in there about interaction with the  
35 lawsuit there, and so how is -- I've struggled to understand this,  
36 and how is geofencing different than what was struck down by the  
37 court for this particular program, and maybe that's a Mara  
38 question.

39  
40 **MS. MARA LEVY:** Well, ultimately, I'm not sure it is. I feel like  
41 the idea, when it was first discussed, was like things wouldn't  
42 start pinging until you passed a certain point, or something like  
43 that, right, and like there wouldn't be any -- I'm going to call  
44 it tracking, but there wouldn't be any, you know, pings until you  
45 got to a certain point, but I think, after looking at it more, you  
46 discovered that it still has to be on all the time, right, and so  
47 it still has to be pinging, and then I don't know what happens  
48 when you go past a certain point. I don't know if you could change

1 the frequency of the pings, or whatever, and so I'm not sure it's  
2 much different.

3  
4 I will just say, since I have the mic, that, if we're going to go  
5 down a technical GPS solution tracking, that I'm not sure what we  
6 could do to satisfy, you know, the court at this stage, for a  
7 number of reasons, right, and I think we would have to really  
8 address the privacy issues, the weighing and the balancing, and it  
9 gets harder, because we have another solution, right, and so why  
10 would we choose the technical, twenty-four-hour tracking solution,  
11 when we have a different solution that doesn't require that, and  
12 so we would have to explain that.

13  
14 I would also note, and we haven't really talked about this, but  
15 the court, when they looked at whether it was permissible under  
16 the Magnuson Act, you know, said we didn't have the record for it,  
17 but they were also applying chevron, and so chevron is no longer  
18 good law, and so we would have to look at how that might impact an  
19 interpretation. Then that doesn't even get into the 4<sup>th</sup> Amendment  
20 stuff, but, again, that goes to the privacy and the balancing,  
21 again.

22  
23 **CHAIRMAN WALKER:** Dr. Sweetman.

24  
25 **DR. SWEETMAN:** Thank you for that explanation, Mara. That was  
26 helpful, and so, even just with that being said, I've got some  
27 concerns. Even though potentially the geofencing could be a good  
28 solution for some of the issues that we're dealing with here, given  
29 kind of the interaction with the lawsuit, and what the court struck  
30 down, the fact that there's probably another year or so of testing,  
31 and rulemaking, and probably even beyond that, I think the  
32 discussions that we've had here is to try and revamp this program  
33 as quickly as possible, so we can get that data collection out  
34 there.

35  
36 From my perspective, it kind of feels like, based on what Mara  
37 said there, we -- And some of the challenges associated with that,  
38 that we may be leaning, at least from my perspective, towards the  
39 nontechnical side of things, but then that, of course, leads to  
40 another question that I have for the Fisheries Service, along those  
41 lines, and so, if we did decide to go with a nontechnical route,  
42 the SEFHIER program was cut in funding in the past, and so I'm  
43 wondering what the thought process from NOAA Fisheries there are  
44 for potentially supporting a program along those lines, given what  
45 we've experienced in the past, because we certainly don't want to  
46 run into a situation where we're just not collecting enough  
47 dockside intercepts where we're in a position where we're at with  
48 like kind of what the South Atlantic Council is dealing with, where

1 we get a letter saying the data that we have is useless, basically.

2  
3 **CHAIRMAN WALKER:** Mr. Strelcheck.

4  
5 **MR. STRELCHECK:** A couple of points there, and so I guess, first,  
6 with the comment about the South Atlantic, I think it's a very  
7 different situation, in terms of how they initially designed their  
8 program, first and foremost, right, and so we, in the South  
9 Atlantic Council, during the approval stage, said what that data  
10 could or couldn't be used for, and it was for very limited  
11 purposes, obviously, that we identified.

12  
13 In terms of your comments, C.J., with regard to the, you know,  
14 technical or nontechnical solution, and what Mara has said, I  
15 agree, right, and I think we have to go down the path of a  
16 nontechnical solution, with the requirements that Lisa outlined in  
17 her presentation.

18  
19 There is then an onus on the Fisheries Service, and I view that as  
20 more costly than potentially having a technical solution, although  
21 the burden is shifted, you know, from the cost of the fishermen  
22 over to the Fisheries Service.

23  
24 Right now, we would not have sufficient funding to fully implement  
25 any sort of trip validation program, but that doesn't mean that  
26 Congress, and others, might consider additional funding going  
27 forward in the future, and that's what happened when we initially  
28 adopted the program, and then funds were pulled back a little bit  
29 over time. The main concern I have, I think, is the cost of the  
30 dockside intercept, and, as you know, just boots on the ground can  
31 be very costly.

32  
33 **CHAIRMAN WALKER:** Dr. Banks.

34  
35 **DR. KESLEY BANKS:** So, following up with a couple of points that  
36 C.J. had with this nontechnical solution, as we explore some other  
37 actions in this document, is it possible then to start with a  
38 nontechnical solution, and, if interest changes, once this data  
39 collection program is in, to add an amendment, if we end up with  
40 a technical solution that actually satisfies people?

41  
42 I also say this because we're starting -- I mean, we hear pushback  
43 on economic data as well, and so there might be a way to get the  
44 data collection out, but have two follow-up amendments that come  
45 and add onto this program, and I don't know who I should direct  
46 that to, procedurally.

47  
48 **CHAIRMAN WALKER:** Mr. Strelcheck.

1  
2 **MR. STRELCHECK:** Mara might want to add to this, and, I mean, I  
3 think that's always a possibility, and I think, you know, based on  
4 what we learn from an amendment, and the regulations that were  
5 implemented, if we find some flaws, or limitations, with regard to  
6 how we're collecting data, or some things that we need to change,  
7 right, we can look at other solutions.

8  
9 I think the challenge is what Mara pointed to, right, was, one, do  
10 we have authority, in order to implement that technical solution,  
11 and, two, does that future solution relate to the court case, and  
12 any sort of privacy considerations, and so answering those two  
13 questions will be really critical, in terms of a technical  
14 solution. From my recollection of the court decision, you know,  
15 one of the arguments of the court was essentially that we didn't  
16 justify the need for VMS, and why we're essentially needing that  
17 as a monitoring program for the charter community.

18  
19 Based on, obviously, what we learned, just in the short time the  
20 program was in place, right, we saw it as a much more valuable  
21 tool, compared to what's in the South Atlantic right now, but we  
22 also have these other options that we can pursue in the interim,  
23 as a stepping stone, to see are these going to be sufficient, and,  
24 if they are sufficient, then we don't change course. If they're  
25 not, then we can always come back to the table with an amendment.

26  
27 **CHAIRMAN WALKER:** Kevin.

28  
29 **MR. KEVIN ANSON:** Thank you, Mr. Chair. I'm not on your committee,  
30 and I'm just wondering, and this might be for Dr. Porch, and it  
31 may have been discussed at prior meetings, and I can't recall,  
32 but, relative to the current dockside sampling that's performed  
33 under APAIS for the federal charter boats, could we not just use  
34 that to form the basis of validation, and not have to develop a  
35 separate standalone validation survey?

36  
37 **DR. CLAY PORCH:** Thank you for the question. We certainly could  
38 combine those programs, and take advantage of that synergy, and  
39 the question would be how frequent the intercepts would be.  
40 Ideally, we would step it up, but then that requires funding, but,  
41 yes, in principle, they can all be combined.

42  
43 **CHAIRMAN WALKER:** So that would be just for -- That wouldn't really  
44 cover did-not-fish trips though, because those are reported trips  
45 that are being intercepted, right, and not did-not-fish trips,  
46 correct, and so it still wouldn't solve our did-not-fish problem.  
47 I like the idea, but that's -- I had a thought on the did-not-fish  
48 part, while we're talking about it.

1  
2 We use the threat of being intercepted as validation on that side  
3 of it sometimes, and so what if there was a way that we could send  
4 somebody around to the documented landing sites, randomly, maybe  
5 a five o'clock in the daytime, or see if the boat is in the slip,  
6 as a validation tool on that side, and it's accepted on the front  
7 side, where it's a reported trip, but what if the guy had to be  
8 concerned about, oh, if I go fishing, and I don't tell anybody, a  
9 random guy might be coming by the dock, and, you know, it seems,  
10 to me, that that's acceptable on reported trips, and what if there  
11 was a way that we could use that on the other side, where there's  
12 a threat of you being busted for running a trip and not reporting  
13 it, and would that possibly satisfy any of these validation  
14 requests?

15  
16 To be honest, as a charter fisherman, I don't really like either  
17 -- Some of the did-not-fish things are we'll say burdensome, and  
18 it sounds like we can't really do a VMS, legally, and we may not  
19 have the funding to do the other, and so is that even a viable  
20 idea? I just like to throw random ideas out, and get people  
21 thinking about it, and what does anybody else think about that?  
22 Could it be done that way? Dr. Banks.

23  
24 **DR. BANKS:** So our NOAA OLE in Texas is doing that, or was doing  
25 that, especially last year, when SEFHIER was up and running,  
26 because we borrowed someone's slip, while ours was under  
27 construction, and we weren't in the right slip, and so he did come  
28 let us know that we were not in the right slip.

29  
30 That said, I think that's still more money, to send somebody around  
31 to all the slips, and some funding issues there as well, right,  
32 and so I would argue that, while that's probably feasible, there's  
33 going to be a lot of landing locations, and I can see another  
34 complication with what about the boats that are doing multiple  
35 trips that aren't fishing, and so dolphin watches, booze cruises,  
36 something that's not technically a fishing trip, and does that  
37 count as a no-fishing report, or is that you have to now have a  
38 whole other checkbox in the app?

39  
40 **CHAIRMAN WALKER:** Andy.

41  
42 **MR. STRELCHECK:** I mean, I think there is a methodology in the  
43 sampling that is utilized, like you're suggesting, and I know  
44 they've done that with the headboat program as well, whether it's  
45 boots on the ground or video cameras watching boats leave passes,  
46 things like that, but, like Dr. Banks is suggesting, I think one  
47 of the challenges is people leave their boat slip for a lot of  
48 reasons, right, and it doesn't necessarily mean that they're on a

1 charter fishing trip. It just means that they're out of the slip  
2 at that point, and so knowing when they're fishing, versus not  
3 fishing, would be the challenge.

4  
5 **CHAIRMAN WALKER:** Good point. While I have the mic, I would say  
6 that some of the issues that I have with the did-not-fish reports  
7 is that, you know, you can get a federal violation for not doing  
8 anything, for forgetting something, and I forget things all the  
9 time, and so it's a concern to me, and I also participate in all  
10 different kinds of -- I have South Atlantic permits, and I have  
11 commercial permits, king mackerel, and I spend a couple of months  
12 tarpon fishing, and so it's easy for me to miss a week of reporting  
13 to somebody, and sometimes --

14  
15 I know we've cleaned it up a little bit, but sometimes there is  
16 multiple did-not-fish reports, you know, and, to me, getting in  
17 trouble for not doing anything, you know, especially after some of  
18 the discussions we've had here, on how long a violation will haunt  
19 you, and come up when they do your background check, really for  
20 not doing anything, and some of our AP members, it occurs to me,  
21 have been booted because they forgot to turn something in that  
22 they weren't even doing, and so, to me, there's real consequences  
23 to forgetting to tell somebody that you didn't do anything. I  
24 recognize that there is validation needs here, but those -- For a  
25 guy like me, those come with consequences, too. Dr. Sweetman.

26  
27 **DR. SWEETMAN:** Thanks, Mr. Chair. So I know, you know, one of the  
28 documents provided was a letter from NOAA Fisheries towards the  
29 South Atlantic Council, and so, Gary, our South Atlantic liaison,  
30 can I ask you a question about kind of where the South Atlantic  
31 Council stands, kind of in this process? I know basically VMS is  
32 a nonstarter at the South Atlantic Council, and so I'm just curious  
33 where you all are at, based on that letter you got from NOAA  
34 Fisheries.

35  
36 **MR. GARY BORLAND:** Thank you. We, obviously, have a SEFHIER  
37 program. Our biggest issue, on the Atlantic side, is compliance.  
38 We have very, very low compliance, and we've gone down the path of  
39 trying to put penalties in place, whether it be permitting, limited  
40 entry, and we're exploring a couple of things, and we're setting  
41 up an AP to help us get through some of these, to try to get better  
42 compliance, but, without VMS, we just lack information, and we're  
43 all hungry for, you know, rec data information from SEFHIER.

44  
45 **DR. SWEETMAN:** So where is the South Atlantic Council, in terms of  
46 revisiting this, potentially? Do you know if that's coming up?

47  
48 **MR. BORLAND:** Yes, and, in my report, I will talk about it, but,

1 yes, we're going to bring it back up, and I think it is September,  
2 that we have another report being brought, and so, yes, we are  
3 actively looking at SEFHIER right now.  
4

5 **DR. SWEETMAN:** Thank you. Thank you, Mr. Borland. I appreciate  
6 that, and so the reason why I kind of bring that up is because  
7 we're kind of -- We've got two separate councils here that are  
8 kind of in a similar trajectory, in terms of trying to revamp a  
9 program like this for use in actual management, and, you know, Ed  
10 was talking about dual permits.  
11

12 I know we've got quite a few people, and so I do think that there's  
13 some logic, at least in terms of coordination amongst the councils,  
14 if that's even feasible. I don't know what that would actually  
15 look like, but I do think that there could be some potential value  
16 associated with that, and I know that there's been some discussions  
17 at the table on those lines there, and so just kind of throwing  
18 that out there.  
19

20 We're both in kind of a similar situation, maybe albeit different  
21 scenarios altogether, but trying to revamp a program to get data,  
22 so it's actually usable in the management process, and we're not  
23 just adding additional burdens onto the for-hire fishermen  
24 themselves, as far as this goes, and so I will just leave that  
25 other point there, but I do want to get back to the question that's  
26 on the table here, and so I think we're kind of in a scenario where  
27 we seem to be talking a little bit more about the nontechnical,  
28 and so I'm just throwing that out there.  
29

30 **CHAIRMAN WALKER:** Dr. Porch.  
31

32 **DR. PORCH:** Thank you. I just wanted to comment on Captain Walker's  
33 point. I think the did-not-fish reports, in some sense, are more  
34 keeping an honest person honest, but, having said that, the penalty  
35 for not filing a did-not-fish report probably doesn't need to be  
36 that severe, and it could be more like just a letter saying you're  
37 out of compliance, and you haven't filled in your report, unless,  
38 you know, maybe it's an elevated scale, if this is a persistent  
39 thing.  
40

41 It would be -- I anticipate much lesser violation than if somebody  
42 were to actually land fish without filing the landings report in  
43 advance, because that, of course, would imply that you're trying  
44 to do something clandestine, and not report your catch, or go to  
45 a site that wasn't previously approved, and so I think we just --  
46 You know, the key there is just a difference in terms of what the  
47 penalty would be.  
48

1 **CHAIRMAN WALKER:** I can verify that it starts as a phone call, and  
2 then she calls you again and says, hey, you know, you forgot again  
3 to do your thing, and somebody told me that's what happens, and I  
4 have no knowledge of that myself, but, you know, it's still -- It  
5 could be, and I don't know that the penalty is in writing or  
6 anything, and I try my hardest, with all these different permits  
7 and fisheries that I participate in. Trying not to get a violation  
8 somewhere is challenging for me sometimes.

9  
10 You know, I could forget my turtle net, or my whatever, my dog  
11 bone, or all these things are ways for me to get a violation, that  
12 I try hard not to, and I get the need here, but, you know, as a  
13 working charter fisherman, I don't like either one of these  
14 options, but I recognize that, you know, we're probably going to  
15 have to pick one, and the other charter boat guys that I've spoken  
16 with, they seem to prefer the DNF for now, just to get the program  
17 up and rolling, with the opportunity to maybe find a technical  
18 solution that works down the road, but not to get bogged down with  
19 chasing new technology and holding up the program in the process.  
20 Mr. Anson.

21  
22 **MR. ANSON:** Again, not on your committee, but, just to continue on  
23 some of the conversation, the comment that I made earlier about  
24 the APAIS dockside survey, and addressing your comment about these  
25 other things that they might be doing, and, you know, there has  
26 been use of the charter boat survey, telephone survey, and, as  
27 part of that survey, you know, it's directly calling the captains  
28 to get effort, but then there is also a dockside visit that's  
29 conducted during the week of all the selected vessels, or at least  
30 an attempt, and then they try to get information, either directly  
31 from someone that is associated with the vessel, or some like  
32 marina operator, if a vessel is not in a slip, as to what their  
33 status is.

34  
35 Then that has an impact on the estimate from the raw number of  
36 trips that are reported from each of the captains each week, and  
37 so, as was mentioned by I think Dr. Porch earlier, there are some  
38 methodologies that are currently in use that we could lean on, if  
39 you will, as we look more seriously at this type of program.

40  
41 **CHAIRMAN WALKER:** Thank you for that. Dr. Hollensead.

42  
43 **DR. HOLLENSSEAD:** Thank you, Mr. Chair. Just to get to a couple of  
44 questions, it's my understanding that the do-not-fish reports --  
45 They don't necessarily have to be every week, and they could be  
46 every month or so, and we can talk to some of the folks associated  
47 with the program, if that helps with sort of the ease of, hey, do  
48 you remember if you went fishing last week, versus throughout the

1 month, you know, the month of whatever.

2  
3 These would also be available for -- We understand that a lot of  
4 the captains transition to something else, like hunting or  
5 something like that, and so they would be able to write one for  
6 the month, of, hey, I'm going to be doing hunting operations, or  
7 those sorts of things, one time, and then I'm done, and so I  
8 believe there is some flexibility to be able to handle that, so it  
9 makes it more feasible.

10  
11 Then, to Dr. Sweetman's question, the South Atlantic and Gulf, the  
12 the council staff, we've actually been comparing notes this whole  
13 time, and we just haven't sort of officially been doing that, but  
14 they've been asking questions, as they begin to build-out their ad  
15 hoc AP, you know, sort of what that would look like, and what they  
16 could do with that, and so we're a little ahead of them, but we're  
17 comparing notes for any conversations about those things, and so  
18 we're actively talking.

19  
20 **CHAIRMAN WALKER:** Mr. Strelcheck.

21  
22 **MR. STRELCHECK:** To add to that, and I appreciate Gary's synopsis,  
23 and the South Atlantic is behind, but I certainly have been  
24 communicating with the council, and we've been sharing information  
25 from the Gulf Council to the South Atlantic, about what's happening  
26 over here, the actions and alternatives being considered, and  
27 certainly it's the goal of the Fisheries Service to have one  
28 SEFHIER program that operates similarly throughout the entire  
29 region, but we know that each of the councils manage their, you  
30 know, fisheries a little bit differently, from a regional  
31 difference perspective.

32  
33 With that said, I mean, I know we've kind of gotten bogged down  
34 in, you know, next steps, and it seems like we all, or at least  
35 everyone that has spoken, is in agreement with a non-GPS tracking  
36 solution for now, and so the question really comes down to the  
37 details, with regard to that non-GPS solution.

38  
39 I will say, with the did-not-fish reports, right, the key there is  
40 we want to validate whether fishing activity occurred, or didn't  
41 occur, during a certain period, right, whether it's a week, a  
42 month, every two weeks, and I recognize that it's an added burden,  
43 but, if you are fishing, then that overrides, obviously, the need  
44 for a did-not-fish report, and, if you're not fishing, it just  
45 tells us, hey, you weren't fishing, and I believe you can submit  
46 them up to thirty days in advance, and so, for example, if you  
47 know your boat is going to be out of the water, and you know you're  
48 going to be hunting, you could actually submit them in advance,

1 and ease that burden, in terms of when the data has to be submitted,  
2 so you don't forget.

3

4 **CHAIRMAN WALKER:** Dr. Banks and then Mr. Sanchez.

5

6 **DR. BANKS:** Just a reminder that, while we're also going through  
7 this process, HMS is doing some kind of reporting system as well,  
8 and, in September, they have their advisory panel meeting, and  
9 that is on the agenda, and that is outside of the council process,  
10 and so, what they decide, they just decide, and so just a reminder.

11

12 **CHAIRMAN WALKER:** So one more permit requirement for reporting to  
13 add on the pile. Got it. Mr. Sanchez, please.

14

15 **MR. JOHN SANCHEZ:** Thank you, Mr. Chair. Don't the headboat do  
16 did-not-fish reports weekly? Isn't that acceptable there? Does  
17 it work there, and could it work here?

18

19 **CHAIRMAN WALKER:** Mr. Freeman, do you know anything about headboat  
20 reporting?

21

22 **DR. MATT FREEMAN:** No, sir, I do not.

23

24 **CHAIRMAN WALKER:** Mr. Strelcheck, please.

25

26 **MR. STRELCHECK:** I believe they have to do it weekly, but they can  
27 submit it like on a monthly basis, right, and so in advance.

28

29 **CHAIRMAN WALKER:** So go ahead and say something, Mr. Council  
30 Member. We would love to hear what you have to say.

31

32 **MR. TROY FRADY:** I come from a transportation background, but we  
33 had over 9,000 trucks rolling, and all of those trucks, before  
34 electronic logbooks, had to submit a paper logbook. There was no  
35 penalty, or there was no reason why they had to submit a did-not-  
36 fish report, or a do-not report, until they actually went into  
37 service.

38

39 For example, if I was not driving my truck for a month, or two  
40 months, or three months, whatever the period may be, before we  
41 activated our logbook and started driving, and going to work, we  
42 had to have another log showing the time that were off prior to  
43 that date. A simple did-not-fish report could simply be called a  
44 report to show what you've been doing for the previous sixty or  
45 ninety days, or whatever days, but it shouldn't be used as a  
46 penalty for someone, but it can be used in conjunction with, and  
47 so, whenever I start work today, the actual rule says you must  
48 show what you've been doing for the previous seven days, because

1 there's a rule called the previous -- You can only work seventy  
2 hours in eight days, and so it's a safety factor.

3  
4 In this instance right here, it could simply be -- Don't penalize  
5 the guy who is off for six months, and, all of a sudden, he decides  
6 to get a trip in March. Have him fill out a logbook saying, well,  
7 my intent is to fish this day, and then go forward, but also have  
8 him submit possibly what he was doing for the past sixty days, or  
9 ninety days, and he can say that I did not fish between these  
10 dates, and then I can begin my date on the date that I actually  
11 started fishing, and so that's just kind of a thought, but it's  
12 based on the way the transportation industry works.

13  
14 **CHAIRMAN WALKER:** Thank you, Mr. Frady. Mr. Anson, and then Dr.  
15 Frazer.

16  
17 **MR. ANSON:** Just a follow-up then, Troy. That was a Federal  
18 Transportation Administration requirement, and not just within  
19 your company? Is that correct?

20  
21 **MR. FRADY:** Yes, and that is the Federal Motor Carrier Safety  
22 Administration requirement, and the reason for it is based on  
23 truckers had long got a blackeye for operating hours of service,  
24 or exceeding their hours of service, thus causing accidents, and  
25 so they tried to get a handle on it, to make sure that people were  
26 not working too many hours.

27  
28 You know, for us, the Coast Guard doesn't really monitor us -- You  
29 know, we're allowed to work twelve hours a day, but the problem  
30 is, when you start trying to build a system for fishermen, safety  
31 is a concern, but we're trying to do something right here that the  
32 technology is already there, and it's just a simple paper logbook,  
33 but it just shows what you were doing the previous seven days, or  
34 ten days. The did-not-fish report should not be used as a hammer.

35  
36 However, I myself got stopped in Jackson County, Mississippi one  
37 day, coming back through, at a DOT check, and it was Jackson  
38 County, Mississippi that had a federal grant where they were  
39 actually out there doing federal DOT work. I had forgotten to  
40 write down my previous seven days on my logbook, even though my  
41 logbook was correct, and they put me out of service for failing to  
42 have the previous seven days, your off-duty days, in addition to  
43 your daily record, and so it could simply be used as the most  
44 noninvasive thing, but it also could be used where you've got it  
45 in your books that I was off for six months, or I was off for three  
46 months, but it would be a very beneficial, but noninvasive, tool  
47 to use for tracking charter boats.

1 **CHAIRMAN WALKER:** Dr. Frazer.  
2  
3 **DR. TOM FRAZER:** Listening to Troy's comments, and they're  
4 interesting, but, I mean, aren't we thinking about a little bit  
5 more frequent did-not-fish trips, and that was the concern, right,  
6 and so like almost, you know, daily, and I guess you could solve  
7 that problem with a questionnaire that says, you know, did you  
8 have a trip that didn't involve fishing, you know, since your last  
9 report, or hail-out, or something like that, and try to just -- I  
10 just was thinking that the timescales were probably a lot more  
11 frequent than we're talking about here.  
12  
13 **CHAIRMAN WALKER:** I think it becomes daily if you report a positive  
14 -- You know, if you have a monthly thing, and you say that I went  
15 out last Thursday, and that de facto becomes daily at that point.  
16 Carrie.  
17  
18 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair, and so  
19 I think we kind of said that the committee wanted to move forward  
20 with a nontechnical solution for trip validation, but we've spent  
21 a lot of time -- There's been a lot of discussion on this, a lot  
22 of resource, and so I think that the committee, or the council,  
23 should consider passing a motion and directing staff that you want  
24 us to move forward that way.  
25  
26 **CHAIRMAN WALKER:** So that was my next comment, recognizing that  
27 we've spent a lot of time on this. I do see that this committee  
28 doesn't have -- I would say it has passive support for the DNF at  
29 this time. I think maybe we keep -- Unless someone wants to float  
30 a motion, we can keep thinking about it until Full Council, and  
31 ask for a motion then, but I think we're being asked to make a  
32 decision at this meeting, to come out of this meeting with  
33 something to help staff go forward, and so I recognize that. To  
34 me, I am reluctantly in favor of that. You know, I don't like  
35 either option, but I recognize that we could drag it out for a  
36 long time, and so --  
37  
38 **EXECUTIVE DIRECTOR SIMMONS:** So I guess just a follow-up. What I  
39 was suggesting is that you're making a clear distinction that  
40 you're not moving forward with a VMS or geofencing. As far as the  
41 other validation measures, I think we have to discuss those in a  
42 lot more detail, but I was just saying clearly delineate that you  
43 don't want us to keep considering those technological validation  
44 methods.  
45  
46 **CHAIRMAN WALKER:** Dr. Banks.  
47  
48 **DR. BANKS:** To that point, I will make a motion, if you will

1 entertain it, Mr. Chair. Bernie, I did not send it to you, and so  
2 I'm just going on the fly here, and so feel free to help wordsmith.  
3 **I will make a motion to move forward with nontechnical solutions**  
4 **in the SEFHIER 2.0, or whatever we're calling it.**  
5  
6 **EXECUTIVE DIRECTOR SIMMONS:** We can put "validation" in there, or  
7 "trip validation"?  
8  
9 **DR. BANKS:** Sure. Yes, to move forward with nontechnical solutions  
10 for trip validation. Lisa has got this.  
11  
12 **CHAIRMAN WALKER:** We have a motion on the board to move forward  
13 with nontechnical solutions for -- I would say maybe "for-hire  
14 trip validation".  
15  
16 **DR. BANKS:** Sure.  
17  
18 **DR. SWEETMAN:** Second.  
19  
20 **CHAIRMAN WALKER:** It's seconded by Dr. Sweetman. Is there any  
21 opposition to the motion on the board, or is there any discussion?  
22 I'm sorry. Go ahead.  
23  
24 **DR. SWEETMAN:** Just a quick question, and so, if we decide to move  
25 forward with this, we can include hail-ins and hail-outs within  
26 part of this here?  
27  
28 **EXECUTIVE DIRECTOR SIMMONS:** Yes, and my understanding is that  
29 would be part of the software development, potentially, or the  
30 logbook, but I can ask. Is that correct? The hail-in and hail-  
31 out be still part of the validation, and it would be a technical  
32 piece of it, but not the fulltime continuous technical monitoring  
33 for trip validation and --  
34  
35 **DR. HOLLENSHAD:** Correct.  
36  
37 **EXECUTIVE DIRECTOR SIMMONS:** That is technical, and so that is a  
38 good -- That's what I thought.  
39  
40 **CHAIRMAN WALKER:** Mr. Strelcheck.  
41  
42 **MR. STRELCHECK:** Yes, and, I guess, just put a finer point on it,  
43 you know, the way I would interpret this is we would be considering  
44 the minimum requirements that NMFS outlined in the letter, and  
45 then, based on the discussion today, we can get into a little bit  
46 more of the details, in terms of the mechanics of how those might  
47 work.  
48

1 **CHAIRMAN WALKER:** Yes. This will give us some kind of a step  
2 forward, I think, and not necessarily eliminate other things  
3 entirely. Any more discussion on the motion on the board? Okay.  
4 We'll take a vote. **Is there any opposition to the motion on the**  
5 **board? Seeing none, the motion carries.** Moving on now to Other  
6 Business, and I think, Mr. Strelcheck, that's you.

7  
8 **OTHER BUSINESS**  
9 **DISCUSSION OF SERO PERMITS DATABASE**

10  
11 **MR. STRELCHECK:** Yes, and so, over the last couple of weeks, we've  
12 had some very good conversations with Carrie and John about our  
13 Southeast Regional Office permits database, and so, several years  
14 ago, we had contracted to build a new electronic system for  
15 issuance of permits, and that's been a work-in-progress, but, for  
16 the most part now, we have a very functional frontend of the  
17 system, that's working very well, and really cutting down on errors  
18 and speeding up the timeliness of issuance of permits.

19  
20 I wish the backend I could say the same thing about, and so, when  
21 the data comes in, it's being collected correctly, but it's not  
22 necessarily being housed in a format this interpretable, at times,  
23 and so we've been working closely with the contractor on resolving  
24 fixing that database, but it has created, obviously, a number of  
25 problems that directly relate then to the council's work.

26  
27 You, obviously, are developing amendments, and fishery management  
28 plans, and you rely on accurate permit data, and information, and  
29 we're not able to deliver that information, at least with  
30 confidence, post about 2020, or 2021.

31  
32 Right now, we are working with the contractor to deliver what we're  
33 calling a snapshot database, which is accurate data that's  
34 inclusive through 2023, so that the council can proceed with all  
35 of your regulatory actions with data up through the most recent  
36 year. We're going to get a demonstration of that later this week,  
37 actually during the council meeting, from the contractor, to see  
38 if that's a viable path forward.

39  
40 We're also doing some QA/QC cleaning up of the data, with regard  
41 to being able to generate permit counts by year, as well as by  
42 kind of geographic region, and our hope is that we will have that  
43 information cleaned and ready for use by the council in the coming  
44 weeks, and so we are prioritizing this as -- It's the top of my  
45 priority list, but I recognize that it can be disruptive to the  
46 work that the council is doing.

47  
48 With talking with Carrie and John, and I would certainly welcome

1 their input, or further thoughts on this, and we do see this  
2 negatively affecting Amendments 59, and potentially shrimp,  
3 although I'm coordinating with the center about the needs for the  
4 shrimp data that would be provided in November.

5  
6 Beyond that, if we do come up with some of these viable solutions  
7 over the coming weeks, or months, then we should be able to provide  
8 a path forward, in terms of all the other amendments, and Jack  
9 McGovern, and my team, I asked them to kind of do a deep dive,  
10 looking at all the actions and alternatives in the amendments,  
11 what is contingent on having permit data used, what isn't, what  
12 are things that we can continue to work on with amendments without  
13 permit data, and what are things that are essentially going to be  
14 halted, because permit data is a requirement for that, and so I  
15 wanted to share that with you, because, obviously, we don't want  
16 to slow the work of the council, but we recognize that we're kind  
17 of getting to a critical juncture with several of the management  
18 actions that you're working on that could be affected by this,  
19 and, as we work through this council agenda, we can kind of talk  
20 a little bit more in-depth with specific amendments, as to what  
21 may or may not be affected by this permit database issue. I will  
22 stop there, and answer any questions, or, Carrie, if you want to  
23 add anything, and I really do appreciate the conversations we've  
24 been having on this.

25  
26 **CHAIRMAN WALKER:** Mr. Schieble.

27  
28 **MR. CHRIS SCHIEBLE:** Thank you, Mr. Chair. Andy, I appreciate  
29 that, and, I guess, for a little bit more clarity, at the April  
30 council meeting, I believe Dr. Mike Travis talked about the valid  
31 and renewable shrimp permits, and that we were approaching the  
32 1,175 threshold for those, and probably within a hundred permits  
33 or so, I think he said, and that we should consider having an  
34 update on that, potentially at the November council meeting, in  
35 order to know when to populate that review panel. Do you think  
36 that would be possible for the November council meeting coming up?

37  
38 **MR. STRELCHECK:** So I will cautiously yes, and, with the second  
39 item that I was discussing, which is kind of this cleanup of the  
40 permit data, to where we could generate annual estimates of permit  
41 numbers, as well as where they're homeported, and other just  
42 statistics within the permit database, we're optimistic that that  
43 can be done in weeks, you know, by sometime in September, we would  
44 have that available, and then be able to provide that information  
45 to the council with shrimp.

46  
47 There's some other things, related to for example the shrimp  
48 amendment, and whether we were requiring, you know, the devices on

1 all vessels, or a subsample of vessels, and how do we sub-select  
2 those vessels, and providing, obviously, then the administrative  
3 costs associated with all that, as well as the burden on the  
4 fishery, and so those are the kind of details we're trying to work  
5 through, in terms of what does the data tell us, and how can it be  
6 used, and what are some of the limitations to it, but the short  
7 answer is cautiously yes, and I have committed to Carrie that we  
8 would circle back with her sometime in mid-September, kind of as  
9 a go or no-go for some of those November agenda topics.

10  
11 **CHAIRMAN WALKER:** Mr. Anson.

12  
13 **MR. ANSON:** Thank you. Andy, in regard to the snapshot that you  
14 described, as far as a point in time number of permits and their  
15 status, is that going to be tied in with the FOIA request with the  
16 Southeast Regional Office on the website? Currently, you can go  
17 on there, and the FOIA request, and you can download the list of  
18 current permit holders, and is that going to be tied in as well?

19  
20 **MR. STRELCHECK:** That I would have to get back to you on. I don't  
21 know the answer to that.

22  
23 **CHAIRMAN WALKER:** Well, on the front side, I can tell you that  
24 most of the fishermen I know have had a lot of good things to say  
25 about the improvements in the speed of the permits being issued  
26 and the delays. That part of it has been a great improvement, and  
27 I think somebody has done a good job there, and it sounds like  
28 you're aware of the issues on the backside, and addressing them,  
29 and so I appreciate that, but I will say that a lot of the fishermen  
30 involved are thankful for the improvements on the issuance and the  
31 speed at which you can get your permit, and not getting caught up,  
32 and not being able to fish, and waiting for your permit in the  
33 mail, and so somebody has done a good job over there.

34  
35 **MR. STRELCHECK:** Yes, and, just to comment, real quick, Captain  
36 Walker, that's been the benefit of the system, right, and so it  
37 used to be that it was not uncommon that we were running a thirty  
38 or sixty-day lag from the time we receive a permit, or longer, to  
39 when we actually issue it, which can be problematic, for especially  
40 expiring permits, when people need them.

41  
42 Now I think we're probably close to two years, where we've not  
43 even been running a backlog, right, and so we're able to turn the  
44 permits around very quickly. Our frustration has just been,  
45 obviously, how that data is then getting combined and stored on  
46 the backend, and some of the logic that's being used to house that  
47 data hasn't been, obviously, working, and so we're trying to  
48 resolve that.

1  
2 **CHAIRMAN WALKER:** Okay. Anyone else? Dr. Hollensead.  
3  
4 **DR. HOLLENSEAD:** Thank you, Mr. Chair. Just for staff's  
5 clarification, we just wanted to make sure that it was the desire  
6 of the committee, and would you all be interested in, when we bring  
7 the document back to the next meeting, having an action in there  
8 in which we put in some sort of consideration for regularly  
9 reviewing the program as well, that we had mentioned a little bit  
10 during the presentation?  
11  
12 **CHAIRMAN WALKER:** I am not opposed to it. It might be a little  
13 early for that, and we haven't even decided what we're talking  
14 about yet, but I suppose that that's a part of the process,  
15 correct? Anyone? Dr. Sweetman.  
16  
17 **DR. HOLLENSEAD:** Mr. Chair, it would be sort of a -- You know, at  
18 what time period would the program be reviewed, and that's what I  
19 would be, and so it would put a consideration action into the  
20 document that said every three years, every two years, every five  
21 years, whatever, that it's sort of the desire of the council that  
22 we will regularly review this, and we'll check and see what's  
23 working, and it's almost like a health check of the program, what  
24 are getting out of it, that sort of thing, and so to clarify that.  
25  
26 **CHAIRMAN WALKER:** Dr. Sweetman.  
27  
28 **DR. SWEETMAN:** I think it makes sense to have a regular review.  
29 We've kind of talked about -- I think Dr. Banks brought up the  
30 potential for additional amendments that we could throw onto this,  
31 if there is substantial changes that could be made that would  
32 benefit the program, and so I think it makes sense, from a regular  
33 review process, and I would not put it, probably, at the one to  
34 two-year timeframe, and I would probably backtrack to maybe five,  
35 something along those lines, and that seems a little bit more  
36 reasonable, to see how all this plays out, evaluate it effectively,  
37 and then move forward.  
38  
39 **CHAIRMAN WALKER:** Andy.  
40  
41 **MR. STRELCHECK:** I am certainly supportive of a review, and I would  
42 expect that we would be bringing back data, and information, on a  
43 regular basis, regardless. You know, Lisa mentioned an action,  
44 which then makes me think of actions and alternatives, and I'm  
45 wondering if this just could be something that's embedded in the  
46 document, is the council agrees to a certain review time period,  
47 rather than having an action and alternatives. Lisa, I don't know  
48 if you heard that, but I was just mentioning whether it needs to

1 be an action or if we could just specify in the document that the  
2 council agrees to a certain time period for this action.

3  
4 **DR. HOLLENSHAD:** That's a good question, and I think that's  
5 something that I would bring up at our IPT meeting, and get  
6 clarification on that.

7  
8 **CHAIRMAN WALKER:** Dr. Simmons.

9  
10 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so, when  
11 you guys were discussing this review, would it be a lot like what  
12 we get for the headboat region, where we get -- I think it's a  
13 five to seven-year review, and they produce annual reports, or is  
14 it along the lines of the IFQ program reviews? Do we know what  
15 the structure and depth of these reviews look like? We probably  
16 should bring that back to the council as well.

17  
18 **CHAIRMAN WALKER:** Okay. Mr. Anson, do you want me to wrap this  
19 up, or did you have a comment?

20  
21 **MR. ANSON:** I was going to suggest, and for your consideration,  
22 since we have originally scheduled our lunchbreak to begin at  
23 12:00, and we -- If we started Sustainable Fisheries, we might run  
24 a little late, but then that would leave us a lot of time in the  
25 afternoon that's open, and so I'm just wondering if you would be  
26 of interest, or the committee would be of interest, to review the  
27 document, and there has been a minor change that was made since  
28 the last time it was brought to the council.

29  
30 We do have at least one full-fledged new member here that probably  
31 isn't familiar with it, and we have one member that has probably  
32 been listening on the side, as a for-hire captain, but, anyway,  
33 I'm just offering that for consideration, if you wanted to take  
34 the majority of what's remaining until our lunchbreak to do that.

35  
36 **CHAIRMAN WALKER:** I suppose. I don't see a lot of help here.  
37 Reviewing the document would mean Dr. Hollensead, and would that  
38 be correct? So it's okay with me if it's okay with the committee.

39  
40 **REVIEW OF DOCUMENT**

41  
42 **DR. HOLLENSHAD:** Thank you, Mr. Chair. Bernie, if you wouldn't  
43 mind pulling up the document, and that's Tab F, Number 4(b). While  
44 that's being pulled up, I will just remind everyone, and so, at  
45 the last meeting, when we were reviewing the document, several of  
46 the council members had brought up the language in it is a little  
47 bit confusing, as it moves through what is a charter vessel, what's  
48 a for-hire vessel, and various authors worked on different

1 sections, and so there was a desire to get sort of standardized  
2 language of how we're going to do that and then follow it through  
3 the document.

4  
5 Pretty much one of the modifications that we've done -- Bernie, if  
6 you wouldn't mind scrolling to Figure 1.1.1, and so, after  
7 reviewing that sort of discussions, and having discussions in the  
8 IPT, we developed this figure here, this sort of decision tree of  
9 what things will be called, just to try to add some clarification  
10 to folks, and certainly to try to make this work for one group,  
11 you know, through the document, and so, again, we have some of  
12 these things as the purpose for the document, but sort of the crux  
13 of the issue is that we decided that for-hire vessels should sort  
14 of be a large umbrella-encompassing term, and so it's vessels that  
15 possess the Gulf federal charter/vessel permit.

16  
17 Then there was some question of, okay, does that for-hire-permitted  
18 vessel also have a Coast Guard -- Is it certified with inspection  
19 to carry more than six paying passengers, and so that was a  
20 decision point to let you know that, okay, break out that's sort  
21 of a headboat or a charter vessel, but, within that description,  
22 you know, Southeast Regional Headboat Survey has also has sort of  
23 its own definition within headboat of what that include into that  
24 survey, and so it's a little different from what the Coast Guard  
25 would -- So that's where sort of I think the wording got a little  
26 -- In the previous drafts, it got a little muddled, and so we are  
27 attempting to try and at least shoehorn some of these things, so  
28 that, at least when you go through the document, people understand  
29 what action is talking about what portion of the for-hire group  
30 and another.

31  
32 Within the headboat sort of designation is, is the headboat  
33 selected to participate in the headboat survey, and, if yes, the  
34 document is going to consider them an SRHS headboat, and everything  
35 else will be charter vessel, because there are some headboats that  
36 are not included in that program, and we're sort of losing them  
37 through the weeds here, and this document -- The purpose of this  
38 document is sort of to bring them into the fold, so we're getting  
39 data collection information from them, and so it needed a figure.

40  
41 **CHAIRMAN WALKER:** Mr. Anson.

42  
43 **MR. ANSON:** I guess is the intent of the document, or is there  
44 language in the document, that will allow for the flexibility, I  
45 guess -- If the headboat survey folks decide to take on a new  
46 vessel, they will just go into that group, and they will be  
47 excluded automatically from any of the requirements, reporting and  
48 such, related to the for-hire vessels, right, going forward,

1 because that list will change over time, and it may go down, and  
2 it may go up, if they have certain new criteria or something.

3  
4 **DR. HOLLENSSEAD:** Right, and so it's my understanding that, right  
5 now, because the programs are sort of operating a little  
6 differently, this becomes confusing. Once this is implemented,  
7 then it will be all under the one sort of -- The headboat survey,  
8 and then you would have the charter, and it would be broken out  
9 sort of like this, and I will let Ms. Levy speak to that, but the  
10 idea here, at least for this figure, is we were trying to show  
11 that this is what it looks like now, which is a little muddled,  
12 what we want it to look like at the end, and potentially we could  
13 have various iterations of this diagram that goes through, and so  
14 it says this is what it looks like now, and these are the groups  
15 that these various things report to, and then, with the  
16 implementation of this, this is where it would go, and so I  
17 actually see this as potentially being an evolution of this figure,  
18 but I will certainly let Ms. Levy speak to your question.

19  
20 **CHAIRMAN WALKER:** Ms. Levy.

21  
22 **MS. LEVY:** Well, I mean, I think this is how it was before, and I  
23 think, when we did the program before, there was still those  
24 vessels that were selected for the headboat survey, and they had  
25 a slightly different form, right, than the other vessels, and I  
26 think the way we wrote it, and the way we would write it, it would  
27 still allow for that, right, and so, if you're selected for the  
28 headboat survey, then you get shuffled into that form, as opposed  
29 to the charter form, which I think was a little bit different,  
30 just so that they could preserve their data in that survey.

31  
32 **CHAIRMAN WALKER:** Okay. Continue.

33  
34 **DR. HOLLENSSEAD:** Okay, and so, Bernie, if you wouldn't mind -- I  
35 guess we could also look at the purpose and need, and there was a  
36 request, specifically in a motion, to draft some new language to  
37 include in the purpose and need, and so that has been added. You  
38 know, certainly, when we bring up the draft again, if we add an  
39 action or so, you know, for the review potentially, this would  
40 probably change a little bit, and so we will see this again, but  
41 I just wanted to sort of alert the group that that had changed.

42  
43 **CHAIRMAN WALKER:** Okay.

44  
45 **DR. HOLLENSSEAD:** Mr. Chair, would you like me to walk through every  
46 action, just to provide an overview for the new council members or  
47 anything like that?

1 **CHAIRMAN WALKER:** I'm not seeing a lot of reaction, and so are we  
2 going to continue through the whole document, or just highlights,  
3 or --  
4  
5 **DR. HOLLENSHAD:** I can just do the highlights of what is in here  
6 now, and then what would be added, so council members -- So you  
7 can know what to expect.  
8  
9 **CHAIRMAN WALKER:** I'm sure the new council members would appreciate  
10 that.  
11  
12 **DR. HOLLENSHAD:** Okay. Bernie, if you wouldn't mind please going  
13 to Action 1. In Action 1, it's going to establish the frequency  
14 and mechanism of data reporting for for-hire vessels, and so, as  
15 you can see, we're going to carry that language that I had in that  
16 Figure 3, and I just did the figure, and we're eventually going to  
17 get through it, so we know what groups of vessels we're speaking  
18 about, but this first action would be those that do not participate  
19 in the headboat survey, and so it's encompassing all these other  
20 charter vessels, your six-pack boats and those folks, those charter  
21 vessels.  
22  
23 As I mentioned in the previous presentation that I gave today,  
24 this would require the logbook reporting for each trip. For any  
25 of those folks that are new, we have had a for-hire ad hoc AP come  
26 and speak to some of these things, and, actually, quite a few of  
27 their recommendations was input into this document.  
28  
29 For example, in the South Atlantic, they report weekly. We  
30 actually found, in speaking with our ad hoc group, that they  
31 actually preferred reporting after each trip, and they felt like  
32 it actually helped them fill out the form a little bit quicker,  
33 and memory retention was better, those sorts of things, especially  
34 for those folks that run multiday trips, and so to give you some  
35 rationale as to why we have some of these various alternatives  
36 here, and that was the rationale.  
37  
38 Bernie, if you wouldn't mind please going to Action 2, and so, in  
39 Action 2, this action is actually going to be very similar to the  
40 first action, except it's going to apply to those that participate,  
41 do participate, in the headboat survey, and the various  
42 alternatives there, again, would require that the vessel operator  
43 of the headboat would submit fishing records, or a logbook, each  
44 trip, or submit daily. You know, ideally, after each trip, and  
45 there's more certainly around that estimate than doing so daily,  
46 but it's structured very similarly, but it would bring the  
47 headboats into that same timing as the reporting level would be  
48 for the charter vessels.

1  
2 Bernie, if you wouldn't mind please going to Action 3, and so this  
3 action has to do with the trip notification and effort reporting,  
4 and so, you know, given what the council has spoken up to here, we  
5 can look through this, and, again, in my presentation a little bit  
6 earlier, I was mentioning this, to let you know that, hey, that  
7 you would have to hail-out and let everybody know that I'm out on  
8 a for-hire fishing trip, or potentially I'm also out on sort of  
9 for-hire activity, but just, you know, a sunset cruise, or  
10 something like that, so they can collect some of the information  
11 associated with that, how often are these trips taken for fishing  
12 versus various charter activities, but it also lets the agency  
13 know that that is what you're actually doing, and it provides some  
14 information on what your effort is.

15  
16 This alternative is structured such that, for example, you could  
17 select Alternative 2, Options a or b, so that it would incorporate  
18 both the charter vessels and the headboat surveys, and then it  
19 would encompass all of those, and you would hail-out and report  
20 that out, that trip out.

21  
22 Bernie, if you wouldn't mind scrolling to Action 4, and so this  
23 fourth action -- You may have heard some of the council members  
24 alluding a little bit to the economic data, and this has been a  
25 little bit of a point of contention from the program that was  
26 previously implemented. Generally, what we mean by economic data  
27 is, you know, price of fuel, gallons used, those sorts of  
28 questions, and so the agency is interested in collecting those.  
29 It helps inform the documents, as you see before you.

30  
31 Looking the alternative comparisons, we have to include economic  
32 information when doing those comparisons, as well as also helping  
33 with like disaster mitigations, and those sorts of things, to get  
34 an idea of, you know, after a disaster, applying some sort of  
35 financial benefits to fishermen, that they could use these records  
36 to inform those types of decision-makings, and so that's why this  
37 action is in here as it is now.

38  
39 There's been some discussion of, in the previous iteration of the  
40 program, a vessel owner or operator was required to do that after  
41 every trip, and many stakeholders expressed, you know, that that  
42 was no desirable for them to do so, and so there's this Alternative  
43 3 here, and, Bernie, and if you wouldn't mind scrolling down a  
44 little bit, just so we can see the various options under  
45 Alternative 3. Thank you, ma'am.

46  
47 There was some discussions, here at the council level, of, well,  
48 what if we go on ahead and we instead look at this economic

1 information, but we do so as a survey, and so we survey some  
2 fraction of the fleet to report these data, economic data,  
3 throughout the program.

4  
5 **CHAIRMAN WALKER:** I don't know if this is where we're at on  
6 discussions on now, but I do remember that -- Obviously, this was  
7 a big, very big, issue for us, and the team of economists they  
8 sent to convince us that we need more and more economic data --  
9 Reluctantly, Dr. Liese, I guess, said that they could get what  
10 they need with 10 percent of the trips, and that's enough, and I  
11 believe it's 10. I looked it up last night, and Dr. Liese said,  
12 twice in the meeting, and it's documented, that 10 percent would  
13 be acceptable for that, and I have not forgotten it, and I can  
14 quite the statute, if you would like.

15  
16 At some point, I'm going to propose adding an Option e, I suppose,  
17 or, well, I guess it says up to 10 percent, but I'm going to  
18 propose a direct 10 percent, but this is just a review, I think,  
19 right now, and we have time constraints, and so, Dr. Banks.

20  
21 **DR. BANKS:** I would support that, Ed, and I would also throw in  
22 there that maybe Options a and b might be a little extreme, and  
23 something to remove. I will also throw out that, since this was  
24 the other big issue in the lawsuit, that we consider maybe removing  
25 this action into its own document, and that's just a thought.

26  
27 **CHAIRMAN WALKER:** Mr. Strelcheck.

28  
29 **MR. STRELCHECK:** Well, I would oppose separating this into a  
30 different document, and so the lawsuit, just to refresh everyone's  
31 memory, and, Mara, help me out, is an Administrative Procedures  
32 Act violation, right, and so, essentially, the argument was that  
33 we said we were going to require the socioeconomic data, but we  
34 weren't specific as to what we were requiring, and then it ended  
35 up being only economic data, and not any socioeconomic data, and  
36 so, to me, losing the lawsuit on an APA claim is very different  
37 than -- Certainly we can build the record in terms of the why, the  
38 need for this, the purpose of why it's being collected. I do agree  
39 that I think the range of alternatives could be simplified, and I  
40 would support, obviously, making some modification to that range.

41  
42 **CHAIRMAN WALKER:** Discussion? Mr. Donaldson.

43  
44 **MR. DONALDSON:** So, Andy, that was my question, of adding this  
45 back, and is that going to put us in conflict with the lawsuit,  
46 but, based on what you said, as long as we're clear what we're  
47 collecting, we're going to be okay, because I don't want to add  
48 this and, all of a sudden, it gets thrown out again.

1  
2 **CHAIRMAN WALKER:** Ms. Levy.  
3

4 **MS. LEVY:** Right, and so the lawsuit wasn't even -- The issue  
5 wasn't even about justifying the data. It was about notice in the  
6 proposed rulemaking, versus what we said in the final rulemaking,  
7 and so we weren't specific about the items we were going to ask  
8 for data in the proposed rule, that we were specific in the final  
9 rule, and the court said that our general characterization of  
10 socioeconomic data in the proposed rule did not give people notice  
11 about what we were going to require. The fix for that is, in the  
12 proposed rule, lay out exactly what you're going to ask, right?  
13 Thanks.  
14

15 **CHAIRMAN WALKER:** Dr. Froeschke, did you have something to that,  
16 or Dr. Banks?  
17

18 **DR. BANKS:** Well, so my thought was pulling this into its own  
19 amendment would be that if -- Since we don't have a huge buy-in,  
20 necessarily, and we're still getting mixed reviews on economic  
21 data reporting at public comment, and all the information that's  
22 being sent to us, in letters, in my email inbox, then potentially,  
23 if we were to be sued, there is an option that the whole data  
24 program doesn't go away, and just that portion, but, right now,  
25 it's wrapped together, and so, if they were to sue, then the whole  
26 program goes away, and what I keep hearing from fishermen is they  
27 want the data, and so maybe separating it out gives us a little -  
28 - I don't know, and maybe I'm thinking about that incorrectly, and  
29 I'm not a lawyer, Mara.  
30

31 **CHAIRMAN WALKER:** Ms. Levy.  
32

33 **MS. LEVY:** So that is not a reason to pull it out, in my opinion.  
34 Like I said, the issue was very specific, and so, if we can talk  
35 about why it's appropriate to collect this data, right, like why  
36 you think it's needed, what you're going to get from it, the burden  
37 versus the benefits, and we explain in the proposed rulemaking,  
38 when NMFS does the rulemaking, exactly what we're asking for, and,  
39 I mean, anyone can sue on anything, right, and whether they're  
40 going to win is another question.  
41

42 I think separating it out, number one, is going to cause you more  
43 work, and, number two, the question is, if you didn't need it --  
44 If you didn't think you needed it for this reporting program, why  
45 do you think you need it, you know, six months from now in a  
46 separate amendment, right, and so, if it's integral to this  
47 amendment, and it's something that the council, and the agency,  
48 really feel like they need, and the benefits outweigh the costs,

1 then we should be including it.

2  
3 **CHAIRMAN WALKER:** I kind of agree with that. I think there would  
4 be more support for keeping things moving than throwing a delay in  
5 there, and I think I also recognize that, you know, what we did  
6 wrong last time is not say it upfront what we're collecting, and  
7 now we're saying it upfront, and so I think -- I'm not a lawyer,  
8 but it seems like that would cover that base, but I think, whatever  
9 we can do to keep things moving here, I would do that, and keep  
10 any progress we've made here in would be something that I support.  
11 Dr. Froeschke.

12  
13 **DR. FROESCHKE:** I guess a question, based on the discussion,  
14 because it seems like there is two uncertainties, to me. One, my  
15 assumption that Alternative 1, the no action, means that you don't  
16 have to do this, is viable, but, if that's not the case, I wonder  
17 if we need an action. If it's something that absolutely just must  
18 be done, because of a requirement of the agency, then why does it  
19 need to be an action, and so that's what I was just trying to  
20 figure out.

21  
22 **CHAIRMAN WALKER:** Ms. Levy.

23  
24 **MS. LEVY:** Well, so I think you made it an action because there  
25 was a lot of comments on it, right, and you wanted to be very clear  
26 about the decision points, and potentially what the options were,  
27 and I know there has been some -- There's been some concern about  
28 setting a percentage in the document, that then, if for some  
29 reason, it needed to be changed, to actually get the data that was  
30 usable, that we would have to go back through this whole process,  
31 but, I mean, to the extent that you've gotten the economists to  
32 say that these alternatives, or options, are workable, then you're  
33 giving the public a lot of notice about what you're considering,  
34 and so that's why I think it's here.

35  
36 I don't think that it needed to be its own action. Again, in the  
37 prior program, what we lost on was the idea of notice between  
38 proposed and final rulemaking, and we didn't articulate this in  
39 the amendment, and I don't think we needed to articulate it in the  
40 amendment. What we needed to do was articulate it with more  
41 specificity in the rule, so that people could comment on it, right,  
42 but I think the council did this purposefully, right, to allow  
43 that more input going forward in this document.

44  
45 **CHAIRMAN WALKER:** Those were my thoughts as well. I think, if you  
46 just wrote it off and said this is something that NMFS would take  
47 care of, it would remove the opportunity for the council to weigh-  
48 in, and particularly to set percentages here, and I would rather

1 have input to that than, you know, it just being handed to us, and  
2 that's kind of where we ran into trouble last time. Dr. Banks.

3  
4 **DR. BANKS:** So, not to sound like a broken record, but how does  
5 this also fit in with the reporting coming out of HMS? One of  
6 their options is all fish species, and not just HMS, and they also  
7 have economic data in their reporting, and so how is our SEFHIER  
8 program, and all of these options, fitting with what's coming out  
9 of HMS?

10  
11 **CHAIRMAN WALKER:** My take on that is this is our charter boat  
12 program here, and we'll set it up, and we'll compare it to HMS  
13 when it comes down, as far as it applies to reef fish, and I don't  
14 know -- I don't know the legalities of that, but I don't know that  
15 HMS can tell us how to manage our snapper fishing.

16  
17 **DR. BANKS:** Well, HMS is outside of the council process, also.  
18 Whatever they say, if that's what they vote, like that goes into  
19 play, and we already hear, from fishermen, that they're  
20 overburdened. You've said it at the table today, regarding all  
21 your permits, and so that's just another reporting program that  
22 we're putting into play, and so how does ours fit with theirs, if  
23 we're looking at one-stop reporting and reducing the burden on  
24 fishermen? I don't have a solution, and I will just go ahead and  
25 say that, but just we need to think about it as we move forward.

26  
27 **CHAIRMAN WALKER:** Dr. Sweetman.

28  
29 **DR. SWEETMAN:** So, and I'm sure that Dr. Frazer has something here  
30 too, and do you want to go first? No? Okay. Yes, my  
31 understanding, Dr. Banks, is that HMS doesn't necessarily have any  
32 actions drafted right now for this, but my understanding is that  
33 they're going to try and review what the council moves forward on  
34 here, and try to match that, and I don't think we want them to  
35 match it, quite frankly, and we don't want them to require  
36 reporting, and it's almost a duplicative reporting process there,  
37 and so I think -- Is that your biggest concern?

38  
39 **DR. BANKS:** There are actions. They are at the final stages.  
40 There is an update on the regulations in September, and there are  
41 actions, and they've gone through public comment, and they are  
42 further along, quote, unquote, than us.

43  
44 **CHAIRMAN WALKER:** Dr. Frazer.

45  
46 **DR. FRAZER:** To that point, right, and so it would be interesting  
47 to hear, from the folks at HMS, what those questions and data kind  
48 of requests look like, and I'm wondering if we can get them -- I

1 mean, it's late in the game, right, but it would be nice to get  
2 them to give a presentation to the council.

3

4 **CHAIRMAN WALKER:** Dr. Sweetman.

5

6 **DR. SWEETMAN:** Just to be clear, it's my understanding they've  
7 only done scoping on that document.

8

9 **DR. BANKS:** There is a full presentation, with actions and  
10 alternatives, and it has been given to the HMS advisory panels  
11 three or four times now, and I'm pretty sure they've got a  
12 document.

13

14 **CHAIRMAN WALKER:** Well, maybe we can get an update on that from  
15 somebody. Dr. Frazer.

16

17 **DR. FRAZER:** Regardless of what stage it's in, it would be great  
18 to hear from them, right, with that presentation, so we can go  
19 along in our discussions with that.

20

21 **CHAIRMAN WALKER:** Dr. Banks.

22

23 **DR. BANKS:** Sorry to hijack the committee, but so those questions,  
24 like how it fits with the other reporting programs, have been asked  
25 in the HMS AP, and there is no answer. It is they are moving  
26 forward with their own thing, and there's no discussion, at that  
27 table, about how it's going to integrate, and so now it's just a  
28 whole other reporting program that we're going to have to somehow  
29 either integrate, or we're just throwing more at the wall.

30

31 **CHAIRMAN WALKER:** Dr. Frazer.

32

33 **DR. FRAZER:** Yes, but, to that point, that's why I guess I would  
34 ask for a presentation, so that we could initiate the  
35 collaboration, or at least a joint discussion, of how we might  
36 move forward, recognizing that there are two interested parties.

37

38 **DR. BANKS:** Not to throw Dr. Hollensead or Dr. Froeschke under the  
39 bus, but you guys have met with them, after the last HMS, about  
40 this briefly, right, or you were a part of a meeting discussing  
41 some of the electronic reporting?

42

43 **DR. HOLLENSEAD:** So we do have HMS staff on the IPT, listening  
44 into these discussions, and they've looked at the documents, and  
45 they even review, and that sort of thing, and so they are certainly  
46 comparing notes. We have not -- It's not an exchange from them,  
47 as opposed -- You know, where they say this is exactly what we're  
48 doing, or this is what we're moving --

1  
2 We haven't gotten that sort of feedback, but they are aware of  
3 what we are doing, but a question has come up, at a previous  
4 meeting, of if, for example, they decide to do trip-level economic  
5 reporting, or we decide to do some, you know, 10 percent, or 20  
6 percent, something like that, what exactly does that mean for folks  
7 holding both of those permits. If you have an HMS permit, does  
8 that mean it's more stringent? Does that mean then that you have  
9 to report economic data after every trip?

10  
11 At first, I think these things were sort of veering parallel, and  
12 we didn't really have to have these types of conversations yet,  
13 and I now see them merging more, and so perhaps we do need to speak  
14 with them, in terms of these programs are now seeming to come  
15 together a little bit more, and we're seeing the formation of them  
16 a bit more, and so maybe this, instead of having to be sort of a  
17 comparison of notes, needs to be a little bit more of a  
18 conversation that we have at this level, potentially, and I will  
19 look to my boss.

20  
21 **CHAIRMAN WALKER:** Mr. Anson.

22  
23 **MR. ANSON:** That was -- I raised my hand for that very question,  
24 is what would be the default, I guess, for those folks that had  
25 both HMS and a reef fish permit, because I understand your comment  
26 about trying to manage the reef fish fishery in the Gulf, and HMS  
27 is separate, but, relative to the reporting, and the burden, and  
28 all that stuff, is whether or not there would be a, you know, de  
29 facto that you would have to do -- You know, go to the more  
30 stringent reporting, I guess, is how the agency has typically, you  
31 know, handled these issues, but I don't know, and that would  
32 certainly be a good question, if it's not already determined.

33  
34 **CHAIRMAN WALKER:** Well, I think we need a presentation, or a  
35 presenter, to fill us in on all that, because that apparently could  
36 be a really big issue, and, if it is, we need to know, while we're  
37 considering all these things. You know, it's a little disturbing  
38 to think that HMS is going to come in and just dictate our entire  
39 reef fish reporting program, but Mr. Strelcheck.

40  
41 **MR. STRELCHECK:** Well, to be clear, the reporting requirements are  
42 linked to the permit, right, and so to say that HMS is going to  
43 dictate your reporting requirements is not accurate, right, and we  
44 dictate the reporting requirements for reef fish. The problem is  
45 what Kesley is suggesting that, if there's different reporting  
46 requirements set up, you're essentially doubling the burden on  
47 fishermen, right, and so I agree with Dr. Frazer.

48

1 I have reached out already, during this conversation, to the head  
2 of HMS, asking for some information on the status of their action,  
3 what they're considering, how that may or may not align, obviously,  
4 with the work that we're doing, but we need to get an update on  
5 that and see if there's an opportunity to increase alignment, or  
6 have full alignment, without duplication.

7  
8 **CHAIRMAN WALKER:** So, Dr. Banks, you're our -- You're on the HMS  
9 AP, right? Do you have any idea what their economic -- What  
10 they're talking about, as far as economic requirements, reporting  
11 requirements?

12  
13 **DR. BANKS:** So we get an update in the first week of September on  
14 that, with more detail. Right now, they have very similar  
15 alternatives to what we had in the first SEFHIER, and so it's not  
16 inconsequential.

17  
18 **CHAIRMAN WALKER:** The one that got tossed. Interesting. Okay.  
19 Good conversation. Carrie.

20  
21 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so we did  
22 receive that scoping document presentation from Ms. Brewster-  
23 Geisz, and I cannot recall what council meeting it was, and I don't  
24 recall if we wrote a formal letter, but I know we did comment, and  
25 this is when the SEFHIER program had been overturned, that they  
26 did have an option in there to include reef fish, at the time, and  
27 we did strongly advise against that, and so I think definitely  
28 getting an update, and staff will coordinate that, and make sure  
29 we discuss it, and the problems with multiple permits and reporting  
30 burdens should be part of this discussion, and we can bring back  
31 a clean document, more fleshed out, to the next council meeting.

32  
33 I would suggest, if you all do want to make changes to these  
34 options, that would help staff, I think, move this forward, if  
35 it's absolutely something that you know you don't want to consider,  
36 as far as the 50 percent of the trips, or some other way you want  
37 to move forward, and I think that would be helpful for us at this  
38 meeting.

39  
40 **CHAIRMAN WALKER:** So that would be in the form of a motion here at  
41 committee, or at the council meeting?

42  
43 **EXECUTIVE DIRECTOR SIMMONS:** You could do it in committee now, or  
44 you could wait until Full Council, but, yes, we need a motion.

45  
46 **CHAIRMAN WALKER:** I would like to see an option of 10 percent  
47 added, if the chairman can make a motion on this, or maybe one of  
48 my friends on the committee might consider doing something like

1 that. Mr. Dugas. Actually, I'm not the chairman, am I?

2  
3 **MR. DUGAS:** All right. I will make that motion for you, Ed. I  
4 think it would be Option e, 10 percent.

5  
6 **CHAIRMAN WALKER:** We might consider removing the 50 percent at the  
7 top, too. Okay, and so we've added an option for up to 10 percent  
8 of trips, and it will need a second. Dr. Banks. Is there  
9 discussion? Andy.

10  
11 **MR. STRELCHECK:** Yes, and so lots of comments, and so I think, you  
12 know, with what Dr. Liese said during the last meeting, or whenever  
13 he presented, it was he could live with 10 percent, if there was  
14 a large amount of trips, right, and I think, you know, it was  
15 discussed in the context of 50,000 trips, but it's not an up to,  
16 and it was a minimum 10 percent, right, at least 10 percent.

17  
18 I don't necessarily see Option e as needed, because we have Option  
19 d, which is up to 20 percent, right, and so it's we could require  
20 10 percent, under that preferred option, or we could require 15  
21 percent, or we could require 20 percent, and it's really, to me,  
22 more based on, economically, what is needed to provide us a  
23 sufficient level of detail and information, and, when you lower  
24 the percentage, even if it's a large number of trips, the challenge  
25 becomes areas that you may not sample very well, because they have  
26 a small number of vessels, or they may not be representative  
27 sampling, right, and so I would just argue against adding this  
28 option, because I feel like Option d already covers it.

29  
30 **CHAIRMAN WALKER:** So my take on that is that it has been a constant  
31 struggle between pushing the number higher and pushing the number  
32 lower, from the charter boat side versus the economic data guys,  
33 who always want the most data, and the charter guys are pushing  
34 for the smallest amount that can get them covered, and, also, this  
35 is what a lot of guys did not like about the previous program, and  
36 maybe not exactly what tanked it, but it helped.

37  
38 I get that you can get 10 percent with Option d, up to 20 percent,  
39 but, to me, that still leaves 20 percent on the table, and I'm not  
40 in favor of 20 percent, and so I would speak in favor of at least  
41 leaving the option there, and we can vote it up or down, but it's  
42 just another option to consider. Mr. Dugas.

43  
44 **MR. DUGAS:** Thank you, Mr. Chair. Andy, from what you were saying,  
45 maybe it should be worded different, and maybe it should say  
46 minimum, and I think that's the word you used, of 10 percent.

47  
48 **CHAIRMAN WALKER:** General Spraggins I believe was next.

1  
2 **GENERAL JOE SPRAGGINS:** I guess what we're trying to do, and it  
3 may be what Mr. Dugas said, is a minimum of 10 percent, but, you  
4 know, is there an Option d -- That you could modify it, to where  
5 it says minimum of 10 percent, and up to 20 percent, but I know  
6 you don't like the word "20", or the number, and I guess the  
7 question is are we trying to get a minimum of 10 percent? If  
8 that's what it is, then maybe what Mr. Dugas said might work, and  
9 I don't know.

10  
11 **CHAIRMAN WALKER:** My take is, and Andy is right about this, that  
12 I'm not looking for up to 10 percent, or anything less than 10  
13 percent, but I did hear, from some of the economists, that they  
14 can make 10 percent work, and 10 percent works for me, and some of  
15 the other charter boat guys I've talked to, and it's a compromise.  
16 You know, some of the charter boat guys came in and said no economic  
17 reporting, you know, and let's fight about this, and, to me, 10  
18 percent is kind of an acceptable middle ground. Andy.

19  
20 **MR. STRELCHECK:** So we sit around this table, oftentimes, and talk  
21 about how we want improved, more precise, or accurate, data, and,  
22 to me, what we're moving toward, with this option, is kind of the  
23 minimum requirement, the absolute bare minimum, right, and so I  
24 have concerns about that, right, but then, more broadly, to  
25 characterize this as a compromise, right, and we went from  
26 collecting this on every trip, to now we're suggesting potentially  
27 only 10 percent of the trips, right, and so I'm not sure that's a  
28 compromise as much as -- I still haven't been convinced as to the  
29 economic concerns the fishermen have.

30  
31 I've been told, obviously, that it's a burden, and we know that it  
32 takes a little bit of extra time in each logbook to submit this,  
33 right, but that's been proven to be seconds to minutes, right, of  
34 additional time. We've been told that the data that's being  
35 provided -- That maybe they don't know exactly the information  
36 about how much they've used on a trip, and, okay, that's fair  
37 enough, but to go from a 100 percent census down to 10 percent, to  
38 me, is not a compromise, and it's something where we're really  
39 minimizing the data, and we're affecting, obviously, then the  
40 information that we'll have for management, both what goes into  
41 amendments, allocation decisions, everything else. To me, we're  
42 better off looking at a higher percentage, even if we never  
43 subsample up to 20 percent.

44  
45 **CHAIRMAN WALKER:** General Spraggins.

46  
47 **GENERAL SPRAGGINS:** I guess another thing is I don't like "up to",  
48 period. You know, we need to set a number. Up to, if we put "up

1 to 10 percent", that means you can do 1 percent, and, if I say "up  
2 to 20 percent", I can do 1 percent, and, if I say "up to 50  
3 percent", I can do 1 percent, and why don't we make it a number,  
4 as a minimum, and work off of that, and, I mean, I understand  
5 Andy's points, and so, whatever it is, if it's 10 to 15 to 20  
6 percent, whatever that number is, and let's find a good, common  
7 number and say we've got to have that as a minimum.

8  
9 **CHAIRMAN WALKER:** Dr. Banks.

10  
11 **DR. BANKS:** I'm probably leaning towards General Spraggins'  
12 comments right now, but, back to Andy's comment with the "up to"  
13 part, then I stand firm with I would like to add removing Option  
14 a, up to 50 percent, because I think, if you give someone the  
15 option to collect that much -- I'm a scientist, and I'm going to  
16 hit that. I'm going to -- You gave me 50 percent, and I'm going  
17 for it, and we've heard, from the fishermen, that's not what they  
18 want to do, and so pick a number that we don't want to go above,  
19 and say either up to that number, or, like General Spraggins said,  
20 we hit that number, and that's it, and so those are -- I mean,  
21 that's my comments, and it sounds, to summarize around the table,  
22 like Dr. Frazer does. It sounds kind of like that's where people  
23 are at, one of those two options.

24  
25 **CHAIRMAN WALKER:** Okay, and so we're running a little long. I  
26 believe we have a -- Ms. Levy. Sorry.

27  
28 **MS. LEVY:** I would just -- I guess the only thing I would caution  
29 against is setting a hard number, only because you set the hard  
30 number as the council, and, a year into it, the scientists are  
31 like that hard number is really not working to generate anything  
32 that we need, and 5 percent below or above might have been helpful,  
33 and you're going to have to go back through this whole process,  
34 and so I get the hard number, but, you know, it's risky, in terms  
35 of there being a problem afterwards and not being able to adjust  
36 it, and, after we put this program in place the first time, the  
37 complaints from the council about how long it took to adjust  
38 anything with respect to this program happened over and over again.

39  
40 The more strict you are hard-wiring things in there, the harder,  
41 and the more time-consuming, they're going to be to change, and so  
42 I just caution to consider the balancing of those two things.

43  
44 **CHAIRMAN WALKER:** I'm glad that you mentioned that, Ms. Levy,  
45 because, to me, the adjustment and adding things was the problem  
46 that a lot of guys had to begin with, and that setting a hard  
47 number addresses that issue. We never agreed to some of this stuff  
48 that was added later on, and that's how they lost the lawsuit, is

1 they were adding things, after the fact, that were not previously  
2 approved.

3  
4 By leaving room to add things, in my view, it leads us right back  
5 to the same problem we had before, and I think we should pick a  
6 number, because the economists are going to come up with more  
7 things to add, and that's just how it is. They want to add more  
8 things, and the charter boat guys don't want to leave an open door  
9 for adding things, in my view. Carrie.

10  
11 **EXECUTIVE DIRECTOR SIMMONS:** Just a suggestion, since I think I  
12 kind of opened this up. I was going to suggest maybe, when we  
13 bring this back, and I was looking over at Assane and Matt, and it  
14 seems, to me, that we could bring some information about what the  
15 10 percent would give us, and how robust maybe some of that would  
16 be, as far as for all the different species we manage, and like it  
17 may be appropriate for red snapper, right, but what I understood,  
18 from Dr. Liese, is that it may not be applicable to gray  
19 triggerfish and some of the other species.

20  
21 **DR. CHRISTOPHER LIESE:** Can you hear me?

22  
23 **CHAIRMAN WALKER:** Yes, Dr. Liese. I saw your name there, and I  
24 was calling on you next, but please --

25  
26 **EXECUTIVE DIRECTOR SIMMONS:** So just a suggestion.

27  
28 **CHAIRMAN WALKER:** Please give us your input.

29  
30 **DR. LIESE:** Assane asked me, and he said this was up for discussion,  
31 and so I just want to correct one thing. I mean, we economists  
32 don't always want to add things, and I don't really -- You know,  
33 I have no personal preference for more data. The question -- The  
34 data we need derives from what the council -- From the type of  
35 questions we are asked, the type of information that's needed for  
36 the amendments.

37  
38 When we ask for data, or when I make these recommendations about  
39 these things, it's about what other people want from us. If we  
40 continue to do it as we did before, I will just sort of -- It makes  
41 it much easier on me, because I use the 2017 fee data, based on  
42 120 observations, and that's the only thing we have, and we'll  
43 inflation-adjust it upwards, and it's a very data-poor situation  
44 for a very important sort of fishery sector in the Gulf of Mexico,  
45 which is probably worth a hundred-million, or something like that,  
46 but we don't know, and so it's not that we just have data greed.

47  
48 I actually think of myself as a survey researcher, and respecting

1 the respondent is critically important, and, when I wrote that up  
2 to 20 percent, we have no interest in collecting data that we don't  
3 need, and, you know, I want to -- Absolutely not.

4  
5 To the question of what these options were, 50, 33, 25, 20, if  
6 memory serves right, a little bit further down, there is a  
7 discussion of that, and I didn't want to -- I didn't put it down  
8 explicitly, but it says that, you know, if we want to look at the  
9 average Gulf of Mexico charter fleet, we can get away with a 1  
10 percent sample, right, because, if there is 40,000 trips, 1 percent  
11 of that is -- Well, maybe a little bit more than 1 percent would  
12 be good, but, anyway, if we got 500 observations, we have a pretty  
13 tight confidence interval, and we could give you the average  
14 charter fee, an estimate of the average charter fee, in the Gulf  
15 of Mexico, but that's not species-specific.

16  
17 Now, if you want to know about the red snapper, well, there's still  
18 16,000 trips, and I could give you the average charter fee of a  
19 red snapper trip, but, if you wanted to get down to other species,  
20 for which there might only be 2,000 trips -- You know, if I have  
21 a 10 percent sample, I will be down to 200 trips, if everyone is  
22 responding, and so, if you want that species in the State of Texas,  
23 it's going to be less than that, right, and so it just cuts down  
24 what we can do.

25  
26 Now, we can always work around, and, right now, I really, really  
27 would like to have fee on this data collection, because it's sort  
28 of integrated economic and biological and effort data all together,  
29 and we would take whatever the council wants, but, again, the  
30 question -- The number there, this 10, 20, 30, or 50, derives from  
31 how exact information you want from the economists, and 10 percent  
32 is workable, and it's probably a little less than -- We won't be  
33 telling you about triggerfish trips in certain states, but it's  
34 still better than nothing, and, you know, 20 percent -- That's why  
35 I wrote "up to".

36  
37 There's another tradeoff between the complexity of the sampling  
38 design and the individual -- You know, what percentage you have.  
39 If we were willing to do sort of sampling, where we -- You know,  
40 like I said, with red snapper trips, there's many of them, and,  
41 technically, we need only 2 percent of those, but we don't know,  
42 in advance, if people are going to go for red snapper, but, if we  
43 sample by different permits, and by, you know, things like that,  
44 and, you know, mackerel people might -- We need more, or we  
45 stratify the sample by state, and we can, you know, come up with  
46 different percentages for different subpopulations, minimizing the  
47 overall burden, to just get exactly what we need, but it adds  
48 complexity to the data collection, the analysis, notifying people

1 and stuff like that.

2  
3 In the for-hire sector, we are sort of doing that a little bit,  
4 and we just have the flat 20 percent, which is not written into  
5 any type of, you know, amendment, but we've always just told  
6 everyone that 20 percent is what we do, and we put that into the  
7 OMB PRA package, the Paperwork Reduction Act, and so we are bound  
8 by those 20 percent, and we've stuck to that, and, you know, that's  
9 where I think the 20 percent comes from, and it's a good -- Our  
10 experience has shown that 20 percent gives us enough for most  
11 subsegments, but, that said, I have not -- No one has seen this  
12 data for the for-hire sector.

13  
14 I did some analysis with the 2022 data, and, you know, that's what  
15 is further down in the paragraph, explaining what type of  
16 subsegments we would have information on, you know, statistically-  
17 solid information on, if we had those samples, and so, you know,  
18 I think that works for me, too. Thank you.

19  
20 **CHAIRMAN WALKER:** Thanks for you input, Dr. Liese, and I hope you  
21 will be on the line for the Full Council discussion on this, but  
22 point taken. Dr. Frazer, and then we're going to try and wrap it  
23 up, because it's lunchtime, and there's a motion on the board that  
24 we need to vote up. To me, it's just an option, and so putting it  
25 on there is not going to be that hard, but Dr. Frazer.

26  
27 **DR. FRAZER:** I was just going to expand a little bit on Dr. Liese's  
28 comments, and some of Dr. Banks' comments, and, I mean, so what we  
29 see in the document at this point, and we don't have the full kind  
30 of document, but the discussion only relates to the 20 percent,  
31 right, and so we don't know what the error associated with some of  
32 those underrepresented species might look like at 10 percent, and  
33 so the question is, you know, there's this tension between reducing  
34 the burden on the fishermen and how much data that we need to  
35 rigorously assess the fishery, so we can have certainty in the  
36 data, so we can provide the fishermen with as many fish as we can  
37 get them.

38  
39 I don't think it's a decision, or a discussion, that we should  
40 have as a council entirely by ourselves, right, and I actually  
41 think this is where the SSC should weigh-in a little bit and say  
42 this is the optimal number of samples, you know, that we would  
43 think that you might need, right, to get the best data to serve  
44 the council moving forward, and so I don't mind the option, in  
45 this particular case, but I think we have to think a little bit  
46 more about how we have the discussion before we make the decision.

47  
48 **CHAIRMAN WALKER:** Sure. I'm okay with that. To kind of wrap

1 things up for the Data Collection Committee for now, there's a  
2 motion on the board for an option. **Is there any opposition to the**  
3 **motion on the board? One opposed, and so that means we take a**  
4 **vote?**

5  
6 **DR. SWEETMAN:** No, you're good. The motion carries with one in  
7 opposition.

8  
9 **CHAIRMAN WALKER:** I guess that is a vote. Gotcha. Okay. Anything  
10 else for Data Collection? I apologize for taking us into  
11 lunchtime. Andy.

12  
13 **MR. STRELCHECK:** Lisa, sorry to put you on the spot, but I guess  
14 two things. One, in terms of the actual wording of the  
15 alternatives, I think there's been discussion, at the IPT level,  
16 about this being trips versus vessels, right, and those are,  
17 obviously, two very different things, and I think we were holding  
18 out hope that we could subsample logbook trips that were being  
19 submitted to us, and so I'm just curious about where the IPT stands  
20 with regard to whether we could do that with trips, versus having  
21 to sample vessels at some percentage throughout the year.

22  
23 **DR. HOLLENSSEAD:** It's my understanding that we had originally gone  
24 with trips, and, you know, from a statistical design, that would  
25 be ideal. Whether we can actually go through with that, within  
26 the apps and things, is apparently causing some problem, that that  
27 may not be doable, in which case we would have to look at  
28 potentially doing it by vessel, which would bring up another set  
29 of -- Perhaps modifying that survey design, which I would hesitate  
30 to say anything on until speaking with the IPT, but it is very  
31 possible that, in that discussion with the IPT, when we bring this  
32 back, that this action would say "vessels", in which case we would  
33 have to have a discussion about the methodology, about how to  
34 collect that data.

35  
36 **CHAIRMAN WALKER:** That's a great point, Andy. I hadn't thought  
37 about it that way, but please.

38  
39 **MR. STRELCHECK:** So I guess we'll have to circle back and get some  
40 more direction from the IPT in November. The second issue really  
41 relates to the range of alternatives, and so now we have five, and  
42 I heard Kesley's potential for dropping the 50 percent, and maybe  
43 another one, and so I would just pose it, I guess maybe from an  
44 IPT standpoint question, is there benefit to doing that now, versus  
45 waiting until November, when we maybe have more input from the  
46 SSC?

47  
48 **DR. HOLLENSSEAD:** Well, I think there is the potential that the IPT

1 is going to have to look at this through vessels, or some other  
2 mode, and, if there was a percentage of sampling that the council  
3 felt strongly that we don't need to consider, if you were to remove  
4 it now, as we went to revamp this action, that would be helpful.  
5 If there's some limit to which you all say, no, we don't want to  
6 go to that, we don't have to consider it.

7  
8 **CHAIRMAN WALKER:** Mr. Dugas.

9  
10 **MR. DUGAS:** I will try. **I make a motion to remove Option a and b.**

11  
12 **CHAIRMAN WALKER:** Dr. Banks.

13  
14 **DR. BANKS:** I will second for point of discussion.

15  
16 **CHAIRMAN WALKER:** What do you think of that, Andy? I was just  
17 looking at the giant 50 percent number, and I hadn't thought any  
18 further, and what are your thoughts on that?

19  
20 **MR. STRELCHECK:** Certainly I think Option a I would support. I  
21 guess, my thought was maybe keeping Option b, and eliminating  
22 Option c, just because 25 percent and 20 percent are very similar  
23 to one another, right, and so you have 33 percent, 20 percent, and  
24 10 percent, and that's kind of a reasonable range for  
25 consideration.

26  
27 **CHAIRMAN WALKER:** So what do others on the committee think of this  
28 motion? Any more discussion on -- How about we discuss the 33  
29 percent? Does everybody seem okay with that? Andy.

30  
31 **MR. STRELCHECK:** I mean, we're not selecting preferreds right now,  
32 right, and so I don't want to -- To me, I recognize that there  
33 might not be the support for the upper end of the range of 33  
34 percent, but I feel like it's very reasonable to consider that,  
35 and then we would have two other alternatives that would be lower  
36 than that.

37  
38 **CHAIRMAN WALKER:** Dr. Banks.

39  
40 **DR. BANKS:** For the purpose of exploration, and I know I was the  
41 first one to throw out removing Option b, but, J.D., maybe we leave  
42 Option b, just for the purpose of exploration through the IPT, and  
43 then later we can -- If we decide that's not something we want, it  
44 can not be the preferred, and so if I can make a friendly amendment.  
45 **Bernie, if you would strike "Option b" from the motion.**

46  
47 **CHAIRMAN WALKER:** I agree with that. It's like Andy said, and  
48 these aren't preferreds, and these are just options. Mr. Dugas.

1  
2 **MR. DUGAS:** Thank you, Mr. Chair. I would just say that I agree  
3 with the new motion.  
4

5 **CHAIRMAN WALKER:** Okay. There's a motion on the board to eliminate  
6 the 50 percent of trips that are randomly sampled for economic  
7 data reporting. **Is anyone opposed?** Well, I guess we have -- Well,  
8 we're removing it, and I don't know what the new motion is going  
9 to say, exactly, but it's not on the board. It does say "remove"?  
10 Okay. I've got you. I saw another one coming up. **Is there any**  
11 **opposition to the motion on the board? Seeing none, the motion**  
12 **carries.** Andy.  
13

14 **MR. STRELCHECK:** Not to drag us out before lunch, and so I wanted  
15 to go to the did-not-fishing reports, real quick, and, just for  
16 the IPT direction, it seemed like what I heard in the earlier  
17 discussion is that you would want the IPT to weigh-in on the  
18 frequency of how often those reports would be submitted, as well  
19 as maybe the upfront timeframe ahead of, or in advance, of when  
20 they could be submitted, right, and is there any other information  
21 you would want? I mean, obviously, we can talk more about the  
22 purpose and need of requiring a did-not-fish report, but I just  
23 wanted to make sure it was clear for the IPT's direction.  
24

25 **DR. HOLLENSHAD:** Thank you, Mr. Strelcheck. What I heard was that  
26 you would like some IPT feedback on the frequency of that, as well  
27 as what would that look like, and is that going to be like the  
28 headboat, and you get a report that's summarized information, or  
29 it would be something like the IFQ, and that's something that we  
30 could bring back to you.  
31

32 **CHAIRMAN WALKER:** Very good. Any more comments for Data  
33 Collection? All right. I think this concludes the Data Collection  
34 Committee, and I will hand it back to you, Mr. Chair.  
35

36 (Whereupon, the meeting adjourned on August 19, 2024.)  
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39